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MELANIE PICHLER

Changing Socio-Natures in South-East Asia

OLIVER PYE¹

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South-East Asia's environment is of special relevance to the world today. This is not simply because of its particular geological and geographical history (periods of interaction and separation with Asia and Australasia, endemic speciation on the thousands of islands), its tropical forests, and its reef-lined coasts which have made it into one of the globally most bio-diverse regions (Sohdi & Brooke, 2006). In more recent human history, the geographical location of South-East Asia between China and India, Arabia, and Europe led to the early integration of its environmental resources into global trading flows, also significant to its eventual colonial subjugation by European powers (Reid, 1993). The experience as a major political fault line during the so called Cold War and subsequently, export-led agriculture and industrialisation in the region, transformed the way South-East Asian societies interacted with and exploited the environment. The environmental crisis that accompanied this economic success story is an extreme example of the challenge we face to create a sustainable future today.

This urgency of environmental change and crisis in South-East Asia has given rise to an increasing number of publications on environmental issues in the region. Rather than seeing the environment as 'nature' outside of human society, most of these writings have focussed on the changing relations between society and nature. Most authors can be located within an increasingly influential tradition of Political Ecology (Robbins, 2012) that looks at the "social relations of nature" ("gesellschaftliche Naturverhältnisse", Görg, 1999), the "social production of nature" (Smith, 1984) and "socio-natures" (Swyngedouw, 1999). At issue are how societies appropriate nature, how they thereby produce land, forest, water, and urban socio-natures, and how this reciprocally influences social relations of production, exploitation, power, and conflict.

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At one level, the changing socio-natures of South-East Asia can be seen as a result of successive waves of commoditisation processes and the “dynamic relationships between commoditization, nature, people and places” that this entailed (Nevins & Peluso, 2008, p. 2). The way in which these commoditisation processes were organised, influenced how societies and states developed. Long before colonial times, non-timber-forest-products (NTFPs) were exchanged down rivers, linking forest-based peoples in the interiors via intermediate trading centres (often at the mouth of the river) to China (Tagliacozzo, 2005). This gave rise to “dendritic systems” (Bronson, 1977; Dunn, 1975) of politically independent but mutually trade-dependent societies. Later, wars were waged over the control over NTFP extraction and trade, leading to the emergence of regionally powerful trading empires such as Srivijaya, Angkor, Ayutthaya, or Makassar.

Trade with forest and agro-forestry commodities played a defining role in the colonial interest in South-East Asia. For several hundreds of years, Portuguese, Dutch, and English trading companies waged war against Malay, Javanese, Bugis, and Moluccan peoples and each other for the monopoly over the spice trade (Reid, 1993). Nutmeg and cloves, cultivated as orchards on the Moluccas, were in such high demand that they were worth their weight in gold in London and Rotterdam. Subsequent colonial domination of the region at first took over and expanded existing NTFP trading networks, exhausting the stocks of products such as *gutta percha*, camphor, or bird’s nests (Columbijn, 2006; Potter, 1997).

But the new colonial powers soon had a more far-reaching and long-term impact on the social relations of nature in the region. In particular, the colonial powers developed a timber industry that was dependent on large amounts of capital and waged labour for timber extraction and milling (Bryant, 1997; Peluso, 1992; Pye, 2005) and new systems of plantation agriculture. Sugar, tobacco, and rubber estate owners on Java and Sumatra, in the Malay states, and in the Mekong delta imported labourers from as far as China and India to clear large areas of forests and initiated small-scale agriculture for new monocultures (Breman, 1990; Brocheux, 1995; Stoler, 1995). This represented a qualitative shift from expanding market exchange to introducing capitalist relations of production, creating new landscapes of produced socio-nature.

The productions of these socio-natures were political projects that changed power relations at different scales and created new political ecologies of South-East Asia. While expanded exchange networks could be accessed by the control over trade cen-

tres, the timber industry and plantation agriculture required “territorial control” (Vandergeest & Peluso, 1995), i.e. the principle of state ownership over land and forest in a defined and mapped area. The colonial state in general and forest administrations in particular strived to exclude customary use of forest resources by the peasant population (Bryant, 1997; Cleary, 2005; Kathirithamby-Wells, 2005; Peluso, 1992; Vandergeest, 1996). Subjugating nature was a means “to improve” (Li, 2007) – a modernising and civilising project to develop the colonies. Meanwhile, dispossession of peasants for commercial plantations, new taxation systems, and labour laws created gendered systems of indentured labour for commoditised agriculture (Breman, 1990; Stoler, 1995).

If the colonial experience was a defining one in the region (Thailand – although not colonised – copying similar structural processes), a second common experience of long, protracted war recalibrated the complex interaction between political regime and environment. Anti-colonial liberation struggles merged with World War II, continuing and intensifying as proxy wars between the United States, the Soviet Union, and China, and transforming into long civil wars, creating their own brutal socio-natures. Cambodia, for example, became caught up in the American war in Vietnam, in which forests became guerrilla cover to be destroyed by intense bombing (half a million tonnes of bombs 1969-73; Kiernan, 1989) and Agent Orange. Similarly, rice fields were systematically destroyed by using the herbicide Agent Blue (Westing, 1976). Under the Khmer Rouge, agricultural production became collectivised under a war economy that prioritised rice exports to China in exchange for weapons – killing millions through overwork and starvation (Kiernan, 1996). In the subsequent civil war lasting into the 1990s, the Khmer Rouge and the Vietnam-backed forces financed their troops through extensive logging, creating a peculiar political ecology of forest destruction based on conflict and cooperation between warring parties (Le Billon, 2000, 2002).

Although the social relations of nature – particularly access to land and forests – were a major factor in the social upheavals against the colonial powers (Peluso [1992] writes of “forest-based agrarian war” in the case of Indonesia), the post-colonial nationalist governments of South-East Asia prolonged many of the principles set down by the colonial territorialisation efforts. In the name of development, colonial forestry departments were revamped and geared towards national timber industries (Broad, 1995; Bryant, 1997; Cooke, 1999; Peluso, 1992; Pye, 2005) and export networks

(Dauvergne, 1997), increasing deforestation rates across the region (Aiken & Leigh, 1992; Hirsch, 1993). The plantation economies, too, were nationalised and expanded (Stoler, 1995). In forestry and agriculture, coalitions between corporations and political elites pursued more profitable and permanent conversions such as eucalyptus and acacia pulp and paper plantations (Lang, 2002) and oil palm (Colchester et al., 2006; Marti, 2008).

Water socio-natures also became the target of national development plans. Thailand, Malaysia, Indonesia, and the Philippines systematically developed their industrial fisheries and trawler fleets, leading to overfishing and increasing conflicts with small-scale fishers (Butcher, 2004). Special development fantasies evolved around rivers. Coalitions of government planners, energy corporations, and engineers strived to subdue and control their raw and seasonally wild power with dams that promised the double benefits of energy and irrigation (Molle, Foran, & Käkönen, 2009). Meanwhile, industrialisation and urbanisation created new problems of heavily polluted urban riverscapes (Lucas & Djati, 2007).

Developmentalist strategies based on the exploitation of natural resources were implemented by authoritarian regimes of various shades. Large-scale infrastructure projects were wedded to centralised state control over resources and to the politics of repression. Suharto's New Order regime in Indonesia was a stark representation of this regional trend. The mass killings of labour and peasant activists in 1965 radically changed the social landscapes of land reform on Java (Cribb, 1990) and plantations in Northern Sumatra (Stoler, 1995), laying the ground for an unchallenged export-led industrialisation. Large-scale projects such as the Grasberg mine in West Papua were backed up by military might, while a system of large-scale timber concessions handed out to conglomerates close to the regime (Barr, 1998; Gellert, 2005) was supplied with disciplined labour by the *transmigrasi* programme (Hancock, 1997).

However, these authoritarian regimes were challenged by a wave of democracy movements that swept across the region in the 1980s and 1990s. The Peoples Power movement that toppled Marcos in the Philippines in 1986, the May 1992 democracy movement in Thailand, and the *Reformasi* movement that brought down Suharto in Indonesia in 1998 all opened up democratic space for the articulation of environmentalist critiques of the then dominant development model (Broad & Cavanagh, 1993). Politicisations over the social relations of nature often preceded these mass movements. In Indonesia, for example, *Wahana Lingkungan Hidup Indonesia*, (WALHI), a net-

work of NGOs and grassroots groups, was able to lead successful campaigns against a pulp and viscose factory on Sumatra and a planned pulp plantation in West Papua (Gordon, 1998). WALHI joined struggles by peasant and indigenous groups to form an “environmental and agrarian justice movement” (Peluso, Afif, & Rachman, 2008) that blossomed after the fall of Suharto. In Thailand, successful resistance to eucalyptus plantations and forced relocations of forest-based peoples (Lohmann, 1991; Pye, 2005) gave rise to the *Assembly of the Poor*, a network of grassroots movements that put forward an alternative development paradigm based on local sovereignty over natural resources (Missingham, 2003). In countries where democracy movements did not emerge (Laos, Vietnam), were weak (Cambodia, Malaysia), or were violently put down (Myanmar), environmental justice movements have not developed to the same extent. Anti-logging protests by indigenous peoples in Malaysia (Brosius, 1999) and Cambodia (Bottomley, 2002) remained marginalised at the national scale.

These challenges to authoritarian natural resource regimes coincided with wider transitions of neoliberal globalisation. For South-East Asian environments, this meant a new wave of commoditisation embedded within political regimes that emphasised a mix of privatisation, ‘good governance’, and ‘self-management’ (Li, 2007; Nevins & Peluso, 2008). New appropriations of nature, be it “aquarian capitalism” (Fougères, 2008) of aquaculture and live reef fisheries, national parks and conservation services (Hall, Hirsch, & Lee, 2011), bio-diversity and genetic information (Colchester, 1996), or ‘carbon stocks’ link different actors along the “friction of the commodity chain” (Tsing, 2005, p. 51). The new decentralised but globalised political ecologies that this creates “complicate conservation” (Dove, Sajise, & Doolittle, 2011), leading to processes that cannot be captured by a dichotomy between local and indigenous conservation versus central, capitalist exploitation. Rather, shifting alliances create new politicised paradoxes of development and environment at different scales (Forsyth & Walker, 2008; McCarthy 2006, 2010).

The papers in this special edition of the *Austrian Journal of South-East Asian Studies* are located firmly within this recent phase of ambiguous transition. In a first set of articles on forest politics in Indonesia, Anu Lounela looks at how the pent-up social anger at the injustices under Suharto led to peasant mobilisations and land occupations. She explains the sources of authority which a local Javanese leader draws on to challenge state policies on land and forests. Also on Java, Ahmad Maryudi shows how this kind of community resistance against state control over forests became

co-opted and bureaucratised within a community forestry scheme. The forest user groups that were officially sanctioned by the state forest company *Perhutani* are a good example of the now dominant 'self-management' environmental governance regime. Cathrin Bullinger and Michaela Haug discuss the unintended consequences of the decentralisation policy in the *Reformasi* era. The combination of centralised timber industry and localised concession-granting political power led to an upsurge in logging activities and to reassertion of centralised power by the Ministry of Forestry.

The Ministries of Forestry of several South-East Asian countries are key players in a new commodity which is currently being produced within the global climate regime: carbon. The UN mechanism *Reducing Emissions from Deforestation and Forest Degradation* (REDD) aims to sell carbon stocks 'saved' by preventing deforestation on an emerging carbon market. In their interview with Prof. Rachmat Witoelar, the Indonesian President's Special Envoy for Climate Change and Executive Chair of the *National Council on Climate Change*, Till Plitschka and Irendra Radjawali explore why REDD is the key component of Indonesia's climate change mitigation programme. In a second interview, Chris Lang from the website REDD Monitor explains some of the dangers of REDD. The production of a new and lucrative commodity could lead to powerful groups (state agencies, timber companies, carbon brokers, international NGOs) appropriating carbon stocks to the detriment of indigenous peoples and their use of forests. The kind of stakeholder alliance that has come to typify the new REDD socio-natural landscapes across the region – conservation NGOs, carbon trading companies, and government agencies – also run the REDD project in Cambodia discussed by Donal Yeang. However, Donal Yeang argues that given the right conditions, REDD projects can be designed in such a way that supports local communities' rights to land and forest resources.

This kind of 'sustainable rural development', but in a very different context, is also the focus of Amalia Rossi's article on the Royal Projects in Northern Thailand. She shows how projects that used to aim to integrate communist-leaning ethnic groups into the Thai cultural mainstream are now being recalibrated along King Bhumibol's "sufficiency economy philosophy" to win over Thaksin-supporters to the royalist camp. Marina Wetzlmaier's article on the impact of mining in the Philippines reminds us that neoliberal development does not only rely on fuzzy stakeholder self-management but also on old-fashioned violence. Mining was liberalised in the Philippines in the 1990s, but state support of foreign investment has led to conflicts

between indigenous peoples and small-scale gold miners and to armed resistance against large-scale mining.

The last group of articles looks at changing waterscapes from different perspectives. Erik Cohen's auto-ethnography of the 2011 flood in Bangkok offers a very personal insight into how the middle-class segment of the city reacted to the flood. The extent of the flooding was itself a highly politicised event and connected to previous modernist waterscape development in Thailand. This theme is taken up by Carl Middleton who explores how Thailand's energy sector has shifted its dam-building activities to the Mekong region after social and environmentalist movements in Thailand successfully prevented the further expansion of dams nationally. He shows how a "transnational nexus" of Thai banks and engineering companies have financed and built dams in Laos and Myanmar, raising issues of trans-border environmental justice. Finally, the photo essay by Martin Lukas, Julia, Irendra Radjawali, Michael Flitner and Oliver Pye on the Kapuas River in West Kalimantan visualises its "conflict-laden multi-functionality". It points to the spatial dynamics inherent in the transformation of the social relations of nature across South-East Asia that connect the urban and the rural in new and diverse ways.

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Contesting State Forests in Post-Suharto Indonesia: Authority Formation, State Forest Land Dispute, and Power in Upland Central Java, Indonesia

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This article explores the ongoing conflict over state forest land between the local population and the State Forestry Corporation (SFC) in a village in upland Central Java with regard to authority formation. It looks at how different agents draw on different sources of authority in the course of the conflict and its negotiations. The principal questions are to what kind of sources of authority villagers refer to and how the formation of authority informs the relations between the state and society in the land dispute. The article is based on 11 months of ethnographic fieldwork and focuses on the central figure of Pak Wahid who took a leading position in the forest land dispute and in mobilising peasants in the village. The article argues that in post-Suharto Java, leadership in the struggle for state forest land at the village level is embedded in the interaction of Javanese ideas of power and authority as well as administrative authority. Due to political and institutional reforms, new sources of authority could be invoked while there are no real changes in the power relations within the village or between the SFC and the villagers.

Keywords: Authority Formation; Land Dispute; Power Relations; State Forest Land; Upland Java

Dieser Artikel untersucht den anhaltenden Konflikt um staatliche Waldflächen zwischen der lokalen Bevölkerung und der State Forestry Corporation (SFC) in einem Dorf im Hochland von Zentral-Java in Bezug auf die Entwicklung von Autorität. Es wird untersucht, wie sich unterschiedliche AkteurInnen im Rahmen des Konflikts und dessen Verhandlung auf unterschiedliche Bezugsquellen von Autorität beziehen. Die zentralen Forschungsfragen in diesem Zusammenhang sind, auf welche Bezugsquellen von Autorität sich DorfbewohnerInnen beziehen und wie die Entwicklung von Autorität die Beziehungen zwischen Staat und Gesellschaft im Rahmen des Landkonflikts beeinflusst. Der Artikel basiert auf einer 11-monatigen ethnografischen Feldforschung und fokussiert auf die Person von Pak Wahid, der eine Schlüsselrolle im Konflikt um die staatlichen Waldflächen und in der Mobilisierung von Bauern und Bäuerinnen einnahm. Der Artikel argumentiert, dass Führung im Kampf um staatliche Waldflächen in post-Suharto Java in einem Zusammenspiel zwischen einer javanischen Vorstellung von Macht und Autorität und administrativer Autorität eingebettet ist. Aufgrund von politischen und institutionellen Reformen konnten neue Bezugsquellen von Autorität aktiviert werden, während keine wirklichen Veränderungen in den Machtverhältnissen innerhalb des Dorfes sowie zwischen SFC und den DorfbewohnerInnen zustande kommen.

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Schlagworte: *Entwicklung von Autorität; Java's Hochland; Landkonflikt; Machtverhältnisse; staatliche Waldflächen*

Introduction

This article discusses emerging authorities in dispute negotiations between local populations and the *State Forestry Corporation* (SFC) and other parties in Wonosobo district in Central Java. Conflicts over state forest land became visible after the fall of President Suharto in 1998, when the Indonesian authoritarian state (known as New Order) seemed to lose its hegemonic position and many local communities occupied land areas designated as state forest land.

When discussing authority, many anthropologists draw on Weber's division of authority systems into three different types: rational-legal, traditional, and charismatic, all of which contribute to processes of change in the world. In Weberian philosophy, the rational-legal form of authority was only possible in the West, while charismatic authority challenged rational and traditional forms (Weber, 1968, pp. 217-219). Many anthropologists (Anderson, 1990; Antlöv, 1995; Geertz, 1980) have used this theoretical line of thought to discuss different forms of authority in Indonesia. Geertz (1980, pp. 124-126), for example, proposed a theory of the ceremonial theatre state and exemplary centre in South-East Asia. Accordingly, power is attractive rather than coercive since the leader manifests his power through ceremonies, thereby becoming an exemplary centre, something which only a powerful leader with certain qualities can achieve. Anderson (1990) has made similar suggestions using the example of a king who embodies and exemplifies spiritual power through his behaviour (see also Siegel, 1986).

Both these models have been applied when studying Javanese village leadership. In exploring leadership in Javanese New Order villages, Keeler (1985), for instance, has suggested that Javanese villagers "want very much to see in their headmen powerful leaders" (p. 114) in the sense of being 'spiritually potent' and thus a paternal figure to the villagers. In Keeler's view, the villagers' need for a powerful leader stems from a lack of strong formal (political) organisation (1985, p. 139), though he notes that villagers often resist a concentration of power by dividing their loyalties, which causes local tensions. The question then arises as to the required qualities of a "powerful

figure” in the Javanese context. Antlöv (1995), examining similar themes, suggests two bases of authority in New Order Java: community and administration. He argues that the Javanese rural elite comprises “privileged clients” of the state (*anak mas* – favourite children) whose opportunities to accumulate power and rule depend on their crucial links with higher authorities (pp. 6-7). Because of the need for these upper links the village headmen are stretched between the villagers and higher administrative forces. Antlöv concludes that the New Order state reached all corners of a Sundanese village (West Java) and any other source of authority could not be utilised at that level. Furthermore, he suggested that there was no possibility for upward mobility without total submission to the New Order regime.

In the context of state formation in South-East Asia, Day (2001, p. 166), however, suggested that a clear demarcation between Western “rational” and indigenous “ceremonial states” is difficult to detect. Rather, “rational” bureaucratic organisation and the ritual state have become intertwined, forming a hybrid form of authority. Following this line of thought, I suggest that ideally we can distinguish two forms of power when we look at the formation of authority in Javanese villages: the Javanese idea of power (Anderson, 1990) and Western rational-legal knowledge or discipline (Foucault, 1977). Though the administration became an increasingly important source of authority during the New Order, community-based authority (the Javanese idea of power) informs state formation (administration) and vice versa at the village level, and in the post-New Order Javanese village new sources could be invoked showing the hybrid nature of the authority formation process.

Following Day (2001, p. 34), I propose in this paper that the state as well as its subjects should be seen as agents with multiple resources and techniques within the context of given situations. In the authority building process, for example, agents draw from different sources (religion, myths, bureaucracy and legislation, extra-state sources), thereby demonstrating the contested and hybrid nature of authority. My article will contribute to the discussion of power and authority with regard to land disputes in Java. I argue that in post-Suharto Indonesia rural leaders draw from different sources of culturally informed authority in processes that demonstrate that they are active agents in these disputes. Thus, my principal research question is: From what sources of authority do villagers draw and how does authority building inform this forest land dispute and the relations between the state and society?

I conducted 11 months of ethnographic fieldwork between 2003 and 2004 in the forest village that I call Wanasana² in Wonosobo district, with a specific focus on power relations between the actors in a dispute about rights of access to and control over actual state forest land and forests around the villages which were located close to state forest land. After 1999, the villagers of Wanasana, together with some NGOs, had taken the lead in demonstrating against the SFC – locally known as *Perum Perhutani* – in the district capital, taking over state forest land and planting crops and trees there. They claimed that they had rights as Indonesian citizens to benefit from state forest land and that they could manage it better than the SFC and thus protect the environment in Wonosobo. The discussion focuses on the case of Pak Wahid who took a leading position in the forest land dispute negotiations examined in this article. His case exemplifies the hybrid nature of authority formation and how some authority sources are more suitable than others in the Javanese village arena. As a former village head he contested the village head elections during my stay and was exposed in the media as the leader of the local peasants in their effort to take over the state forest land in Wonosobo. I argue that his active role in the dispute was partly due to his struggle with ‘Javanese’ values in his quest for power, values embedded in the village bureaucracy to which he had belonged but from which he had had to withdraw for various reasons.

Land Dispute in Wonosobo District, Central Java

By the beginning of the twenty-first century, the Kaliwiro sub-district – where Wanasana village is located – had become known as the worst area of forest destruction in Wonosobo. Many Wanasana villagers (and most probably some villagers from nearby) were cooperating in an organised manner with outsiders, SFC staff, and the police in the devastating felling of trees from the slopes around the village resulting in the loss of at least 10 percent of the forest cover in Wonosobo district (Adi et al., 2004, pp.12-13; Lounela, 2009).³

2 The village names and names of the villagers mentioned in this article are pseudonyms.

3 The island of Java is divided into five provinces: West Java, East Java, Central Java, Banten, and Capital Territory of Jakarta with approximately 120 million inhabitants. Central Java, where Wonosobo district is located, is inhabited by 32.64 million people (2011) and covers 3.25 million hectares. There are 236 villages (*desa*), 154 of which are categorised as forest villages, and 29 village level administrative units that are part of the city or regency government (*kelurahan*) in Wonosobo. Wonosobo district is inhabited by about 758,078 people (Badan Pusat Statistik Kabupaten Wonosobo, 2012) while the village of this study is inhabited by 5,010 people.

Wonosobo district is located north west of Yogyakarta, in the heart of Central Java, covering 98,468 hectares, 19,965 hectares of which are state forest land⁴ and 19,472 hectares peoples' forest (*hutan rakyat*) (Adi et al., 2004, p. 15; Nomura, 2008, p. 172). The state forest (about 19 percent of the total land area) is managed by the SFC with two different units operating in Wonosobo: The Southern Kedu Unit (9,728 hectares) is mainly planted with pine trees, damar (*Agathis alba*), and teak, while the Northern Kedu Unit (9,967 hectares) is mostly planted with pine trees and mahogany (*Switienia macrophylla*) (Adi et al., 2004, p. 22). In 2000, forest cover in Wonosobo comprised about 38,368 hectares, including both state forest and peoples' forest.

Until the beginning of the nineteenth century, large jungles had covered the Sindoro and Sumbing mountains when the area began to suffer from erosion because of uncontrolled tree felling (Boomgaard, 1996, pp. 20-21; Lounela, 2009, p. 66; Smiet, 1990, p. 289). In response, the Dutch colonial government started reforestation programmes on the slopes which accelerated in the 1880s. By the mid-nineteenth century, the government had made new regulations requiring villagers to get a license to cut teak for which they had to pay a fee to the officials, and in 1875, a penal and police regulation on forestry matters was enacted (Boomgaard, 1996, p. 21; Lounela, 2009, p. 68). The roots of the dispute can therefore be traced back to the Dutch colonial period, when foresters entered Wanasana village to mark out areas designated as state forest land with wooden stakes, thereby limiting the access of local populations to those areas (Lounela, 2009). In 1945, *Jawatan Kehutanan* (the Indonesian Forest Service) was founded, replacing the colonial SFC. In 1961, it was transformed into the *General Head Body SFC* (BPU *Perhutani* – *Badan Pimpinan Umum Perhutani*) and in 1972, into the *General State Forestry Corporation* (*Perum Perhutani*) which, by 1978, had three main units: Unit I East Java (1961), Unit II Central Java (1961), and Unit III West Java (1978) (Departamen Kehutanan, 1986, p. 76; Peluso, 1992, p. 126). In the 1960s, Wanasana villagers related to me, they were told to cut the trees in their area and in the 1970s, pine trees (*pinus merkurii*) were planted 'everywhere'. The villagers disliked pine trees, as they claimed that they caused water scarcity – which means that villagers' rice fields had to be transformed into forest gardens –, and that pine needles made soil 'hard' (*keras*), killing other vegetation. However, the SFC maintained that

4 These figures draw on data from the SFC, while the district government claims the state forest land to be 17,746 hectares.

pine trees were its main source of income and thus necessary for the corporation. SFC cooperated with the village functionaries to maintain 'order' and restrict access of the villagers to state forest land. Thus hidden tensions resulting in small-scale conflicts over forest access, have continually occurred over a long period of time, demonstrating the ongoing nature of the dispute (Lounela, 2009).

The parties to the Wonosobo land dispute were principally the forest village peasants and the SFC. The SFC is administratively divided into district, provincial, and central levels, but it does not follow state administrative boundaries and has its own administrative system. The organisation includes the Management Unit (Central Office and Director), the Forest Management District Unit (KPH – 20 units in Central Java), led by an *administrateur* or ADM, the Forest Management Sub-District Unit (BKPH, 7 units in the Kedu Selatan Forest District Unit), led by a supervisor (*asper*), which includes the Ngadisono Forest Sub-District Unit, and, finally, the Forest Police Unit led by a forester head or *mantri*. In Wonosobo district, state forest management is divided between the KPH Kedu Selatan and KPH Kedu Utara Units. During my fieldwork, the leading role in the negotiations at the district level was filled by the ADM at the KPH Kedu Selatan Unit (Purworejo), while at the village level the *asper* and *mantri* played a big part in negotiating with the villagers. However, the Central Unit and Director, located close to the Ministry of Forestry in Jakarta, had superior authority over other units. The other parties to the dispute were NGOs, state officials at the central (Ministry of Home Affairs and Ministry of Forestry), district, and sub-district levels, police, and some academics. Different levels of government assumed different roles, demonstrating that the state in Indonesia is not monolithic. For instance, at one stage the district government, led by the district head (*bupati*), was heavily promoting state forest management by the local communities through regional regulations on community-based forest management, but the central government (Ministry of Home Affairs and Ministry of Forestry) eventually put a stop to these efforts after extensive lobbying from the SFC, which rejected the district government and *bupati* policies (Adi et al., 2004, p. 29).

The dispute was quite extraordinary in the Javanese context: For decades, the SFC control over state forest land had been almost total, exercised through the smallest *Resort Polisi Hutan* (RPH – Forest Police Unit) that patrolled the forestry sub-district, comprising a *mantri* and a team of four *mandors*. The units could summarily arrest

people and take them to the state police for further processing and, indeed, many Wanasana villagers recounted experiences of *mandors* chasing them if they took branches or wood from the state forest area during the New Order period (Lounela, 2009; see also Peluso, 1992). When President Suharto and the New Order regime fell in 1998, many forest peasants participated in taking over these state forest lands claiming they could better manage and protect the forest than the SFC. According to them, the local gardens were fertile and green with multiple tree species, fruits, and crops which provided both cash and subsistence harvests, and this should serve as an exemplar for state forest management. Between 1999 and 2001, in a multi-stakeholder forum, some NGOs and the district government drafted a Regional Regulation on community-based forest management (Perda PSDHBM 22/2001). However, the district head at that time, Trimawan Nugrohadi, faced difficulties in furthering the implementation of the regulation because the central government started to oppose it. At the same time, the head of the *District Assembly Commission*, B. C. Krustanto, and the vice-district head, H. Abdul Kholiq Arif (from here on Pak Kholiq), were vocal in their support of the regulation. Disappointed with it, the SFC withdrew from the negotiation forum (rejoining it at a later point) and claimed that the Perda PSDHBM was countermanding a superior national law (UU 41/1999), which established the SFC as power holder over state forest lands in Java. In 2002, the Ministry of Home Affairs asked for cancellation of the regulation, which caused new tensions that continued during my stay between 2003 and 2004 and afterwards.

The fieldwork for this article was inevitably multi-sited because of the many arenas wherein the control over state forest land was disputed. Here, however, I focus on the village arena as represented by Wanasana, a village of about 5,010 inhabitants in 2002. Wanasana spreads along the main asphalted road that runs from Prembun to the city of Wonosobo. Above the village, the hills marked out as state forest land had been planted with pine trees, which were all cut down between 1998 and 2003 by 'illegal loggers' with the naked sandy slopes then being planted with maize, chili, cassava, banana trees, and later *segon* (*albizzia*, *Paraserianthes falcataria*) by the villagers. Beyond the boundaries of the state forest area spreads land owned by the villagers, a landscape of green and abundant forest gardens, where the villagers plant bananas, coconuts, and various other trees and crops. The peoples' forest, planted with various tree species, has been considered an example of sustainable and eco-

logically sound forest management. The land area disputed (72.5 hectares during my stay) is located in the mountains, which were territorially demarked as the Southern Kedu Unit by the SFC. It is administratively part of the Ngadisono Sub-District Forestry Unit that covers 6,491 hectares and spreads across seven villages which are categorised as forest villages as they are located in close proximity to state forest land. In this article, I wish to explore how authority building informs this forest land dispute and its settlement efforts, particularly in Wanasana, one of the seven forest villages that had a visible role in the protests and negotiations through the actions of the active peasant leader Pak Wahid.

Building Authority in the Village Through the Forest Land Dispute

Authority building in the village by Pak Wahid, a man in his 40s, became related to the land dispute after 1999. Pak Wahid took a lead in mobilising peasants in the seven villages bordering on the Ngadisono Forestry Sub-District (the SFC forest management unit) to take over state forest land and negotiate access to it. He told me that, in 2000, he had become extremely depressed when he saw the destruction of a pine tree plantation that had surrounded and shielded the local 'power place', considered to be the 'centre of the world' by its local guardian and many of the villagers. Pak Wahid decided that something should be done both to reforest the land and provide work for those who had lost their income when they were no longer needed to manage the plantations.

Due to the land scarcity and unequal land distribution in Wanasana (as in Java and Wonosobo in general), there were 80 villagers who did not own land at all (*num pang*) and land ownership averaged out at only 0.37 hectare. In 2002, about 40 families owned more than one hectare of land each. Following the inheritance system, each child in the family got a plot of the same size for a garden, housing, or a rice field and as a consequence, land ownership has become extremely scattered. Thus, many families were in need of agricultural land and were eager to have access rights to state land for this purpose (Badan Pusat Statistik Kabupaten Wonosobo, 2002; Lounela, 2009, p. 112). Frustrated and distressed by forest destruction, Pak Wahid described how he called on the heads of the seven villages in the Ngadisono Forestry Sub-District to take part in an

agreement he intended to make with the staff of the Kedu Selatan Unit of the SFC. In 2000, the seven village heads, under Pak Wahid's leadership, demanded that the SFC grow only teak trees in the blocks (*petak* in the language of the SFC) of the Ngadisono Forestry Sub-District Unit, with the provisos that peasants should be able to get a share of harvests, and they should be able to plant some crops under the teak trees. In spring 2001, some forest village peasants (led by Pak Wahid) agreed with the SFC to replace pine trees with teak trees in the Ngadisono Forestry Sub-District Unit. The parties had agreed that Block 11C (72.5 hectares) would be planted with teak and that other blocks would be 40 percent teak and 60 percent pine (in SFC language called *vourbou* blocks, altogether 115.2 hectares). While SFC decided to withdraw from the Wonosobo multi-stakeholder forum negotiations, it allowed villagers to plant crops and some tree species on the state forest land, and negotiated directly with them.

In March 2003, soon after my arrival in the village, I witnessed the last land distribution concerning Block 11C above the village in the hills, an event organised by Pak Wahid. Other land distribution events had been organised before my arrival. The villagers now had temporary access to state forest land and they were able to have some say in what to plant and harvest there. On a sunny day, Pak Wahid had called for a "mutual liberation" (*musyawarah*) to be held at the state forest block that bordered on Wanasana. This *musyawarah* was called to gain consensus (*mufakat*) on land size and compensations, and to create a new peasant group under a peasant organisation called *Mandiri*. About 46 peasants arrived on foot or by motorcycles, mostly middle-aged or older men. About 35 people had registered beforehand with Pak Wahid in order to take part in the land sharing. The amount of land to be shared was 2.5 hectares, which was part of Block 11C. "We will share this land fairly and equally with those who do not have land yet," Pak Wahid proclaimed at the beginning of the meeting and then asked people to give their names. By the end of the day, there were 46 claims to the piece of land – everybody was to get a 480 m² plot with temporary land rights. This allocation of land rights differed from the SFC arrangements, according to which peasant day-labourers (*pesanggem*) were given the right to grow cassava for the first three years of the pine tree plantation management, as now the villagers independently decided who got rights to the land and what to plant there. At that time villagers thought they could gain long-term access to the area.

To implement the land distribution, Pak Wahid put together a team that would be responsible for measuring and marking out plots in the field, and whom he invited to meet in Pak Winaryo's house. Although poor and owning only a small piece of land, Winaryo was often involved in village head elections as a supporter of one of the candidates (and I was told that the candidate he supported won most of the elections). He was entitled to cultivate a piece of the village head's land (*tanah bengkok*) through the sharing system and, owing to his alliance with the village elite (especially the village head), he was an important gatekeeper of peasant organisations in the village. Besides, he was said to have spiritual power which he could use for good or bad purposes. Pak Wahid seemed to make sure that Pak Winaryo was involved in peasant mobilisation. As with those villagers who had been involved in forest stripping and violent clashes with the SFC, these forms of power offered important sources of authority.

Community bases of authority, therefore, included interpersonal relationships and the capacity to communicate with spirits and ancestors who were tied to the land and guarded it. The day after the meeting and the measuring of land plots, a forest ritual (*selamatan*) was held on the land in order to pacify the forest spirits, get their support and protection, and prevent conflicts among the peasants and between peasants and the SFC. Everybody was asked to submit to the decisions on compensations which were already made and to the sizes of the plots as they had been marked out. During the ritual Pak Wahid distributed small portions of food to everybody and Islamic prayers were offered. The peasants' effort to take control of the land was now blessed by the spirits, which would prevent conflicts between all the parties involved.

In the course of time I realised that for every tree planting or land sharing, a kind of ritual feast was led by Pak Wahid. Here, ritual was not only a local act but expressed a hybrid setting (Spyer, 1996, p. 43). Rituals made the forest work of the peasants public and integrated them into the larger political field in which district government officials, party members, union leaders and members, and even local religious figures were invited to take part. Thus, these ritual feasts translated peasant union, NGO activism, and universal principles, such as peasants' rights to land, into local language and belief. At the same time, the authority of villagers as legitimate rights holders was confirmed, as the spirits were on their side and would support

their struggle. This community-based authority was important to Pak Wahid. He had the power to ask permission and blessings from the spirits, making him a proper leader in a Javanese sense. There were, for example, many narratives told of angered forest spirits who caused trees to fall on people due to their misbehaviour in the area, and only powerful people were considered able to communicate with them and calm them down. Pak Wahid could also effectively negotiate in the conflict with the SFC and thus make it possible to reproduce the villagers' relations to the land and surrounding "nature" (*alam*). In addition, Pak Wahid added to his authority by constantly organising ritual feasts (*selamatan*) in the forests or in relation to state forest land events, thereby further legitimising his position as a peasant leader.

Peasant Organisations and Authority Building

Pak Wahid, who had been recruited by the central Javanese peasant union SEPKUBA⁵, started to mobilise peasants in his and neighbouring villages in support of the Regional Regulation Perda PSDHBM and peasants' rights to state forest land in the hope that peasants could continue to manage state forest lands through independent peasant organisations and share the harvest with SFC, with which they were in continual negotiation. This support took the form of demonstrations in which villagers (though not the village elite) and NGOs took part. Sometimes hundreds or even thousands of peasants from different villages demonstrated in front of the *District Assembly* building demanding new tree species for the state forest or refusing pine trees, and demanding the implementation of the new district regulation and the cancellation of the new forest management institutions created by the SFC respectively. The latter refer to the PHBM [forest management together with the community] and the LMDH [the forest village community institution] (DTE No. 55 Nov. 2002). In most cases the local NGO JKPM (*Jaringan Kerja Pemuda Muslim*) and SEPKUBA together with a smaller NGO called KOLING, mobilised the rallies.

Pak Wahid's own narrative, which he related to me in 2003, depicted him as the 'hero' in leading the negotiations and reaching agreement with the SFC; he felt he

5 SEPKUBA (*Serikat Petani Kedu, Banyumas* – Kedu and Banyumas Peasant's Union) is a local peasant union that was formed in 1999. It played an important role in visiting villages and building networks among the villagers, 'strengthening' them at the villages, and representing forest peasants in the district level meetings.

had started the negotiations which led to this outcome. In his narrative, the peasants were a strong force that had pressured the SFC until they were obliged to negotiate. Pak Wahid had further invited villagers to gather and share the state forest land plots in order to cultivate cash crops during unspecified periods and demand rights of access to land and the opportunity to plant new tree species. Pak Wahid's authority in this organisation and in village negotiations was recognised by everybody, although I was told that he dominated discussions and produced long monologues at the meetings. Yet, the villagers also had vivid memories of the 1960s and the military coup of President Suharto, when it became extremely dangerous to participate in anything other than state approved organisations. Everybody knew about the killings of hundred thousands of people who were considered communists and the imprisonment of many others. These violent events completely changed the political landscape, and no political mobilisation outside of extreme state control was possible due to the fear of punishment (Hadiz, 2011, p. 52). During the New Order government, peasant mobilisation took place through the official village peasant organisations which became channels for New Order development efforts, especially those connected with Green Revolution projects. Land reform or land claims were delicate issues that nobody would raise because of the fear of risking their lives. Pak Wahid told me that he was sometimes suspected of being a communist and his civil society connections were not at all approved by most of the village elite.

After the land distribution mentioned above, a new group, *Supitan* (an independent Forest Peasant Organisation or *Kelompok Tani Hutan* [KTH]), was formed by the people who had been given land plots in Block 11C. This organisation became part of the umbrella organisation Mandiri that was led by Pak Wahid. For several decades, the SFC had been creating village peasant organisations to manage the pine tree concessions around Wonosobo. Villagers who got a piece of land automatically became members in the SFC KTH, and ideally they were invited to meetings and had the responsibility of taking care of the plants or trees in their blocks and of following the rules of the organisation. When illegal loggings started, the SFC KTH in the village ceased to function. In 2001, Pak Wahid called on villagers managing state forest land and asked them to join the Mandiri KTH (*mandiri* translates as "independent", referencing the fact that it was not an official SFC organisation), the umbrella for the KTHs that operated in certain forest blocks. Under the Mandiri organisation, there

were six KTHs and, under them, 32 smaller Local Peasant Organisations (*Organisasi Tani Lokal* [OTL]) whose individual members managed the state forest blocks (with an approximate number of 20–35 members per OTL). By the time I resided in the village, Pak Wahid claimed that there were 850 peasant members in six organisations in Wanasana and neighbouring villages.

Pak Wahid included some heads of various neighbourhoods (*Rukun Tetangga* [RT]) in the organisation who were important allies for him as they could mobilise villagers in their immediate locales. He did not, however, invite the hamlet head (mentioned as advisor of the organisation), village head, or those officially part of the village power structure (*perangkat desa*) to most of the meetings. I argue that this was because they would have undermined Wahid's authority as they were above him in the village power structure, but also because they were his relatives. Nonetheless, the entire village elite was invited to the official inauguration meeting of the Mandiri organisation.

During my stay, Pak Wahid became a candidate in the village head elections. He had been village head in the mid-1990s, but due to various reasons (his struggle against corruption in the village elite, a scandalous extra-marital relationship) he had to withdraw after only one year. The village elite claimed that for this reason he was not a 'proper' leader or village head candidate as he could not control his emotions. However, his supporters considered him to be the man who had fought against corruption and authoritarian rule in the village and the only person who has the power to mobilise peasants to occupy state forest lands and negotiate with the SFC. Here, a different idea of authority building emerged legitimising Pak Wahid's work and position.

In his youth, Pak Wahid had been active first in the PPP (*Islamic Union Party*) and then (unofficially) in the PKB (*National Awakening Party*), which is a Muslim organisation. He had turned to the religion of Islam as a potential source of authority at that time, since the head of an Islamic boarding school (*pesantren*) located in the village had an almost familial relationship with his family. Pak Wahid had received his education from the *pesantren*, and his mother's uncle had given one hectare of land to the local Islamic leader (the *Kiyai*) to build a mosque and a *pesantren*, thereby adopting the leader into the family. Now, Pak Wahid stressed his 'modernist' Islamic or *santri* (more egalitarian than the Javanese hierarchical order, he claimed) orientation in the face of the village bureaucracy. However, it soon became clear that Pak Wahid did

not fulfil the new criteria for village head elections because he had only a primary school certificate and, according to new district legislation, he should have at least a secondary school certificate. With Wahid disqualified, there was finally only one remaining candidate who, not surprisingly, won the election.

Before the village head elections in 2003, Pak Wahid had mobilised hundreds of people in the distribution of land and many of them became his supporters in the village head elections. He also involved NGOs and peasant organisations at the village level, which was considered problematic by the village elite as civil society actors were often regarded as opposing the state or connected to communists. Some village elite members told me that Pak Wahid was self-interested (*pamrih*), too outspoken, and had a past which was inappropriate for a village head. However, his outspokenness and active role were qualities necessary for a land dispute negotiator or peasant movement leader. Again, the qualities suitable for the village head and peasant organiser seemed to differ a great deal, an issue I will explore in the following sections.

When the village head elections were over in July 2003, Pak Wahid's state forest activities increased dramatically, partly due to his disqualification. In August 2003, the peasant organisation he led was formalised in the village through an event (*upacara*), whereby Mandiri was named the village peasant organisation and became linked to the state. The practical aim of this move was to enable problem-free funding from the state as the district government was now demanding that organisations be officially recognised and fulfil certain criteria. The more obvious aim was to ritually publicise the authority of the organisation and Pak Wahid's authority to take over the forest land issue in the village. However, at the same time, the organisation ceased to be an independent peasant movement (as it was described in some places) and formally became a bureaucratic-rational organisation in the Weberian sense.

In the following weeks I could see Pak Wahid coming and going from the SFC office and organising peasant group meetings, which the NGOs and SEPKUBA sometimes attended. Furthermore, the SEPKUBA leader spent a lot of time in the village (or in the neighbouring Selokerto village), and often slept in Wahid's house. His visits in the village were supposed to strengthen and legitimise Pak Wahid's position and struggle for access to state forest land. In September 2003, about 60 villagers built a road to the state forest land as part of the programme. Similarly, another road was constructed in the following month. By the end of October 2003, the villagers, in co-

operation with SFC staff, planted mahogany seedlings on a plot which Pak Wahid had rented from a neighbour. The plan was to start planting mahogany in the state forest when the seedlings were high enough.

In a meeting held in the SFC office in the village in October 2003, seven staff members were present from the SFC with a higher officer from the Southern Kedu Unit office. Wahid arrived with a relative of his who was also a member of a peasant organisation from the neighbouring Selokerto village, and another man who belonged to the inner circle of the organisation, but whom I never saw taking part in forest management. Senior SFC staff took over the forum, outlining what was expected from the forest peasant groups: organisational structure, identity cards for all members, a forest management plan with all the details and calculations of capital input from the peasants. This meeting could be described as a turning point in the negotiation of the rights to state forest land at the village level as the position of the SFC staff was far stronger in the face of the few villagers present. Pak Wahid, meanwhile, seemed to be willing to accept the conditions set by the SFC.

The growing power of the SFC in village negotiations derived partly from the insecure and confusing situation at the district level where the district government was forced to cancel the Regional Regulation on community-based forest management which would have allowed peasants to have power over state forest land management surmounting that of the SFC. From 2000 on, Pak Wahid supported the local vice-district head, Pak Kholiq, from the Islamic-oriented PKB party. In 2004, Pak Kholiq campaigned for the position of district head, supporting the implementation of the Regional Regulation Perda PSDHBM and the local villagers in their efforts to continue their own state forest land management system; he achieved his goal in 2005 ("Bupati Wonosobo," 2005). Simultaneously, however, the SFC was lobbying the central and provincial governments which had superior power over the district government. During my stay in Wanasana, there were two forest management models (the district regulation-based PSDHBM and the SFC-based PHBM) circulating in the forest villages. Wanasana, as with many other villages, was now negotiating directly with the SFC, and NGOs facilitated this process to 'strengthen' them, but PSDHBM or community-based forest management did not have a clear legal basis. Furthermore, losing in the village head elections significantly reduced Pak Wahid's authority in the eyes of the SFC, the villagers, and the bureaucratic village elite alike. Villagers became

increasingly marginalised in district level settlement efforts and even at the village level they had limited say. When I visited the village in 2009, the SFC had founded an 'official' forest peasant organisation (KTH) in the village, and Pak Wahid's role as a peasant leader was unclear.

Why did Pak Wahid have difficulties in connecting with the village elite while he was recognised as the right person to lead peasant mobilisation and land distribution and negotiations with the SFC, at least initially? One reason was his linkage with extra-state actors who, on the one hand, became the source of his authority, but, on the other hand, challenged it because the village elite associated NGOs with the 'left': They were considered dangerous because they criticised the state, which during President Suharto's period was considered a subversive act likely to result in a prison sentence. The other reason relates to factors of status and tradition as a source of authority that have become embedded in the Javanese administration. Leadership in this land dispute was mostly based on different qualities of leadership than village leadership, as I will describe below.

Tradition as a Source of Authority

Ward Keeler has noted that in Javanese society all interaction is about status (Keeler, 1987, pp. 26–27; Siegel, 1986). Behaviour and speech in an interaction signify people's status and one's position in the village structure and in the community. In the anthropological literature, Javanese custom or tradition – customary law (*adat*) – has been defined as the cosmos and the norms and principles that direct Javanese in their interactions (Anderson, 1990; Antlöv, 1995; Keeler, 1987; Pemberton, 1994). Such norms as being refined (*halus*) or being coarse (*kasar*), maintaining harmony (*rukun*), and working voluntarily for the community (*gotong royong*) have been mentioned as major principles in Javanese village custom. Siegel (1986, pp. 15–17) has effectively described how in a Javanese encounter speaking correctly is also behaving correctly, having social and linguistic implications. Javanese speech has different levels that mark the status of the speaker. By using the right level of language and tone (*ngoko* or *kromo*) one avoids upsetting the other partner to the exchange; sentences are for the listener, not for the speaker.

The notion of respect informs authority building in the village. Younger people, whatever their position, should offer respect to their elders. The village functionaries and other high status persons should be respected by those in lower positions. At the same time, if one fails to be respected, it is difficult to have authority in the eyes of the villagers. It is obvious that one should respect the elite members of the community and any kind of resistance (disrespect) is often interpreted by the village elite as harsh behaviour or stupidity. Pak Wahid was obviously considered 'harsh' because he was outspoken, contested village functionaries openly, and mobilised people in the village through peasant meetings and forest-related activities. Pak Wahid was a former village head and he had experience (*perjuangan*) in working for the village. He had, however, been expelled from his position because of his extra-marital affair and because, according to the new legislation, he did not fulfil the criteria for formal leadership (lacking a certificate of secondary education) and was therefore ineligible as a candidate. In other words, his power (in the Javanese sense) diminished quite suddenly, which in Javanese thinking may imply that his power had moved to someone else (Siegel, 1986, p. 36). Certainly, he could no longer gain support from the village elders and the village elite.

Ruling effortlessly is an important sign of one's power in Java (Siegel, 1986, p. 37) while using force is a sign of weakness. A Seloman hamlet head stated that he does not have to order (*menyuruh*) peasants to do anything, preferring that local neighbourhood heads see that community members do what is asked. Thus, he meets the smallest neighbourhood unit heads (RT) or sends them letters, and they pass information and directives onto those living in their locales. The village functionaries often noted that it is difficult to order or ask villagers to do something (especially those in a higher position or elders) because it does not feel comfortable. *Tidak enak* refers to the feeling (*rasa*) of being afraid of hurting somebody or lowering oneself by being harsh (*kasar*).

The inability or unwillingness to order or ask people to do something may relate to two core values of Javanese *adat*: *rasa* and *pamrih*. When theorising about Javanese culture in relation to Javanese administration, Anderson (1990, p. 54) suggested that the implications of Javanese cultural values encourage people not to act, lest they appear as if they wanted to gain something for themselves. Antlöv (1995, p. 164) claims that Sundanese leadership has been very much based on traditional authority even

in the state domain. Keeler (1987), deriving from Anderson (1990), relies on the idea of the potent king as a culturally directing image of a suitable leader, village head or *lurah*. In this sense, Pak Wahid's visible efforts to become a village head, and his activities concerning state forest land, raised suspicions and were sometimes interpreted as *pamrih*. The village elite seemed not to support his activities for this reason.

The New Order elite rested on the idea of a *power-full* leader, from the village up to the highest level of governance. It was visible in the way village officials governed and directed a village: effortlessly. During the New Order, if there were a problem in a village, as one elder village functionary told me, Brimob (Mobile Brigade – the Indonesian national police special operations force unit) would be called in, and they also used to arrive regularly and without invitation for larger village meetings (*lapangan*). In these cases the passive governance of the village elite became linked with the feared and violent state (police) in a curious way, given that the New Order regime used fear and violence to create order and stability (Siegel, 1986, p. 37).

Drawing on Foucault, Pemberton (1994) has criticised ethnographers for strengthening the New Order discourse on Javanese core values that marginalised struggles and conflicts. He claims that New Order discourse on Javanese culture and politics produced an ideology that stressed harmony, stability, and family-ness (*kekeluargaan*) to suppress conflicts (the negative side of *selamatan*) (pp. 14-15). New Order village elites stressed order and stability, marginalising harsh and disrespectful behaviour as dangerous. In this light, Pak Wahid's active role contradicted the dominant discourse of Javanese cultural identity as stressed by the New Order regime. Pak Wahid had to struggle with the village elite and SFC, while the support from the NGOs and peasant union were not enough to strengthen his position, or sometimes even undermined it, and for this reason Wanasana villagers failed to secure rights to the state forest land. In post-Suharto Java, however, it was possible for Pak Wahid to struggle for power and be supported by those parts of the village which had taken part in the land dispute, because of his extra-state sources of authority and the fall of a regime which had been shown to be corrupt in many ways.

Conclusion

I have explored how people draw from different sources of authority in a post-Suharto, upland Javanese forest village in their struggle for state forest land. Taking a *hybrid* view on the formation of authority, my principal questions were: From what sources of authority do villagers draw and how does authority formation inform this forest land dispute and the relations between the state and society?

The case study examined here clearly indicates that the ideal of an exemplary centre and a powerful leader and authoritative figure informs authority building at the village level. However, as noted by Keeler (1987), villagers tend to resist the concentration of power in one person by distributing their loyalty and building alliances with many authority figures in order to reduce their dependency and protect their personal sovereignty. Thus, authority building is a two-way process: People build their authority by using different sources, on the one hand, and distribute their loyalty and create patron-client relations with numerous people, on the other. In the case of Pak Wahid, he gained followers by mobilising people in the land dispute, but the same people also built alliances with the village functionaries and his opponents in the village head elections who had upward connections.

During the New Order period, the bureaucracy became a dominant power source in ordering the lives of people. Bureaucracy was, however, informed by Javanese ideas of authority and power. Those owning land or belonging to powerful or wealthy families could gain a position in the official structure where they should behave according to their status position – passively, in a word. The New Order regime rhetoric stressed stability (*stabilitas*) as the basis of the Indonesian nation state, and the positions of the village elite and staff were related to a reinforcement of this order. Order was further buttressed by an imposed hierarchy and constant references to such concepts as *kasar*, *halus*, and *pamrih* in the village. However, new kinds of rationales for authority emerged too: Those having material wealth or education could gain authority as long as they were loyal to the ruling party (GOLKAR) and the state (*Pancasila*⁶).

6 *Pancasila* refers to the state philosophy of the Republic of Indonesia, i.e. 1) the belief in one God, 2) humanity that is just and civilised, 3) the unity of Indonesia, 4) democracy guided by the wisdom representative deliberation, and 5) social justice for all Indonesians.

Due to the changes in national politics (decentralisation), the withdrawal of President Suharto, public criticism of corrupt bureaucracy and politicians, and open contestation over state forest land new sources could be invoked. Villagers who wanted to gain access to land created patron-client relations with Pak Wahid (the landless or poor, illegal loggers, and jobless) and became his followers in the land struggle. For many, however, Pak Wahid was considered too active, harsh, and outspoken to become a village head, but these qualities became the basis of his authority in the land dispute making it possible for him to lead negotiations in the village and with the SFC.

In post-Suharto Java, leadership in the struggle for state forest land at the village level is embedded in the interaction of 'traditional' authority and administrative authority. Modern authority and village leadership are informed by certain Javanese qualities considered suitable for a leader. However, the villagers have new sources of authority due to national and local political changes. These new sources seemed to open space for innovative kinds of negotiations and to challenge the power of the SFC or traditional authority figures, while not bringing any real transformation of the power structure in the village or of that between the SFC and the villagers.

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Restoring State Control Over Forest Resources Through Administrative Procedures: Evidence From a Community Forestry Programme in Central Java, Indonesia

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In recent years, community forestry has emerged as a means to reform power constellations with regard to forest governance. Through community forestry, the central state promised to devolve several forest rights to local communities and encouraged them to get involved in decision making processes and the implementation of forest activities. However, experience in some countries indicates that the implementation of community forestry programmes is rarely followed by genuine power devolution to local forest users. Instead, these programmes may even serve as a means to retain or restore the central state's control over forests. Using a case study of a community forestry programme implemented in Java, Indonesia, by a state forest company, this paper argues that the implementation of community forestry is also driven by the state's interests to regain control over the forests. Research in eight villages in Central Java province reveals that the community forestry programmes are carefully structured according to numerous administrative procedures and establish a mode of control through a bureaucratic design.

Keywords: Administrative Procedures; Community Forestry; Indonesia; State Control; State Forestland

In den letzten Jahren hat sich community forestry als Mittel zur Reform von Machtkonstellationen in Bezug auf die Verwaltung von Wäldern herausgebildet. Der Zentralstaat versprach durch community forestry bestimmte Waldrechte an lokale Communities abzugeben und ermutigte sie, sich an Entscheidungsprozessen und der Implementierung von Forstaktivitäten zu beteiligen. Erfahrungen in einigen Ländern zeigen jedoch, dass die Implementierung von community forestry-Programmen selten mit einem tatsächlichen Machttransfer an lokale ForstnutzerInnen einhergeht, sondern diese Programme sogar als Mittel zur Rückgewinnung von zentralstaatlicher Kontrolle über Wälder dienen können. Anhand eines Fallbeispiels eines community forestry-Programms, das in Java, Indonesien, von einem staatlichen Forstunternehmen implementiert wird, argumentiere ich in diesem Artikel, dass die Implementierung von community forestry auch von den Interessen des Staates, Kontrolle über die Wälder zurückzugewinnen, vorangetrieben wird. Meine Forschung in acht Dörfern in der Provinz Zentral-Java zeigt, dass die community forestry-Programme sorgfältig nach zahlreichen administrativen Verfahren strukturiert sind und eine Art der Kontrolle durch bürokratisches Design etablieren.

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Schlagworte: *Community Forestry; Indonesien; staatliche Kontrolle; staatlicher Wald; Verwaltungsverfahren*

Introduction

Over the past decade, there have been calls for the devolution of forest control from the central state to local communities. The calls were principally driven by concerns about the absolute control by the central state – particularly in the developing world – over forest resources and their uses (Agrawal & Gibson, 1999; Assembe Mvondo, 2009; Gilmour & Fisher, 1991; Shackleton, Campbell, Wollenberg, & Edmunds, 2002; Webb 2008). The implementation of community forestry in recent years has been a starting point in reforming the power constellations in forest governance (Acharya, 2002; Lachapelle, Smith, & McCool, 2004; Nygren, 2005; Ostrom, 1999). Community forestry promised to devolve several forest rights to local communities and encourage them to get involved in decision making processes and the implementation of forest activities from reforestation to harvesting. For example, McDermott and Schreckenber (2009, p. 158) elaborate that community forestry comprises local people's exercise of power to influence decisions regarding the management of forests, including the rules of access and the disposition of products.

Many countries across the globe have experimented with different programmes that included the participation of local people and that formally mentioned power devolution as one of the core policy goals (Bull & White, 2002; Gilmour, Malla, & Nurse, 2004). However, there is an increasing pool of studies (for instance Agrawal & Ostrom, 2008; Blaikie 2006; Dahal & Capastrino, 2006; Larson, 2005; Ribot, 2004, 2009) that indicate that the implementation of such models is rarely followed by genuine power devolution to local forest users. Experiences in many countries, for instance, Indonesia, Nepal, the Philippines, Senegal, Uganda, Bolivia, and Nicaragua indicate that community forestry programmes may even serve as a means to retain or restore the central state's control over the forests (see Devkota, 2010; Gauld, 2000; Ribot, Agrawal, & Larson, 2006). This paper will further support the aforementioned findings on the informal (hidden) agenda of states in implementing community forestry. Using a case study of a programme implemented in Java, Indonesia, *Pengelo-*

laan Hutan Bersama Masyarakat (PHBM), by the state-owned company of *Perhutani*, this paper argues that the implementation of the PHBM is also driven by the state's interest in regaining control over the forests. It reveals that PHBM is carefully structured according to numerous administrative procedures – based on a bureaucratic design – that serve as a mode of control by the forest administration over the forestland and its resources.

Theoretical Framework

This paper uses theories from political science, which principally focus on the concept of control and the mechanisms used for its enforcement. In political science, the term *control* usually describes the relationship between a political authority (principal) and the subordinate/agent (Moe, 2002). It frequently centres on how the former devises a structure of rules so that the latter's policy actions are pursued accordingly (Bendor, 1988, cited in Moe, 2002, p. 2), depicting power relations in which the position of the former dominates the latter's "in terms of great mastery of rules" (Offe, 1976, p. 25). Rangan (1997) defines control as the ability of the principal to check and direct the behaviour of the agent. This definition mirrors Weber's notion of domination (Ribot & Peluso, 2003, p. 159). On the other hand, the degree of control that the agent experiences correlates with "the variability of autonomy, and freedom from direction" (Clegg, 1981, p. 545).

For this analysis it is important to understand how control is imposed. Extensive discussions in behavioural research often centre on whether the principal pursues *ex post* or *ex ante* control in order to achieve the action's desired outcomes (see e.g. Kamin & Rachlinski, 1995; Kolstad, Ulen, & Johnson, 1990). The *ex post* mechanism, which focuses on direct supervision such as police patrols, remains a popular strategy for enforcing legal norms (Kraakman, 1986). It involves monitoring, observing the subordinate's actual behaviour, rewarding, and punishing in cases of misconduct (McCubbins, Noll, & Weingast, 1987, p. 244). Several political scientists (e.g. Kraakman, 1986; Leatherwood & Spector, 1991; McCubbins et al., 1987) raise the limitations of direct monitoring, particularly its associated costs and limited coverage. In the absence of effective enforcing capacity, direct oversight appears to offer limited advantages for the principal to check and direct an agent's behaviour.

Therefore, McCubbins et al. (1987) argue that administrative procedures (*ex ante*) offer a cheaper and more effective approach for the principal to exert control over the agent. The mechanism depends on “stacking the decks” to guide “an agency to make decisions that are consistent with the preferences” of the principal (McCubbins, Noll, & Weingast, 1989, p. 432). Here, political control is exercised through the design of bureaucracy and pursued by establishing rules and requirements, imposing decision procedures and criteria, and constraining the agent from moving in the direction it desires (Moe, 2002). The structure and process mechanism is expected to limit the independence of an agent to make policy actions (Bawn, 1995, p. 62; McCubbins et al., 1987, p. 244), and if the structures and processes are properly designed, an agent’s behaviour “will be largely under control from the outset” (Moe, 2002, p. 3).

The Decline of State Control and PHBM Community Forestry

The state forests of Java comprise about 3 million hectares, more than four-fifths of which are administered and managed by the state forest company Perhutani. Unlike most forest companies in Indonesia, Perhutani is autonomous. It directly controls and uses the forest resources, while it also determines forest management, exploitation, marketing as well as protection (Maryudi, 2011).

Prior to the economic and political crises that struck the country between 1997 and 1998, the forest administration and state-company’s management were based on the forestry model established by the colonial administration, which adopted a state-control approach comprised of an exclusionary policy vis-à-vis the local population. Peluso (1992) describes this centralistic forest tradition at great length. The centralistic model was based on control over the state’s forestland and resources as well as local people’s activities in the forests (Peluso, 1992). In this regard, the state’s ownership of forestland was a fundamental element as this represents “a broader set of practices and ideas related to ‘best management’ of forest production or protection” (Peluso, 2011, p. 814). Ensuring ownership means that the state captures the greatest amount of benefits from forest products. To ensure control, the forest office relied on direct surveillance, and the forest police became the core component of the forest company, complementing the managerial and technical lines (Peluso, 1992; Peluso & Poffenberger, 1989). A

formal forest policy highlighted the importance of the forest police that was put in charge of securing and guarding the state's rights over forest resources (Peluso, 1993a).

The strong centralistic forest traditions effectively prohibited local communities' access to forest resources. The only legal access granted to local communities was the short-term (usually two years) *taungya*-styled agroforestry, locally referred to as *tumpangsari*, in which local people were allowed to cultivate agricultural crops in between the main forest species during reforestation (Bratamihardja, Sunito, & Kartasubrata, 2005). However, as Peluso (1993b) notes, this centralistic state control has significantly declined. Over the past few decades, the state forest company has experienced numerous forest problems, for example, forest land encroachment, forest thefts, and agricultural cultivation (Djajanti, 2006; Djamhuri, 2008; Nawir & Rumboko, 2007; Peluso, 1993b; Purwanto, Ito, & Oohata, 2003). Some groups of local people have also attempted to claim ownership rights over some parts of the forests (see Maryudi & Krott, 2012a). These problems have led to massive forest degradation, mirrored by the high proportion of young forest stands and barren forestlands (Nawir, Murniati, Rumboko, Hiyama, & Gumartini, 2007). At the time of the aforementioned political crisis, conflicts and unrest related to forestry occurred in many forest regions (see Wulan, Yasmi, Purba, & Wollenberg, 2004). Furthermore, political struggles over the control of forests emerged as some district governments attempted to dethrone the superiority of Perhutani in administering the state forests in their regions (Adi et al., 2004; Nomura, 2008).²

The accumulated forest problems urged the state company to adopt a new approach through the implementation of community forestry. While there have been experiments with community forestry in Java for more than three decades (see Peluso, 1993b), a formal policy on community forestry was finally launched in 2001. PHBM community forestry serves as a generic model implemented for all forests under the administration of Perhutani. It rests on joint forest management between Perhutani and local community institutions – usually at the village level – that formally encourages both parties and other interested stakeholders to share roles in decision making

² The downfall of the New Order regime in 1998 has provided pathways for legal and institutional reform. Since then, there has been a period of intense struggle over the administrative authority of forests between national and local (provincial and district) governments. This resulted in the enactment of two fundamental laws – Law 22/1999 on Regional Governance and Law 25/1999 on Fiscal Balancing between the Central Government and Regional Governments, which both delegate substantial authority, including forestry, to district governments. However, decentralisation in the forestry sector occurred mainly in regions outside Java. This means that Perhutani remains the authority over most forests in Java.

processes, the implementation of forest activities, and eventually the benefits from forest resources. In addition, PHBM formally aims to integrate socio-economic community development in forest management systems from which local communities can access economic benefits in order to improve the community's welfare (Maryudi & Krott, 2012b). Under the programme, forest users are required to organise themselves as a forest user group³ at the village level, widely referred to as *Lembaga Masyarakat Desa Hutan* (LMDH), to implement the PHBM.

Research Sites and Methodology

The research for this paper was conducted in eight villages that have formally implemented PHBM in three of Perhutani's forest districts in Central Java: Randublatung, South Kedu, and Pemalang. Prior to PHBM implementation, Perhutani's forests in the villages suffered from different problems like tree thefts/illegal logging, conflicts between Perhutani and local people, agricultural encroachment in the forests, and tenure claims to the forestland (Table 1). The primary field data was drawn from interviews, discussions, and other information from various stakeholders such as the respective district forest managers and forest officers, the leaders of the LMDHs, and other relevant stakeholders. The interviews were complemented by reviews of scientific literature and PHBM regulations.

Table 1: Forest Management Related Problems at the Research Sites					
VILLAGE	FOREST DISTRICT	FOREST PROBLEMS			
		TREE THEFTS	CONFLICT WITH LOCAL PEOPLE	AGRICULTURAL ENCROACHMENT	TENURE CLAIM
<i>Gempol</i>	<i>Randublatung</i>	x		x	
<i>Gembyungan</i>	<i>Randublatung</i>	x			
<i>Temulus</i>	<i>Randublatung</i>	x	x	x	x
<i>Glandang</i>	<i>Pemalang</i>	x		x	
<i>Burat</i>	<i>South Kedu</i>	x			
<i>Mayungsari</i>	<i>South Kedu</i>	x		x	
<i>Sedayu</i>	<i>South Kedu</i>	x		x	
<i>Benowo</i>	<i>South Kedu</i>	x	x	x	x

Source: Author's Compilation

³ This forest user group has to be formally registered by the legal office, usually at the district level.

Empirical Findings

To restore control over forest resources in the PHBM programmes, Perhutani establishes regulatory frameworks and conditions for the community forestry practices through which the company is able to force local people to act according to its desires. This section discusses the administrative procedures used by Perhutani to exert control over forest resources.

Regulated in the Decision of Perhutani's Board of Directors No. 136/KPTS/DIR/2001, PHBM is preceded by the signing of a legal agreement between the forest office – usually at the district level – and a formally-registered LMDH. Article 5 (1-b) of the Decision reads: “To implement PHBM, Perhutani prioritises LMDHs that have been formally registered at a legal office and are recommended by their respective village leaders” (own translation).

While all villages studied in this research have already created such a group, a clear example of the power of this administrative procedure is provided by the case of Temulus. In this village, interest in community forestry has been evident since the end of the 1990s, however, the PHBM was only approved after the establishment of a formally-registered LMDH group in 2010 (Maryudi, 2011). The forest officials of the three forest districts suggested that this requirement ensures the legal enforceability of the PHBM agreement (see also Djajanti, 2006). The administrative screening is further enhanced by the fact that Perhutani can determine whether particular groups are qualified for the participation in the PHBM agreement. Officials in the three forest districts are expected to have a ‘good partner’ in managing the forests. They anticipated that the LMDHs actively and cooperatively participate in the PHBM, suggesting that they will not undermine Perhutani's interests. In most cases, the forest offices facilitated the creation of the LMDHs to make them more reliant and inclined to Perhutani. In contrast, the people from Benowo and Temulus villages were heavily influenced by a local NGO, much to the chagrin of the respective forest offices (see Maryudi & Krott, 2012a). In Temulus, the forest district office ignored the local group working with the NGO and created an LMDH composed of more supportive villagers to implement PHBM.

Through a legal contract, the forest office can exert some degree of control over the participating user group as contracts usually articulate the “principal's prefer-

ences and priorities” (Shapiro, 1987, p. 632). In the PHBM agreements with the LMDHs investigated for this research, Perhutani clearly aspires to limit local communities’ (forest users and their groups) access to the state forestland and associated resources. The agreement itself was prepared by the respective forest district offices as indicated by the identical content and wording for different LMDHs. It is carefully narrated with administrative procedures to limit the access of local people to the forestland and its resources.

State ownership of forestland is one of the main elements of the forest administration to restore control over forest resources that is agreed upon in the PHBM agreement. In fact, the participating LMDHs are forced to acknowledge the state’s ownership of forestland, which ignores the (customary) tenure claims of local communities to the forestland (Maryudi, 2011). Article 6 of Decision No. 136/KPTS/DIR/2001 reads: “PHBM is implemented without changing the status of the state forestland” (own translation). This fact was duly accepted by all LMDHs in the PHBM agreements that state that “the tenure ownership of the forestland is assigned to the state, which has mandated the management of the forestland to Perhutani” (own translation).

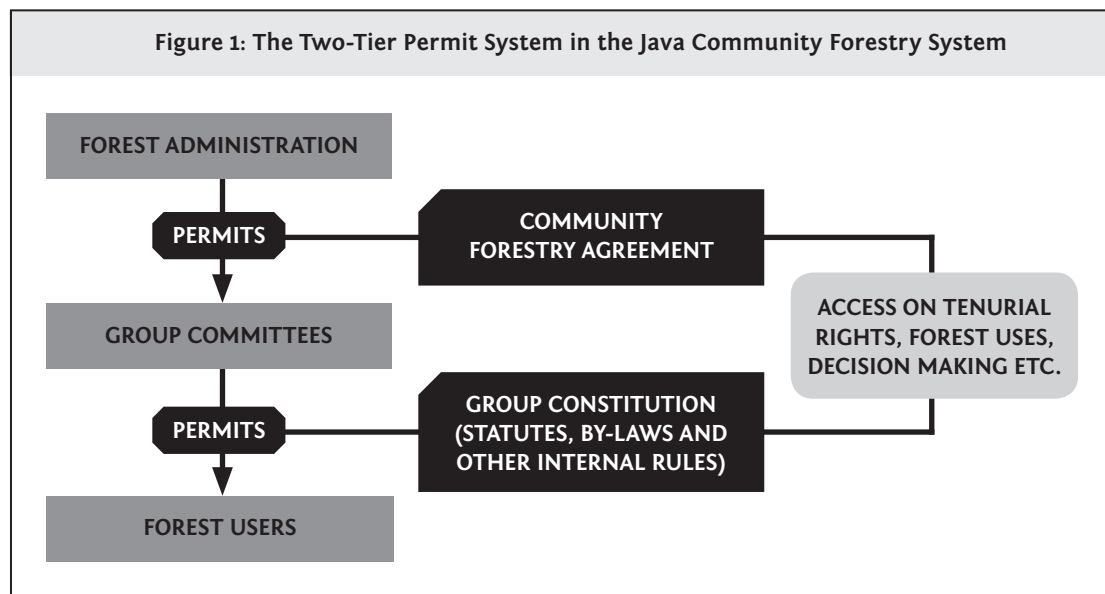
The preferences and priorities of Perhutani are further emphasised in the permit systems (allowable and non-allowable regimes) that regulate forest users’ use and access rights to forests. The PHBM agreement clearly reinforces the dominant narrative of the state’s control and possession of forest products as it outlaws tree cutting and grazing on young forest stands. Local people are only permitted to collect non-timber products such as edible fruits, mushrooms, and fodders (Djajanti, 2006; Maryudi, 2009).

The administrative procedures for ensuring control are further enhanced through management plans and reporting activities. In community forestry programmes, LMDHs are invited to develop so-called management plans, which unfortunately only relate to permitted forest uses, such as the use of the forest floor for agricultural cropping. Usually, the groups are provided with a planning sheet, which outlines the agricultural crops that are allowed to be planted and indicates where and when these crops are permitted to be planted. This procedure can serve as a screening mechanism for the forest office to instantly prevent misconduct in the forests. A forest officer in Randublatung forest district suggested that some crops such as rice and bananas are prohibited as they would mimic private paddy fields and gardens

respectively, which are perceived to encourage tenure claims in the future. Some local groups also failed in their attempt to propose activities such as planting trees, coffee, and other perennial crops that were considered to impede the growth of the main forest species.

Administrative procedures may increase the likelihood that the agent’s policy actions mirror the principal’s interests (McCubbins et al., 1987, p. 262). In PHBM community forestry, Perhutani enriches the bureaucracy by urging LMDHs to craft their own forest regulations to guarantee that forest practices serve Perhutani’s desired outcomes. In most cases, the creation of local regulations has been heavily influenced by the forest office and appears to enhance its administrative procedures since they are simply copied from the PHBM agreement (Maryudi, 2011). In fact, combined with the PHBM agreement, the local forest regulations create a so-called “two-tier permit system” (Maryudi, 2011) that links local forest users with the forest administration through permits (see Figure 1).

The formal agreement between the forest office and the LMDHs further specifies both the responsibilities for forest activities and the sanctions that are to be imposed in cases of forest misconduct of the participating LMDHs. As mentioned above, PHBM encourages the active participation of local communities in forest management and conservation activities. Through the programme, Perhutani expects that communities contribute to reforestation, and the agreement obliges the group com-



Source: Adapted from Maryudi, 2011, p. 59

mittees/leaders to ensure high survival rates of the planted seedlings at a minimum of 90 percent. Newly reforested areas are parceled out to interested forest users for agricultural cropping for about two to three years. In return, they are obliged to plant prescribed tree seedlings and nurture them. When the people fail to reach the survival target, they are obliged to replant the forestland. This is particularly important for addressing the problems of reforestation failure that often occurred prior to the implementation of the PHBM. Perhutani is also concerned about valuable timber. Through the PHBM programme, the company aspires to secure the tree stands. It therefore imposes heavy sanctions in cases where the forest's potential to produce timber is reduced. In all cases observed in this research, people are expected to actively participate in forest patrols to prevent illegal logging. To ensure this, the forest offices threaten to terminate the agreement upon the discovery of illegal cutting.

Given these restrictions, questions may remain about the degree to which the extensive administrative procedures and regulations work on the ground. Within the PHBM programmes, Perhutani has created mechanisms of extended control, most notably through the use of LMDH committees, to deliver its interests. In other cases, scholars (e.g. Dasgupta & Beard, 2007; Thoms, 2008; Varughese & Ostrom, 2001,) have noted the influence of local elites, such as village leaders or people from high castes, on the groups and their ability to control the group members. In this study, the influence of local elites such as village leaders, civil servants, teachers, and religious leaders, is also visible across the research cases. These people usually dominate the structure of the group committee and the decision making in the group, and also capture most of the benefits obtained from PHBM (Maryudi, 2011). For Perhutani, controlling the committees can mean control over the group members and their activities in the forests. In this regard, the administrative procedures are manifested by the attachment of a forest officer, albeit indirectly, as an adviser on the committee structure of all LMDHs. While greater control over the forests can be achieved, Perhutani benefits from reduced costs, which are transferred to the group committees as a consequence.

Perhutani greatly benefits from the participation of group committees, which play the role of 'forest-keepers'. In cases of forest users' misconduct, the group committees adopt different strategies depending on the severity of the forest violation. Persuasion is employed as a common strategy – particularly for minor misconduct – but heavy and persistent misconduct can lead to severe punishments. In Benowo and

Sedayu villages, for instance, the committees adopt so-called 'peer-controls' whereby a forest user is promised 30 percent of the fines obtained from his/her fellow users who are caught infringing upon the regulations. In Sedayu, some group members have been ejected from the group due to persistent infringement.

Conclusion

This paper reveals that the PHBM programme is systematically set up to ensure that forestland and resources are kept under tight control of the state through numerous administrative procedures. These administrative procedures are manifested in the obligation of legal registration of LMDHs, the use of formal agreements and contracts that are biased toward Perhutani's priorities, and the use of local forest regulations. The informal agenda associated with the implementation of community forestry is veiled in a scheme that supposedly (formally) serves the interests of local people. Through the use of group committees, Perhutani has additionally produced an effective mechanism of surveillance in the forests, whereby the forest office no longer has to directly control forest activities, and thus lifts the burden of supervision in this area from its own responsibilities. Consequently, signs of forest order emerge. While more empirically-based case studies are indeed required to provide more solid justification, local people in the studied villages are clearly experiencing increased control.

This conclusion by no means advocates 'no control' in the forests that might have contraproductive consequences with regard to the condition of forest resources. Instead, the challenge that lies ahead is to create better instruments that can integrate the interests of Perhutani to improve the forest conditions and the needs of local communities for meaningful benefits from the forests. The participation of local people in forest conservation and management should be met with genuine attempts to improve their livelihood and quality of life. In PHBM, the legal access to the forests is astonishingly limited and across the studied villages, the programme has yet to lift local people from their chronic poverty (Maryudi & Krott, 2012b). Here, a much improved legal access to the forest by local people is the key of the future implementation of PHBM.

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In and Out of the Forest: Decentralisation and Recentralisation of Forest Governance in East Kalimantan, Indonesia

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The ‘big bang’ decentralisation reforms Indonesia embarked upon in 2001 went along with a decentralisation of the forestry sector. Hopes were high that this would improve local development and contribute to more sustainable forest management. However, undesired outcomes of decentralisation have been counteracted by an immediate effort to recentralise forest governance. In this paper, we address the question what actual impact both de- and recentralisation of forest governance had on the livelihoods of local communities in East Kalimantan. Our findings are based on field studies conducted in two villages using ethnographic methods. We show that under decentralised forest governance, unclear functional competences and overlapping authorities of the central and local governments triggered a logging boom that increased inter- and intra-village conflicts, exacerbating inequality, and leading to further deforestation. On the other hand, the recentralisation of the forestry sector and the increased central state control of illegal logging deprived villagers of lucrative income sources without offering adequate alternatives, while ending therewith associated conflicts. Our case studies thus show that de- and recentralisation had both positive and negative effects on a local level. However, we argue that continual decentralisation efforts would be more promising for the improvement of local communities in East Kalimantan.

Keywords: Decentralisation; East Kalimantan; Forest Governance; Indonesia; Local Livelihoods

Die weitreichenden Dezentralisierungsprozesse, die Indonesien 2001 in die Wege geleitet hat, schlossen eine Dezentralisierung des Forstsektors ein. Die Hoffnungen waren groß, dass damit die lokale Entwicklung vorangetrieben und nachhaltiges Waldmanagement gefördert würden. Den unerwünschten Folgen der Dezentralisierung wurde jedoch mit umgehenden Bemühungen entgegengewirkt, den Forstsektor zu rezentralisieren. In diesem Artikel befassen wir uns mit der Frage, welche tatsächlichen Folgen sowohl die De- als auch Rezentralisierung des Forstsektors auf die Lebensumstände lokaler Gemeinschaften in Ost-Kalimantan hatten. Unsere Ergebnisse beruhen auf Feldforschungen in zwei Dorfgemeinschaften unter Anwendung ethnographischer Methoden. Wir zeigen, dass die unklare Aufgabenverteilung und überlappenden Autoritäten von Zentral- und Lokalregierung während der Dezentralisierung einen logging boom hervorgerufen haben, der zu steigenden Konflikten innerhalb von und zwischen Dörfern sowie wachsender Ungleichheit und ansteigender

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Entwaldung geführt hat. Auf der anderen Seite haben die Rezentralisierung des Forstsektors und die zunehmende zentralstaatliche Kontrolle des illegalen Holzeinschlags den DorfbewohnerInnen lukrative Einnahmequellen entzogen, ohne adäquate Alternativen zu schaffen. Unsere Fallstudien zeigen somit, dass De- und Rezentralisierung sowohl positive als auch negative Auswirkungen hatten. Dennoch argumentieren wir für die Fortsetzung der Dezentralisierungsbestrebungen, da dies für die Verbesserung der Lebensumstände von lokalen Gemeinschaften vielversprechender ist.

Schlachworte: Dezentralisierung; Forst-Governance; Indonesien; Local Livelihoods; Ost-Kalimantan

Introduction

Decentralisation is assumed to hold a great potential for local development and sustainable natural resource management (Larson & Ribot, 2004; Moser, Norton, Conway, Ferguson, & Vizard, 2001; Steinich, 1997). However, recent studies on the impact of decentralisation reforms show mixed results (Baumann & Farrington, 2003; Ribot, 2002; Shackleton, Campbell, Wollenberg, & Edmunds, 2002). A more critical and differentiated view has thus replaced the initial celebration of decentralisation.

These mixed results emerged in Indonesia, where ‘big bang’ decentralisation reforms also decentralised forest governance. Governmental and popular hopes for improved living conditions of the local population and a more sustainable forest management did not materialise. The excessive encroachment of new authorities on forests and legal uncertainty led to increased deforestation and a lack of long-term improvements of local livelihoods (Barr, Wollenberg, Limberg, Anau, Iwan, & Made Sudana, 2001; Casson, 2001a, 2001b; McCarthy, 2001a, 2001b; Obidzinski & Barr, 2003; Potter & Badcock, 2001; Soetarto, Sitorus, & Napiri, 2001). Consequently, as was the case in other countries where central government called for recentralisation when decentralisation did not go smoothly, the Indonesian government recentralised forest governance (Barr, Resosudarmo, Dermawan, & McCarthy, 2006, p. 128).

While several studies have documented the impact of decentralised forest management in Indonesia, the effect of recentralisation on village level has been hardly documented so far. In this paper, we address the question of what impact these two subsequent policy shifts had on the intended beneficiaries of new decentralised policies. Our case studies illustrate that decentralisation and recentralisation have

both positive and negative impact on local communities. However, we argue that the negative consequences of decentralisation are the result of the sudden and disorderly nature and weak implementation of the decentralisation process in Indonesia, which was conducted in a phase of economic and political crisis and was seen as an instrument for protecting the nation state from breaking up due to separatist movements. We thus support the argument that recentralising authority is not the best answer to the shortcomings of decentralisation (Larson, 2005). Instead, we are optimistic that improved decentralised forest policies will be able to reduce the negative impact of decentralisation while strengthening its advantages and thereby offer a more promising future for local communities.

Our findings rest on field research conducted between 2004 and 2007 in the district of Kutai Barat as an integrated part of the project *Making Local Government More Responsive to the Poor: Developing Indicators and Tools to Support Sustainable Livelihood under Decentralization* which was carried out by the *Centre for International Forestry Research* (CIFOR) in co-operation with Freiburg University. We used descriptive and exploratory fieldwork methods, including participant observation, informal interviews and semi-structured interviews, focus group discussions, and village level household surveys. Informants included a broad range of stakeholders, such as policy-makers and administrators on the district and sub-district level, village authorities, private business operators, NGOs, and village inhabitants. We discussed our findings with local communities and submitted recommendations to district government officials.

After providing a short overview of the legal framework that shaped the de- and recentralisation of forest governance in Indonesia in the next section, we introduce the local setting of Kutai Barat. In the main part of this paper, we describe the impact of decentralisation and the subsequent recentralisation policies within two sample villages. In the final section, we provide an analysis of these impacts and present our arguments for continued decentralisation efforts.

De- and Recentralisation of the Indonesian Forestry Sector

During the early phase, decentralisation included a temporary relaxation of the highly centralised Indonesian forestry sector. First steps towards decentralised forest

governance undertaken in 1998³ were strengthened in 1999 through the newly enacted regional autonomy laws. Law No. 22/1999⁴ regulated the devolution of political authority to local governments. The central government retained the authority over foreign policy, defence and security, monetary policy, legal systems, and religious matters while ceding authority over all other policy fields to local governments. These subsequently gained the full responsibility for natural resource management, including forests. Law No. 25/1999⁵ devised a new system of financial arrangements between the centre and the regions, whereby districts received a much larger share of forest revenues generated within their boundaries and were empowered to generate their own additional revenues. Government Regulation No. 6/1999⁶ and its implementing regulations issued by the Ministry of Forestry⁷ further strengthened the decentralisation of forest management, empowering district heads to allot small-scale timber concession licences for areas of up to 100 hectares and a period of up to one year. However, the exact extent of district governments' new authority over forests remained vague, as Law No. 22/1999 contained ambiguities which invited multiple interpretations (Resosudarmo, 2004, p. 114). Further inconsistencies arose between the decentralisation legislation and the new Basic Forestry Law passed in 1999⁸, as the latter retained the notion of central control (McCarthy, 2004, p. 10).

In this situation of ambiguous functional competences and overlapping authorities, district heads throughout Indonesia's forest rich regions interpreting the legislation in their own favour issued small-scale logging permits with renewed zeal (Nugroho, Russell, & Sardjono, 2009, p. 1). In response to these emergent excesses, the Ministry of Forestry withdrew the authority for issuing small-scale concessions from district heads in February 2002⁹. Four months later, the central government reinforced this policy when it finally issued the implementing regulations for the new

3 Government Regulation 62/1998 (*Peraturan Pemerintah No. 62/1998 tentang Penyerahan Sebagian Urusan Pemerintahan di Bidang Kehutanan kepada Daerah*) granted authority over a number of forestry affairs to district heads and was partly read as a signal that the central government was prepared to support decentralised forest governance (Dermawan, Komarudin, & McGrath, 2006, p. 3).

4 *Undang Undang No. 22/1999 tentang Pemerintahan Daerah.*

5 *Undang Undang No. 25/1999 tentang Perimbangan Keuangan antara Pemerintah Pusat dan Daerah.*

6 *Peraturan Pemerintah No. 6/1999 tentang Pengusahaan Hutan dan Pemungutan Hasil Hutan pada Hutan Produksi.*

7 *Keputusan Menteri Kehutanan dan Perkebunan No. 310/1999 tentang Pedoman Pemberian Hak Pemungutan Hasil Hutan.*

8 *Undang Undang Pokok Kehutanan No.41/1999.*

9 *Keputusan Menteri Kehutanan No. 541/2002 tentang pencabutan Keputusan Menteri Kehutanan No. 05.1/Kpts-II/2000 tentang kriteria dan standar perizinan usaha pemanfaatan hasil hutan dan perizinan pemungutan hasil hutan pada hutan produksi.*

Basic Forestry Law¹⁰, which returned the authority over forests to the centre and provided the Ministry of Forestry with the sole authority to issue logging licences (Resosudarmo, 2004, p. 125). Finally, the decentralisation laws of 1999 were replaced by Laws No. 32/2004 and No. 33/2004¹¹, which affirmed regional autonomy but recentralised many fields of authority to higher levels of government. The short period of ‘big bang’ decentralisation in the forestry sector thus came to an end by legal means in 2002 (Dermawan, Komarudin, & McGrath, 2006, p. 5).

Regional Setting

The district of Kutai Barat is located in the province of East Kalimantan and came into existence in October 1999, when the former district of Kutai was split into three parts, Kutai Barat, Kutai Timur, and Kutai Kartanegara. It stretches along the Mahakam River, covering a territory of 31,628 square kilometres with a population of nearly 150,000 people (Badan Pusat Statistik, 2003). Most of the district’s poor infrastructure is concentrated around the new district capital, Sendawar, which occupies the highland region of the Middle Mahakam. The district population is comprised of a vast amalgam of ethnicities including several Dayak groups, which form the majority of the population, Malay groups like the Banjar and Kutai, and migrant groups from other Indonesian islands. The district possesses rich forest resources with a state forest area of 2.3 million hectares (KK-PKD Kutai Barat, 2001, p. 6). The district’s most important economic sectors are timber and mining, with diminishing gold mining and an increasing significance of coal mining. The development of oil palm estates in the sub-district of Jempang is marked by a long history of conflict and controversy (Casson, 2001a, p. 20; Gönner, 2002, pp. 84-85; Gönner, Cahyat, Haug, & Limberg, 2007), but currently only plays a minor economic role in Kutai Barat. The smallholder economy of the district is characterised by swidden agriculture, animal husbandry, market gardening, and small-scale estate crop production.

To demonstrate the impact of the subsequent de- and recentralisation policies on local communities, we will employ examples from two villages. The first, Jambuq, is

¹⁰ *Peraturan Pemerintah No. 34/2002 tentang tata hutan dan penyusunan rencana pengelolaan hutan, pemanfaatan hutan dan penggunaan kawasan hutan.*

¹¹ *Undang Undang No. 32/2004 tentang Pemerintahan Daerah and Undang Undang No. 33/2004 tentang Perimbangan Keuangan antara Pemerintah Pusat dan Daerah.*

a self-proclaimed Kutai village¹² that lies on the eastern border of Kutai Barat and is located directly on the Trans-Kalimantan road connecting Sendawar with the provincial capital of Samarinda. According to official village records of 2004, Jambuq has 549 inhabitants living together in 116 households. The village covers an area of 30.1 square kilometres, with a great share of secondary forests of different stages and only minor primary forest spots left. The amount of valuable timber in the village's forest has declined over the last few decades due to commercial logging under HPH-legislation¹³ which started in 1979, and disastrous forest fires which occurred in 1997/98¹⁴. Jambuq villagers subsist mainly on swidden agriculture, forest gardens, and additional income from various monetary sources.

Jontai, a Dayak Benuaq¹⁵ village, is located in the westernmost part of Kutai Barat on the shore of the Nyuataatn River. The village area is densely forested and is bordered in the north by the province of Central Kalimantan. Numbering 361 inhabitants¹⁶ living in 60 households, its settlement size is slightly smaller than that of Jambuq, while the village area, covering 64.32 square kilometres, is more than twice as large. The inhabitants of Jontai practice an extended subsistence economy with a high importance of subsistence and a situational orientation towards monetary income. The largest proportion of the village area (65 percent)¹⁷ consists of old secondary and primary forest, while the remaining 35 percent is used for agriculture, including rice cultivation, fallow fields, as well as rattan, rubber, and forest gardens. Commercial logging undertaken by different companies has played a major role in Jontai since the log flood enterprises¹⁸ of the late 1960s. The logging company currently active started its operations in the village area in 2001.

12 The inhabitants originated from Benuaq ancestors and converted to Islam in the early twentieth century, therewith adapting Kutai customs and Kutai language.

13 Commercial Forestry Concession (*Hak Pengusahaan Hutan* – HPH) for state forests, issued by the Ministry of Forestry, introduced during the Suharto regime (1967-1998).

14 Forest fires in Indonesia's tropical swamp forests have occurred in the past few decades mainly due to a combination of ecological and economic reasons. In 1997/98, a prolonged drought caused by a strong El Niño – Southern Oscillation (ENSO) event, created an extraordinary fire prone situation in East Kalimantan (Hoffmann, Hinrichs, & Siegert, 1999). Villagers in Jambuq suspect fire setting on behalf of plantation owners as the major reason for the outbreak in the forest surrounding Jambuq.

15 The different ethnicities of our sample villages are not of primary importance for the argument laid out in this article. A discussion of how different impacts and perceptions of decentralisation are influenced by different ethnic backgrounds is currently in preparation by the authors.

16 The data on Jontai and the sub-district Nyuatan was obtained during an interview with the staff of the sub-district office (Dempar, personal communication, April 27, 2005).

17 As the village area has not been measured yet, this percentile division is based on the estimation of key informants.

18 The log flood enterprises used traditional, non-mechanised logging techniques. The logs were placed at river banks so that they could be transported downriver with the seasonal floods.

Impact of Decentralised Forest Governance on Local Livelihoods

Impact on District Level

New forestry regulations issued by the provincial and district governments provided local communities with a larger share of benefits from the forestry sector and improved their access to forests and forest resources.

For example, the provincial government of East Kalimantan issued Governor Decree No. 20/2000¹⁹, which requires holders of large-scale logging concessions (HPH) to pay up to IDR 3,000 (USD 0.36 [2000]²⁰) per cubic metre of harvested logs to local communities who hold customary rights to the respective forest areas. The decree further demands that HPH-holders make retrospective payments for timber cut during the previous five years (Center for Social Forestry, 2005, pp. 2-3). In Kutai Barat, this policy was transferred into District Head Decree No. 283/2000²¹ and implemented in the same year.

The introduction of the new small-scale concessions was regulated in Kutai Barat through District Head Decree No. 4/2000 on Procedures for Granting Forest Product Harvest Concessions (*Hak Pemungutan Hasil Hutan* – HPHH). By the end of 2000, the district government had already granted hundreds of such licences; the actual amount varied between 622, according to KK-PKD Kutai Barat (2001, p. 43), and 223, according to Dermawan et al. (2006, p. 7). The licences were granted to individual inhabitants of Kutai Barat, groups or cooperatives who then mainly worked together with logging companies as contractors to exploit the forest. Negotiations between logging companies and villagers determined the fee contractors would have to pay to the traditional owners of the forest. These fees varied between IDR 50,000 (USD 5.50 [2004]) and IDR 150,000 (USD 16.50 [2004]) per cubic metre of timber (Andrianto, 2006, p. 45).

Several studies demonstrate that in the majority of the cases, local communities only gained short-term economic benefits from decentralised forest governance,

19 *Surat Keputusan Gubernur Kalimantan Timur No. 20/2000 tentang Standar Pemberian Biaya Kompensasi Kepada Masyarakat Adat Atas Kayu Yang Dipungut Pada Areal Hak Ulayat di Propinsi Kalimantan Timur.*

20 We use average conversion rates for each year (indicated in brackets) as follows: (1999): 0.00013 – USD 1 = IDR 7,879; (2001): 0.00010 – USD 1 = IDR 10,250; (2003): 0.00012 – USD 1 = IDR 8,593; (2004): 0.00011 – USD 1 = IDR 8,945; (2005): 0.00010 – USD 1 = IDR 9,721; (2007): 0.00011 – USD 1 = IDR 9,110.

21 *Surat Keputusan Bupati Kutai Barat No. 283/2000 tentang Desa-Desa di Dalam dan di Sekitar Areal HPH Yang Berhak Menerima Dana Kompensasi dari Perusahaan-Perusahaan Kehutanan Yang Ada di Wilayah Kabupaten Kutai Barat.*

while local elites and companies were the main beneficiaries (see for example Barr et al., 2001, 2006; Barr & Resosudarmo, 2002; Casson, 2001a; Haug, 2010; Resosudarmo, 2004; Rhee, 2000). However, the new regulations not only provided new income opportunities for local communities but strengthened their customary rights politically. Another example can be found in the licences for collecting forest resources (called IPPK – *Izin Pemungutan dan Pemanfaatan Kayu*), which were supposed to provide legal means to clear small forest plots for community plantations (Casson & Obidzinski, 2002, pp. 40-41).

The district government of Kutai Barat further developed community-based forestry management models, such as the IUKhM scheme²². These initiatives can be seen as an important attempt to provide local communities with legitimate access to their forests. This is of special importance as customary rights to state forest lands are not yet recognised in a meaningful way under national law. The Basic Forestry Law of 1999²³ acknowledges *adat*²⁴ rights as long as *adat* still exists and is not contrary to national interests or to superior national legislation. However, this acknowledgement of customary rights in state forests only provides people with forest management rights and rights to collect forest products but does not recognise ownership rights. Therefore, local communities have limited prospects of claiming rights to land or forest resources (Bakker & Moniaga, 2010, p. 189).

The legal insecurity which arose through unclear functional assignments and overlapping authorities within the forestry sector triggered a logging boom during the early phase of decentralisation. The villagers in Kutai Barat enjoyed practically free access to their forest and thus set up their own logging operations. Many HPHH-holders also made use of this opportunity by extending their logging operations well beyond the actual boundaries of their concession area as the district government lacked the capacity to monitor the implementation of these small-scale licences. In addition, the distinction between *legal* and *illegal* logging blurred as logging activities could be *legal* according to district government regulations while they were considered *illegal* by the central government (Casson & Obizinsky, 2002, p. 2134).

22 Keputusan Kepala Dinas Kehutanan Kabupaten Kutai Barat Nomor 521.21/130/DK-I/2004 tentang Petunjuk Teknis Permohonan dan Pelaksanaan Pengukuhan Serta Ijin Usaha Kehutanan Masyarakat (IUKhM).

23 Forestry Law No. 41/1999 Article 4, Paragraph 3 (*Penguasaan hutan oleh Negara tetap memperhatikan hak masyarakat hukum adat, sepanjang kenyataannya masih ada dan diakui berandaanya, serta tidak bertentangan dengan kepentingan nasional*).

24 *Adat* can be best understood as a dynamic system which controls all aspects of human life and which varies among the different regions of Indonesia. As *adat* also includes traditional law, it is sometimes used synonymously with customary law.

Impact on Jambuq

In Jambuq, decentralised forest governance led to two substantial changes. First, the logging company holding an HPH over parts of Jambuq's forest began paying annual compensation for its logging activities. These payments were allocated to village development (30 percent) and direct cash payments to the villagers (70 percent). The first compensation in 2000 included retrospective payments for the previous five years, with a total amount of IDR 450 million (USD 53,900 [2000]). The distribution of this payment was accompanied and supervised by the HPH-owner, so villagers received payments in three classes of IDR 750,000 (USD 89 [2000]), 3 million (USD 359 [2000]), and 4 million (USD 479 [2000]) for each family. This monetary distribution depended on the age of the family head, status within the village, and, for immigrants, the time the family had spent in the village. In the following years, compensation decreased as the amount paid depended on harvested logs (about IDR 30 million (USD 3,000) to IDR 70 million (USD 6,850) a year [2001]). While statements by informants concerning the first compensation payment were consistent, they were contradictory concerning the amounts paid out in the following years. However, villagers benefited from compensation payments in 2001 and 2002 with IDR 20,000 (USD 2 [2001]) to IDR 70,000 (USD 7 [2001]) per household. Nevertheless, the distribution of *kompensasi* within the village was unclear as villagers had limited information and some families did not receive payments at all.

Second, access to the forest was possible due to negotiations between the HPH-holder and village leaders. This led to an agreement that village leaders could grant permits for cutting particular tree species²⁵ to villagers or external operators in the HPH-area, which is considered communally owned forest according to *adat*. These self-organised logging groups then had to pay fees to the village leaders amounting to IDR 10,000 (USD 1.30 [1999]) per cubic metre in 1999, which were subsequently raised to IDR 25,000 (USD 2.70 [2002]) in 2002. For forest areas that are claimed by individuals or groups due to inheritance rights according to *adat*, fees for chainsaw operators were increased to IDR 50,000 (USD 5.40 [2002]) and subsequently paid to the respective owners. The fees for the village's forest resulted from village negotiations and were allotted equally to village development and additional village leader

25 In particular, two tree species were included: *Ulin* (*Eusideroxylon zwageri*) and *Ipil* (*Intsia palembanica*).

salaries. However, village leaders showed an unwillingness to regularly inform people of the fee amounts.

Increased financial revenues on the village and district level which corresponded with logging activities opened up opportunities for development activities at the expense of forests. Government programmes for private business credits, education, and health were introduced in the village as in other parts of Kutai Barat. For Jambuq, infrastructure projects (e.g. the construction of pathways, mosques, water tanks, and market stalls) as well as some development programmes (e.g. wet rice field planting, reforestation, and mixed agroforestry) were closely linked to decentralisation as programmes and projects were co-financed by the district government of Kutai Barat, the HPH-holder, and village funds (Bullinger, 2008, pp. 70-77).

Although welcomed by most of the villagers, both development activities and cash payments led to new problems in terms of transparency and the distribution of shares. Our research shows that village leaders and people with close ties to the village's elites profited the most. Village leaders were in the powerful position of gatekeepers who could decide who participated in development programmes and who did not. Moreover, village leaders controlled compensation payments and fees, and profited disproportionately from these payments, as democratic institutions on the village level remained weak. Additionally, no efficient control mechanism was institutionalised by the district or sub-district government at this stage of decentralisation. Thus, village leaders accumulated new power and villagers became increasingly dependent on local elites.²⁶

Economic benefits from compensation payments and returns from logging activities led to increased visible material wealth, in particular electricity (generators), housing, motorbikes, and electronic equipment (such as TVs and mobile phones). In addition, some families invested the money in education or future income options (such as kiosks and chainsaws). However, these temporary effects contrast with other outcomes, such as increased inequality and conflicts among villagers, neighbour associations, and neighbouring villages mainly over boundaries of logging permits and the distribution of compensation and fees as well as growing distrust as a consequence of the limited availability of information.

26 This phenomenon is known as *elite capture*, explaining that local elites profit disproportionately from public resources due to their dominance in local planning and governance processes as well as proximity to state institutions and decision-makers. Various aspects of elite capture in Indonesia can be found, e.g. in Dasgupta & Beard (2007), Hadiz (2003), McCarthy (2011), and Sidel (2004).

Impact on Jontai

The villagers in Jontai interpreted the changes in the forestry sector after decentralisation as a re-establishment of their customary rights.

Formerly, the forest has been in the grip of the state. Now timber is coming under adat rights again. Formerly, the people were quiet and did not dare to talk. Formerly, the state was still in power, but now the forest has been returned from the state to the people (T. Usni, personal communication, September 10, 2004).

In cooperation with a local logging company, the villagers gained one of the new small-scale logging licences. Due to their strengthened position, fees rose from IDR 3,000 (USD 0.36 [1999]) per cubic metre under the HPH system up to IDR 65,000 (USD 7.15 [2004]) per cubic metre under the new HPHH regulation. After initial plans to share the fee payments equally among all families failed, the villagers formed descent-based groups who shared customary use rights in certain parts of the forest and divided up the village forest according to their different 'locations'. Each of these groups was represented by a partly self-appointed leader who was responsible for the arrangements with the logging company and the distribution of the fee payments among all group members. Although 73 percent of all households received fee payments, the amount a person received varied greatly according to the honesty of the group leader, the size of the respective location as well as the number of people belonging to his or her inheritance group. Fee payments were disbursed in irregular intervals and the amount a person received per payment varied between IDR 200,000 (USD 22 [2004]) and IDR 15 million (USD 1,650 [2004]). Single children had a definite advantage as they did not have to share the fee payments with siblings. However, people in powerful positions gained the largest advantages because village elites with noble origins received the highest profits.

As a consequence of the *de facto* open access to the forest, people also started to set up their own small logging operations along new and abandoned logging roads which meander through the village area. Timber traders came regularly into the forest to collect square blocks and shelves sawn by the villagers. Prices varied according to timber species. For *meranti*²⁷ cut into square blocks they paid IDR 300,000 (USD 33 [2004]) per cubic metre, and IDR 600,000 (USD 66 [2004]) if already sawn into shelves.

27 The name *meranti* refers to several kinds of trees from the family of *Dipterocarpaceae*, e.g. *Shorea spp.*, *Shorea sp.*, and *Anisoptera sp.*

In one week, an experienced chainsaw operator working on his own location could thus earn an income of up to IDR 3 million (USD 330 [2004]). This contributed to active involvement in logging although the villagers were aware of the negative long-term effects. Most, however, viewed logging as a window of opportunity which they did not want to miss, like, for example, Kakah Diren: “If the forest gets closed up again, if it is given back to the state, we can’t manage the forest anymore” (K. Diren, personal communication, August 31, 2004). Furthermore, some villagers perceived it as their longstanding right to cut timber and finally gain financial profit as various companies had earned fortunes from their forests over the last decades while they remained poor.

With new income from logging and fee payments, material wealth increased. Many families invested their growing income into house building and the purchase of motorbikes, working tools, and electronic equipment. Because most logging money was received by young men, a large amount of it was also spent on alcohol, gambling, and prostitution. A few households used their increased income for long-term investments and education. For example, the first adolescent from Jontai that took up university studies was financed by fee money.

Due to the fact that people received different benefits from fee payments and logging, inequality within the village increased sharply and many conflicts arose among the villagers concerning the size of their different ‘locations’, and the distribution and utilisation of fee payments and logging income.

Impact of Recentralisation on the Local Level

Impact on District Level

Two years after the decentralisation of the forestry sector had been ended legally, the logging boom came to an abrupt end in November 2004 when central government control of illegal logging increased significantly as part of newly-elected President Susilo Bambang Yudhoyono’s ambitious plans to tackle Indonesia’s most serious problems within the *first 100 days* of his presidency.²⁸ Thus, the recentralisation

28 During the election campaigns Susilo Bambang Yudhoyono promised that he would combat Indonesia’s most serious problems within the first 100 days of his presidency. Poverty, corruption, terrorism, slow economic growth, unemployment but also illegal logging were commonly viewed as the most serious problems.

of the forestry sector became effective in Kutai Barat two years after it had been initiated legally.

With recentralisation, the district government lost its authority over state forests. Subsequently, community-based forest management models created by the local government under decentralised forest governance in Kutai Barat were restricted to the existing 800,000 hectares of non-forest areas (Nugroho et al, 2009, p. 4). While decentralisation can be seen as a move into the forest from the perspective of local communities, recentralisation can be seen as a movement out of the forest.

Impact on Jambuq

While the logging operations of the local HPH-company continued largely unaffected, all self-organised logging operations came to an immediate halt due to the increased control of logging activities that were considered illegal by the central government. The resulting loss of fee payments reduced village funds significantly although compensation payments continued.

The loss of income from self-organised logging was felt severely by most villagers as obligations, such as for motorbikes or TVs, continued and cash needs for electricity, education and so forth increased successively. In the search for new income options, most had to turn to less lucrative alternatives. Immediately after controls started, only a few villagers continued their logging activities in spite of legal restrictions. For the majority of villagers, the cutting and cleaning of rattan became the temporary major income source. A year later, however, when the stocks of valuable rattan species were harvested and no capital was available to buy rattan for processing in neighbouring villages the situation changed. The majority of villagers gave up rattan processing and resumed subsistence activities such as farming and to a lesser degree fishing as well as additional small-scale cash crop production, such as rubber. Few people temporarily left the village searching external wage labour. Both logging and rattan activities disappeared from the village. As a result, villagers have suffered from distinct losses of income while the remaining alternatives have been seen as a step backwards.

As hopes for self-determination and a changing political climate were heavily disappointed, the majority of village inhabitants showed a lack of understanding of the

recentralisation of the forestry sector: “After decades of logging [by the HPH-owner] and restricted access to the community forest, we should decide ourselves how to use our forest” (M. Tommy, personal communication, December 1, 2004).

Finally, the cessation of self-organised logging operations contributed to the easing of social conflicts as the main contentious issue, the distribution of benefits from logging, largely disappeared. Some villagers welcomed the new restrictions as they raised concerns that “trees were stolen from the forest”. In the same manner, inequality partly decreased although village elites remain powerful.

Impact on Jontai

Increased controls of illegal logging by the central government led to the cessation of self-organised logging operations in late 2004. In view of the strong police presence, regular confiscations of chainsaws, and high penalties, nobody dared to work in the forest or transport timber anymore. The local logging company also stopped its operations temporarily, but several months later continued under a new concession licence (IUPHHK²⁹), issued directly by the Ministry of Forestry. The company is thus no longer the contractor of the villagers as it was under the HPHH regulation. This immediately adversely affected the bargaining power of the villagers. Fees in Jontai declined and subsequently (2005–2007) varied between IDR 25,000 (USD 2.75 [2007]) and IDR 45,000 (USD 4.95 [2007]) per cubic metre, depending on personal bargaining skills and the location of the respective forest plot.

As a more positive effect of the recentralisation policies, the number of conflicts within the village declined, as exemplified in Jambuq. It also became increasingly obvious that most of the people who had received large fee payments had not re-invested their money. We often heard remarks such as that of Ibu Kira who said: “Now at least we are all the same again” (I. Kira, personal communication, November 25, 2005). Despite this positive impact, most villagers felt disappointed in the recent policy changes.

Most households experienced a severe loss of income and a lack of alternative income opportunities while facing rising living costs due to rising prices and in-

29 These new IUPHHK licences (*Izin Usaha Pemanfaatan Hasil Hutan Kayu*) were introduced with the new Basic Forestry Law of 1999 and effectively replaced the HPH as principle licence for large-scale timber concessions (Barr et al., 2006, p. 92).

creasing regular expenses like electricity bills, school fees, and maintenance costs of motorbikes and other machines. Several families reported that they had to hand back items bought on credit or had to sell gold jewellery in order to make ends meet. In 2005, most households in Jontai shifted back to subsistence strategies, earning cash through the selling of agricultural products (33 percent) and rattan (33 percent) while the remaining households were seeking daily wage labour. Some households also sold a certain kind of grass (*kapilongan*) to the coal mining area downriver where the grass is planted to mount the waysides of mining roads. Rattan prices remained low at IDR 800 (USD 0.08 [2005]) per kilogramme for *rattan sokaq* (*Calamus caesius*) while the grass could be sold at IDR 5,000 (USD 0.5 [2005]) for a bunch of 100 blades. In comparison to logging, rattan or grass cutting and selling was perceived as hard and unsatisfying work and villagers expressed hopes for new coal mining operations in their area, anticipating high compensation payments.

Discussion

Our findings demonstrate that both decentralisation and recentralisation of forest governance have been a mixed blessing for local communities. While decentralisation opened up new economic opportunities, strengthened customary rights, and provided a feeling of increased self-determination, it encouraged unsustainable logging practices, led to rising numbers of conflicts, and increasing inequality. Recentralisation, on the other hand, has led to a decline of conflicts and reduced inequalities which were caused by the unequal distribution of benefits from logging, fee, and HPH-compensation payments. However, it also robbed local communities of important income sources without offering adequate alternatives. It has weakened customary rights and people have lost their recently-attained access to the forest again. Recentralisation brought an end to the logging boom and its excessive outgrowth, but logging operations are now exclusively in the hands of companies again.

Despite the indisputable shortcomings of decentralisation, we argue for a resumption of decentralisation efforts because we are convinced that: a) many negative effects of regional autonomy were rather caused by its sudden and disorderly nature and weak implementation than by the mere devolution of political authority,

as argued for example by Casson & Obidzinski (2002) and Nugroho et al. (2009) and b) prudent, multi-level decentralisation policies could counteract elite capture and therewith associated conflicts as well as limit unsustainable practices while promoting the recognition of customary rights and enhancing local well-being.

Indonesia's far reaching decentralisation reforms were carried out rashly in the face of economic and political crisis, when especially resource-rich regions threatened to break away. Regional autonomy was intended to loosen these tensions by providing the regions with more power and a larger economic share. After 32 years of marginalisation, both local elites and local communities were eager to take the chance to finally benefit from their forests. The great legal uncertainty which characterised the early phase of decentralisation supported this reaction as it created a situation in which "who dares most gains most".

In the vacuum of power that followed the fall of Suharto's authoritarian regime, the central government was extremely weak and *de facto* absent in many parts of the outer islands. The central government was thus unable to enforce national laws and policies or monitor district activities, which made it easy for local governments and local elites to take advantage of the situation. A strong central government, which is needed for a successful decentralisation according to decentralisation experts (Barr et al., 2006, p. 132; Crook & Manor, 2000, p. 23), was thus absent during the initial phase of decentralisation in Indonesia.

Although customary rights were politically strengthened during decentralisation, they still lacked proper legal acknowledgement and consequently remained extremely insecure. Local communities thus tended to view the new situation not as a serious long-term improvement of access to the forest but rather as a window of opportunity which they did not want to miss. However, the examples of other countries show precisely how important these two aspects – secure rights for local communities and trust in the long-term commitment of reforms – are for sustainable resource management. Experiences in the Philippines (Balooni, Pulhin, & Inoue, 2008; Pulhin & Inoue, 2008) and Vietnam (Nguyen, 2008) suggest that one of the most critical factors for decentralised forest management is sustained access to forest resources. In Yunnan, China, deforestation increased dramatically after local authorities were given new power over forest resources – but this trend reversed (Dachang & Edmunds, 2003). According to research findings, the temporary increase of deforestation was caused by tenure

insecurity and concerns that newly established forest management rights would again be taken away – fears that were also widespread in Indonesia (Larson, 2005, p. 53).

Lessons learned on Java and the Philippines further show that central elements of successful decentralisation in the forestry sector are effective control mechanisms and community participation. The latter includes the active involvement of local communities in the planning and management processes of forest resources, which require a high degree of community organisation and self-management capacities in order to develop institutions, mechanisms, and protocols for enhancing village development (Balooni et al., 2008, p. 2128-2129; Dasgupta & Beard, 2007, p. 244-245). At the same time, control mechanisms need to be established at all levels of government which comprise transparent and reliable procedures as well as internal and external accountability measures (Balooni et al., 2008; Dermawan et al., 2006). There are several possibilities for exercising control at village level. This can be done, for example, by NGOs or other civil society organisations as is the case in the Philippines or by a strengthened sub-district level, as Antlöv & Eko (2012, p. 13) suggest. In Indonesia, the hastily carried out decentralisation reforms were not accompanied by such mechanisms, leading to a poor implementation quality.

This shows that many of the shortcomings of decentralised forest governance can be attributed to the particular way and specific circumstances under which the reforms have been implemented in Indonesia. The central government, however, has raised two main arguments for recentralisation. The first is that local governments do not yet have the capacity to exercise ‘good’ forest governance. This might be correct for the transitional period when districts were not prepared for their new range of duties. But instead of recentralising authority, an alternative response could be capacity-building for sub-national government units and refining hierarchical arrangements of multi-level polities.

The second argument says that local governments have encouraged unsustainable practices. However, sustainable forest management was also not achieved during three decades of centralised forest governance and there is little evidence that recent forest management is any more sustainable than decentralised management. Further, it should be considered that district governments have issued timber extraction and forest conversion permits covering a few hundred thousand hectares under decentralised forest governance, while the Ministry of Forestry issued timber con-

cessions covering some 69 million hectares of forested lands during the New Order period (Barr et al., 2006, p. 128).

To lay out the detailed terms and conditions for a successful decentralisation of forest governance is beyond the scope of this article. However, central points would be: 1) to decentralise in a more structured and clear way supported by a coherent legislation, 2) to have a strong central government that is capable of controlling the decentralisation process, 3) to provide clear and secure tenure rights for local communities, and 4) to develop effective control mechanisms as well as participation models for local people. We argue that in such a way, improved decentralisation efforts could avoid the previous shortcomings while holding potential for strengthening the positive impacts by providing increased rights for local communities, improving local livelihoods, and securing long-term sustainability.

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Community Tenure Rights and REDD+: A Review of the Oddar Meanchey Community Forestry REDD+ Project in Cambodia

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Tenure rights over land, forest, and carbon have become a contentious issue within REDD+ implementation across the tropics because local communities could be excluded from REDD+ benefits if land tenure or use and access rights are not clear. This study aims to understand and assess tenure arrangements under the first REDD+ demonstration project in Cambodia, the Oddar Meanchey Community Forestry REDD+ Project. In particular, the study explores the following questions: (1) How are tenure rights arranged in the Oddar Meanchey REDD+ Project? (2) Does the tenure regime recognise the rights of local communities to their land and its associated resources? (3) What kind of institutions are put in place to support tenure rights of local communities in the project? The author conducted in-depth semi-structured interviews with key stakeholders and complemented the analysis by participant observation and a review of policy documents and secondary literature. The major finding of this study is that the local communities in the project are still given rights to use and access forest resources, although carbon rights belong to the government. While the government retains ownership over carbon credits, it agreed that at least 50 percent of the net revenue from the sale of carbon credits will flow to participating communities.

Keywords: Cambodia; Carbon Rights; Community Forestry; REDD+; Tenure Rights

Besitzrechte an Land, Wald und CO₂ sind zu einer umkämpften Angelegenheit in der REDD+ Implementierung in den Tropen geworden. Diese Studie versucht die Besitzregelungen im ersten REDD+ Demonstrationsprojekt in Kambodscha, dem Oddar Meanchey Community Forestry REDD+ Projekt, zu verstehen und zu bewerten. Die Untersuchung analysiert dabei insbesondere folgende Fragen: (1) Wie sind Besitzrechte im Oddar Meanchey REDD+ Projekt geregelt? (2) Erkennt das Besitzsystem die Rechte von lokalen Gemeinschaften an ihrem Land und den dazugehörigen Ressourcen an? (3) Welche Institutionen werden geschaffen, um die Besitzrechte von lokalen Gemeinschaften im Projekt zu stärken? Dazu führte der Autor semi-strukturierte Interviews mit zentralen InteressensvertreterInnen, wandte teilnehmende Beobachtung an und nahm eine Analyse von politischen Rahmenbedingungen und Sekundärliteratur vor. Das Hauptergebnis der Studie ist, dass lokale Gemeinschaften im Projekt nach wie vor Nutzungs- und Zugangsrechte zu Waldressourcen haben, während die Regierung über die CO₂-Rechte verfügt. Auch wenn die Regierung Eigentümerin der CO₂-Zertifikate bleibt, wurde vereinbart, dass 50 Prozent der Nettoeinnahmen aus dem Verkauf der Zertifikate an die teilnehmenden Gemeinschaften fließen.

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Schlagworte: Besitzrechte; CO₂-Rechte; Community Forestry; Kambodscha; REDD+

Introduction

Deforestation and forest degradation account for nearly 20 percent of the total annual anthropogenic greenhouse gas (GHG) emissions, which is more than the entire global transportation sector (Intergovernmental Panel on Climate Change, 2007). As a result, Reducing Emissions from Deforestation and Forest Degradation (REDD) plays a crucial role in mitigating climate change. At the 13th Conference of the Parties (COP13) to the United Nations Framework Convention on Climate Change (UNFCCC) in 2007, the Bali Action Plan highlighted the importance of policy approaches and positive incentives for reducing emissions and introduced REDD as the financial mechanism to reduce emissions from deforestation and forest degradation in developing countries (Huettnner, Leemans, Kok, & Ebeling, 2009; Miles & Kapos, 2008). At the COP14 of the UNFCCC in Poznan, Poland (2008), the concept of REDD+ was introduced. Adding to REDD, REDD+ includes the role of conservation, sustainable management of forest, and enhancement of forest carbon stock. This discussion was continued at the COP15 in Copenhagen in 2009 (UNFCCC, 2009). Even though the Copenhagen Accord is not an internationally binding agreement, the parties agreed on the urgent need to mobilise financial resources from developed countries for REDD+. At the COP16 in Cancun in 2010, specific policies and mechanisms to implement REDD+ were further defined as a result of long collaborative actions, and developing countries were encouraged to contribute to mitigate climate change through REDD+ based on their capabilities and national circumstances (UNFCCC, 2010). The COP16 agreement on REDD+ stressed the importance of tenure rights of local and indigenous communities in the process of developing and implementing REDD+ mechanisms.

Even though the discussion on the precise design of the future REDD+ mechanism is ongoing, REDD+ projects are being planned and implemented across the tropics, particularly in countries with high forest cover and high deforestation rates (Phelps, Webb, & Agrawal, 2010). However, REDD+ implementation generally faces major methodological, institutional, and governance challenges (Boucher, 2008; Scherr & Sthapit, 2009). Furthermore, REDD+ initiatives might affect the rights, livelihoods, and land tenure of forest dependent and indigenous communities negatively (Brock-

haus, 2009; Cotula & Mayers, 2009; Griffiths, 2008; Phelps et al., 2010). Local and indigenous community engagement was fiercely debated in Copenhagen at the COP15 and recently at the COP16 in Cancun. Numerous articles (e.g. Brown, Seymour, & Peskett, 2008; Cotula & Mayers, 2009; Griffiths, 2008; Larson, 2011; Sikor et al., 2010) have been published that express concern of REDD+ impacts on indigenous and local communities in tropical countries where hundreds of millions of people depend on forest resources for their livelihood. If REDD+ is not well designed, forest dependent communities may be deprived of their rights over land and resources and may be physically displaced from forests. In addition, some authors (e.g. Cotula & Mayers, 2009; Engel & Palmer, 2008; Sunderlin, Hatcher, & Liddle, 2008) argue that REDD+ overlooks the tenure rights and engagement of forest dependent and indigenous peoples. In particular, concern over local or indigenous community participation has been raised (Cotula & Mayers, 2009; Sunderlin, Hatcher, & Liddle., 2008) presuming the lack of early participation in REDD+ project design may undermine REDD+ implementation. Thus, it is largely recognised that the success of REDD+ will depend on the support of forest communities and indigenous peoples (e.g. Cotula & Mayers, 2009; Hatcher & Bailey, 2009; Yeang, 2010).

REDD+ in Cambodia

In the last decade, Cambodia, Indonesia, Myanmar, and Papua New Guinea have reported large forest losses. Cambodia's annual deforestation rate was estimated at up to 1.3 percent over the period between 2000 and 2010 (Food and Agriculture Organisation [FAO], 2010). Deforestation has posed challenges for Cambodia for decades. Yet, the REDD+ mechanism can help Cambodia achieve sustainable forest management and halt deforestation while delivering climate change mitigation benefits (Poffenberger, 2009). Currently, several REDD+ demonstration projects are being designed and implemented in Cambodia. The Oddar Meanchey Community Forestry REDD+ Project is implemented in Oddar Meanchey province, which is located in the north-west of the country, covering over 64,318 hectares of forest. Some further demonstration projects include the Siema Protection Forest REDD+ Project which covers 187,000 hectares and is located in the north-eastern part of Cambodia (Evans, 2010; Pearson,

Petrova, Harris, & Brown, 2008; Yeang, 2010); the REDD+ Carbon Project in Prey Long covering 520,000 hectares of forest in Kampong Thom province and located in the centre of Cambodia (Theilade & Schmidt, 2011); the Northern Plains REDD+ Project in Preah Vihear province covering more than 500,000 hectares of forest and located in the northern plains of the country (Rainey, Heng, & Evans, 2010); the Southern Cardamom REDD+ Pilot Project located in Koh Kong province in south-western Cambodia (Beukering, Leeuw, Grogan, & Hansfort, 2009); and the Siem Reap Community Forestry REDD+ Project covering over 15,649 hectares of forest and located in the north-west of the country (REDD+ Community Carbon Pools Program, 2012).

The Oddar Meanchey REDD+ Project is the first and most advanced of all REDD+ demonstration projects in Cambodia as it is currently under the dual validation for both the *Verified Carbon Standard* and the *Climate Community and Biodiversity Alliance*. The Royal Government of Cambodia's Forestry Administration developed the Oddar Meanchey REDD+ Project along with *Pact* and *Terra Global Capital* (TGC). The project was approved by the Forestry Administration in November 2007 and was officially endorsed by the Prime Minister of Cambodia under the Government Decision No. 699 on May 26, 2008. The project involves 13 community forestry groups, comprised of 58 villages and 10,036 households, which protect 64,318 hectares of forest land in the north-western province of Oddar Meanchey. The project is expected to seize 8.3 million tonnes of CO₂ over 30 years and provide sustainable financing to local forest protection efforts, while serving as a learning laboratory to support national REDD+ development.

However, the concept of REDD+ is still relatively new to Cambodia as well as to other tropical countries, and the issue of tenure rights over forest and carbon have not yet been carefully investigated. In Cambodia, the national REDD+ roadmap is still at a stage of development and in order to achieve effective implementation, local and indigenous communities have to be taken into consideration. Additionally, the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), UN-REDD guidelines on social and environmental safeguarding, and other relevant international conventions signed by Cambodia need to be respected. Yet, the inclusion of indigenous tenure rights into REDD+ projects is still in progress.

Methodology

This study aims to generate information and knowledge on how tenure rights over forest and carbon have been addressed in the Oddar Meanchey REDD+ Project. Although a number of studies about the project have been conducted (e.g. Pasgaard, 2012; Poffenberger, 2009; Ty, Sasaki, Ahmad, & Zainal, 2011), they have provided little insight into how tenure rights issues have been secured. The study also aims to contribute to on-going debates on the influence of REDD+ on tenure rights of local communities and inform policy makers involved in developing social safeguards in the national REDD+ strategy. In particular, the study explores the following questions: (1) How are tenure rights arranged in the Oddar Meanchey REDD+ project? (2) Does the tenure regime recognise the rights of local communities to their land and its associated resources? (3) What kind of institutions and systems are put in place to support tenure rights of local communities in the project? The questions above are based on criteria developed by Cotula and Mayers (2009) and Davis et al. (2009). Accordingly, REDD+ projects should be based on (1) a land tenure system that is non-discriminatory and provides clear rights over land and its associated values, (2) legal recognition of indigenous peoples' rights to land, (3) clearly defined and addressed carbon rights, and (4) institutions and systems that uphold the rights of forest dependent people.

The study combines quantitative empirical analysis and qualitative investigation. Scientific publications and grey literature on climate change, REDD+, and tenure rights have been reviewed. Additionally, the *REDD Plan Idea Note* (R-PIN) of Cambodia, submitted to the *Forest Carbon Partnership Facility* (FCPF) was taken into account. The R-PIN offers a basic understanding of tenure rights issues of Cambodia. Furthermore, in-depth semi-structured interviews were conducted with key respondents from the government, civil society, private sector, local communities, and donor agencies involved in the Oddar Meanchey REDD+ Project.²

Table 1: Number of Key Respondents

Government	5
Civil Society	2
Private Sector	1
Local Communities	10
Donor Agencies	2
Total	20

Source: Author's Compilation

² Five respondents were from the Forestry Administration of the Ministry of Agriculture, Fishery and Forestry that is designated as the National REDD Focal Point, and the Climate Change Department of the Ministry of Environment that acts as the UNFCCC National Focal Point for Cambodia. Two respondents from civil society (*Pact Cambodia* and the *Children's Development Association* (CDA)), one respondent from the private sector (*Terra Global Capital*), 10 community representatives, and two donor agencies (*Danish International Development Agency* (DANIDA) and the

From Community Forestry to REDD+ in Oddar Meanchey

Oddar Meanchey province shares 224 kilometres of border with Thailand and within Cambodia, it borders on Siem Reap, Banteay Meanchey, and Preah Vihear provinces. The province was one of the remaining strongholds of the post-1979 Khmer Rouge guerrilla force and was only formally established in 1999. The province's 6,158 square kilometres are divided into five districts: Samraong, Banteay Ampil, Chong Kale, Anlong Veng, and Trapeang Prasat. The total forest cover of the province is officially 68.8 percent of the provincial area or 457,131 hectares, and there are four forest types, namely, evergreen forest, semi-evergreen forest, deciduous forest, and open forest (Ty, Sasaki, Ahmad, & Zainal, 2011). The main causes of deforestation and forest degradation in the project area can be identified as the global commodity and investment market on the international level, economic land concessions on the national level, and forest land encroachment by military and migrants, agricultural expansion, illegal logging, forest fire, and fuel-wood extraction on the sub-national level (Poffenberger, 2009).

The Oddar Meanchey REDD+ Project involves 13 community forestry sites located in the north-western part of Oddar Meanchey province. Originally, the project started out as a community forestry REDD project that was initiated by the US-based NGO *Community Forestry International* (CFI). In its current REDD+ form, the project aims to protect 67,853 hectares of forest and thereby enhance storage and sequestration of carbon (Bradley, 2009). The project's target is to sequester some 8.3 million tonnes of carbon over the next 30 years. The primary goals are to successfully enhance storage and sequestration of carbon in the natural forests of north-west Cambodia under the emerging REDD+ initiative and to assess a climate-related payment mechanism for forest conservation. The secondary goals include supporting the implementation of the national community forestry programme, securing long-term tenure rights for forest dependent communities, responding to rural livelihood needs, conserving biodiversity, and supporting hydrological regimes (Poffenberger, De Gryze, & Durschinger, 2009).

The *Danish International Development Agency* (Danida), the *UK Department for International Development* (DFID), the *New Zealand Agency for International Development*

Clinton Climate Initiative (CCI) were interviewed.

(NZAID), and the *Clinton Climate Initiative* (CCI) are the main funders for this project. The project partners include *Terra Global Capital* (TGC), a San Francisco-based carbon development company which offers technical advice for project development, and local NGOs, namely the *Children's Development Association* (CDA) and the *Monks Community Forestry Association* (MCF)³ as well as local authorities in Oddar Meanchey province.

Community Tenure Rights in the Oddar Meanchey REDD+ Project

In Cambodia, forest lands belong to the Forestry Administration (FA) of the Royal Government of Cambodia, but local communities are legally granted use and management rights in the project areas. According to the 2002 Forestry Law of Cambodia, local communities are guaranteed customary user rights of forest products and by-products and do not require permits for these uses. The traditional user rights include collection of dead wood, picking wild fruits, collecting honey, tapping resin trees, and collecting other forest by-products. The local communities can also harvest timber for household use, to build houses, stables for animals or fences, and to make agricultural instruments. To legitimise their management rights, local communities entered into concrete community forestry agreements with the FA (see Table 2).

Community access and user rights to forest resources in the project areas are guaranteed under a 15-year renewable agreement between the FA and the local *Community Forestry Management Committee* (CFMC). The CFMC is considered as the key local institution for upholding the rights of forest dependent people in the project. Community forestry members elect the CFMC for a five-year period, and the formation of the CFMC is facilitated by local authorities or commune councils as well as local FA officials. The candidate who has gained the most votes is nominated as the CFMC leader. Generally, the structure of the CFMC (Figure 1) is comprised of a chief, secretary, deputy, and members who are responsible for bookkeeping, information dissemination, tree planting, and patrolling. The CFMC is responsible for the overall management of the community forests including adopting community forestry regulations, preparing the community forestry management plan, coordinating with FA

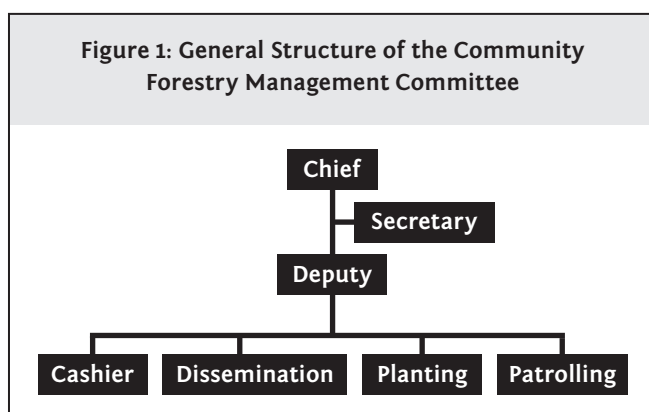
³ The CDA is a local NGO based in Oddar Meanchey province that has been implementing community forestry projects since 2002. The MCF has been formed by a charismatic Buddhist monk in Oddar Meanchey province who supports forest protection activities by coordinating closely with local authorities and communities in the project.

NO	GROUP NAME	DISTRICT	SIZE (HA)	ESTABLISHED	APPROVED
1	<i>Angdoun Bor</i>	<i>Banteay Ampil</i>	6,114	2004	2008
2	<i>Chhouk Meas</i>	<i>Samraong</i>	383	2004	2008
3	<i>Dung Beng</i>	<i>Banteay Ampil</i>	1,843	2004	2008
4	<i>Ou Yeay Kaov</i>	<i>Samraong</i>	960	2004	2008
5	<i>Phaav</i>	<i>Trapeang Prasat</i>	2,025	2008	2011
6	<i>Prey Srong</i>	<i>Anlong Veng</i>	6,344	2004	2008
7	<i>Prey Srors</i>	<i>Banteay Ampil</i>	1,605	2004	2008
8	<i>Ratanak Ruka</i>	<i>Samraong</i>	12,733	2004	2008
9	<i>Rolus Thom</i>	<i>Samraong</i>	6,443	2008	2011
10	<i>Romdoul Veasna</i>	<i>Samraong</i>	6,009	2004	2008
11	<i>Samaky</i>	<i>Anlong Veng</i>	1,079	2004	2008
12	<i>Sangkrous Preychheu</i>	<i>Anlong Veng</i>	4,151	2001	2008
13	<i>Sorng Rokavorn</i>	<i>Samraong</i>	18,164	2001	2008

Source: Author's Compilation From Various Project Reports

and local authorities, resolving conflicts in the community forestry areas, reporting to local FA officials on illegal forest activities, and protecting the community forest.

The forest resources in the project areas are granted for household use only, while commercial use is strictly forbidden. For example, local communities can collect



Source: Author's Compilation

firewood, wild fruits, and other non-timber forest products from these areas. The timber harvesting for household use in the project area is not forbidden, however, it must be approved by the CFMC beforehand.

Like most countries in the world, Cambodia did not have

any policy or law to recognise ownership over forest carbon credits before the approval of REDD+ projects. In order to meet international standards, it is important to ensure the clarification of rights to carbon credits that are generated in the project. In this first REDD+ demonstration project, carbon rights are not specifically defined, but the Government Decision No. 699 illustrates that the FA retains ownership of forest carbon credits and plays the role of the carbon credit seller for the project. The

Government Decision No. 699 states that revenues from carbon credit selling from the project will be used to (1) improve the forest quality, (2) provide maximum benefits to local communities who are participating in the project, and (3) study the new potential area for new REDD+ projects in Cambodia. The FA agreed that at least 50 percent of the net income (after project expense) will flow to participating communities in the project and the *Technical Working Group on Forestry and Environment* was nominated to channel payments during the first five years (Bradley, 2011). This working group represents the government-donor coordination initiative for supporting and strengthening development activities within forestry and environment, especially between the FA, the Ministry of Environment, and the donors. Revenue flows from the project have been defined, yet, a more concrete plan for the revenue distribution will require the broad consensus and approval by the project working group and possibly higher level of government. The Oddar Meanchey REDD+ Project will directly benefit local communities in a number of ways as it secures management rights over forest resources through a 15-year stewardship agreement with the government and guarantees revenues from carbon credit selling for forest protection and restoration activities such as forest fire control, forest patrolling, and project monitoring (Yeang, 2010). These activities shall also generate employment for the local communities, and the net revenues shall be used for community development including infrastructure development such as road, health care centre, and school construction as well as alternative livelihood projects (e.g. bee keeping project, microfinance, and agricultural intensification).

Discussion and Conclusion

The Oddar Meanchey REDD+ Project developers gave priority to securing land and resource tenure of local communities in the project. To secure these rights, the FA granted the 13 communities a 15-year renewable community forestry agreement to officially manage their forest areas. However, the government still retains ownership over forest lands while the local communities have been formally granted use and management rights of forest resources. The study illustrates that the Oddar Meanchey REDD+ Project has not ignored land and forest tenure rights of local and

indigenous communities and contributes to the legalisation of management and use rights of the communities over forest resources.

In general, the existing laws and policies governing the forestry sector in Cambodia recognise customary rights of local communities. However, to ensure the certification of the Climate Community and Biodiversity Alliance standard for the project, it required further clarifying customary and legal tenure rights of indigenous and local communities in the project and particularly the ways in which the project contributes to addressing tenure right issues (Yeang, 2010). Most of the community forestry members and representatives acknowledged that after tenure rights had been secured, the tensions between communities and economic land concession companies have diminished, and illegal logging inside the community forestry sites has decreased, compared to the period when the community forestry sites were not legalised. In addition to securing tenure rights over land and forest resources of the local communities in the project, it is essential to continue to enforce these tenure laws and regulations in order to avoid overlapping claims to forest land in the project area.

Under Government Decision No. 699, which was specifically adopted for the Oddar Meanchey REDD+ Project, carbon credits belong to the government. The benefits from carbon credits are not included in the customary rights that are guaranteed by the community forestry agreements with the FA. This means that the REDD+ component of the project could transfer benefits and tenure rights to carbon stocks away from the community and toward the central government. In the Oddar Meanchey REDD+ Project, this problem has been addressed by the government agreeing that at least 50 percent of the net revenues from the sale of carbon credits in the project will flow to participating communities. But this kind of promise by the government is less secure than the 15-year-contracts providing user rights to the community forestry projects, with the latter mandated by the Forestry Law and Community Forestry Sub-Decree. If the Cambodian government intends to implement further REDD+ projects in the country, carbon rights have to be institutionalised in a stronger way, since there is a strong link between carbon rights and benefit sharing. In particular, Government Decision No. 699 should be reviewed in order to award communities rights to revenues from carbon credit sales.

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Turning Red Rural Landscapes Yellow? Sufficiency Economy and Royal Projects in the Hills of Nan Province, Northern Thailand

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Citation Rossi, A. (2012). Turning Red Rural Landscapes Yellow? Sufficiency Economy and Royal Projects in the Hills of Nan Province, Northern Thailand. *ASEAS - Austrian Journal of South-East Asian Studies*, 5(2), 275-291.

This paper discusses the efforts of the royal family to moralise the environmental behaviour of their subjects in the name of the Sufficiency Economy philosophy solicited by King Bhumibol since the 1990s in Thailand. Drawing on ethnographic fieldwork conducted in Nan province, Northern Thailand, in 2008 and 2009, I focus particularly on Royal Projects recently promoted to correct the rural practices of the ethnic minority groups living in the hills of Nan. In the past, many of these ethnic groups took part in the Maoist insurgency while at present, they represent a key basin of supporters for the reformist Red Shirts movement which is currently threatening the role of the monarchy in Thai politics. The research suggests that the recently increased trend of staging new projects for sustainable agro-forestry management in a 'red' area as Nan does not only aim at improving the conditions of mountain peoples and of the environment, but simultaneously increases the political influence of the conservative forces over this 'ungovernable' territory in times of political crisis.

Keywords: Lua People; Northern Thailand; Royal Projects; Sufficiency Economy; Thai Politics

Dieser Artikel diskutiert die Bemühungen der königlichen Familie in Thailand seit den 1990-er Jahren, das Umweltverhalten ihrer Subjekte im Namen der Sufficiency Economy Philosophie von König Bhumibol zu moralisieren. Mit Bezug auf ethnografische Forschung in der Provinz Nan in Nordthailand in den Jahren 2008 und 2009 fokussiere ich insbesondere auf Royal Projects, die in letzter Zeit gefördert werden, um ländliche Praktiken ethnischer Minderheiten in den Bergen von Nan zu korrigieren. In der Vergangenheit waren viele dieser ethnischen Gruppen am maoistischen Aufstand beteiligt, während sie heute ein zentrales Auffangbecken für UnterstützerInnen der reformistischen Rothemden, die derzeit die Rolle der Monarchie in der thailändischen Politik in Frage stellen, darstellen. Die Forschung deutet an, dass der Trend zur Einführung von neuen Projekten für nachhaltigen Feldwaldbau in einem „roten“ Gebiet wie Nan nicht nur die Bedingungen von Bergvölkern und ihrer Umwelt verbessern will, sondern gleichzeitig den politischen Einfluss von konservativen Kräften über „unregierbare“ Gebiete in Zeiten politischer Krisen erhöht.

Schlagworte: Lua; Nordthailand; Royal Projects; Sufficiency Economy; Thailändische Politik

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Introduction

Since the 1950s, King Bhumibol Adulyadej (Rama IX) and other members of the royal family have funded a large number of rural development projects called Royal Projects. In Northern Thailand, the first projects targeted ethnic minorities living in the upland areas (the so-called ‘mountain people’ *chao khao*) and promoted programmes for opium eradication and substitution and health, educational, and infrastructural facilities. These projects can be seen in the context of counter-insurgency activities in the mountainous regions of Northern Thailand. Rural development was designed to isolate the *Communist Party of Thailand* (CPT) and to integrate the ethnic minorities into the nation state. In some ways, this strategy was successful, and the CPT gave up its armed struggle in 1982. Ex-fighters were granted amnesty and tentatively assimilated back into mainstream Thai society.

However, over the last decade, Thailand has seen a new political polarisation between the conservative Yellow Shirts movement and the reformist Red Shirts movement. The so-called Yellow Shirts movement (yellow being both the colour of the monarchy and of Buddhism in the national imaginary) is a nationalist movement that seeks to restore and consolidate the power of the conservative forces (the monarchy, state bureaucracy – often headed by aristocrats – and the army). It rose in opposition to the figure of the reformist businessman and politician Thaksin Shinawatra and to his party, the *Thai Rak Thai* (TRT), the winner of national political elections in 2001 and 2005 (Phongpaichit & Baker, 2008). The Yellow Shirts accused Thaksin of undermining the King, which was one justification for the *coup d'état* by the army that ousted Thaksin in 2006 (Connors, 2008; Ungpakorn, 2007).

In the years leading up to and after the *coup d'état*, a new spate of Royal Projects has been initiated in the region. Ostensibly, the main focus has changed from irrigation and rural development to the promotion of sustainable agriculture, the management of natural resources, and the protection of local biodiversity (Supaporn, 2008), referring to King Bhumibol's philosophy of *Sufficiency Economy* as their ideological framework and inspiration.

This article is based on ethnographic research of these new Royal Projects in the northern province of Nan.² It argues that the new spate of Royal Projects represents

² I conducted fieldwork in this area from December 2007 to November 2009. The research was conducted within

an attempt by the conservative elite to counter the influence of the ousted Prime Minister Thaksin Shinawatra and the Red Shirts movement in Nan. The projects and the class differences between the project developers and those to be developed highlight the social and cultural gulf between the royalist Yellow Shirts and Thaksin-supporting Red Shirts in contemporary Thailand.

The past and present political background of the province invites to map connections between two current parallel trends: the strongly publicised royal interest in sustainable natural resource management of the Nan river basin and the 'yellow' imperative to consolidate the presence of conservative forces in politically sensitive ('red') areas. I will evoke some elements of the cultural and political impact of Royal Projects in Nan, keeping in mind that in this area development projects have often had political and military vested interests. Therefore, I first analyse the localisation of Royal Projects in Nan in the name of the King's Sufficiency Economy philosophy that has been reshaping the expressive horizon of those non-farmers (NGO workers, bureaucrats, civil servants) since 2000. Then, I briefly describe the social environment shared by upland and lowland farmers and the tendential response of these socio-economic groups to Sufficiency Economy and to alternative development devices triggered by NGOs, Royal Projects, and the state. Finally, I discuss the social and political impact of two Royal Projects recently implemented in Nan.

From Red to Red. The Politicisation of Rural Development in Nan Province

Nan province, in the most eastern part of Northern Thailand and at the border with Laos, is a sparsely populated part of the country. Only about 500,000 people live in the valley along the Nan river and in the mountain ranges on both sides of the river. This geography is reflected in the ethnic make-up. Those living in the valley call themselves *khon muang* (literally 'people of the city') and tend to consider themselves as descending from the ethnic T'ai colonisers. The lowlanders call the mountain-dwellers a generic *chao khao* ('mountain people' – but also 'the others', see Forsyth

the PhD programme in Anthropology of the University of Milan-Bicocca, Italy. The article draws partly on my PhD dissertation (Rossi, 2012). The data presented here result from a multi-sided ethnographic approach, entailing the intermittent frequenting and the participant observation of about a dozen different key locations in the north-eastern districts of Nan province. The reported interviews have been selected among more than a hundred open and semi-structured interviews to subjects directly involved in agro-forestry development activities (mainly farmers, NGO leaders, conservationist monks, public officers, and managers of royal development projects).

& Walker, 2008, p. 59), although they are made up of various different ethnic or language groups such as the Mon-Khmer speaking minorities Lua, Htin, Khamu, Mlabri, and the Hmong and Mien groups (Davis, 1984; Delcore, 2008; Rossi, 2012).

The mountainous terrain, the social and political marginality, and the ethnic diversity of upland Nan province was conducive to armed guerrilla warfare, and Nan became a stronghold of the CPT during the 1970s. “Most of the province [was] CPT controlled” (De Beer, 1978, p. 147) in the mid-1970s, and the *Maoist Peoples Liberation Army of Thailand* (PLAT) established ‘liberated red villages’ in the mountains. Many ethnic groups like Hmong, Mien, and Lua took part in the Maoist army to gain autonomy from the central powers. The recruitment strategies of the PLAT were based on ethnic criteria: the Hmong were the first to join the guerrilla, while Lua – the largest minority in Nan province – and groups of T’ai *khon muang* (both Yuan and T’ai Lue, the dominant ethnic groups in the region living by the valley plains), followed (Sathyawadhna, 1991). Members of the student movement from Chiang Mai, Bangkok, and other cities found political and material support from *chao khao* groups when hundreds of them decided to join the guerrilla in the jungle after the military repression of the democratic triennium (1973-1976) (Morell & Samudavanija, 1981; Wyatt, 1982/2003).

The counter-insurgency strategy of the army included bombing ‘red’ villages or forcibly evacuating and resettling their inhabitants (De Beer, 1978, p. 147). This was flanked by rural development programmes that were basically driven by security issues and not by social and environmental ones. At that time, the promotion of agricultural and infrastructural modernisation in Thailand was one of the main tools by which the government, intermittently represented by army generals loyal to the Crown, tried to contain the spread of communism. *Accelerated Rural Development* (ARD), combining agricultural extension and infrastructural projects, was promoted to relieve the economic condition of the rural working classes and to prevent T’ai and *chao khao* farmers from joining the guerrilla forces (Charoensin-O-Larn, 1988, pp. 203-232). This especially happened in ‘red’ liberated areas such as Nan, where ARD programmes, conceived under the guidance of the US intelligence, were implemented by the army in areas where communist ‘terrorists’ were believed to operate (Marks, 2007).

In this context, Royal Projects can be seen as part of a consolidated state strategy to contain the economic discontent among farmers (both *chao khao* and *khon*

muang), who have been chronically disappointed by incomplete, awkward, and lowly publicised land reforms that systematically left the majority without property rights on the land (Kemp, 1971; Leonard & Na Ayutthaya, 2005). In the 1970s, Royal Projects mainly consisted of irrigation, weir and dam-building projects, and of crop conversion projects that were supposed to eradicate poppy cultivation. Perhaps most spectacular was the Queen Sirikit dam on the Nan river – a symbol of national development that was completed in 1972. Other small Royal Projects were promoted during the guerrilla in the western part of the province (being the eastern part of the Nan basin in turmoil). These projects that included the construction of schools, roads, and water management facilities had been implemented since the 1960s, and their number increased especially in the late 1970s, when the terrorist guerrilla seemed to become a revolution (The Office of His Majesty's Principle Private Secretary, 1982).

According to a recent book, the official definition of a Royal Project is

a group of organizations joined by the common purpose of realizing the King's vision for the Thai highlands. In this scene the Royal Project is an informal network of numerous organizations both national and international. The first and most important group involved in the Royal Project is the hill-tribe farmers themselves. Not only are they the beneficiaries of the work done by the project, but they are also the ones who actually do the most of the work. (Wichai, PhunthiSung, & Luang, 2007, p. 55)

In Nan, the 'hill-tribes', mainly represented by Mon-Khmer speaking minorities such as the Lua, were a particular target of the Royal Projects. Following the "strategy of peace" enacted to stop the insurgence (Law 66/23 of 1980), captured and surrendered Maoist comrades were formally defined as 'co-operators for the development of the nation' (*Pu Ruam Patthana Chat Thai*, known as PhoRoTho). The memory of the recent past, thus, still operates through this network of guerrilla veterans: The PhoRoTho initiatives (conferences, workshops, seasonal camps) provide an important identity marker for many Lua (but also Hmong, Mien, and *khon muang*) individuals and families that live on the hills of Nan province today. The network, indeed, led to the establishment of solidarity relations among former comrades and among their descendents all over Thailand.

The amnesty for communist insurgents and the defeat of the CPT can be seen as a victory of the Thai military and monarchy over the first 'red' areas. However, in the 1980s and 1990s, old problems continued, and new conflicts over land and forest resources emerged. After logging in Nan had been encouraged by the army to prevent the spread of the guerrillas in the forest (an experience relayed to me in many inter-

views with conservationist monks and lay activists in the province), the logging ban issued in 1989 (Lakanavichian, 2001) and new national parks created a conservation legislation that was primarily targeted against farmers and ‘hill-tribes’ (Pye, 2005).

In Santisuk district, for example, near the *Doi Phu Kha National Park*, many farmers were encouraged to cultivate genetically modified maize on the forested hills under the contract farming regime promoted by the converging interests of state ministries and large agro-business corporations such as *Charoen Pokhpand* (CP). These farmers often fell in a spiral of debt, and their families were impoverished by this system. They were not the legal owners of the land they farmed, and they had to pay their debts with local entrepreneurs and with the Bank of Agriculture, which seasonally provided the chemical stocks of fertilisers and pesticides and genetically modified seeds for maize farming. To repay their debts, farmers encroached into forest areas to establish new cultivations and came into conflict with the park authorities. This situation is common all over Northern Thailand, particularly for the *chao khao* of this and other provinces (Rossi, 2012).

Poverty, landlessness, and negative experiences with government agencies such as the *Royal Forest Department* were all reasons for the popularity of Thaksin Shinawatra, who offered different kinds of development possibilities with programmes such as debt moratoriums, micro-credit for rural investment (the one-million-baht-programme), and the 30-baht universal health care scheme (Phongpaichit & Baker, 2009). During my fieldwork I could experience the widespread appreciation for the Red Shirts and for the ousted ex-Prime Minister Thaksin Shinawatra.

In the eastern area of the upper Nan river basin (Santisuk, Pua, Bo Kluea, and Chaolerm Phrakiet districts), many farmers declared to me to feel largely satisfied with the social and economic policies promoted under the government of Thaksin. Due to the widespread discontent of the rural population and the hope (sustained by Thaksin) to take part in a wider society of consumption, during the decade 2000-2010, in Nan, a general sympathy for the Red Shirts movement among a wide range of socio-economic profiles (farmers, urban and rural workers, both *chao khao* and *khon muang*, small and large entrepreneurs, students) was tangible and has in many ways replaced the widespread support for the CPT. A crucial factor (reported to me by key activists of the *Hug Muang Nan Foundation* and by local leaders) is that the CPT veteran network PhoRoTho, which is particularly popular in Northern and North-

Eastern Thailand, counts many supporters of the radical wing of the Red Shirts movement today. Among the dozens of rural workers I interviewed (both *khon muang* and Lua, men and women) somebody even argued continuity between Thaksin's welfare policies and the communist aspiration of egalitarian distribution of wealth among different classes. The Royal Projects and counter-insurgency rural development could not prevent this turn, full circle, "from red to red" (Kitiarsa, 2012).

Sufficiency Economy and the New Royal Projects in Nan

In 1997, the year the financial crisis hit the Thai economy and the urban and rural working classes, King Bhumibol announced his concern for the development model embraced by Thailand and spoke out for a radical change. In a now famous speech, he emphasised the necessity for what he called a Sufficiency Economy (*settakit po pi-ang* in Thai). In his opinion, Thai individuals, families, and communities should focus on the satisfaction of their basic needs through their own production and consumption of local natural resources. Moderation and reasonability should drive the Thai people's economic choices before possibly, and not necessarily, engaging in risky investments in the globalised market economy (Grossman & Faulder, 2012, pp. 265-279).

The Sufficiency Economy model was immediately taken up by government agencies but lost real influence under the successful economic policies of the Thaksin government that stressed mildly Keynesian investment strategies as a way out of the crisis. However, after the *coup d'état*, Sufficiency Economy resurfaced as the main ideological flagship of the conservative forces. In 2007, it was included in the new constitution as a fundamental guideline in economic, social, and environmental policies and in open opposition to Thaksin reformism. Substantially, the doctrine was shaped along the lines of a Buddhist moral economy as propagated by foreign and indigenous eco-Buddhist movements, schools of thought, and lay and ordained intellectuals (Rossi, 2012, forthcoming). The Sufficiency Economy model was even declared to be a key tool for the social development of Thai society by the *United Nations Development Programme* (UNDP, 2007). In 2007, the *Ministerial Office of Environmental Quality Promotion* even adopted the slogan: *Yut lok roon, chai settakit po piang* (Stop global warming, use Sufficiency Economy), stressing the positive environmental impact of the King's economic philosophy on a global scale.

During the decade 2000-2010, the King's economic philosophy became *the* national brand of sustainable development and His Majesty's teachings are recalled all over the country through slogans on posters, stickers, TV, and radio advertisements and are explained in websites, video clips, and short films that publicise the King's message. This regime of representation is nurtured with a visual imaginary centred on the presentation of didactic pictures and movies reproducing Thai villages in a romanticised and static perfection. This imagery represents the ideal rural order as it is imaged by the royal elite and by institutions like the *Office of Royal Development Projects* and other foundations set up by members of the royal family.

From the end of the 1990s onward, Sufficiency Economy has become the main *mythomoteur* of Royal Projects and other royal developmental initiatives. It has also become a key ideological framework for the activities of many NGOs and public institutions engaged in land and forest issues. Two new Royal Projects show how Sufficiency Economy is used as a development paradigm in Nan: the *Phu Payak*-Project initiated by the Queen in 2005 and a new huge Royal Project initiated in 2009, called *Phid Thong Lang Phra* (PTLP).

The idea underpinning these two (and many other similar) projects is to create pilot areas in which farmers can learn new models of natural resource management and take inspiration from the King's Sufficiency Economy idea. The activities promoted in the Queen's project and PTLP are: 1) conversion of shifting monocrop cultivations (rice and maize) into sedentary multicrops (including fruits, vegetables, tea, and flowers); 2) substitution of agro-chemical stocks of fertilisers, pesticides, and seeds with biological stocks; 3) reforestation programmes; 4) terracing and planting vetiver stripes (to reduce the space for agriculture, to prevent soil erosion, and to pursue forest re-growth); 5) introduction of water management techniques to avoid floods and droughts; 6) collection, transformation, packaging, and commercialisation of agricultural products; and 7) tourist promotion of the pilot area.

Phu Payak Royal Project

In Nan province, one of the best known and publicised Royal Projects is the one promoted at the border with Laos in Ban Nam Ri (Khun Nan sub-district, Chaloeerm Phrakiet district) by Queen Sirikit, the King's wife. The project has been baptised 'Sta-

tion for Agricultural Development according to the Royal Vision' (*Sathanti Patthana Kasettakon Phrarachadamri*). Phu Payak used to be one of the hottest battlefields in Nan province during the communist insurgency and the project is targeted towards *chao khao* communities who were resettled by the army during that time. The project seeks to provide technical advice and material support to local families through the mediation of technicians employed in research foundations and think tanks sponsored by the monarchy. Local people from four villages around the core village of Ban Nam Ri are hired to work within the project pilot area for a salary of about THB 100 (a little more than EUR 2) per day. In Nan town there is an elegant shop set up to publicise the Queen's project to Thai tourists and to sell the project's agricultural products which are neatly packaged and branded with the Royal Project logo. In the shop one can find the official brochure that explains the idea behind the project:

On the 12th of July 2005, Her Majesty the Queen travelled and posed her sight on the forested area around Phu Payak where serious problems with illegal cultivation [buk ruk] in the forest reserve still exist. . . . Bun Tap Samuh, general of the Thai Army³, has been entrusted with the mission to develop – respecting the local people – a programme to solve the problems of water management following the royal inspiration. This aims to help the local people and to improve their livelihoods. . . . The [target] population is composed of Thai people of the mountains [chao Thai phukhao]. Their prevalent occupation consists in shifting agriculture [luean loi], which is causing the progressive illegal occupation of the reserve [buk ruk] and forest destruction on the slopes. For these reasons soil erosion problems have occurred, with a globally bad impact on the local eco-systems. In this way the agricultural production has diminished. People have become poor and the quality of life is very low. (Thai in the original, translation by author)

The brochure exemplifies a recurrent rhetoric underpinning Royal Projects in the Nan area. Ethnic prejudice and political oblivion drive the mainstream discourse of the 'developers'. Information about Lua is reduced to the fact that these 'unlucky' Thai citizens are the authors of their own miserable condition and that fortunately, the royal family and the army will help them to adjust their ecological *habitus*. Its depiction of the Lua follows the ethnic scapegoating as environmental 'villains' encroaching on the forest otherwise applied to the Hmong (Forsyth & Walker, 2008, p. 77).

According to the experts involved in the management of these projects that I interviewed in September 2008 and in November 2009, the landscape forged by shifting agriculture is *lambak* (difficult), *mai suaei* (ugly), and *mai tuk* (wrong). Lua are commonly defined by the developers as very slow in accepting the importance of trees

³ This general of the Thai Army is the most influential advisor of the Queen and for several years led the army operations against the Muslim separatist insurgency in Southern Thailand.

and forests and adopting the Thai concepts of development in their life. In Nan, the hegemonic understanding of development is influenced by eco-Buddhist narratives and practices. In this context, many Lua (Mon-Khmer speaking groups) on the hills of Nan do not practice Buddhism, but the Royal Projects staff involves them in eco-Buddhist ceremonies like the *buad paa* (tree consecration, see Darlington, 1998). In Royal Projects it is common for them to receive training from Buddhist monks on natural resource management.

Phid Thong Lang Phra (PTLP) Royal Project

The second and much larger project, the PTLP Royal Project (set up by managers of the Doi Tung Royal Projects of Chiang Rai and by the *Chai Patthana Foundation* based in Chiang Mai) has targeted the whole upper basin of the Nan river since 2009. Its name refers to a popular saying about the practice of modesty (symbolised by the act of sticking golden sheets on the back of Buddha statues) and consists of a highly structured environmental intervention that aims to build rice terraces, settle nomadic farmers, and replant the forest over a hilly area mainly populated by Lua ex-communist resettled communities. The project will last at least ten years and will cover a sloped area of thousand hectares, the basin of the Nan river. According to Royal Project managers and local urban environmental activists, this broad organisational enterprise will repair the hydrological balance of the Nan river which is believed to be the main tributary of the Chao Phraya river. In the opinion of the project managers, this massive intervention will not only support the *chao khao* but is primarily aimed at protecting lowland agriculture and preventing floods and water scarcity in the central plain.

The PTLP explicitly aims to involve the communist veteran network PhoRoTho, with the help of army officials. This operation, once again framed by the Sufficiency Economy discourse and imagery, encourages the cooperation of the PhoRoTho in mapping and managing the territory, thus helping other institutional actors in the management of the rich water and forest resources of the basin, damaged by shifting agriculture and maize plantations (Rasakun, 2009).

According to interviews conducted with activists from different organisations, farmers, village leaders, and students at the early stage of the project between Sep-

tember and October 2009, PTLP is intended to strengthen the political influence of the conservative forces on the 'red' territory of Nan. The establishment of formal relations between the PTLP managers and operators and the PhoRoTho was not considered a politically neutral strategy by the majority of my long-term and short-term informants. Firstly, the increased number of new environmental projects in the name of Sufficient Economy implies a consistent flow of funding directed at local villages and sub-district leaders that will join the project. Secondly, it will imply the physical presence of urban upper-class bureaucrats and technicians belonging to royal development institutions on the hills and will be monitored by the army. Thirdly, the project aims to incorporate the local NGO and environmental activist networks into socio-environmental activities promoted by the Royal Project staff. This incorporation of environmental activists within the Royal Project and Sufficiency Economy framework is well underway. The most important example is the Hug Muang Nan Foundation, an eco-Buddhist socio-environmentalist NGO founded in 1993 by the conservationist monk (*phra nak anuraksa*) Phra Khru Pithak Natakuhun, Abbot of the Wat Aranyawat in Nan town (Darlington, 2000; Delcore, 2000; Rossi, 2008, 2012, forthcoming). Until 2005, the Hug Muang Nan Foundation network tended to be independent from the royal initiatives but at the time of my fieldwork it was systematically embraced within the new Royal Projects programmes. Royal Project staff consistently asked and paid for advice and collaboration by religious and lay activists of the Hug Muang Nan Foundation network that in some cases have been hired and earn a salary as technicians, managers, and advisors within the Royal Projects.

Sufficiency Economy is not Sufficient – The Limits of Royal Ideology

Despite the base of the Royal Project in royalist ideology and the repeated use of Sufficiency Economy philosophy imagery, the Royal Projects in Nan show discrepancies between the Royal Project's self-representation and local responses to it. I argue that the hiding or flattening of ethnic specificity, historical identity, and public dissent under ecological classifications reflect a bias that leads to a muted response. This can be seen by weak participation in the projects, a lack of self-confidence of participants, and an almost total absence of compliance towards the project by the target

subjects. Hegemonic socio-environmental projects can often be misunderstood and resisted by the beneficiaries. In part, this is due to the hierarchical nature of projects that are infused with an imagery of members of the royal family helping poor farmers and therefore prevent real participation. As reported by Mr. A., an ex-employee of Phu Fa Royal Project (a project promoted by the Princess Sirindhorn in Bo Kluea district), this lack of interest is connected to the weakness of participation devices enacted within the Phu Payak and other Royal Projects:

[The target population] doesn't feel they are the owners of the project, but they feel that the owners of the project are people that they don't know at all and who don't give them a chance. This is a problem also in Phu Payak: When some budget is provided, farmers come to the project and join the activities, otherwise they don't care for the project . . . Actually, we should listen to them and ask what they exactly need. But experts from Bangkok come to the project and tell them: "You must do this and that." The project provides natural seeds and fertilisers for free to local farmers, but periodically these stocks deplete and the project goes short of funding from ministries and donors. (Mr. A., Santisuk district, personal communication, April 2009)

Even if participation and improvement of local costumes are explicit and highly publicised objectives, the removal of the target communities' accurate ethnic profile and historical background characterises the ongoing construction of the public image of many Royal Projects environmental initiatives. Beneficiaries are generally defined as Thai citizens (*chao Thai*), community (*chumchon*), tribe (*pau*), or population (*ratatron*). This lack of acknowledgement of local histories and identities matches with the lack of a reciprocal acknowledgement among the project's experts and the target population.

This situation produces niches of resistance. In Phu Payak, Lua farmers hired by the project used to steal the empty packaging reporting the project logo to sell non-biological products grown in their own gardens (project manager in Phu Phayak, personal communication, September 2008). The beneficiaries of the project complained to me about the salary, which to them seemed too low, while other Lua villagers complained about the fact that the project could not cope with the water scarcity around their settlement. Hills in front of the beautifully shaped pilot areas are still seasonally burned to make space for monocrops, while farmers who accept to be part of the project do this just to get monetary and material support. Only few people spontaneously adopt the royal model and go back to their previous habits as soon as the budget finishes.

A more fundamental discrepancy is what Walker (2008) calls the "elites' misinterpretation" of the Thai village economy, which is deeply embedded in the global market system. Sufficiency Economy emerges in awkward opposition to the rhetoric and practice

of material development pursued by the Thai pro-monarchic governments during the Cold War. Thus, the philosophy has been embraced by bureaucratic elites in response to the business oriented policies sustained by an emergent class of politicians with important careers in the business sector (i.e. Thaksin) but its projection onto rural lives is not reciprocated by the rural subjects themselves. This contradiction between urban fantasies of Sufficiency Economy and the real aspirations of the rural population is played out within the Royal Projects. In Nan, different categories of 'non-farmers' are today working in training activities on sustainable techniques of natural resource management to improve the farmers' situation. Most of the NGO workers and state administrators I interviewed considered Sufficiency Economy as the key solution to farmers' poverty and environmental degradation produced by slash and burn agriculture. These non-farmers involved in community development and sustainable agriculture implement dozens of educational projects around the province to teach rural workers about Sufficiency Economy principles. They are often urban educated people from the middle and upper classes, including technicians and directors of the local Royal Projects, managers of the Office of Agriculture of Santisuk and Nan. The Royal Project managers I met around the province were mainly male urban professionals from notable and aristocratic families, often specialised in the agro-forestry sector.

When asked for an opinion on Sufficiency Economy, my informants among the farmers acknowledged the good intentions of the royal philosophy and were curious about the alternative practices promoted within Royal Projects, but most of them had the impression that "Sufficiency Economy is not sufficient" to relieve their economic condition. Furthermore, some farmers looked at the intervention of urban administrators and NGO workers for educational and developmental purposes as an alien presence in their villages. I noticed a class fracture between developers and those 'to be developed' that in some ways reflected the 'yellow' versus 'red' conflict. Farmers identified NGO workers and local bureaucrats as aligned with the conservative forces and some looked at them as people that

get money from the state to tell us what to do, while the state gives us nothing. . . . At least, Thaksin gave the budget directly to each village, and we knew perfectly what to do for our communities. (farmer, Santisuk district, personal communication, October 2009).

On a more explicitly political note, the presence of the army (Royal Thai Army, 2011) monitoring socio-environmental 'good practices' entailed in the project activities, is

a political fact that alone raises serious doubts about the political neutrality of royal socio-environmental projects in this area. Today, Nan province is recognised as a key bastion of the Red Shirts and was among the 15 provinces that experienced the enforcement of the Emergency Decree during the repression of the Red Shirts movement in May 2010 (Nightwatch, 2010). The return of Red Shirt activists who experienced repression by the army may serve to reinforce the scepticism towards the 'yellow' Royal Projects. The election results from 2011, in which the Thaksin party *Phuea Thai* won a resounding victory in all districts of Nan, suggest that the Royal Projects have not been successful in turning the 'red' rural landscapes 'yellow'.

Conclusion

The recent bout of new Royal Projects in Northern Thailand needs to be understood within the changing and polarised political situation and represents an attempt to regain hegemony over the developmental discourse in rural Thailand. Key elements include the combination of traditionally prejudiced depictions of ethnic minorities in the uplands (Forsyth & Walker, 2008) within the Sufficiency Economy doctrine of the King, with an active developing role ascribed to state bureaucrats and the army.

The biggest Royal Project to be introduced in Nan province was the PTLP programme. If Phu Payak exemplifies the 'old trend' of controlling minorities by flattening ethnic and political identities under an ecological stigma (represented by slash and burn agriculture), PTLP combines this with the systematic attempt at incorporating civil society networks. In particular, the managers of the project try to do this by mobilising local networks of former communist comrades (and thus many Lua) and by including the eco-Buddhist socio-environmentalist network Hug Muang Nan Foundation. PTLP thus opens new trends in implementation strategies of Royal Projects. The PTLP project represents a large-scale strategy to win over rural populations in 'red' areas, proved by the fact of the intended implementation of PTLP programmes in Yala and Udon provinces respectively. Yala is perceived as the core of the Muslim contemporary insurgency in the South, and Udon is considered the strongest 'from red to red' province in the northeast of Thailand (Isan). Like these provinces, Nan occupies a delicate position in the national political landscape and the co-optation

strategy triggered by PTLP – which today involves the whole civil society, both in urban and in rural milieus – is aimed at countering a stronghold of former communist resistance with many members of the Red Shirt PhoRoTho.

The new socio-environmental Royal Projects in Nan are far from being politically neutral. Behind a frame that emphasises ecologically sound approaches and the sustainable improvement of rural livelihoods, the proliferation of Royal Projects around the upper Nan river basin in the decade 2000-2010 is an attempt to enforce the presence of conservative networks in a region that strongly supports the Red Shirts and the radical wing of the reformist movement. The strategy implies both de-politisation and co-optation of local communities and networks. In this scenario, the environmental spectacle carried on within Royal Projects in Nan not only offers new solutions to natural resources management in areas afflicted by shifting agriculture but works as an inclusive and soft strategy of conservative rule. However, after the violent repression of the Red Shirts in Bangkok and their re-emergence as a powerful force after the 2011 election victory, it seems unlikely that the Royal Projects will be sufficient to reshape the ‘wrong’ and ‘red’ landscapes handcrafted by the *chao khao* Lua and to re-colour them ‘yellow’.

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Transborder Environmental Justice in Regional Energy Trade in Mainland South-East Asia

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Thailand is mainland South-East Asia's largest energy consumer. Since the early 1990s, community and civil society opposition to new domestic large-scale power projects has strengthened within Thailand. Partly in response and facilitated by deepening regional economic integration, Thailand's electricity utility, private sector energy, and construction companies have increasingly looked towards neighbouring Laos and Myanmar to supply Thailand's energy markets. This paper assesses the political economy of Thailand's power sector development through the lens of distributive and procedural environmental justice, including the role of social movements and civil society in Thailand in reforming the country's power planning process. The environmental and social costs of domestic power projects and power import projects are discussed. The author concludes that Thailand's existing energy imports from hydropower projects in Laos and a gas project in Myanmar have exported environmental injustice associated with energy production across borders, exploiting the comparatively weak rule of law, judicial systems, and civil and political freedoms in these neighbouring countries.

Keywords: Energy Trade; Laos; Myanmar; Thailand; Transborder Environmental Justice

Thailand ist der größte Energieverbraucher in Festland-Südostasien. Seit den frühen 1990-er Jahren hat sich der zivilgesellschaftliche Widerstand gegen neue großflächige Energieprojekte in Thailand verstärkt. Teilweise als Antwort darauf und erleichtert durch sich vertiefende regionale Integration haben thailändische Stromversorgungsunternehmen sowie private Energie- und Bauunternehmen zunehmend in die Nachbarländer Laos und Myanmar geblickt, die den Energiebedarf Thailands decken sollen. Dieser Artikel beurteilt die politische Ökonomie der Entwicklung des thailändischen Energiesektors durch die Brille distributiver und prozeduraler Umweltgerechtigkeit sowie die Rolle von sozialen Bewegungen und Zivilgesellschaft in den Reformprozessen der Energieplanung. Des Weiteren werden Umwelt- und soziale Kosten von Binnen- und Importenergieprojekten diskutiert. Der Autor argumentiert, dass Thailands Energieimporte von Wasserkraftprojekten in Laos und einem Gasprojekt in Myanmar ökologische Ungerechtigkeit in Bezug auf Energieproduktion exportieren und die vergleichsweise schwachen Systeme von Rechtsstaatlichkeit, Justiz sowie Zivilgesellschaft und politischer Freiheit in den beiden Nachbarländern ausnutzen.

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Schlagworte: *Energiehandel; grenzüberschreitende Umweltgerechtigkeit; Laos; Myanmar; Thailand*

Introduction

Since the 1960s, Thailand has undergone a profound transformation from a predominantly agrarian towards an export-orientated industrial society. This transformation has been paralleled by a massive increase in electricity demand. Thailand's total electricity system capacity has grown eleven-fold from 2,838 megawatts in 1982 to 32,395 megawatts as of 2011 (Energy Policy and Planning Office [EPPO], 2012; Greacen & Greacen, 2004). Within Thailand, whilst measures of human development have improved for most, economic inequality has widened and there is a growing political polarisation (United Nations Development Programme [UNDP], 2009, p. 52-61, 78). The construction of large power stations developed with limited public participation and a failure to fully address or compensate for environmental and social harms are part of the legacy of contested injustices carried forward to the present day.

Since the late 1980s, Thai community movements and civil society groups have increasingly resisted new large power plants in Thailand, with high-profile protests against projects such as the Pak Mun hydropower dam and the Mae Moh coal-fired power station. Over the same period, Thailand's power sector has shifted from a state-led to a partially-liberalised model (Wattana, Sharma, & Vaiyavuth, 2008), whilst a process of regional economic integration has deepened Thailand's economic ties with neighbouring countries. This has enabled Thailand's power planners to look towards Laos and Myanmar for power imports from Independent Power Producers (IPPs), where there are relatively abundant water resources that could be harnessed for hydro-electricity, major gas reserves in the case of Myanmar, and where community and civil society opposition is constrained (Simpson, 2007).

Through the lens of environmental justice, this paper examines the evolution of Thailand's power sector and the consequences for affected communities' natural resources, health, and livelihoods in Thailand and neighbouring countries. It argues that whilst many power projects continue to be built and contested in Thailand itself, the projects in neighbouring countries have weaker standards in terms of public participation, environmental protection, and mitigation or compensation for social

impacts than those in present-day Thailand and therefore constitute an exportation of environmental injustice across borders.

The paper first defines environmental injustice. It then reviews the political economy of Thailand's power sector since the 1950s and assesses two contested large power projects in Thailand from the perspective of environmental justice. The paper then turns to power sector planning and reform in Thailand, the implications of regional economic integration and regional power trade, and the role played by Thai private sector energy and construction companies and commercial banks. Three regional energy trade projects, namely the Theun Hinboun and Xayaburi hydropower projects in Laos and the Yadana gas project in Myanmar are then discussed from a transborder environmental justice perspective.

What is Environmental (In)justice?

The concept of environmental injustice first emerged in the United States (US) in the late 1970s to name and explain institutionalised discrimination along lines of race and class in the siting of toxic waste facilities and other polluting projects (Bullard, 1990). Now infamous cases, for example the Love Canal in New York State, and broader research revealed that industrial facilities damaging the environment and people's health were systematically being located in low-income predominantly African-American or Hispanic neighbourhoods. These projects, furthermore, were often promoted as affirmative actions to bring employment to previously marginalised communities, and thereby to redress past social injustice. In fact, the project developers were seeking a 'path of least resistance' after opposition by wealthier and more politically represented neighbourhoods against "Locally Unwanted Land Uses" (LULUs), now well-known as the "Not In My Back Yard" (NIMBY) phenomena (Bullard, 1990, p. 4).

In parallel, as the process of globalisation has accelerated since the 1970s and Northern countries have de-industrialised, many polluting and hazardous industrial facilities have been relocated to Southern countries, and the North has exported its toxic wastes for disposal to the South (McMichael, 2004). Many of these polluting industries are nowadays prohibited in Northern countries and thereby take advantage of weaker environmental governance in Southern countries. Analogous to the US,

projects relocated to the South have often been claimed to bring 'development'. As a result, many cases of transborder environmental injustice have emerged (Schroeder, St. Martin, Wilson, & Sen, 2008).

The concept of environmental justice incorporates principles of distributive and procedural justice, including adherence to the rule of law, equal treatment for minority groups, and respect for human rights including the right to protection from environmental degradation. Distributive justice calls for the fair distribution of environmental harms, benefits, and risks (Pedersen, 2010). Procedural justice seeks to instil justice into institutional decision-making processes that may otherwise apportion environmental harms, benefits, and risks inequitably and addresses procedural issues such as public participation, access to information, transparency, and accountability. Procedural justice may be granted through the courts, through formal planning processes, within parallel social forums, or through direct political action (Schroeder et al., 2008).

Political Economy of Thailand's Electricity Sector

Before the 1960s, Thailand's electrification rate was very low. However, from the 1950s, as the Cold War escalated and the US sought Thailand as an ally, USAID and the World Bank supported the development of several large power generation projects, the early stages of Thailand's electricity transmission network, and the establishment of the state-owned electricity utilities, including the *Electricity Generating Authority of Thailand* (EGAT) in 1968 (Wattana et al., 2008). This support has shaped the centralised power generation and high-voltage transmission system that exists in Thailand today (Chaivongvilan, Sharma, & Suwin, 2008). EGAT emerged as an influential political actor, given the relationship between Thailand's industrialisation and the demand for electricity to fuel this economic growth (Greacen & Greacen, 2004).

Up until 1992, EGAT was Thailand's monopoly generator of electricity and was incentivised to maintain its monopoly and to expand its capacity due to a 'cost-plus' pricing policy, which is a 'rate-of-return' model that allocated returns to EGAT according to the total investment made. Whilst this arrangement achieved rapid electricity industry expansion during the 1980s and 1990s, it also resulted in the downplaying of

environmental and social costs, and as over-investment began to occur since the 1997 Asian financial crisis, it also passed these costs on to electricity consumers (Greacen & Greacen, 2004).

EGAT's growing debts and a series of pro-business governments in Thailand from the early 1980s increased pressure for a privatisation of the Thai energy sector. In 1992, Prime Minister Anand Panyarachun amended the EGAT Act allowing the state enterprise to issue long-term concessions to private sector IPPs under take-or-pay contract arrangements. EGAT established a subsidiary, the *Electricity Generating Company* (EGCO), to operate two of its most profitable plants as IPPs, whilst maintaining a 45 percent share in the company, and began negotiating contracts with other IPPs (Greacen & Greacen, 2004).

During the 1997 Asian financial crisis, declining electricity demand together with EGAT's commitments to long-term take-or-pay contracts left it severely indebted. The International Monetary Fund and World Bank, promoting neoliberal economic policies as conditionality to their recovery packages, sought to further liberalise Thailand's power sector and to create a power-pool electricity market. Whilst the plan for a power pool model was eventually shelved due to EGAT's own resistance (Wattana et al., 2008), the state enterprise was forced to sell assets, including its Ratchaburi power plant as an IPP, which it maintained a 45 percent share in. Furthermore, EGAT was required to allow private companies more access to the energy sector (Greacen & Greacen, 2004). These initial waves of partial liberalisation were conducted in the absence of an effective electricity regulator (Chaivongvilan et al., 2008).

Having first established a Ministry of Energy in 2002, Prime Minister Thaksin Shinawatra's *Thai Rak Thai* (TRT) government sought to reform Thailand's power sector. Thaksin planned to corporatise EGAT as a public company at the *Stock Exchange of Thailand* (SET) that reflected TRT's policy to expand SET and project Thailand's economic influence into neighbouring countries. However, the *Supreme Administrative Court of Thailand* blocked the SET listing in 2006, following opposition by a civil society coalition that included consumer associations, energy policy think tanks, and EGAT's union that were concerned about the absence of an energy regulator. Subsequently, the Energy Industry Act, B.E. 2550 (2007) established the *Energy Regulatory Commission* (ERC) (Wattana et al., 2008).

As of 2012, Thailand's peak power demand was 26,121 megawatts, whilst Thailand's total generating capacity was 32,395 megawatts (EPPO, 2012). Thailand's most recent *Power Development Plan (PDP)* estimates that electricity demand will almost triple to 70,686 megawatts by 2030 (EPPO, 2012). EGAT and private sector producers each generate approximately half of Thailand's electricity.

Narratives of Environmental Injustice Towards Domestic Power Projects

From the late 1980s, the dominance of EGAT and perceived lack of accountability in the planning and operation of large-scale power plants caused growing grievance amongst rural communities who experienced the social and environmental consequences. The Pak Mun hydropower dam and the Mae Moh lignite-fired power station are two projects that have seen long periods of contestation and hold symbolic significance in the restructuring of society-state relations and reform of electricity and environmental governance. These cases, summarised below, are representative of a number of other protests against power projects in Thailand.

The Pak Mun Dam

The Pak Mun dam, located on the Mun River in Ubon Ratchathani province, Northeast Thailand, is a long contested dam project between the project's proponents including EGAT, the Thai state, and the World Bank, and locally affected communities and supportive civil society groups (Foran & Manorum, 2009; Missingham, 2003). The project is a 136 megawatts run-of-the-river project that was completed in 1994. A case study completed by the *World Commission on Dams* found that 1,700 households were relocated, at least 6,200 households suffered a loss of livelihoods, there was a loss of 116 fish species in the river (44 percent of the pre-dam fish biodiversity), and fishery yields upstream of the dam project dropped by up to 80 percent (Amornsakchai et al., 2000).

Through a succession of Thai governments, protestors against the project first sought for compensation and subsequently for the dam to be decommissioned. Opposition to the project was expressed through the occupation of the dam site, a protest camp from 1999 to 2002 next to the dam site, prolonged rallies in Bangkok

and encampments outside government houses, and villager-led *Thai Baan* research.² The social movement's challenges to EGAT and the state agencies resulted in notable concessions, including the opening of the dam's gates between 2001 and 2002 and the Thai government's order to keep the gates open for four months of the year. At the same time, the state acted repressively, and there were numerous violent confrontations (Foran & Manorom, 2009).

In opposing the project, local community movements and NGOs created an injustice narrative in a distributive sense regarding the basic rights of Thai citizens as well as in the procedural sense, for example, the entitlement to information and public participation in project planning (Foran & Manorom, 2009). Complex arrays of actors interacted through formal and informal processes such as the *Thai Baan* research and extraordinary politics such as street protests, seeking justice. The politically negotiated opening of the dam gates was an important first in Thailand. Whilst the situation is yet to be finally settled, Pak Mun was the last major hydropower dam built in Thailand and has required the dam building industry to look towards neighbouring countries.

Mae Moh Power Plant

The 2,625 megawatts Mae Moh lignite-fired power plant is operated by EGAT and located in Lampang province, Northern Thailand. The lignite fuel is sourced from a 135 square kilometres open pit mine nearby which produces 40,000 tons per day. The coal dust from the mine and the emission of sulphur dioxide and toxic chemicals, such as mercury and arsenic, from burning the lignite at the Mae Moh power plant have polluted local water sources, contaminated rice fields, and resulted in serious health problems for local communities. Greenpeace (2005) reports that 30,000 people have been displaced from their homes, more than 200 people died due to exposure to pollutants from the mine and power plant, and over 600 villagers have suffered acute respiratory problems.

To address the problems of the lignite mine and power plant, local communities formed the *Network of Occupational Health Sufferers of Thailand*. A lawsuit was

2 Thai Baan is a community-based research methodology in which villagers are the principal researchers. It was developed in response to the scientific research methods used by development experts that can misunderstand or ignore the relationship between local livelihoods, culture, and river-based ecosystems (see www.livingriversiam.org/work/tb_research_en.htm).

launched in 1998 by villagers in Mae Moh district seeking redress for their respiratory problems. Three subsequent lawsuits were filed claiming damage for health deterioration, physical and mental grievances, compensation for medical expenses, and for damage to crops and land (Greenpeace, 2005). In May 2004, the Thai provincial court awarded THB 5.7 million to villagers for crop damage caused by the power plant. Subsequently, in March 2009, in response to 35 lawsuits filed by residents in 2004, the court required EGAT to compensate 130 villagers who had suffered severe health problems (Boonlong, Farbotko, Parfondry, Graham, & Macer, 2011).

The Mae Moh communities' use of the rule of law and court system to seek redress has contributed towards strengthening the procedural accountability of power plant planning and operation. Numerous other coal-fired power stations have been contested by local communities. Some have been cancelled, for example Bo Nok and the Hin Grud power stations in Prachuab Kirikhan province in the late 1990s (Greenpeace, 2002). However, other projects such as the gas-fired Kang Koi 2 power plant in Saraburi province were built in their place.

Power Sector Planning and Reform in Thailand

Whilst initially affected communities and civil society groups protested individual power projects that epitomised distributive environmental injustices, they were also seeking to influence EGAT's power planning process itself and the respective procedural injustices. Narrative frames of dam-proponents, for example, stating "the dam has already been built so why not use it" had challenged project opponents, revealing the need to participate earlier in the power planning process (Foran & Manorum, 2009). Through official processes and committees, the media, and extra-policy processes and actions, civil society groups such as *Palang Thai*, Greenpeace, *Towards Ecological Recovery and Regional Alliance* (TERRA), *Alternative Energy Project for Sustainability* (AEPS), the *Healthy Public Policy Foundation* (HPPF), and numerous project-affected community movements have critically questioned Thailand's PDP and its decision-making process and criteria.

Thailand's PDP is drafted by EGAT, before being reviewed by the *Energy Policy Planning Office* (EPPO) in the Ministry of Energy. The PDP is then submitted to the *National Energy Planning Council* (NEPC) chaired by the Prime Minister for approval, before

being submitted for final approval by Thailand's cabinet. Civil society groups have argued that EGAT in the PDP heavily promotes the development of large-scale electricity generation plants that generate profit for the state-owned electricity utilities, energy companies, and the construction industry, whilst downplaying the potential for energy efficiency and renewable energy (Greacen & Footner, 2006). Civil society studies have also revealed systematic overestimates of electricity demand forecasts resulting in overinvestment in generation capacity (Greacen & Footner, 2006; Greacen & Greacen, 2012), whilst EGAT has argued that overinvestment is less costly to Thailand's economy than underinvestment (Thabchumpon and Middleton, in press).

In 2004, civil society groups in Thailand prepared an alternative PDP (Permpongsacharoen, 2004). Since then, two expanded studies have been developed by Greenpeace and Palang Thai (Greacen & Greacen, 2012; Greacen & Footner, 2006). Using officially available data of the Thai government, these studies have sought to demonstrate how Thailand could meet its energy needs through repowering existing power stations, and promoting energy efficiency and demand side management as well as renewable energy technologies. In doing so, they sought to incorporate additional environmental and societal objectives into decision-making, make the power planning process more transparent and participatory, and pushed for more ambitious targets and regulatory reform for decentralised and renewable power generation.

Thailand's power sector has seen important reform over the past decade, including new renewable energy regulations, promotion of Combined Heat and Power Plants, and the creation of an Energy Regulatory Commission in 2007 (Greacen & Footner, 2006; Wisuttisak, 2012). In 2002, Thailand was the first developing country to adopt net metering regulations for very small power producers generating beneath one megawatt (Greacen & Footner, 2006). Furthermore, since 2007 a slight but imperfect increase in transparency and public participation has emerged with public hearings now held during the PDP preparation process, together with a commitment to increase the use of renewable energy (Foran, Wong, & Kelley, 2010). Despite these incremental steps, weak transparency and accountability in decision-making that privilege large industry interests remain entrenched in Thailand's power planning (Thongplon, 2008).

More widely, there have also been legislative developments that support environmental justice in Thailand (Nicro, Friend, & Pradubsuk, 2011). Thailand's 1997 *People's*

Constitution created a greater commitment to civil liberties and political space, including the creation of the *National Human Rights Commission of Thailand* (Phongpachit & Baker, 2002). The most recent 2007 Constitution contains several important provisions, including Article 56 on the right to access public information, Article 57 on the state's responsibility to hold public hearings on projects that could affect the quality of the environment, and Article 67 on the need for environmental impact assessment and health impact assessments. Unger and Siroros (2011) argue, however, that important institutional weaknesses remain in Thailand's political system that limit implementation of environment-related policies and conflict resolution amongst diverse interest groups, including weak linkages between political parties and groups in society and few alternative representation institutions.

Regional Economic Integration and Power Trade

Given that EGAT predicts a large growth in power demand in Thailand and faces strong community and civil society resistance to new large power projects domestically, power imports are an important strategy to ensure Thailand's energy security. Furthermore, Thailand is heavily dependent on natural gas and EGAT is keen to diversify its fuel sources with hydropower and coal-fired power stations in Myanmar and Laos. In response, the governments of Myanmar and Laos are keen to develop their relatively unexploited power generation potential for export and domestic demand (Kaisti & Käkönen, 2012).

Regional power trade has been promoted and facilitated by the Asian Development Bank's (ADB) Greater Mekong Subregion (GMS) programme since the early 1990s (Greacen & Palettu, 2007; Hirsch, 2010). The ADB's first regional electricity study envisaged a network of high-voltage transmission lines opening up mountainous regions mostly in Laos, Yunnan province of China, and Myanmar to hydropower development to export electricity to Thailand and Vietnam (Norconsult, 1994). In 2002, a second study filled out the details of this plan, and in 2009, the plan's logic was extended to the wider energy sector, including coal and gas (ADB, 2009). These studies claim that by facilitating access to new and cheaper generation sources and creating a competitive regional power trade market investment requirements and electricity costs can be reduced.

ADB's early proposals for regional power trade were criticised by civil society for not taking account of cumulative social and environmental impacts, and for having been prepared without the participation of diverse stakeholders (International Rivers Network, 2004). Other studies questioned the economic viability and benefits of the plan, finding the predicted costs of hydropower unrealistically cheap, and highlighting significant risks in regulating and coordinating the transmission of electricity regionally, given the political circumstances and level of technical capacity and investment in the region (Garrett, 2004; Ryder, 2004; Yu, 2003).

To expand regional energy trade, Thailand has signed Memoranda of Understanding of 7,000 megawatts and 1,500 megawatts with the governments of Laos and Myanmar respectively. At present, Thailand imports approximately 2,000 megawatts from nine hydropower dams in Laos, with major projects including the Nam Theun 2 (1075 megawatts), Thuen Hinboun (220 megawatts), and Nam Ngum 2 (615 megawatts) dams (EGAT, 2010; Government of Laos, 2012). Table 1 summarises plans for future power imports.

YEAR	PROJECT	PROJECT SIZE	— ANNUAL CAPACITY INCREASE —	
			TOTAL *	FROM POWER IMPORTS
2012	<i>Theun Hinboun Expansion</i> **	220 MW	1871 MW	12%
2013-2014	-	-	6329 MW	0%
2015	<i>Hongsa</i> **	982 MW	4791 MW	20%
2016	<i>Hongsa</i> **	491 MW	3121 MW	16%
2017	-	-	2205 MW	0%
2018	<i>Nam Ngiep 1</i> **	269 MW	1770 MW	37%
	<i>Xe Pian</i> **	390 MW		
2019	<i>Xayaburi</i> **	1220 MW	3241 MW	37%
2021-2030	<i>Unspecified projects</i> ***	300 MW per year from <i>unspecified</i> <i>projects</i>		

* Not including projects decommissioned ** Located in Laos *** Including some possibly located in Myanmar

Source: Author's own compilation based on EPPO, 2012

Regional Expansion of Thai Energy and Construction Companies and Banks

Alongside companies from Vietnam and China, Thailand's energy and construction companies and commercial banks have figured prominently in building hydropower dams in Laos to date (Table 2) (Government of Laos, 2012; Middleton, Garcia, & Foran, 2009). As Glassman (2010) highlights, these companies are seeking profitable investment opportunities in neighbouring countries under the liberalising investment regime of the GMS. To date, each major power export project in Laos to Thailand has at least one Thai developer involved, suggesting that these projects build on existing business networks and knowledge of Thailand's power sector.

In the past, when major power projects were commissioned by the state, Thai construction companies would compete to secure construction contracts. At present, within the increasingly liberalised power sector, the role of construction companies has changed and they have become active proponents of the projects themselves as constructors and operators. The *Ital-Thai Development Corporation (ITD)*, for example, was originally a 15 percent shareholder in Nam Theun 2 that started commercial operation in March 2010. However, having secured and fulfilled its role as principle civil works contractor (Lawrence, 2009), ITD fully divested its shares in October 2010 (PRLog, 2010). Some Thai project developers, including ITD, are publically listed companies on SET and therefore are incentivised by shareholder expectations. For example, following the government of Lao's announcement in November 2012 that there would be a ground-breaking ceremony for the proposed USD 3.5 billion Xayaburi dam on the Mekong River's mainstream, the share price of *Ch.Karnchang* – the lead project developer and Thailand's second largest construction company – rose 5.7 percent to its highest level since January 2011 (Chemaphun, 2012).

Whilst EGAT's contribution to total generation capacity in Thailand under the partially liberalised industry structure is capped at approximately 50 percent, EGAT is able to increase its share of total generation capacity via IPPs, deepening its monopoly role (Wisuttisak, 2012). As Table 2 indicates, EGAT is a shareholder in two thirds of the power-import projects through its share ownership in EGCO (25 percent), Ratchaburi (45 percent), and EGAT International (100 percent).

Table 2: Thai Developers and Financiers of Major Power Projects in Laos

PROJECT	THAI DEVELOPERS*	THAI FINANCIERS*
<i>Houay Ho</i> (152 MW; Commissioned 1999)	<i>HHTC</i> (20%)	Unknown
<i>Theun Hinboun</i> (220 MW; Commissioned 1998)	<i>GMS Power</i> (20%)	Refinancing in 2002 by unidentified Thai banks***
<i>Nam Theun 2</i> (1075 MW; Commissioned 2010)	<i>Electricity Generating Company of Thailand (EGCO)</i> (35%)	<i>Bangkok Bank, Bank of Ayudhya, Kasikorn Bank, Krung Thai Bank, Siam City Bank, Siam Commercial Bank, Thai Military Bank</i>
<i>Nam Ngum 2</i> (615 MW; COD** 2012)	<i>Ch. Karnchang</i> (28.5%), <i>Ratchaburi</i> (25%), <i>Bangkok Expressway</i> (12.5%), <i>TEAM Consulting Engineering</i> (1%)	<i>Krung Thai Bank, Siam City Bank, Thai Military Bank</i>
<i>Theun Hinboun Expansion Project</i> (220+60 MW; COD** 2012)	<i>MDX</i> (20%)	<i>Bank of Ayudhya, Kasikorn Bank, Siam City Bank, Thanachart Bank</i>
<i>Hongsa Lignite</i> (1878 MW; COD** 2015)	<i>Ratchaburi</i> (40%), <i>Banpu</i> (40%)	<i>Siam Commercial Bank, Bangkok Bank, Krung Thai Bank, Government Saving Bank, Kasikorn Bank, Bank of Ayudhya, Siam City Bank, Thai Military Bank</i>
<i>Nam Ngiep 1</i> (262 MW; COD** 2018)	<i>EGAT International</i> (30%)	<i>Kasikorn Bank, and unknown others (and ADB)</i>
<i>Xepian-Xenamnoy</i> (390 MW; COD** 2018)	<i>Ratchaburi</i> (25%)	Unknown
<i>Xayaburi Dam</i> (1285 MW; COD** 2019)	<i>Ch. Karnchang</i> (50%), <i>PTT plc</i> (25%), <i>EGCO</i> (12.5%), <i>BKK Expressway</i> (7.5%), <i>PT Construction and Irrigation</i> (5%)	<i>Kasikorn Bank, Bangkok Bank, Siam Commercial Bank, Krung Thai Bank</i>

* Partners in consortiums ** COD = Commission Operation Date
*** International Financing Review Asia, 2 February 2008

Source: Based on Middleton (2009) and www.poweringprogress.org

Transborder Environmental (In)justice

Within South-East Asia, environmental governance is uneven (Middleton, 2012). In principle, power projects in Laos and Myanmar could stimulate economic growth through investment and its secondary effects, encourage job creation, and generate revenues for the governments to reinvest into development. However, in both countries media freedom is limited, independent civil society organisations are restricted, open community protests are repressed, incomplete or inconsistent laws are often unimplemented, there is weak rule of law, and corruption is a serious challenge (The Burma Environmental Working Group [BEWG], 2011; Stuart-Fox, 2006).

Numerous projects that supply electricity or gas from neighbouring countries to Thailand have been documented as impacting local people and the environment including Nam Theun 2 (Lawrence, 2009; Singh, 2009; Trandem, 2012), Nam Ngum 2 (International Rivers, 2008), Houay Ho (Delang & Toro, 2011; International Rivers, 2008), and Theun Hinboun (see below) in Laos, and gas exports (see below) and the proposed Salween dams (BEWG, 2011; Magee & Kelley, 2009) in Myanmar.

The following sections outline the political context in Laos and Myanmar as relevant to energy project development and two examples of regional energy trade projects as notable examples of transborder distributional environmental injustice. The paper then turns to a discussion on procedural justice for transborder power projects within Thailand's power planning process.

Laos and the Theun-Hinboun Hydropower Dam

Laos is predominantly an agrarian society. With the introduction of the New Economic Mechanism policy in 1986 that led the country's single-party communist government towards a market economy, export-orientated agribusiness, hydropower, and mining investment has accelerated. The economic growth was accompanied by a range of environmental and social costs (Lintner, 2008; Middleton et al., 2009; Rutherford, Lazarus, & Kelley, 2008). A reasonably comprehensive – although fragmented – legal and policy framework for power project development exists, prepared with support from the ADB and World Bank amongst others, including measures for community participation, project information disclosure, environmental impact assessment (EIA) preparation, and compensation and resettlement with livelihood restora-

tion for affected communities (Suhardiman, Silva, & Carew-Reid, 2012). Furthermore, the “National Policy for Environmental and Social Sustainability of the Hydropower Sector in Lao PDR” (2005) emphasises economic, social, and ecological dimensions of sustainability. In practice, however, despite some improvement, enforcement is weak. For example, EIA and Resettlement Action Plans have generally not been disclosed to the public and are often of questionable quality (Baird & Shoemaker, 2007; International Rivers, 2008). Furthermore, project site selection and operation is predominantly driven by the priorities of private sector investors rather than integrated water-, land-, and energy planning by the government (Suhardiman et al., 2012).

The 210 megawatts Theun-Hinboun hydropower project, commissioned in 1998, was Laos’ first build–operate–transfer (BOT) hydropower project jointly-owned through the *Theun Hinboun Power Company* (THPC) by *Electricité du Laos* (60 percent), Norway’s *Statkraft* (20 percent) and Thailand’s *GMS Power* (20 percent). The project exports 95 percent of its power to Thailand and was partially funded by the ADB and the *Nordic Development Fund*. The environmental and social performance of the project has been heavily contested between THPC and environmental NGOs (Whittington, 2012). At first, the project was announced to be a success by the ADB (Gill, 1997), but subsequent independent research revealed serious impact on between 25,000 and 30,000 people living along three rivers, including markedly reduced fishery catches, loss of vegetable gardens, fishing nets and other assets, riverbank erosion, and downstream flooding resulting in loss of wet season rice crops (Association for International Water Studies, 2007; Shoemaker, 1998). In response, the THPC established an *Environment Management Division* with a USD 10 million, 10 year budget and initiated a *Mitigation and Compensation Program* in September 2000 (Whittington, 2012). Whilst the programme was able to address some of the material needs of the villagers (e.g. building wells), it has struggled to ensure the long-term recovery of livelihoods, for example, through the production of dry season rice, cash crops, and livestock (Association for International Water Studies, 2007; Barney, 2007). In October 2008, the THPC commenced construction of an expansion dam project, despite having not fully resolved and compensated for existing social and environmental problems caused by the original project. For this reason, and because the expansion project requires the resettlement of 4,186 people and there are concerns that the project will exacerbate existing impacts, the project’s construction has been controversial (see e.g. International Rivers, 2012; THPC, 2012).

Myanmar and the Yadana Gas Project

Whilst possessing abundant natural resources, Myanmar ranks poorly by almost every development indicator (Ware, 2011). Myanmar's laws and policies on environment are weakly developed and require the preparation of environmental impact assessment or resettlement plans only since the recently passed Environment Conservation Law (*Pyidaungsu Hluttaw Law No. 9/20120*) in March 2012. This law, however, is not yet effectively implemented, including and because of the absence of necessary by-laws. More broadly, policy on public participation and the release of information to the public still remains unclear (BEWG, 2011). Large foreign investments in Myanmar in the recent past, including hydropower dams and gas pipelines, supported the military junta financially and politically and were linked to extensive corruption, widespread environmental and social impacts, and numerous human rights violations (BEWG, 2011; Magee & Kelley, 2009; Simpson, 2007). Whilst political reform appears to be deepening since late 2010, it remains incomplete and Myanmar's administrative and legal structures are fundamentally weak, the judiciary is not independent from the military, and the practices of existing energy projects leave a legacy in need of redress.

Approximately 70 percent of Thailand's electricity generation is fuelled by natural gas (Laksamakoses, 2006, cited in Greacen & Footner, 2006), and 30 percent of Thailand's total natural gas consumption is sourced from Myanmar (Kate, 2011). Natural gas exports currently account for 12.5 percent of Myanmar's GDP, although large volumes of these revenues do not enter official government revenue streams (Earthrights International, n.d.; Turnell, 2010). Thailand presently is the main purchaser of natural gas from Myanmar, which it imports from the Andaman Sea crossing Mon state and Tenasserim Division in eastern Myanmar to Ratchaburi, Thailand via the Yadana and Yetagun pipelines, completed in 1999 and 2000 respectively. Both pipelines pass through ethnic Karen and Mon areas and have been linked to increased militarisation in project areas and intensified conflicts with ethnic groups, land confiscations, and human rights abuses (EarthRights International, 2010a, 2010b; Simpson, 2007). The Yadana project is operated by the *Myanmar Oil and Gas Enterprise* in partnership with *Total* (France), *Unocal* (US), and *PTT Exploration and Production* (PTTEP Thailand). In 2005, in a landmark case in the US courts, a major out-of-court settlement was

agreed with Unocal, which was subsequently absorbed by *Chevron* and faced lawsuits for complicity in human rights abuses. Despite this, human rights abuses by pipeline security forces are reported to be on-going as of late 2009 (BEWG, 2011).

Transborder Environmental Justice and Power Planning Deficits

In contrast to the procedure for the selection of domestic IPPs in Thailand, the procedures for the selection of power import IPPs are less defined and more opaque (Greacen & Greacen, 2012). Whereas for domestic projects IPPs must bid competitively for contracts, there is no competitive bidding process between alternative IPPs for power import projects. For many of these projects, therefore, selection is left to the discretion of EGAT. The key criterion for a power import project is that the electricity price is cheaper than power otherwise generated within Thailand. No environmental or social selection criteria are applied. Indeed, respecting the principle of sovereignty, a key principle of the 'ASEAN Way', EGAT does not monitor IPPs' compliance with neighbouring countries' laws, which it considers the responsibility of the IPP and the host government. Furthermore, the ERC does not monitor the environmental and social performance of power import projects as it does not have the authority to issue a license in a neighbouring country (Thabchumpon & Middleton, in press). In Laos, on the other hand, the process of selecting and proposing projects disproportionately reflects the priorities of the private sector investors (Suhardiman et al., 2012).

The Thai state, as the purchaser of electricity via EGAT, arguably holds some degree of responsibility for environmental and social impacts of IPP projects in Laos because without a power-buyer these projects could not operate. Furthermore, as EGAT is a shareholder in EGCO, Ratchaburi, and EGAT International, the Thai state itself is currently a minority shareholder in six IPP projects in Laos (Table 2). In other words, the Thai state's commitment to political non-interference appears contradictory due to its role in approving power purchases and its shareholdings within many of the private sector consortiums, although these projects proceed with little transparency and accountability both to Thai civil society and Thailand's ERC.

Overall, the mechanisms in Thailand for ensuring procedural environmental justice are notably weaker for power import projects, as exemplified by the current

controversy surrounding the 1,260 megawatts Xayaburi dam proposed for the Mekong river's mainstream in Northern Laos (Grumbine, Dore, & Xu, 2012; Matthews, 2012). The lead developer of the predominantly Thai consortium is Ch. Karnchang, Thailand's second largest construction company, the proposed financiers of the USD 3.5 billion project are four Thai commercial banks, and 95 percent of the electricity generated would be exported to Thailand (see Tables 1 and 2). The project could have significant local and transborder impacts (International Centre for Environmental Management [ICEM], 2010). It has drawn criticism for proceeding with preliminary construction work and resettlement activities, including a ground breaking ceremony in October 2012, when not having completed a regional notification and consultation process with neighbouring riparian countries as committed to under the 1995 intergovernmental *Mekong Agreement* (Herbertson, 2012; Latsaphao, 2012; Stone, 2011). In Thailand, the project was incorporated into the PDP with remarkable speed; whilst the Xayaburi dam was not even named in Revision 2 of the PDP issued in April 2011, in Revision 3 issued in June 2012, the project had been included and had already signed its *Power Purchase Agreement* (PPA) on 29 October 2011, legally committing EGAT to purchase power from the project.

The Xayaburi dam has become an important test case for addressing transborder environmental justice through legal procedures within Thailand. In August 2012, riparian communities from the north and northeast of Thailand submitted a case to Thailand's Administrative Court suing EGAT, the Thai Cabinet, and three other state entities over their failure to follow the Thai Constitution before approving the PPA for the project. The raised concerns, deriving from the potential project impacts on Thailand, comprise the lack of a transborder EIA and an incomplete public consultation in Thailand (Thai People's Network in Eight Mekong Provinces, 2012). Furthermore, the National Human Rights Commission of Thailand (NHRCT) has initiated an investigation into the Xayaburi dam on the grounds that the project lacked information disclosure and public participation and could impact marginalised communities in Thailand who are dependent on Mekong river resources (NHRCT, 2012a). This is a significant move given that the NHRCT has initiated investigations into only four transborder cases of Thai investment to date, which also include the Hongsa lignite power plant in Laos and the Hat Gyi hydropower dam in Myanmar (NHRCT, 2012b).

Conclusion

Thailand's power demand, economic growth, and strengthening environment policies compared to neighbouring countries, together with the on-going process of regional economic integration, have been key drivers for the construction of energy projects in Laos and Myanmar. This regional energy trade has exported environmental and social impacts associated with energy production, in the past experienced by affected communities in Thailand, to communities in neighbouring countries. Many of these projects have a track record of undermining the natural resource base upon which rural populations in Laos and Myanmar depend for their livelihoods (Simpson, 2007).

The expert-led PDP preparation process in Thailand by EGAT does not specifically account for and internalise the social and environmental impacts of individual power projects beyond specifying the electricity generation power mix. Instead, for domestic projects, the enforcement of the relevant articles of Thailand's Constitution, the body of environment and social laws, and the role of the ERC in licensing projects, alongside a reasonably independent judiciary, have all contributed towards improvements in environmental governance over the past 15 years, although much remains to be done. The environmental and social impacts of power import projects from countries with weaker environmental governance are not safeguarded by Thailand's power planning process.

Within Laos and Myanmar, the rule of law is weak, the judicial system is relatively underdeveloped and lacks independence, and space for public discussion and protest is constrained. Therefore, communities affected by energy projects have little access to justice through formal judicial procedures. In Laos, shallow public participation processes mask deeper political inequalities in decision making, whilst in Myanmar the notion of public participation is largely absent to date. Furthermore, with many important decisions taken in Thailand, which is the electricity buyer and also the home country of a number of the energy and construction companies and financiers, the possibility of participation in decision-making of locally affected people in Laos and Myanmar becomes even more distanced.

Historically, electricity consumption has created environmental injustice between those who benefit most from electricity generation – including the construction and energy companies who build and operate the projects and energy intensive indus-

tries in Thailand – and those who pay the costs through the deterioration of their livelihoods and health. Often, project proponents legitimise large regional energy trade projects through discourses that frame them as bringing economic cooperation, cheap energy, and energy security. Yet the social, environmental, and economic costs of these projects are comparatively localised. Discourses that legitimise and mask environmental injustice, therefore, reframe and reimagine the use of resources through a politics of scale away from local community use and towards exploitation by energy project developers in line with the development plans of national governments (Lebel, Garden, & Imamura, 2005; Sneddon, 2003).

In *Dumping in Dixie*, Bullard (1990, p. 32) reveals how environmentally harmful projects in the US were sold to poorer communities as bringing jobs and redressing past social injustices. Analogously, it is the communities at the comparative margins of mainland South-East Asia's increasingly liberalised market economy who experience firsthand the negative social and environmental costs of the large energy projects that are now spreading from Thailand into Myanmar and Laos, and to whom these projects are framed to bring development, modernisation, and poverty alleviation. For such projects, however, to be equitable and sustainable, it requires a significantly deeper commitment on the part of governments and project developers to strong and enforced environmental legislation, legally binding commitments to affected communities, and the ability for communities to access information, participation, and justice – including across borders. Otherwise, just as economic, social, and political injustices have created deep cleavages within Thai society, it is conceivable that similar tensions could emerge in neighbouring Laos and Myanmar, and across borders.

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Flooded: An Auto-Ethnography of the 2011 Bangkok Flood

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In this personal account I report my perceptions, experiences, and conduct during the 2011 Bangkok flood, in which my home and neighbourhood have been badly inundated and damaged. Therefore, I draw on auto-ethnography as an increasingly popular, though controversial qualitative methodology in social sciences. Though personal, the account has some broader implications, deriving primarily from the examination of the relationship between my perceptions and conduct in the disaster and my life experiences and present social position, as set against the perceptions and conduct of my Thai wife, our neighbours, and the broader community. The contrast throws some light on an aspect of Thai culture rarely discussed in the literature: the Thai response to disaster.

Keywords: Auto-Ethnography; Bangkok 2011 Flood; Disaster; Floods; Home

In dieser persönlichen Darstellung berichte ich über meine Wahrnehmungen, Erfahrungen und mein Verhalten während der Überschwemmungen 2011 in Bangkok, in denen mein Heim und die Nachbarschaft überschwemmt und schwer beschädigt wurden. In diesem Zusammenhang stütze ich mich auf die Autoethnografie als zunehmend populäre, wenn auch umstrittene qualitative Methode in der sozialwissenschaftlichen Forschung. Trotz des persönlichen Zugangs einer Autoethnografie lässt diese breitere Schlussfolgerungen zu, die sich hauptsächlich aus der Betrachtung der Beziehung zwischen meinen Wahrnehmungen und Verhalten während der Katastrophe sowie meinen persönlichen Erfahrungen und meiner sozialen Stellung im Gegensatz zu den Wahrnehmungen und Verhalten meiner thailändischen Ehefrau, unserer Nachbarn und der Community ableiten lassen. Dieser Kontrast wirft Licht auf einen bisher in der Literatur wenig diskutierten Aspekt der thailändischen Kultur: der thailändischen Antwort auf Katastrophen.

Schlagworte: Autoethnografie; Bangkok 2011 Überschwemmung; Heim; Katastrophe; Überschwemmungen

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Preamble

“We are not interesting enough to be the subject matter of sociology,” says Sarah Delamont (2007) in her critique of auto-ethnography; I agree – but some of our experiences, if properly presented and interpreted, might be. All my professional life I was what post-modernists call a ‘realist’: I separated my studies from my life, and kept myself out of my publications. In retrospect, this may have been a shortcoming or a mistake – for a reflective analysis of my own position in the field, or of some crucial events in a rather complex life, could have improved the quality of my work and helped towards a better understanding of myself. When the recent floods in the Bangkok neighbourhood – where I now live – caught up with me, I made a belated attempt to write this account of the event and of my experiences as an auto-ethnographic essay.

Introduction

Auto-ethnography is an increasingly popular (Ellis & Bochner, 2000; Macilveen, 2008; Wall, 2006), though controversial (Delamont, 2007), qualitative methodology. It was born as a way out of the *crisis of representation* in late modern anthropology (Ellis, Adams, & Bochner, 2011; Holt, 2003), and as a post-modern attempt to break the dichotomy between the researcher and his/her objects of representation (Butz & Besio, 2009). Auto-ethnography was meant to serve as a reflexive and indeed, therapeutic medium for the author, while at the same time illuminating the culture which he/she studies (Ellis et al., 2011; Holt, 2003; Wall, 2006). Though expressly subjective, claims have been made for particular criteria by which its reliability, validity, and generalisability could be judged (Ellis et al., 2011).

The focus of the proponents of auto-ethnography is on the researcher and his/her position and involvement in the field – an emphasis which has been criticised for prompting (young) researchers to be more concerned in their reports with themselves than with the subjects of their study (Anderson, 2006, pp. 385-386). But there are situations outside the research context which may call for auto-ethnography, particularly those in which a researcher is caught serendipitously in a dramatic event, which he/she is able to enlighten in an auto-ethnographic essay, though he/she had not studied it systematically. I found myself in such a situation when I was flooded out of my home in the course of the 2011 catastrophic floods in Thailand.

I had no intention to write about the event at the time of the flood's inception, and started to reflect about my experience only at a late stage of the event. Rather than offering a systematic analysis of the complexities of a major flood disaster, I will straightforwardly tell the story of my trajectory through the floods in a small corner of that huge catastrophe: in a housing estate in an outer district of the city of Bangkok.

Personal

My personal background is significant for the elucidation of the following account. I was born in Yugoslavia in 1932 and immigrated to Israel in 1949. I spent several years in the army and became a reconnaissance officer. I studied, and later taught at the Hebrew University of Jerusalem for more than 40 years, as a professor of sociology and anthropology. But I had also a long acquaintance with Thailand, where I have been conducting research since the late 1970s; in the early 2000s, after retirement, I moved to live there permanently. My wife is Thai, but I am nevertheless a foreigner in Thailand, of a permanently-temporal status, whose formal expression is the need to annually renew my retirement visa.

The housing estate in which we live, *Senaniwet Khon Khan 2* (Senaniwet Second Project), is inhabited by lower-to-upper middle-class Thai families; there are only two to three Westerners around, married to Thai women. Though I have conducted research on a wide variety of topics in different parts of Thailand (e.g. Cohen, 1991; 1996; 2000; 2008), and have a broad acquaintance with its culture and history, I have never considered doing research on our neighbourhood, and neither developed a wide local social network, nor became much involved with community affairs.

I had, however, previous personal experience with floods, caused by heavy monsoon storms, in both the slum in which I did research in the early 1980s (Cohen, 1988) and in the housing estate in which I now live, where a heavy rainfall may turn the *soi* (lane) in front of our house, in the words of the son of a visiting friend, into a 'river'. But the 'river' always dried up in a day or two. That experience influenced my opinion that the 2011 flood, if it ever reached our neighbourhood, would be similarly transient.

I was involved in the study of tourism in the 2004 tsunami disaster in Southern Thailand (Cohen, 2007, 2008, pp. 23-51, 2009), but had no personal experience of the

tsunami disaster; my work was based on secondary materials. I did not feel comfortable to do fieldwork in the stricken region after the event: to study people in a disaster of those proportions seemed improper to me. However, when floods struck the town of Pai, which I had previously studied for several years (Cohen, 2006), I rushed there and did a comparative study on the tsunami and flash floods (Cohen, 2007). Hence, when the 2011 floods in central Thailand turned out to be a major disaster, I again found a systematic comparison with the tsunami attractive, though that event was much too complex to be studied by a single researcher without institutional support.

However, as the floods reached Bangkok and eventually our neighbourhood, they provided an opportunity to experience a disaster first-hand, though it was incomparably milder than the tsunami. As the event progressed, I realised that an account of my personal experiences and of my trajectory through the floods could contribute to contemporary disaster studies from a different perspective than that deployed by 'realist' researchers.

The 2011 Floods

The study of disasters has in recent years moved from the periphery to the centre of sociological interest (Tierney, 2007). Natural disasters have in the past been largely taken for granted, and studies focused narrowly on the management of their consequences. Recent work on disasters, however, has stressed the extent to which 'natural' disasters, even rare and unexpected ones, are to a significant extent socially produced (Oliver-Smith, 2002; Oliver-Smith & Hoffman, 1999). Indeed, even the effects of a unique and unforeseeable natural disaster such as the tsunami in Thailand have been considerably aggravated by human transformation of the coastal zone of the Andaman Sea from mangrove forests to tourist resorts (Cohen, 2008, p. 49). Anthropologists have also shown that repetitive 'disasters' frequently constitute part of a society's habitat, and are expected and adapted to by the affected populations (Oliver-Smith & Hoffman, 2002, p. 8).

The central plains of Thailand have in the past regularly experienced heavy flooding during the monsoon period; their population was well adapted to them, by con-

structing houses on stilts and using boats for transportation. The well-known Thai architect Sumet Jumsai (1988) has in fact characterised Thailand as an “aquatic society” and argued that its settlements in the past functioned as “amphibious communities” (Jumsai, 2011). However, the construction of dams with huge reservoirs, the creation of a network of irrigation canals, and the more recent landfills for the establishment of massive industrial estates and housing developments in the huge Bangkok metropolitan area, transformed the ecological and hydraulic conditions of the central plains (Na Ayuthaya, 2011), turning even regular floods into potential disasters. Hydraulic management thus plays a central role in the prevention and management of floods, but is ridden by rivalries between authorities with conflicting priorities and interests (e.g. “BMA gives,” 2011).

In 2011, the annual monsoon rainfall was exceptionally heavy, with several major storms arriving in the later part of the monsoon season. Between September and November, catastrophic floods hit the central plains of the country, causing a considerable loss of life and enormous damage to the country’s infrastructure and economy. According to various reports, about 600 people lost their lives in flood-related accidents, 28 of Thailand’s 78 provinces were flooded (Chongkittavorn, 2011), about 10 million *rai* (2.5 million acres) of cultivated land destroyed (Suvanaporn, 2011), and seven major industrial estates inundated (Kertbundit, 2011), causing the closure of 1,700 factories (Chongkittavorn, 2011). The business sector lost an estimated THB 1.3 trillion (about USD 43.3 billion) in damages and revenues (“Businesses lost,” 2011).

The huge disaster elicited a fierce controversy regarding the question whether the floods were due to natural causes or to hydraulic mismanagement (e.g. Kertbundit, 2011; Praiswan, 2011); and if the latter was the case, who bore the responsibility for the tragedy. This controversy was carried on along the lines of the political split, which has divided the country for the last five years and even engendered a politically-inspired conspiracy theory by representatives of the recently elected government against its previous incumbents (“Abhisit fires,” 2011).

That government, headed by Yingluck Shinawatra (the sister of Prime Minister Thaksin Shinawatra, deposed in the 2006 military coup) was as yet little experienced to deal with a crisis of such proportions. As the crisis worsened, the government put up a *Flood Relief Operations Command* (FROC), intended to coordinate the flood management efforts; but this body was soon submitted to severe criticism and declared incompetent

to take hold of the situation (Achakulwisut, 2011a; “FROC worsens,” 2011; Yoon, 2011). Individual FROC members were accused of pushing flood relief priorities in different directions, according to their political interests, preventing the formation of a coherent policy (Yoon, 2011). FROC became the butt of jokes in the foreign language press, especially after its own headquarters, on Don Meuang Airport north of Bangkok, was itself flooded and its members had to flee to new headquarters in the city (Sheldon, 2011).

While a study of the Thai ‘flood politics’ is beyond the aims of this account, it is important to point out that the various interested authorities made contrasting predictions with regard to the progress of the floods, and especially on their expected impact on Bangkok and its various districts. These varied between promises that there would be no flooding in the city, to warnings that all of it might be eventually flooded (“Flood barriers,” 2011). Such contradictory predictions created considerable uncertainty and confusion in the urban population, including in our neighbourhood, which, in turn, affected my own disposition towards the threat.

Waiting for the Flood

I followed the news of the slow advance of the flood through the central plain towards Bangkok without much personal concern. As the waters reached the provinces of Nonthaburi and Phatumthani in the north of the capital, inundated several major industrial estates, and caused an increasing loss of life, I still did not assume that our housing estate would be threatened, even if the waters penetrated the city. That assumption was based on the topographical location of the estate: There were no waterways, such as brooks or major *khlongs* (canals), in our immediate vicinity, while the estate was surrounded by open, unused land that I believed to be capable of absorbing any amount of water reaching our area. Having a naive image of floods as a ‘natural’ flow of water, according to the lay of the land, I was unaware of the possibilities of manipulation of that flow by the authorities, or of other routes – like drain-pipes – by which the water could slowly progress southward. Hence, I remained optimistic that we should be spared.

At the outset of the crisis I was also, somewhat naively, influenced by the authorities’ reassurances that Bangkok would be safe. But these proved increasingly unreli-

able. A plan to save the capital by deflecting the approaching waters to the rivers Bang Pakong to the east, and Ta Chin to the west of the metropolitan area badly failed, apparently because the gradient of the flat land was so low that the waters would not flow into the designated direction.

Panicky voices from individual FROC officials consequently announced that all districts of Bangkok were in danger of being swept by the floods ("Flood barriers," 2011). The governor of Bangkok, who had at first hoped to protect the city as a whole, now concentrated his efforts on the salvation of its central business district and prestigious residential quarters ("BMA tries," 2011).

However, I remained disinclined to take the danger of the flooding of our housing estate seriously; this attitude was to some extent a reaction to what appeared to me as an exaggerated preoccupation with the threat by the women in the neighbourhood. I perceived their concern as hysteria and as a welcome distraction from the monotony of their everyday lives, saying to my wife that some of them might regret if the floods did not materialise. In a contrarian disposition, I denied that there was any significant threat to our area.

In fact, the information on the threat to our neighbourhood was, as elsewhere, unreliable and erratic. During the later part of October there were daily rumours that the flood was about to arrive on the next day or night, however, these proved to be false, reinforcing my conviction that nothing would happen. The uncertainty resulted in a range of responses to the possible threat on part of our neighbours: a few built a protecting wall in front of the gate to their house and left (Photo 1), some blocked their gates by sandbags (Photo 2), several acquired movable pumps to drain their yards, while the rest did not take any precautions. I was reluctant and unwilling to start any preparations towards the flood, believing that they were an unnecessary effort.

My wife, however, proved more prudent. Even before we departed for a conference to India on October 11, she had insisted on purchasing some sandbags, which I reluctantly placed behind the gate of our house on the eve of departure; but we found the house dry upon return a week later. This reinforced my optimism that nothing would happen anymore, expressed in an e-mail to my daughter on October 17, upon returning from India: "Our house has not yet been flooded, and there seems to be a declining chance that it will in the next few days." Even as the waters were about to

enter Bangkok, on October 22 (“Deluge reaches,” 2011), I still firmly believed that they would not pose a serious threat; as I wrote to my son: “The water from the north will enter BKK today, but there will probably be little flooding.” Ironically, afraid that we would not have a chance to see the flood, we in fact went to look at the first gushing of the flood water into the neighbouring urban district of Bang Khen.

But at the end of October the unexpected happened: dirty water started to gush from the gutters, slowly spreading and rising to flood our *soi*. This was new to me; I knew that floods can be caused by rains and overflowing rivers or canals, but not that they could come from underground – from the drains. I still did not believe that those waters could get very high, considering the open spaces surrounding the estate, and thought that a few sandbags at the door of the house would protect its interior; but I consented to my wife’s insistence to move some possessions from the lower to the upper floor of our house, though I refused to carry upstairs a heavy cupboard, telling her flippantly that I would buy her a new one if this one would get destroyed by the flood (which it indeed did).

Leaving

As the flood threatened the city, many middle-class Bangkokians started to leave, either to stay with family up-country or in the hotels and resorts in the unaffected areas around Bangkok (Ngamkhan & Bangprapa, 2011); while foreign tourism withered, Pattaya, Hua Hin, and other near-by sea-side locations enjoyed a boom in domestic and expatriate refugee-tourism (Katharangsiporn, 2011; “Locals fleeing,” 2011). Many of our neighbours had left prior to the arrival of the flood, while those who installed movable water pumps in their yards drained their property day and night. On October 31, as the water in our *soi* rose inexorably, we also decided to leave. The timing was determined by my wife: She wanted to get out as long as it was still possible to pass through the rising waters by our car.

I packed just a few personal belongings and some materials for my work, believing, on the basis of previous experience, that the waters would recede in a few days. Budget hotels in the city itself were already almost fully occupied by people like ourselves. We found a room in a cheap hotel nearby, and, turning the hotel room into a

temporary home, soon settled down into some kind of routine: work during the day, exercise in the evening, dining in still open restaurants. Since much of north-eastern Bangkok was flooded, we desisted from going to other parts of the city, staying and exploring the area around the hotel. We made, among others, a visit to a nearby *khlong*, with a slum of long-time Muslim in-migrants along its banks, which we had never even noticed before when passing through the area. We also discovered, just behind our hotel, in an unlikely, run-down area of workshops and mostly lower class habitations, the luxurious, high-walled, and well-protected compound of Thailand's present Prime Minister, Yingluck Shinawatra. The move to the hotel thus opened to us sights in the vicinity of our home, which we had previously been completely unaware of.

Our housing estate was declared an evacuation zone by the urban authorities soon after we had left. Lying on low land, it was reported to be one of the more seriously affected areas of the city. A day or two after leaving, we visited the estate. The transformation in the appearance of the familiar site was striking. The street into the estate looked like a *khlong*, with waters at places 70 to 80 centimetres high, and still rising. I began to realise that our 'exile' was going to last much longer than we had initially expected.

An emergency post, staffed by local volunteers, police, and later on, soldiers, was established at the entrance to the flooded area, which soon became a meeting place for socialising and exchanging information. People waddled from there through the murky waters, and were occasionally helped by volunteers, with vehicles fit to pass through the flood waters. The following day we also put on shorts and started to waddle towards our house (Photo 3), until a volunteer picked us up. The water in our *soi* was knee-high; against my previous conviction that the house would remain dry, the water had in fact flooded the lower level of the house, at a height of about 30-40 cm, damaging most of the furniture we had not moved to the higher level. I took a few photos (Photo 4), but there was nothing else we could do.

The neighbourhood had died down; most households were abandoned, shops closed up. Our *soi* was virtually deserted. But despite the call for evacuation, not all residents of the housing estate had left; a few hundred remained, mostly in the lower-middle class areas of the estate. The inhabitants adapted to the situation remarkably soon. In a few days, the flooded area bustled with floats, boats of all kinds

(Photo 5), and even a few motor boats, some volunteering to carry passengers to their homes, and at least one person ferrying people for a fee along the flooded streets. Volunteers, and increasingly the army, supplied those who stayed behind with food, water, and transportation. Along the main road in front of the housing estate, a lively market for emergency goods appeared: Hawkers established stalls, selling sandbags, plastic boots and overalls, and plastic and rubber boats; elsewhere even outboard motors were offered for sale on the roadside.

With no prospect to return home soon, we decided to take a previously planned trip to the north-east of the country on November 10. Preoccupied with other matters, I gave little thought to the floods, but during the trip I decided, following a conversation with a colleague, to write up this account.

I was hoping that we would be able to re-enter the house soon after our return. This, however, again proved over-optimistic. We went to the house to check on the damage; since our previous visit, the waters had started to decline, leaving behind much dirt and broken furniture. In a disturbing contrast with the chaos beneath, we found the upper floor still orderly, just as we had left it. Appalled, we departed, waddling in the dirty water until the ferrying boatman took us back to the post.

There was nothing to do but wait. We settled down again in the nearby hotel, thinking of another trip, but the enthusiasm with which we had gone away the first time had faded; rather, we followed the annoyingly slow recession of the water in the estate. At the entrance post a kind of routine had settled in, after about three weeks of flooding. The emergency services continued to operate, but the hustle of the boats along the flooded lanes gradually stopped. The army brought in heavy trucks, which regularly plied the affected area to assist people to travel to and from their homes (Laohong, 2011). We took a truck a few times to check the water at the house. The spirits among our co-travellers appeared high: In sharp contrast to the helpful but serious young soldiers who accompanied us on the trip, the locals were usually chatting, giggling, and joking, excited by the unusual circumstances, but possibly also seeking to cover up their worries and personal embarrassment, provoked by their helplessness and need for assistance. We found the water in the house gradually receding but also becoming increasingly darker and dirtier, making it ever more unpleasant to walk through. We threw some disinfecting compounds into the flooded interior and returned to the hotel.

Return

On November 21, the first draining pump arrived at the housing estate; another followed a few days later. But the flood level, whose decline now everybody eagerly followed, went down only slowly, though the pumps drained the water 24 hours a day. By November 23, we found most of the interior of the house free of water, but full of rubbish from broken furniture and damaged belongings, and the floors slippery and covered by congested muck. I had never imagined that a relatively modest flood could leave behind so much dirt. But it should be remembered, that this was 'second-hand' floodwater, which had already flooded areas in the north of Bangkok before it reached our estate. In a rather cheerful mood, we devoted ourselves to the demanding work of draining the remaining flood water from the backyard, cleaning the floors, and drying the furniture, most of which turned out to be beyond repair. Despite our efforts, we eventually had to hire a professional cleaning team that brought the place into shape in a few hours. But the streets were still flooded and not passable by car, so we delayed our return until November 30, when we were finally able to drive through the receding waters and return home – a whole month after we had left. We went on a brief shopping spree, replacing the old, damaged, or broken furniture and equipment with new things, thus using the occasion of the disaster to partly renovate our house.

As our neighbours also started to come back and clean their properties, discarding damaged furniture and household goods, huge heaps of trash accumulated in front of the dwellings and in empty lots on the estate. The *saleng*, mobile collectors of recyclable rubbish, had a heyday raking through the trash. Buyers of second-hand goods crisscrossed the estate, seeking to purchase discarded furniture and equipment. The city brought in huge trucks to collect the junk. Community leaders called upon the households to send representatives to clean the *sois* of the accumulated dirt; but the communal spirit was gone: Except for my wife, virtually nobody responded to the call. Life in the estate had returned to normal.

Reflection

The 2011 floods have been likened to an 'interior tsunami', but it was a slow-motion tsunami, at least in its final stages, which left considerable scope for individual

agency. But its slowness also played an important role in my misapprehension of the situation and persistent denial of the threat to our neighbourhood. I was under the spell of a wrong image of a flood. Being familiar with flash floods, which come suddenly in the wake of a storm and recede quickly, I was completely unaware of the role of the complex man-made system of *khlongs* and drainage pipes through which the flood had advanced, in some instances spontaneously, in others manipulated by the authorities or even by the actions of angry inhabitants, who tried to open sluice gates or to destroy dykes, in order to release the water accumulated in their neighbourhoods (“Flood barriers,” 2011; Rojanaphruk, 2011).

As a male and a foreigner I had certainly less access than my wife to the neighbourhood’s informal information network, based mainly on the female members of households, and was less well informed about the threat of flooding than most locals. But it is important to note that, like the 2004 tsunami, the 2011 floods were unique in their enormity, and none of my neighbours had ever experienced anything similar. Hence, there was little reliable ‘native knowledge’ (of the kind the Moken sea-nomads allegedly possessed in the tsunami (Arunotai, 2008)) which could be of help to deal with the threat; but the havoc which the flood caused in the two provinces to the north of Bangkok, Nontaburi and Pathumthani, prior to reaching Bangkok, might have served as a warning to the locals, which I had disregarded.

Therefore, I failed to ‘read’ the developing situation correctly and was slow to react to it. Rather, I reluctantly went through a gradual process of transition from resident to ‘exile’ in a series of steps, each of which I initially resisted but then was eventually forced to accept:

1. From denial to acceptance of the possibility that our neighbourhood might be flooded.
2. From reluctance to acceptance of the need to put up sandbags.
3. From unwillingness to remove possessions to the higher floor to their reluctant removal.
4. From a conviction that we should remain at home, despite the flood, to the acceptance of its abandonment.
5. From a belief that we should stay away for just a brief time to the realisation that our ‘exile’ would be relatively long.

Having to leave one's home is generally a traumatic experience (Fried, 1963). Among Thai people, attachment to their home is strong; especially older people were reluctant to abandon their homes during the floods (Achakulwisut, 2011b). But in my case, the reluctance to do so was not so much motivated by a dread of homelessness as by an under-estimation of the actual threat as well as by a personal disposition to not exaggerate dangers and to remain cool in emergencies. This, in turn, is probably rooted in my early socialisation to the Israeli (military) ethos which stresses coolness as well as in some significant personal experiences. For – in contrast to most other people in our neighbourhood – abandoning or losing a home was not a new experience to me. During my childhood, in 1941, as Jews in fascist Croatia during the Second World War, we were thrown out of our flat on short notice; in 1949, I left my home in Zagreb, sadly but voluntarily, to emigrate to Israel; in 1964, when my first marriage broke up, I left my home precipitately. Each of these cases is different but together they constitute an experiential background which dwarfs the experience of the temporary abandonment of our house owing to the floods. Moreover, in the early 2000s I left my flat in Jerusalem to live in Thailand, though I still maintain it and stay in it during annual visits. The fact that, like many people in the contemporary mobile society (Haldrup, 2004), I had two homes, one in Jerusalem and another in Bangkok, might have attenuated my attachment to either. But I wonder what my reaction would have been if a disaster, such as an earthquake, hit my Jerusalem home, in which I have lived for almost 40 years.

Under the circumstances, the use of the epithet 'exile' for our leaving the house in the estate should be taken more as a playful, and – considering our comfortable conditions – ironic rather than serious description of our situation. In fact, the situation we found ourselves in after we left the house was ambiguous; we were neither 'at home' nor really 'away', staying in a hotel just a few minutes away from the estate and visiting it regularly. There is no appropriate term to designate our move from the house to the hotel: 'Flight', or even 'escape' seem inappropriate since we were not forced to leave by a physical threat; 'refuge' or 'exile' are terms too strong for a move of such a short distance from one's home; we were certainly not 'tourists' or 'vacationers' (like those Bangkokians who went to sea-side resorts could be described as), though we lived in a hotel and did engage in some touristic activities. In fact, we strove to continue our everyday life as much as the circumstances permitted, and we sought to stay as close to our home as possible. This indicates that, at least in our case, despite the

radical interruption of the basis of our ordinary existence by the disaster, there was no clear break between 'home' and 'away', or between 'everyday' and 'extraordinary' circumstances. This kind of intermediary situation seems to escape crisp conceptualisation since it comprises a modicum of continuity under conditions of change, provoked by a radical interruption of regular life by disaster.

I was also inclined to take our 'exile' easy, owing to a sense of inverted 'relative deprivation': People in other places, mainly outside Bangkok, were much more severely affected by the floods; in comparison, we got away lightly. I did not feel the anger and disappointment with the manner in which the authorities managed the flood like many Thai people. Unlike many Western expatriates, who criticised the authorities in angry letters to the editor of English-language newspapers, I felt that, as a foreigner living in Thailand, I had no standing to complain publicly, though I might study the event professionally.

Conclusion

In this account, written partly in 'real time', I related my experience of a localised event: the flooding of our neighbourhood. But that event was critically enmeshed in at least two principal contexts: the natural, topographical, and administrative context that fashioned the arrival, rise, perseverance, and termination of the flood in the neighbourhood; and my personal biography and previous experiences with floods (which, under the circumstances, were counterproductive), that channelled my perceptions and actions in a particular direction. My account thus draws attention to the complexities involved in the formation of a personal trajectory through a disaster. Thus, it contributes to the growing field of disaster studies by charting out the personal trajectory of the author through a prolonged flooding of his neighbourhood. It indicates that, although people might be exposed to similar threats and circumstances in a disaster, as they were in the flood in our estate, their trajectories through the event, in terms of perceptions, experiences, and actions, will be to a significant extent influenced and diversified by their particular biographies and previous key life experiences. Notwithstanding the similar spatio-temporal context of the event, peoples' varied reactions will thus result in a plethora of diverse personal trajectories. The foregrounding of the biographical dimension in human conduct in disasters is thus the specific contribution of this account to disaster studies.

1 PROTECTIVE WALL ON NEIGHBOUR'S GATE



2 SANDBAGS AT NEIGHBOUR'S GATE



3

MY WIFE WADDLING THROUGH THE STAGNANT FLOOD WATER



4

THE FRONT YARD OF OUR HOUSE UNDER WATER





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Cultural Impacts of Mining in Indigenous Peoples' Ancestral Domains in the Philippines

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Introduction

According to the Philippines' largest mining company, *Philex Mining Corporation*, "there is life in mining". In its advertising campaign, the company tells the public that it "values the environment and community" through "responsible mining" (Hilomen-Velasco, 2011). For indigenous peoples, however, who belong to the most marginalised and vulnerable sectors of society, large-scale mining often leads to the loss of their lands and thus poses a serious threat to their livelihoods. About 60 percent of mining operations in the Philippines take place in ancestral domains² and often without the consent of the affected communities, which fall victim to displacement and numerous human rights violations, such as arbitrary detention, persecution, killings of community representatives, demolition of houses, destruction of property, rape, and forced recruitment (Brawner Baguilat, 2011). These abuses occur in an environment of impunity, as perpetrators – state as well as private armed forces – are usually not held responsible.

Mining affects the strong cultural ties of indigenous communities and leads to the loss of their culture and identity (Brawner Baguilat, 2011). The following paper will look at impacts of mining on indigenous communities in two selected areas: Abra Province in northern Luzon and the Tampakan Mining Project in Mindanao in the

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2 The term "ancestral domain" is defined in the Indigenous Peoples Rights Act of 1997 and refers to all areas claimed by indigenous peoples in the Philippines based on tradition and heritage. It includes ancestral land, forests, pasture, residential, agricultural land, watersheds, natural resources, as well as traditional hunting grounds, burial grounds, and worship areas (Congress of the Philippines, 1997, Sec. 3a Ancestral Domains).

south of the Philippines. It will not limit its focus to large-scale mining, but also include small-scale mining. Primary data on the two cases was collected during a study tour³ on mining and human rights in the Philippines, the purpose of which was to gain insight into different challenges connected with mining in the Philippines. Visits to the affected areas were the main component of the tour where open group discussions with community leaders and members took place. Round table discussions with local NGOs and individual interviews with government officials provided additional information. For the following article, the collected primary data was complemented and updated by secondary sources, such as newspaper articles. The selected cases are only two examples of numerous similar experiences in other areas of ancestral domains in the Philippines. They show the divisive effects of mining on communities where positions vary between those who strongly oppose mining and those who hope to benefit from it. The situation raises questions about the future of ancestral domains, including indigenous peoples' cultural heritage and natural resources.

Mining in the Philippines

The Philippines is said to host one of the world's biggest deposits of undiscovered minerals, especially of gold and copper (Herrera, 2012). Mineral reserves are estimated at about 7.1 billion tonnes of 13 known metallic and 51 billion tonnes of 29 non-metallic minerals, many of which are located in areas of rich biodiversity and within ancestral domains of indigenous peoples (Alyansa Tigil Mina [ATM], 2011a, p. 5). With the enactment of the Mining Act of 1995 (Republic Act 7942), the Philippines liberalised its mining policy and opened both public and private lands, including protected areas, to foreign investments (ATM, 2011a, p. 7). For 2012, the *Mines and Geosciences Bureau* of the *Department of Environment and Natural Resources* (DENR) expects USD 2.27 billion of foreign investment in mining (Herrera, 2012).

In addition to the Mining Act, Executive Order 270-A of 2004 promoted mining as a priority industry in the country (Brawner Baguilat, 2011), which, according to NGOs, marked a policy shift from "tolerance" to "aggressive promotion" of large-scale min-

³ The study tour was organised with support of the German-based *Philippinenbuero* and took place from 24 February to 17 March 2012. Participation was open to individuals from different sectors such as research, journalism, and NGOs.

ing. Between 2004 and 2011, 32 mining projects were pipelined and more than 2,000 applications for mining contracts and exploration permits were filed (ATM, 2011b, p. 3).

Despite this “aggressive promotion” of the mining industry, investments stayed below the government’s initial target and the mining industry only accounted for about one percent of the annual GDP (ATM 2011a, p. 18). In June 2012, President Benigno Aquino III signed a long-awaited executive order (E.O. 79) which defines the future direction of the Philippine mining policy. The E.O. 79 aims at increasing revenues from mining to at least 5 percent while it also defined “no-go zones” for mining such as prime agricultural lands, eco-tourism sites, and other protected areas (Cheng, 2012). Thus, it sought to find a balance for different stakeholders, although not all expectations were met. The Chamber of Mines of the Philippines welcomed the order saying that it would provide a “consistent and stable business environment” attractive for investors (Olchondra, 2012). Environmental groups, however, complained that they were not consulted and the Catholic bishops of the Philippines, who have always spoken out against destructive mining, criticised that the E.O. 79 would serve business interests and launched a signature campaign in support of an alternative mining bill (Cheng, 2012).

Mining in Ancestral Domains

For years, NGOs and supportive politicians have been calling for the revocation of the Mining Act of 1995, which promoted a “private sector-led and foreign market/investment-driven exploitation of mineral resources”. Instead, they have been pushing for an alternative mining bill in Congress that should regulate companies’ activities and give more attention to environmental conservation and local communities (Arquillas, 2012). For example, Congressman Teddy Baguilat who is one of the main advocates for a new mining bill demands better protection of ancestral domains in accordance with the Indigenous Peoples’ Rights Act (IPRA) of 1997 or Republic Act 8371 (Herrera, 2012). Among others, IPRA obliges the State to recognise, protect, and promote indigenous peoples’ rights to their territories “to preserve and develop their cultures, traditions, and institutions” (Congress of the Philippines, 1997, Chapter I, Sec.2). It further guarantees indigenous peoples rights to self-determination and to

their ancestral territories, which empowers them to manage and to decide over the use of the natural resources within their lands (Brawner Baguilat, 2011).

For the indigenous peoples, *land is life* which means more than a mere source of livelihood. The term *land* is strongly associated with *home* that refers to a traditional territorial claim and an identity as a community with socio-cultural values closely linked to the environment (“Binodngan Ancestral Domains,” 2011). Environmental protection is therefore crucial to the indigenous peoples’ livelihood and their cultural identity. The *Binongan* communities in Abra Province, for example, describe their responsibilities in interaction with others and with nature through a *web of values* with three main angles: (1) self-dignity and respect for others, (2) relation to the environment, and (3) spirits and the supernatural world. Mining interferes with this set of values as it is considered a symbol of the Western culture of consumption that enters into conflict with the indigenous culture of sufficiency and commonness (Community Volunteer Missioners [CVM] member, personal communication, March 4, 2012).

Village leaders or the council of elders act as guardians of values and practices and are in charge of ensuring the “protection of watersheds, water sources, and acceptable uses of forests and resources” (CVM, n.d., p. 2). However, mining has disrupted traditional socio-political systems and thereby weakened the communities’ sense of unity.

Village leaders report that conflicts have been provoked by local government officials who, following their own business interests, assigned an ‘alternative’ council of elders that – in opposition to the traditional leaders – acts in favour of mining (village of Magao, personal communication, February 29, 2012). Having village leaders on their side is crucial for mining operators, as the IPRA requires a *Free Prior and Informed Consent* (FPIC)⁴ of affected communities prior to any extractive activities in ancestral domains (Brawner Baguilat, 2011). Nevertheless, experiences on the local level show that the FPIC is easily bypassed, manipulated, or not well implemented by companies and the government agencies in charge (Bitog, 2011). When it comes to conflicting laws, as in the case of the Mining Act and IPRA, decisions are often made in favour of business interests instead of the affected communities, which then re-

4 The principles of consultation and participation of indigenous peoples are provided in the ILO Convention No. 169 or Indigenous and Tribal Peoples Convention of 1989. Article 6 states that peoples concerned shall be consulted through appropriate procedures and in “particular through their representative institutions” whenever measures which may affect them are being considered (International Labour Organization [ILO], 1989, Article 6). Furthermore, according to Article 16 “peoples concerned shall not be removed from the lands which they occupy”, unless they gave their “free and informed consent”. The Philippines has not ratified ILO 169, but has integrated some of its standards, such as the FPIC, into national law.

sort to their own ways of resistance. In Mindanao, for example, the B'laan's struggle for the defence of their rights and of their ancestral domains erupted into a violent conflict (Sarmiento, 2012; see also Peliño & Maderazo, 2012b).

Case 1: Struggle Against Large-Scale Mining in Tampakan⁵, Mindanao

"If the company does not leave, we will fight it with arms," a tribal leader of a B'laan community announced in March 2012 during an area visit (village of Columbio, personal communication, March 10, 2012). Two months later, members of the B'laan finally took up armed resistance against the two companies Sagittarius Mines Inc. (SMI) and Xstrata to defend their ancestral domains (Sarmiento, 2012). Swiss-based Xstrata is the world's fourth largest copper mining company and main stakeholder of SMI, which operates the USD 5.9 billions Tampakan Mining Project – the biggest foreign investment in the Philippines (ATM, 2011a, p. 25). 28,000 hectares of land are targeted for the extraction of gold and copper, affecting the four provinces of South Cotabato, Sarangani, Sultan Kudarat, and Davao del Sur. SMI has already conducted explorations of the tenement and plans to start extractive activities by 2016. If this plan pushes through, about 2,600 families or 4,000 individuals, most of them B'laans, would have to relocate (Peliño & Maderazo, 2012b).

On 9 January 2012, however, the DENR ordered SMI to stop all operations in the area because the company did not meet the requirements for an *Environmental Compliance Certificate* (ECC), which is one of the prerequisites for large-scale mining. One reason for the denial of the ECC is an open-pit mining⁶ ban in South Cotabato imposed by the provincial government in 2010. Despite that, the company has retained its presence in the area arguing that the ECC denial would only prevent construction-related but not "consultation-related" activities (Sarmiento, 2012).

Community leaders and NGOs have questioned the legality of SMI's activities since the application process. As the affected area has been declared an ancestral domain by the local community, an FPIC is required prior to any mining operation. Some B'laan communities, however, have not been consulted at all, while in other cases the

5 The mining operation is known as Tampakan Project, because the main site is located in the town of Tampakan, South Cotabato.

6 Experiences from other case studies show that large-scale mining causes irreparable environmental damage. Especially open-pit mining comes with long-term negative impacts as it produces more quantities of waste than any other form of extractive activity. During the process, heavy equipment is required to excavate the pit and to remove large quantities of rock. In a next step, cyanide and other toxic chemicals are used to extract the gold from the stone. Remaining waste materials, or tailings, are then often discarded into the environment (Miranda, Blanco-Urbe, Hernández, Ochoa, & Yerena, 1998, pp. 21-22).

consultations were only conducted with selected village leaders who were offered incentives by the mining company (Marbel, personal communication during group discussion, March 8, 2012). In general, promises of material benefits such as seedlings and capital, of job opportunities, and development projects in these poverty-stricken remote areas convinced B'laan members to sacrifice their land to the mining company (Sarmiento, 2012; village of Columbio, personal communication, March 10, 2012).

Thus, the mining issue has clearly caused divisions among the B'laan communities. Some B'laan members expressed their willingness to resolve their differences with other communities based on their customary practices of conflict management (Peliño & Maderazo, 2012a). However, the high degree of militarisation in the area not only hampers conflict resolution but has also worsened tensions on the ground. Battalions have been officially deployed in a counter-insurgency mission against the *New People's Army* (NPA), the armed wing of the Communist Party of the Philippines, which is operating in the mountain area. Indigenous communities, however, claim that military operations have intensified since SMI started its activities and report a series of harassments, violations against their rights as indigenous peoples, and threats to their livelihoods. Soldiers have raided villages in search for suspected NPA members or for leaders who are involved in armed resistance against SMI. They have further prevented villagers from practicing their spiritual rituals and from hunting in the forest (Sarmiento, 2012; Marbel, personal communication, March 9, 2012).

The Tampakan case demonstrates several problems and negative impacts directly or indirectly related to mining. Apart from the abovementioned conflicts within communities and with the military, people suffer from the environmental destruction that occurs even before the start of the actual mining operation. The company's exploration and preparation activities threaten livelihoods as well as the indigenous peoples' cultural heritage. According to the B'laan communities, bulldozers of SMI destroyed their fields and traditional burial grounds to give way to road construction and drilling operations (Peliño & Maderazo, 2012a).

Case 2: Small and Large-Scale Mining in the Binongan Ancestral Domain/Abra Province

In Abra Province, northern Luzon, communities have successfully pushed for a stop of the large-scale mining operations of JABEL Corporation/Abra Mining Industrial Cor-

poration (AMIC). The whole province, however, is still subject to seven pending applications for gold mining covering more than 50 percent of the land area. Although JABEL/AMIC were forced to cease their activities in 2008, they might resume their operations any time, as they still hold operation permits valid for 25 years, which they obtained in 1999 (CVM, n.d., p. 2). All this happened without prior consultations of the affected indigenous communities, although IPRA was already in effect at that time. The DENR and the *National Commission on Indigenous Peoples* (NCIP) had certified that no indigenous peoples lived in the targeted areas, regardless of the fact that communities of the *Binongan*⁷ tribe claim the land as their ancestral domain “since time immemorial” (CVM, 2012). The *Binongan* ancestral domain covers an area of 31,610 hectares and is composed of 150 villages (CVM, n.d.). The domain is known for its rich biodiversity, forests, and watersheds. The majority of the 3,000 to 4,000 inhabitants lives on subsistence farming and is settled along the rivers (CVM, n.d.). It was only in September 2008, after a series of protests by affected communities at the NCIP, when a FPIC was conducted, during which 9 out of 11 villages rejected the large-scale mining project (CVM, 2012).

After large-scale operations in Licuan-Baay had ceased, small-scale miners entered the tenement. These operations come in different forms. On the one hand, there are commercialised and mechanised small-scale mining projects controlled by operators from the outside. On the other hand, artisanal gold mining is being practiced and regulated in indigenous villages.⁸ Common to most forms of small-scale mining in the Philippines is that they mainly happen beyond state control.

While *Binongan* communities showed strong opposition to large-scale mining, positions vary when it comes to small-scale mining. The concept of *land as home and carrier of cultural identity* erodes in the face of the socio-economic difficulties in rural areas. According to some communities, farming does not produce enough output anymore to feed their families, rivers carry less water for irrigation, and more forest areas have to be cleared to plant vegetables. Under these circumstances, some community members are forced to look for alternative sources of income and get involved in small-scale mining. Other members however suspect that the decrease in agricultural output is a consequence of small-scale mining, as chemicals such as

7 Other spellings are *Ibinongan* or *Binodngan*.

8 For the different types of mining, see also Miranda et al. (1998, p. 17).

mercury and cyanide are being used to extract gold and are eventually released into the rivers. They admit that compared to large-scale mining, in the beginning the environmental effects would be less devastating, but in the long-term, they would still negatively affect people's livelihoods (village of Cawayan, personal communication, February 28, 2012).⁹

Differences also occur on the issue of whether communities would benefit from mining or not. This factor might be determined by the degree of involvement of the local community. While mining controlled by the communities themselves can provide an important source of income for the locals, some communities complain that most of the small-scale miners originate from other provinces. As a village elder put it, "I don't want outsiders to come here and to destroy our land" (tribal leader, personal communication, March 1, 2012). Those who are employed in commercialised small-mining operations would not receive much profit anyway, as shares first go to the financier, the ball mill operator, the land owner, and to the maintenance of the equipment (village of Cawayan, personal communication, February 28, 2012). Moreover, people have to deal with unsafe working conditions, which in the past caused deadly accidents due to gas poisoning in the tunnels (CVM member, personal communication, March 4, 2012). These divisions have weakened the communities and consequently their capacity to protect their ancestral domains.

Protecting Ancestral Domains

Both cases present mining as a source of conflict that affects indigenous ancestral domains, the protection of cultural heritage, and of natural resources. Traditional concepts and values of indigenous communities tend to erode when socio-economic realities force people to look for alternative sources of livelihood and when power-relations within communities change. Communities are divided between their responsibility to protect their ancestral heritage and prospects of economic development.

NGOs suggest indigenous peoples themselves to uphold traditional values and practices, such as peace pacts between tribes and other mechanisms of conflict reso-

9 According to Miranda et al. (1998), small-scale mining can even lead to the same negative impacts as industrial mining. Small-scale mining causes (1) soil and water damage: collapse of underground shafts, increase of sedimentation in rivers, damages to vegetation through blasting, deforestation; (2) damages from mercury use to the environment and health as tailings get into the rivers; (3) social damage to social structures of indigenous communities (pp. 19-20).

lution, in order to strengthen the communities' ties within and among each other.

While small-scale mining in the Philippines still provides a field for further study and analysis, large-scale mining clearly bears the potential of disastrous effects not only on the environment, but also on indigenous peoples' ancestral domains. The case of Tampakan shows how the disrespect for local communities and their rights can lead to the escalation and radicalisation of resistance. The same case also exposes the state's failure to meet its obligations to respect, protect, and fulfil the rights of indigenous peoples. Solutions might be a change of mining policy itself, as proposed by advocates of an alternative mining bill, which should prioritise environmental protection and uphold indigenous peoples' rights. One suggestion is to explicitly include ancestral domains in the "no-go zones" for mining companies (Brawner Baguilat, 2011). The President's executive order failed to do so. It iterates that no mining agreements "shall be approved without the FPIC (free, prior, and informed consent) of the concerned IPs [indigenous peoples] and compliance with the social acceptability requirement of the communities affected" (Cabreza, 2012). However, it does not provide concrete measures to protect indigenous peoples' rights. In the end, calls for a new mining law remain the only measure to "rectify the flaws of the 1995 [mining] law" (Cabreza, 2012).

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Progress and Challenges of Combating Climate Change in Indonesia: An Interview with Prof. Rachmat Witoelar, the President's Special Envoy for Climate Change

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Professor Rachmat Witoelar, former Minister of the Environment in Indonesia, heads the National Council on Climate Change in Indonesia (DNPI) and Indonesia's delegations to negotiations under the United Nations Framework Convention on Climate Change (UNFCCC). This interview was conducted during the most recent UNFCCC negotiations in Bonn in May 2012 and contains references to specific agreements in that process. As the Kyoto Protocol – which includes binding targets for countries in the Global North (so-called Annex 1 countries) – is drawing to an end, negotiations revolve around a new protocol, but last year's high level talks in Durban only came up with a fairly vague result – the Durban Platform – without binding emission reduction targets. In this context, Indonesia's announcement to pursue its own unilateral reduction target is significant. The progress and challenges of achieving this target are the focus of the following interview.

Professor Rachmat Witoelar, ehemaliger Umweltminister Indonesiens, leitet sowohl den Nationalen Rat für Klimawandel in Indonesien (DNPI) als auch Indonesiens Delegation zu den Verhandlungen im Rahmen der United Nations Framework Convention on Climate Change (UNFCCC). Dieses Interview wurde während der letzten UNFCCC Verhandlungen in Bonn im Mai 2012 durchgeführt und bezieht sich auf spezifische Vereinbarungen im Rahmen dieses Verhandlungsprozesses. Aufgrund des baldigen Auslaufens des Kyoto-Protokolls, welches verpflichtende Ziele für die Länder des globalen Nordens (sogenannte Annex 1 Länder) beinhaltet, konzentrieren sich die laufenden Verhandlungen auf ein neues Protokoll. Die Gespräche auf höchster Ebene, die vergangenes Jahr in Durban geführt wurden brachten mit der Schöpfung der Durban Platform jedoch nur ein vages Ergebnis hervor und legten keine bindenden Emissionsreduktionsziele fest. In diesem Kontext ist Indonesiens Ankündigung, unilateral eigene Reduktionsziele festzulegen, bedeutend. Die Fortschritte und Herausforderungen, dieses Ziel zu erreichen, stehen im Fokus des folgenden Interviews.

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2 Irendra Radjawali is trained as a civil engineer, urban and regional planner at the Institute of Technology Bandung, Indonesia and as a geographer at the University of Bremen, Germany. He is a researcher at the Institute of Oriental and Asian Studies, University of Bonn, Germany with focus on the political-ecology analysis of ecosystem change, especially on water resources.

TILL PLITSCHKA: I would like to start with the famous speech that President Susilo Bambang Yudhoyono gave in September 2009 in Pittsburgh, USA, in which he committed Indonesia to unilaterally cut greenhouse gas (GHG) emissions by 26 percent and up to 41 percent with international support. So what has Indonesia done to fulfil this commitment?

RACHMAT WITOELAR: I would like to divide Indonesia's efforts into two key areas: first, institutional and second, operational. At the institutional level, there are laws and rules that have been passed to ensure that emissions can be mitigated, like preventing forest degradation through REDD³, and also rules to empower the government to punish those who transgress REDD. A key piece of legislation is the Presidential Decree No. 61/2011 which outlines who does what and when. This decree specifies the forestry sector (i.e. Land Use and Land Use Change and Forestry – LULUCF) as responsible for 67 percent of the total emission reduction target of 26 percent. The coordinating meetings with the governors and the district heads (*bupati*) are another key initiative at the institutional level. The central government can give directions but the regional governments are the executors. Unfortunately, the law which allows the *bupati* to issue permits (e.g. for timber, plantation or mining concessions) has been proven to be damaging to the environment. The central government can ask the heads of regional governments to stop issuing permits, but there has been some 'resistance' against this in the name of decentralisation. There have been constant 'legal wars' going on related to this issue in Indonesia. I'm proud to say that the environmental concerns are winning, and the district heads realise that this is good, so they don't issue as many permits as they used to. In Samarinda⁴ there are 300 permits for mining, I don't know where they will mine. Of course, the motivation of these *bupati* is the money from the concessions, but this is very damaging for the environment. The Law No. 32 on the Environment says that the punishment for abusing the regulation (on concessions) is not in the form of a fine but is actually imprisonment. If it's only a fine, then the punishment might not be effective enough as they will obtain even more money with the permit than what they will be fined. These are the efforts to move forward and to fulfil the commitment of a 26 percent emission cut.

PLITSCHKA: What about the operational level?

WITOELAR: At the operational level, first, the government, through the Ministry of Forestry, is recovering and replanting millions of trees, in fact billions of trees a year. Second, the private sector is encouraged to use their CSR (Corporate Social Responsibility) for greening and planting trees. A third effort is the initiatives of local organisations and the local population. For example, the *Association of the Ladies of the Ministers* has been planting half a million trees per year, a lot of trees. So the men should do more! In the past, all these efforts have been surrounded by cynicism, but now we are sure that it has been done as it is checked by

3 The acronym REDD refers to *Reducing Emissions from Deforestation and Forest Degradation* and is a UN programme that aims to offer incentives for countries in the Global South to reduce emissions from deforestation by creating financial values for the forest carbon stocks. (ASEAS explanatory note)

4 Samarinda is the capital of East Kalimantan, one of four provinces of the Indonesian part of the island of Borneo. (ASEAS explanatory note)

satellite mapping. However, due to the extent of the damage and the size of the country, it takes time to get everything recovered, so I'm pleased that we're going to meet the target of a 26 percent GHG emission reduction by 2020, and we're going to surpass it. I was part of the decision at that time, and the number we suggested to the President was decided on after careful deliberation. So the 26 percent are, to my knowledge, feasible and quite easy to achieve because the emissions are due to the carelessness of doing things and because of the waste, so we need to economise more. So if we just cut down on those two aspects, we would already cut down 7 to 8 percent, and the major part of it is the deforestation and illegal loggers which account for up to 40 percent of everything. So if we focus on this sector and if we cut down on that we can already achieve 30 to 40 percent, going beyond our commitment of 26 percent.

PLITSCHKA: So which sector is Indonesia's main focus to cut emissions?

WITOELAR: Better governance in terms of regulating the forestry sector.

PLITSCHKA: So forestry, not power generation like coal-fired power plants?

WITOELAR: No, I'm aware of the bad consequences of using coal for power generation but according to the statistics, the forestry sector has been polluting up to 67 percent of all emissions.

PLITSCHKA: That's why you focus your emission cutting on the forestry sector?

WITOELAR: Yes, but also the other sectors such as traffic, land use, and so forth. In all, there are 70 concrete projects that are being run under the Presidential Decree mentioned above. In this sense, the target of 26 percent is not a guess, we are not guessing. It's calculated.

PLITSCHKA: I ask this because Indonesia has a big source of geothermal energy and within the UNFCCC framework there's the component of technology transfer, so you are not planning to go down that road of promoting renewable energy instead of cutting the emissions from forestry?

WITOELAR: Of course we are going that way, but it can't be done in the initial phase. Our studies say that it takes around six years to start such geothermal installation. We want to do it from year 1. Year 1 focuses on stopping logging, year 2 focuses on starting planting, year 3 is to cut down on waste and increase efficiency, and the next year to start developing renewable energies. Up to 2012, we are keen on converting kerosene to gas, so that people use little gas stoves for cooking instead of kerosene. So this is year 4 and year 5, in year 6 we will start to exploit geothermal energy. So if we start in 2012, we are convinced that we'll pass the target of 26 percent emission reduction as promised.

PLITSCHKA: But the immediate focus is forestry?

WITOELAR: Yes, because it's the most significant sector for GHG emissions and we have to catch the actors and put them in jail. We have our jails full of them. Also, we promote re-planting. This will be done from year 1 to year 3. We have a very precise plan to reach the commitment.

IRENDRA RADJAWALI: What about REDD?

WITOELAR: REDD is supplementary and a good approach to compensate our efforts to save the trees, and we are not fighting the livelihood of the people living in the forest. We appreciate the indigenous people and support them in strengthening their capacity to live there without destroying the environment. We also have the two years moratorium on logging, and REDD is supporting the moratorium. Indonesia is in favour of putting REDD into practice, but this meeting's result is lower than the one in Durban, I don't know why. Two Indonesian delegates are fighting to increase the strength of the dictum, but there are some objections from other countries.

PLITSCHKA: When we are talking about REDD, what should a working REDD mechanism look like for Indonesia? How could it work?

WITOELAR: First, we have to have a clear map to delineate where it applies. Second, we have to have a clear indication of who lives in that area. Third, we are talking about REDD++, where those pluses mean the sustainability of the people who live there, they can plant and cut wood as long as they use the right plot of the land. We also have the demonstration/pilot projects run by ourselves with support from interested parties like Australia and Norway in certain areas. We have those parties competing for the best practice of REDD++ implementation. We also established the so-called 'green provinces' – the provinces that are able to successfully implement REDD++. The winner this year is East Kalimantan province, where those big mining (coal) companies are located. The governor of East Kalimantan, Awang Faroukh, appreciates this initiative and he totally understands that we have to stop doing things that are detrimental to the environment. Of course, the economy slows down a bit, but that's the price of clean air.

RADJAWALI: In the context of REDD and mapping, how do you think it should be connected to the spatial planning process?

WITOELAR: Actually, spatial planning comes after that map. We have problems with mapping because we have so many different maps. So Indonesia has the initiative to establish the *One Map Project*. It is supported by the US through the *U.S.-Indonesia Comprehensive Partnership* and executed by LAPAN (Indonesian Space Agency) and BAPPENAS (Indonesian Land Agency) among others. This map is going to be the base map of Indonesia and is going to be legalised by parliament. A good spatial system is very important.

PLITSCHKA: So you have the idea of REDD on one side and on the other side you have the national development strategy that includes for example oil palm plantations. How can you combine these two?

WITOELAR: If they follow the rules strictly, there won't be any conflict with the REDD scheme. By law, a certain amount of oil palm concessions should be employed for the welfare of the region at the provincial level. Some 20 percent of the concessions should be dedicated to the health of the region. The second thing is that those plantations have often been responsible for related disasters such as forest fires. So, if the oil palm plantations want to expand their area, they have to do it appropriately and not by burning as the smoke goes to Singapore and Malaysia. However, problems exist on the ground, for example that those companies 'buy' some local people to burn the forest, as they try to avoid responsibility. Also, previously, the corrupt government officials accepted some bribes from these companies to insure them against prosecution for their law breaking activities. However, I hope and am sure that now the high rank government officials won't easily take such bribes.

First of all, we delineate the land that is going to be allocated for oil palm plantation. Oil palm has the characteristic of destroying the environment, but it can be offset by doing other things, because there is also a lot of money there. So they have to make sure that they replant trees and also they don't go to the area where the forest is protected, it's very sensitive in Central Kalimantan and Riau province. The punishment on breaking the law is imprisonment. So law enforcement is important, the government can't just forbid doing this or that, we also need to enforce the law. At present, a combination of both is seen as effective. The government can't do it alone, the government also needs to work with NGOs, be it national or international ones. When I served as Minister of the Environment, I was personally very close with some NGOs like Greenpeace, Conservation International, etc. Oil palm plantations need to be sustained but with strict regulation, especially on its compliance with the environmental protection and climate change mitigation. In this context, I suggest the ministries to open the space for discussion with stakeholders and discuss the data to assess the oil palm plantations, it's data vs. data. Some data are developed by those who don't want those industries to prosper. I'm not pointing fingers but it's a war for markets. If we can't sustain our markets somebody else will get the markets. So I'm in favour of sustaining our markets and pointing out that those plantations outside Indonesia are way worse than the ones in Indonesia. To be fair, if there's an embargo, then embargo everything, that's fair! Don't only embargo Indonesia.

The second thing I want to mention: I take the position that we should forbid foreign nationals to hold permits for plantations. Many of our plantations are owned by Singaporeans and Malaysians. I'm not accusing them but don't blame Indonesia alone, as in Malaysia (Sabah, Sarawak) there are also lots of plantations. When I served as Minister of the Environment, I had access to meteorological maps showing the wind flows and the wind was turbulent, meaning that smoke in Malaysia came from the plantations in Sarawak and not from Indonesia. This is a technological war. My point is, don't point fingers at anyone because maybe you are wrong.

RADJAWALI: What is Indonesia's main objective during the current negotiations in Bonn?

WITOELAR: Ensuring that the *Bali Road Map* (BRM) and the Durban Platform will be realised. BRM has been inspected five times from COP 13 in 2007 to COP 17⁵ in 2011 and was the foundation of all the arguments in the meetings. The words "to execute BRM" are always there. However, as it is not a political entity, it is not easy. 1B1 and 1B2⁶ are not accepted by some parties. Also the CBDR (*Common but Differentiated Responsibilities*) is refused by the same parties [i.e. the United States], and the US doesn't want the Kyoto Protocol and BRM. I respect that, it shows their position. In that respect, we also want to ensure that the Durban Platform works, but they [the United States] don't want that either. At this moment, I'm unhappy because there's no real progress, only small progress.

In Durban, I was part of the Ministers' informal negotiation. All the countries that were suspected by the US of not complying with the agreement - like India or China - agreed on cutting back on emissions to a greater degree than the US. I'm proud because Indonesia did it three years before. US delegates accused India and China of not wanting to cut their emissions, so I just went to China and India and persuaded them to set a target without obligation. We should appreciate China as its forests are increasing. China plants more trees than anyone else cuts down.

Ok, there's a debate on the CBDR concept as it states that the Annex I countries should do more and the other countries should just do as much as they can, and this point is not 'good' for the US-Americans. However, the Durban Platform recognises that developing countries also contribute to the effort of combating climate change. But still, the US doesn't want to commit to anything.

RADJAWALI: What about adaptation to climate change?

WITOELAR: We have lots of vulnerable communities due to the changing climate. They need help and support to adapt to climate change, so adaptation is very important. Indonesia is proud to have historically been part of the initiatives of what is now called the *Adaptation Fund*, which hopefully will be realised in the coming months until the Doha meeting. Mitigation is intended to fight climate change although I think we cannot fight it, we can only delay it. Meanwhile, the vulnerable ones need to be taken care of by the system and national policies, so we are aware that adaptation efforts to climate change should not be reactive, they should be pro-active and should be prepared before it happens.

RADJAWALI: What do you think about capacity building, science, and doing research in the context of climate change?

5 COP refers to the *Conference of the Parties to the Convention*, in this case of the UNFCCC. The conferences are numbered consecutively. (ASEAS editorial note)

6 1B1 and 1B2 refer to IPCC Source Categories of greenhouse gasses referred to by the Kyoto Protocol. 1B1 refers to fugitive emissions from solid fuels, i.e. coal mining, and 1B2 refers to fugitive emissions from oil and gas. (ASEAS editorial note)

WITOELAR: It's important because this is what climate is about, we rely on science, we rely on IPCC reports to formulate actions, otherwise it all remains highly subjective. As you know, basic research and research in general need lots of money while in Indonesia the allocation is not sufficient at all. So in the National Council on Climate Change we have our working group which focuses on research led by Dr. Agus Supangat.

PLITSCHKA: You mentioned the moratorium [on logging]. I have read a lot about the moratorium, mostly critiques regarding loopholes in the moratorium and so forth. What's your opinion on such criticism?

WITOELAR: I accept such criticism with an open mind. Some of it is correct. But some of it is wrong, for example the one by Norway⁷. And Norway apologised for that. The idea of the moratorium is to pass a moratorium law on the executable areas – not in all areas. So it applies to the areas with logging operations. You have to make sure that you can enforce it. Where is it? In the tropical rain forest and in the heart of Borneo, it's possible to do it there. If there's any criticism on the moratorium area that is being planted, it's a serious problem, please give us the data and I'll go to the Minister of Forestry to take action.

PLITSCHKA: It sounds like you are not too happy with the moratorium?

WITOELAR: No, we should do more, and do it more intensively.

PLITSCHKA & RADJAWALI: Thank you for this interview!

⁷ Norway's Minister of the Environment, Bard Vegar Solhjell, stated in an interview with Reuters in May 2012 that Indonesia's progress in reforming its forestry sector would be insufficient to meet its pledge to cut carbon emissions by 26 percent by 2020. (ASEAS editorial note)

Carbon Markets and REDD in South-East Asia: An Interview with Chris Lang from REDD-Monitor

OLIVER PYE¹

Citation Pye, O. (2012). Carbon Markets and REDD in South-East Asia: An Interview with Chris Lang from REDD-Monitor. *ASEAS - Austrian Journal of South-East Asian Studies*, 5(2), 352-358.

Chris Lang is a climate justice activist and currently runs REDD-Monitor, a website that follows projects and developments around REDD (www.redd-monitor.org). The acronym REDD refers to Reducing Emissions from Deforestation and Forest Degradation and is a UN programme that aims to offer incentives for countries in the Global South to reduce emissions from deforestation by creating financial values for the forest carbon stocks. In this interview, Lang talks about structural shortcomings of REDD and the danger of carbon cowboys, provides an insight in the 1 billion dollar agreement between Norway and Indonesia, and discusses the relation between REDD and indigenous peoples' rights.

Chris Lang ist Klimaaktivist und betreibt derzeit die Webseite REDD-Monitor, die Projekte und Entwicklungen rund um REDD verfolgt (www.redd-monitor.org). Die Abkürzung REDD bezieht sich auf das UN-Programm Reducing Emissions from Deforestation and Forest Degradation, das darauf abzielt, Anreize für Länder des globalen Südens zu schaffen, ihre Emissionen aus Abholzung durch finanzielle Werte für den Kohlenstoffgehalt der Wälder zu reduzieren. In diesem Interview spricht Lang über strukturelle Schwächen von REDD und der Gefahr durch carbon cowboys. Er gibt einen Einblick in das 1-Milliarde-Dollar Abkommen zwischen Norwegen und Indonesien und diskutiert die Beziehung zwischen REDD und den Rechten indigener Völker.

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OLIVER PYE: Can you tell us what you do at REDD-Monitor?

CHRIS LANG: REDD-Monitor is a website whose purpose is to create a debate around some of the issues surrounding REDD. At the start of each week there is a post which is a round-up of as much as possible of the week's news on REDD. Then, during the week, I write posts on issues that I find interesting and relevant. One of the things I did recently was a series of ten interviews with key actors in Indonesia working on REDD, such as the World Bank, the *Climate and Land Use Alliance*, *Friends of the Earth Indonesia*, *Fauna & Flora International*, so a whole range of different views about REDD.

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PYE: So why do you have to monitor REDD?

LANG: One of the reasons why I got involved in setting up the website REDD-Monitor is because theoretically this programme will apply to all tropical forests. So here is a scheme which is supposed to be addressing climate change which can affect all tropical forests, and this is a major issue in itself. Secondly, right from the beginning of the discussions on REDD, it has been a carbon trading scheme. This is fundamentally problematic because carbon trading does not actually reduce emissions. It may reduce them in one place but then allows emissions to increase by the same amount somewhere else. Clearly, what we need to do to address climate change is to reduce emissions from fossil fuels and that is a fundamental problem with REDD: It is not addressing how we can reduce emissions from fossil fuels.

REDD was first introduced in Montreal at COP 11², and during the UNFCCC negotiations it then developed into REDD+. REDD refers to *Reducing Emissions from Deforestation and Forest Degradation*, and the plus part is “conservation of forest carbon stocks”, “sustainable management of forests”, and “enhancement of forest carbon stocks”. The first thing to note here is that carbon is the fundamental focus of two of these additions. “Conservation of forest carbon stocks” brings in the whole discussion about national parks and conflicts between people and parks, which has been an ongoing theme for indigenous peoples for decades. REDD has the possibility of exacerbating this kind of conflict. “Sustainable management of forests” is the logging industry’s shorthand for industrial logging. So there is a danger that the logging industry can use REDD to argue that the logging they are doing is slightly less destructive than the logging that they could be doing and therefore they can claim carbon credits for it. “Enhancement of forest carbon stocks” can involve – under the UN definition of forests – replacing forests with industrial tree plantations, or doing some kind of offset where you protect one area of forest and establish a large industrial tree plantation somewhere else – with all the implications that it has for biodiversity and local people’s livelihoods.

I think these are some of the risks of REDD in a broad sense. Another issue that emerged very early on was the danger of ‘carbon cowboys’ – as they have come to be known – carbon traders who go into a country, talk to local people living there, and then set up what are in effect fraudulent contracts with indigenous people or local communities who live there. One notorious example is David Nilsson, an Australian who turned up in Peru a couple of years ago. He promised indigenous communities billions of dollars in return for signing over the rights to their forests. He even plans to log the forests once he’s cashed in on the carbon.³ Right from the beginning of REDD, these carbon cowboys cropped up in Papua New Guinea. They have also appeared in Indonesia, in Malaysia, in the Democratic Republic of Congo, in Brazil, in Peru, and there is no sign that this problem is diminishing. If anything, there are more now than there were two or three years ago.

2 COP refers to the *Conference of the Parties to the Convention*, in this case of the *United Nations Framework Convention on Climate Change* (UNFCCC). The conferences are numbered consecutively. The eleventh conference of the Parties to the UNFCCC was held in Montreal in 2005 (COP 11). (ASEAS explanatory note)

3 More details on REDD-Monitor: <http://www.redd-monitor.org/?s=David+Nilsson>.

PYE: OK, so REDD has these problematic sides to it, but if the right safeguards were in place and if communities were benefiting from these projects, wouldn't this be a great opportunity to do something about climate change and to save the forests at the same time?

LANG: I think the first response to this question has to be that if REDD is a carbon trading scheme, then it is not reducing emissions from fossil fuels, and therefore it is not addressing climate change. There has been a lot of attention on safeguards, which is important because obviously, without safeguards the dangers I mentioned above are more likely to happen. However, if we look at safeguards, for example, in the context of World Bank development projects, the World Bank probably has better safeguards than any other development institution on the planet. But it still gets involved in all kinds of destructive projects – despite the safeguards. So you have to ask yourself whether having a fundamentally bad idea and then attaching safeguards to avoid the worst outcomes makes any sense whatsoever. A few years ago, Navin Rai of the World Bank gave a presentation in front of an audience of indigenous peoples⁴, and one of the examples he gave for how well the Bank has applied its safeguards was the Nam Theun 2 dam in Laos – which is an example that NGOs use to show how *badly* the World Bank applies its safeguards. There was involuntary resettlement going on in that project, there was logging outside of the reservoir, and accusations of corruption. So this is a project that had safeguards in place and which suited the World Bank's model of development, but whether it benefited indigenous people in Laos is extremely doubtful.

The World Bank has set up a *Forest Carbon Partnership Facility* under which countries produce an R-PP – a *Readiness Preparation Proposal*. According to its own safeguards, the World Bank is supposed to undertake a Free and Prior Informed *Consultation* (which is different from a Free and Prior Informed *Consent* (FPIC) as outlined in the UN Declaration on the Rights of Indigenous Peoples) but the World Bank hasn't even applied the Free and Prior Informed *Consultation* in its own projects and according to its own safeguards. It's actually bending its own safeguards to imply that the FPIC doesn't have to be conducted beforehand, which is in blatant disregard of the safeguards in place.

PYE: Let's look at some of the issues in more detail. Can you give us some examples for REDD projects in the region where you can see some potential positive impacts and projects that show some of the problems that you have been outlining?

LANG: I think Indonesia is actually quite an interesting example where some positive things are happening. The whole issue of forests, of deforestation, and indigenous peoples' rights has come right to the forefront – and that's a good thing. The Indonesian president has declared that he will spend the next three years addressing deforestation. Whether or not we believe that he is actually doing anything is another matter. But in itself, to have a President that says he is committed to tackling deforestation indicates the high level that this issue has reached. Another good thing in Indonesia is that the authorities have managed to produce one single

⁴ More details: <http://www.redd-monitor.org/2009/05/18/how-the-world-bank-explains-redd-to-indigenous-peoples/>.

map of the forests of Indonesia, and what can be converted and what cannot be converted. Previously, there was a Ministry of Forestry map, a Ministry of Agriculture map, a Ministry of Planning map, and various other maps. The maps were not consistent, and the ministries never agreed on which one was correct. So every time a concession was given, there was a conflict over who had jurisdiction over it and there was no agreement on where the forest areas actually were. So I think this is a good thing that is happening partly because of REDD.

On the other hand, in Indonesia you still have the expansion of oil palm concessions. In Aceh, the Tripa peat swamp is still being drained and burned even though it's a peat swamp and should be protected, and even though there is an international outcry. You still have illegal logging, there is still abuse of indigenous peoples' rights, there is still expansion of coal mining projects, and there is still exploration for oil. REDD is taking place in parallel to all these other industrial land use activities.

The classic example of the potential of REDD for greenwashing can be seen in the Ulu Masen Project in Aceh. The project developer, an Australian company called *Carbon Conservation*, has been 50 percent taken over by a Canadian mining company that wants to use the project in order to get permission to mine in an area of protected forest. They actually said in their press release that they hoped that their involvement in REDD would speed up the permission process for them to mine. Which hasn't happened, I'm delighted to say.

Four or five years ago, the Ulu Masen Project was a very high profile REDD project, there was even a film made about setting up the project. *Merrill Lynch/Bank of America* promised 9 million dollars to the project and this was how REDD projects were going to be set up and run in the future. There was a very energetic project manager called Dorjee Sun who runs Carbon Conservation. Five years later, the project hasn't sold a single carbon credit. Villagers are asking what on earth REDD is all about. One of them said REDD is 'like farting', like selling air. Another said that REDD is a lie. The villagers haven't seen any benefits from REDD and certainly no payments for conserving forests. The company running the project is more than half owned by a mining company. And the NGO involved in the project at the beginning, Fauna and Flora International, has completely distanced itself from Carbon Conservation and from the whole carbon trading project in Ulu Masen.⁵

PYE: So what went wrong?

LANG: Basically, I think the project developers were far too optimistic about how easy it would be to sell carbon credits from the project. I think that is a general problem for REDD. There isn't a very high demand for carbon credits. The only possible way to create a high demand for carbon credits is if you have an international cap on carbon emissions. And over the last 20 years, the UNFCCC has totally failed to agree on meaningful emission reduction targets. As a result, there is little demand for carbon credits. And the carbon credit prices have crashed. So even those projects that managed to sell carbon credits have received far less income than they anticipated.

5 More details on REDD-Monitor about Ulu Masen: <http://www.redd-monitor.org/tag/ulu-masen/>.

The other thing that has undermined the market is various companies fraudulently selling carbon credits. In some cases, they were selling carbon that didn't exist, in other cases they were selling credits at hugely inflated prices and promising enormous returns, and it turned out that the people who bought the credits were never going to get any return and that they had been ripped off. For example, in the UK the *Financial Services Authority* has put out two warnings against buying carbon credits basically because of these companies who are ringing people up and offering them 'great deals' on carbon credits on the phone.

PYE: Let's stay in Indonesia for a bit and turn to the 1 billion dollars that Norway has pledged to help set up REDD. Has this made a difference to the dynamics of land use change you were talking about?

LANG: I think it's probably too early to say how much difference it has made. For me, one of the big disappointments about this agreement between Norway and Indonesia is the loopholes that were put into the Letter of Intent. So for example, there is a moratorium on new forest concessions, but the moratorium does not cover existing concessions. And there is no systematic review of existing concessions, many of which were issued illegally or had forests that were cleared without the necessary documents and so forth. There was an opportunity under the moratorium to look into these concessions, and that opportunity was missed.

Another problem with the moratorium is that it's only a two year moratorium and we are already more than half way through it. So the big danger is that all the palm oil companies will just wait for two years to see what happens and then just carry on business as usual. It's difficult to see what the Norway agreement can do to prevent that from happening. Of course most of the money under that agreement is a performance-based payment. So Indonesia has to show that it has reduced the deforestation rate in order to access most of that money. The problem is that Indonesia can make a hell of a lot more money by clearing the forest, selling the timber, and growing palm oil than it can by waiting for a billion dollars from Norway. If you compare the profits of the palm oil industry with a billion dollars, the palm oil industry wins.

There are examples in Aceh, where an area of the Tripa peat swamp that is covered by the moratorium is being cleared. This became public in August last year, so it's been almost a year and they are still clearing that forest. It's a very high level case and yet – as far as I'm aware – there has been no public statement from the Norwegians about the ongoing deforestation in the peat swamp. And Tripa is just one example. The *Environmental Investigation Agency* (EIA) recently put out a report about a palm oil company in Central Kalimantan that has illegally cleared 23,000 hectares of land to set up an oil palm plantation. Central Kalimantan is the REDD pilot province under the Norway agreement.

Norway has put up 1 billion dollars to stop deforestation, but then there is Norway's *Government Pension Fund Global*, which is the largest sovereign wealth fund in the world and that invests in forest-destroying companies such as palm oil companies. On the very day the moratorium was signed last year, EIA researchers were in the forest in Central Kalimantan

investigating a company that the Norwegian pension fund has invested in. The company was illegally clearing forest in Central Kalimantan. This is not an isolated example – there is a fundamental and systematic problem that Norway has so far completely failed to address with its sovereign wealth fund.

PYE: If you look at the key players involved in REDD in the region, how has REDD shifted power between local communities, forestry departments, the logging industry, carbon brokers, and international NGOs?

LANG: Generally speaking, one of the things that has happened is that REDD has taken over the whole debate on forests and biodiversity, forests and indigenous peoples, community forestry, and so on. All these issues are being subsumed into a debate about REDD. A lot of bilateral and multilateral and also philanthropic funding has gone into REDD, but most of it has gone to organisations and institutions that are in favour of REDD. So if you are prepared to go along with carbon trading and if you are prepared to go along with the mainstream view on REDD, then that's great, there's lots of money that will be coming your way. If you take a critical stand on REDD you will tend to see your funding dry up, and it's certainly much more difficult to secure funding for such a critical stance.

And I think there is a real danger of co-optation of NGOs and critical debate around these issues. There are so many working groups where NGOs are taking part alongside governments and the REDD proponents, the REDD financiers, and the question is: How independent are they really during the REDD implementation process? There is the danger of NGOs getting so close to the government and to the REDD proponents that they are no longer able to criticise what is happening.

PYE: Related to that is the question of how to intervene in the REDD debate. I read an interview posted on your website with AMAN, the *Alliance of Indigenous Peoples of Indonesia*, who decided to get involved in REDD projects in order to use REDD to strengthen indigenous peoples' rights to the forest. Why did AMAN decide to do that? Is this a potentially successful strategy – to use REDD to strengthen indigenous rights to the forest?

LANG: I think you would have to ask AMAN why they are doing what they are doing in terms of REDD, and why they are getting more and more involved in REDD. My understanding from the interview that I did with AMAN is that they are getting involved in REDD because they saw it as an opportunity to strengthen indigenous peoples' land rights – something they have been working on for a long time.

PYE: How would you, as an independent activist, see this strategy?

LANG: Well, I think this is a classic situation where AMAN is in danger of being co-opted in the sense that they will no longer be overtly critical of REDD because they are part of the process of implementing it. When we did that interview about two years ago, I asked them about their position on carbon trading, and the answer was more or less that they didn't

have a position, and that they didn't really understand what carbon trading was. I don't know whether they have a position in the meantime, but at the moment they are in the process of helping to facilitate the implementation of carbon trading projects in Indonesia's forests.⁶

PYE: Would you say that the indigenous groups who participate in REDD are – in the long term – signing off their forests to a speculative financial market dominated by carbon traders over which they have no control?

LANG: Yes, that is exactly the danger of these REDD projects. So for example, I recently looked at a carbon trading project in Mozambique, where a company called *Envirotrade* was going in and signing seven-year contracts with the villagers. The villagers get paid for seven years for planting and looking after trees but the carbon contract – the period of time the company is selling carbon credits for – is 99 years. So having been paid for seven years, they are under an obligation to look after these trees for another 92 years. To me this is blatantly unjust. Some of the villagers are now saying that they will cut down the trees after the seven years are over, which is perfectly understandable because they are not making any money from these trees. But the company has already forward sold the carbon credits based on a 99 year period, so what happens to those carbon credits? Is the company going to go to the people who bought them and say, look, we're really sorry but the villagers have cut down the trees, so we will buy the carbon credits back and by the way you will have to reduce your emissions instead?

PYE: I can't see that happening.

LANG: Neither can I.

PYE: Thank you for this interview!

⁶ The interview with AMAN is available here: <http://www.redd-monitor.org/2010/07/04/“we-want-to-change-this-threat-to-an-opportunity”-interview/>.

The Conflict-Laden Multi-Functionality of the Kapuas River in Kalimantan, Indonesia

MARTIN C. LUKAS¹, JULIA, IRENDRA RADJAWALI, MICHAEL FLITNER & OLIVER PYE

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The Kapuas River in West-Kalimantan, Indonesia's longest river, is a prime example illustrating the conflict-laden multi-functionality of water in South-East Asia. Diverse utilisations of the river and adjacent land areas by local residents as well as corporate and state-led environmental transformations affect the river in various ways and bear conflicts at different scales. Water as fluid medium connects the various actors and utilisations upstream and downstream. The river is used as a space for living, for personal hygiene and washing clothes, for fishing and aquaculture, as source of water for industrial, agricultural, and domestic purposes, for the discharge of partly toxic domestic and industrial waste water and rubbish, for gold and sand mining, and as a route of transport for people and goods. In the frame of a research project that aims at a spatial theoretical analysis of upstream-downstream and rural-urban interrelations with regard to water as a fluid resource, we undertook an exploratory research trip on the Kapuas River in March 2012 to gain a first overview of the various actors and utilisations positioned along the river, and of related transformations and conflicts. The material presented here provides visual illustrations of selected aspects of human-nature interactions and the conflict-laden multi-functionality of the river. The photographic journey begins in the upstream areas and ends in the coastal city of Pontianak. With its economic and political primacy the city affects human-nature relations upstream, which in turn affect the city via the flow of water.

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3



4



5



6



7



8



PT.PARAMITRA INTERNUSA PRATAMA

AREAL KONSERVASI

BELIAN ESTATE

TIPE = HCV / NKT 1.2
 Jenis = Species terancam Punah



Kantong Semar
(*Nepenthes sp*)



Macan Akar
(*Felis bengalensis*)



Orangutan
(*Pongo pymaeus*)



Beruang Madu
(*Helarctos malayanus*)



Enggang Gading
(*Buceros rhinoceros*)

Manajemen PT. PIP Unit BLNE

DILARANG !!!

MENGAMBIL TUMBUHAN DAN BERBURU SATWA







1 LIFE ON WATER - Especially the villages of the Melayu people who advanced to the interior of West Kalimantan from the coastline along the waterways and mainly live from fishing and small-scale trading, are concentrated along the Kapuas river and lake network.

2 FISHING AND NUTRITION - The upper Kapuas Basin with the Danau Sentarum region contributes the main portion of freshwater fish caught in West-Kalimantan. The fishers – both women and men – use various fishing gears. The fishing gear shown in Picture 3 allows catching small sized fish in small amounts for everyday consumption.

4 CONFLICTS OVER NATURE CONSERVATION - Danau Sentarum, a unique ecosystem comprising interconnected seasonal lakes and swamp forests, is valued by the local population for its fish abundance. It also plays a crucial role in regulating the water flows of the Kapuas River. As in other national parks in the upper reaches of the Kapuas and its tributaries, conflicts have arisen between state-led conservation strategies and local residents' resource uses.

5 POLITICISED WATER FLOWS - Politicised land-river and upstream-downstream interactions are marked by widely unknown or disputed cause-effect relationships: Local residents blame the operations of a logging company, with which they are in conflict over land, for altered stream flows resulting in river bank erosion that begins to threaten their dwellings.

6 HEALTH AND SANITATION - Throughout the entire catchment area, residents use the river for their daily hygiene, for brushing teeth, and for doing their laundry. The floating wooden huts with their attached platforms along the shoreline serve as toilets and as washing and bathing spots. In some villages, river water had also been used for human consumption until recently but was then replaced by alternative water sources to reduce the incidence of water borne diseases, like cholera and typhoid.

7 MINING AND POLLUTION - Thousands of gold miners, both locals and people from other parts of West-Kalimantan, dig up sediments in many parts of the Kapuas River and its tributaries, thereby polluting the river with mercury and increasing riverine sediment transport. The mining operations are illegal, but law enforcement in some regions is said to be prevented through corruption and informal protection by governmental organisations.

8 **POLITICISED RIVER BANKS** - One of the palm oil companies, which have received scorching international criticism for the disastrous environmental and social impacts of their rapidly expanding operations in Kalimantan, publicly highlights its compliance with the statutory buffer zone of 100 metres along the river by sparing a strip of the smallholder rubber forest from conversion into an oil palm plantation as contribution to wildlife protection. Photo 9 shows one of the five signs that the plantation company has put up on the river bank (left side of Photo 8). Plantation development along the Kapuas River poses the danger of water pollution. Not all plantations comply with legally defined buffer zones.

10 **TRANSPORT** - The Kapuas River is an important route of transport. Natural resources produced or extracted in the catchment area, such as timber, rubber, palm oil, and bauxite, are transported downstream, while cement from the island of Java and sembako (*sembilan bahan pokok* - nine basic goods for daily consumption) are transported upstream. Bauxite, the mining of which is planned to be expanded on a big scale, is shipped directly to China. The photo shows an empty bauxite container ship going upstream.

11 **INDUSTRY** - In line with the river's function as a route of transport and using the river as water resource and for waste water disposal, some processing industries are concentrated along the downstream portions of the river. Particularly rubber and wood from the interior areas are shipped downstream and processed in factories situated at the river's shoreline around the coastal city of Pontianak. The photo shows a timber transporter passing by a rubber factory.

12 **COASTAL PRIMACY** - The Kapuas River connects the coastal city of Pontianak with the other Indonesian islands and destinations overseas on the one hand and with the interior areas of Kalimantan on the other hand. As an important transfer site of goods and with its economic and political primacy, the city is closely linked with transformations of human-nature relations upstream.

13 **THE RIVER AS URBAN SEWER AND WASTE DISPOSAL SITE** - Adding to the pollution load from upstream, urban waste water enters the Kapuas River directly via numerous channels that permeate the entire city of Pontianak. Both rural and urban residents use the river as a sewer and for rubbish disposal.

14 **CONNECTING FLOWS** - Also within Pontianak the (polluted) Kapuas River is used as space for living, for washing and personal hygiene, as toilet, and for fishing and aquaculture. Water as a fluid medium connects the various actors and utilisations upstream and downstream.

Research on South-East Asia in Austria: The Project SEA-EU-NET at the Centre for Social Innovation (ZSI)

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With the realisation that international cooperation in science and research was essential for the development of an active “European Research Area”², the European Commission launched a series of calls for networking projects between Europe and other world regions. With regard to this effort, the project SEA-EU-NET (www.sea-eu.net) – dedicated to enhancing cooperation between Europe and South-East Asia – started in 2008 with the participation of 22 ministries, funding agencies, academies of science, and research organisations related to *Science, Technology, and Innovation* (STI) from both regions.

The scope of this project is manifold. In the first place, it brings together European and South-East Asian STI stakeholders in cases where consistent interaction had been rather rare previously, especially at a bi-regional level. In this regard, the project – as a positive side effect – facilitates access to South-East Asia, especially for small European countries like Austria or Hungary, which have few traditional ties with the region and limited resources to develop and maintain a separate science policy. By contrast, countries such as the United Kingdom, which are adept in connecting scientists with the region, can contribute their networks and experience to the project. The coordinator of the project, the *International Bureau of the German Ministry for Education and Research*, is particularly active in harnessing the project, as demonstrated by the multitude of funding possibilities for joint research between South-East Asia and Germany, which were newly created on the basis of the SEA-EU-NET project.

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2 See for example “A Strategic European Framework for International Science and Technology Cooperation. Communication from the Commission to the Council and the European Parliament” (European Commission 2008; to be updated 2012).

Besides supporting the STI policy dialogue and cooperative activities, the South-East Asian partners in the project also benefit from the information provided with regard to European funding possibilities for scientists. This information is disseminated by Web 2.0 media and the creation of a network of so-called *National Contact Points* (NCPs) in the countries. Additionally, scientific conferences and workshops on thematic areas of interest to both regions, such as vector-borne diseases or energy efficiency, have been organised in order to network and initiate cooperative research projects.

The *Centre for Social Innovation* (ZSI) is the work package leader for analytical support within the project, the third pillar of the project's activities and crucial for both the S&T policy dialogue and networking. ZSI coordinates a team of European and South-East Asian organisations such as the *Royal Netherlands Academy of Arts and Science* (KNAW), the *German Institute of Global and Area Studies* (GIGA) or the *National Science, Technology and Innovation Policy Office* (STI) in Thailand.

Until now, the following major analytical activities have been undertaken³:

- a review of national S&T statistics and statistical capacities in South-East Asia
- an analysis of international S&T strategies of the South-East Asian countries
- a mapping of key institutions and high-profile researchers in South-East Asia
- an analysis of existing funding programmes and barriers to cooperation
- a report of global challenges to Europe-South-East Asia cooperation
- a foresight study for STI cooperation between the two regions
- a study on research strengths in South-East Asia and cooperation patterns with the European Union, based on an extensive bibliometric assessment, in cooperation with the United Nations University Institute in Macao.

The regional focus on South-East Asia is rather new for ZSI. Formerly, the Department of Research Policy and Development was mainly engaged in the region of South-East Europe, dealing with science policy analysis and hosting three *Austrian Science Offices* (Ljubljana, Slovenia; Sofia, Bulgaria; and Brno, Czech Republic). Besides the analytical support, ZSI specialises in project management and related services, such as public relations and dissemination work.

³ All results are freely available at www.sea-eu.net or www.zsi.at.

Since the start of SEA-EU-NET, ZSI has further expanded its activities to regions such as South Asia, East Asia, and South America. With the end of SEA-EU-NET in December 2012, a successor project – SEA-EU-NET II – has been funded by the European Commission. With a runtime of four years, ZSI is again the primarily responsible organisation for analytical support.

Selected Publications

Degelsegger, A., & Blasy, C. (Eds.) (2011). *Spotlight on: Science and technology cooperation between Southeast Asia and Europe*. Vienna, Austria: ZSI.

Degelsegger, A., & Gruber, F. (2011). *Co-publication map: SGT cooperation between Europe and India*. New INDIGO Project. Vienna, Austria: ZSI.

Degelsegger, A., Gruber, F., & Wagner, I. (2011). *Towards professionalising 'International SGT Cooperation Foresight': Epistemological and methodological challenges and how to overcome them*. EFP Brief No. 201. Retrieved 28 August, 2012 from http://www.foresight-platform.eu/wp-content/uploads/2011/11/EFP-Brief-No.-201_SEA-EU-Net-Foresight.pdf

Gruber, F., & Degelsegger, A. (Eds.) (2009). *Spotlight on: Excellent researchers from Southeast Asia; Results of a SEA-EU-NET mapping study*. Vienna, Austria: ZSI.

Gruber, F., & Trienes, R. (2010). *Policy recommendations for enhancing science and technology cooperation between the European Union and Southeast Asia*. Retrieved 28 August, 2012 from <https://zsi.at/attach/Dreistetten%20Paper%20-%20final.pdf>

Saeed-Ul Hassan, Haddawy, P., Kuinkel, P., Degelsegger, A., & Blasy, C. (2012). A bibliometric study of research activity in ASEAN related to the EU in FP7 priority areas. *Scientometrics*, 91(3), 1035-1051.

Schüller, M., Gruber, F., Trienes, R., & Shim, D. (2008). *International science and technology cooperation policies of South East Asian countries. Consultation paper prepared for the EU Commission on the occasion of the first bi-regional science & technology policy dialogue, EU-ASEAN, 19-20 November 2008, Paris*. Retrieved August 28, 2012 from <https://zsi.at/attach/ConsultationPaper.pdf>

**Schneider, H., Jordan, R., & Waibel, M. (Hrsg.) (2012).
Umweltkonflikte in Südostasien.**

Berlin, Germany: Horlemann. ISBN: 9783895023309. 234 Seiten.

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In den letzten Jahrzehnten ist weltweit eine deutliche Zunahme von Umweltkonflikten zu beobachten. Nicht zuletzt aufgrund des erheblichen Wirtschaftswachstums in Südostasien haben sich solche Konflikte in der Region verstärkt. Das Buch *Umweltkonflikte in Südostasien*, herausgegeben von Helmut Schneider, Rolf Jordan und Michael Waibel, nimmt mehrere Fallbeispiele aus verschiedenen Ländern unter die Lupe, um die jeweiligen Umweltkonflikte in Bezug auf ihre sozio-ökonomischen und politischen Kontexte zu untersuchen. Der Sammelband ist in ein Einführungskapitel und sechs Fallbeispiele gegliedert, insgesamt 14 AutorInnen stellen ihre Forschungsergebnisse vor.

Den Herausgebern zufolge wird durch die wachstumsorientierte, kapitalistische Produktionsweise das Ausmaß der Auswirkungen von Umwelteingriffen verstärkt. Dass sich diese Produktionsweise negativ auf die Umwelt auswirkt, ist heute zwar allgemein bekannt, ändert allerdings noch wenig am Verhalten von KonsumentInnen und ProduzentInnen. Dies bewerten die Herausgeber besonders kritisch, da immer deutlicher wird, dass Umweltprobleme nicht lokal begrenzt sind, sondern zunehmend zu einem globalen Problem werden und auf unterschiedlichen Ebenen ineinandergreifen. Die Autoren des Einleitungskapitels argumentieren, dass sich Umweltkonflikte in Zukunft weiter verschärfen werden. Diese Hypothese wird vor allem mit Verweisen auf wachsende Umweltschäden, steigende Rohstoff- und Nahrungsmittelpreise sowie zunehmenden Landraub untermauert. Zudem machen der Klimawandel und der Druck zur Inwertsetzung von natürlichen Ressourcen, der von den Finanzmärkten ausgeht, eine Verschärfung von Umweltkonflikten wahrscheinlich. Da Umweltkonflikte meist multikausal bestimmt sind, ist es besonders wichtig, die Konflikte in ihrer Komplexität zu betrachten und in ihren jeweiligen gesellschaftlichen, politischen und ökonomischen Kontext einzubetten. Hier verweisen die Herausgeber auf das „Forschungsprogramm der *Politischen Ökologie*“ (S. 16), das als Analyserahmen für die einzelnen Beiträge des Sammelbandes dient.

Im ersten Fallbeispiel behandelt Rolf Jordan den Konflikt um Wasser zwischen Malaysia und dem Stadtstaat Singapur. In den 1960er Jahren schloss Singapur zwei Verträge über Wasserlieferungen mit Malaysia ab, von denen einer 2011 endete. Malaysia verlangte daraufhin mehr Geld für die von ihnen bereitgestellten Wasserlieferungen. Um die Komplexität des Konflikts zu verstehen, muss beachtet werden, dass Malaysia selbst ein zunehmendes Wirtschaftswachstum und somit einen erhöhten Wasserverbrauch verzeichnet. Es handelt sich dementsprechend um einen Mehrebenen-Konflikt: zum einen der zwischenstaatliche Konflikt der beiden Länder, zum anderen der Konflikt zwischen Haushalten und Industrie sowie zwischen dem Industrie- und Agrarsektor innerhalb Malaysias. Singapur erkannte das Problem und bemühte sich schnell, unabhängiger von den Wasserlieferungen Malaysias zu werden. Es wurden Technologien mit besonderer Effizienz und niedrigen Kosten entwickelt und die Regierung leistete zusätzlich Aufklärungsarbeit, um der Bevölkerung die neuen Technologien vorzustellen und ein Bewusstsein für die Wasserknappheit des Staates zu schaffen. In diesem Sinn kann der Konflikt durchaus als ein positives Beispiel verstanden werden, wie Nationalstaaten Probleme friedlich lösen und durch kluge technologische Konzepte Lösungen für das Spannungsverhältnis zwischen Wirtschaft und Umwelt finden können.

Helmut Schneider behandelt im anschließenden Kapitel einen innerstaatlichen Konflikt in Kambodscha um die Nutzung des Boeng Kak Sees in Phnom Penh, in dem deutlich wird, wie der Staat und erfolgreiche Unternehmen ihre Macht zulasten der Bevölkerung nutzen können.

In einem weiteren Beitrag behandeln Rüdiger Korff und Stefanie Wehner die Verflechtung von lokaler, nationaler und globaler Ebene in Konflikten um Land in der Mekong-Region. Während Landkonflikte in dieser Region aufgrund verschiedener Anbaumethoden und ethnischer Gruppen keine Neuheit sind, wurden solche Konflikte bis in die 1980-er Jahre „nicht immer friedlich, aber doch auf lokaler Ebene gelöst“ (S. 122). Ab den 1980-er Jahren wurde die Region zunehmend in den Weltmarkt eingegliedert, wodurch lokale Strukturen an nationalstaatliche Gegebenheiten angepasst werden mussten. Diese Entwicklung hatte oft negative Auswirkungen auf die Bevölkerung, da sie dadurch an Entscheidungsmacht verlor. Die AutorInnen zeigen, dass es in diesem Zusammenhang nicht nur um wirtschaftliche Interessen ging, sondern auch um Umweltschutzprogramme und Initiativen zur Armutsminderung, die zur Systematisierung der gewohnheitsrechtlich geprägten Lebensweise der Bevölkerung beitragen sollten.

Besonders anschaulich schildern sie dieses Problem am Beispiel der Ausweisung lokaler Bevölkerungsgruppen aus Nationalparks zum Schutz der Wälder. Dadurch kam es teilweise zu einer „kulturellen Diskriminierung“ (S. 125), denn „die lokalen Ressourcen wurden der lokalen Kontrolle entzogen“ (S. 124). Dieses Beispiel zeigt, dass die komplexen Interessen von unterschiedlichen AkteurInnen (NGOs, Nationalstaat, internationale Konzerne, lokale Bevölkerung) oft schwer bis gar nicht zu vereinbaren sind.

Im nächsten Kapitel widmen sich Melanie Pichler und Oliver Pye der Expansion von Palmölplantagen in Indonesien und deren Auswirkungen auf Umwelt und Gesellschaft. Als treibende Kräfte hinter dieser Expansion werden insbesondere die Europäische Union, die durch eine verpflichtende Beimischung von Agrotreibstoffen die Palmölexpansion weiter antreibt, transnationale Konzerne aus Malaysia und Singapur, die großen Einfluss auf die Palmölindustrie in Indonesien ausüben, und indonesische Konglomerate genannt. Die monokulturelle Palmölproduktion in Indonesien führt zu komplexen sozialen und ökologischen Problemen. Insbesondere Landkonflikte durch die Missachtung der traditionellen Rechte indigener Bevölkerungsgruppen sind hier von Bedeutung. Während die AutorInnen den durch die zunehmenden Konflikte entfachten Diskurs um nachhaltiges Palmöl als unzureichend bewerten, werden soziale Netzwerke und lokaler Widerstand als zentrale Aspekte für Veränderungen identifiziert.

Im darauffolgenden Kapitel analysieren Gunnar Stange, Kristina Großmann und Roman Patock die Auswirkungen des Tsunamis im Dezember 2004 auf den seit 30 Jahren anhaltenden Konflikt zwischen der Provinz Aceh und der Zentralregierung Indonesiens. Dabei legen die AutorInnen besonderen Wert auf die „kontextspezifische[n] Handlungsspielräume und Handlungsstrategien von Akteuren“, die sie als *Agency* bezeichnen (S. 169) und analysieren die asymmetrische Einbindung von Frauen, sowohl in internationalen Hilfsprogrammen als auch auf lokaler Regierungsebene.

Im letzten Kapitel thematisieren Sebastian Koch, Jan Barkmann und Heiko Faust die unterschiedlichen Ebenen des Landnutzungskonflikts in Zentralsulawesi, Indonesien. In diesem Zusammenhang werden die Expansion des Kakaoanbaus und die etwa zeitgleiche Gründung des Lore Lindu Nationalparks im Jahr 1982 als zentrale Konfliktbedingungen analysiert. Angelehnt an die Theorie der politischen Ökologie verweisen die Autoren auf die Interdependenz der Interessen der verschiedenen AkteurInnen. Zum einen geht es um die Interessen der globalen Gemeinschaft in Bezug auf den Umweltschutz. Die fehlende Einbeziehung der lokalen Bevölkerung in die Planung des National-

parks führte allerdings in vielen Fällen zu Konflikten und wirkte sich zum Teil nachteilig auf die in Sulawesi lebende Bevölkerung aus. Auch die Interessen der internationalen Kakao-KonsumentInnen haben nur teilweise positive Folgen für die ProduzentInnen. Diese Entwicklung steht in Zusammenhang mit einem nationalen Konflikt, da durch die entstehenden Arbeitsplätze mehr Menschen in dieses Gebiet migrieren, was negative Folgen für die lokalen Kleinbauern und -bäuerinnen haben kann.

Obwohl das Buch durch den Fokus auf Umweltkonflikte viele Probleme aufzeigt, schaffen es die AutorInnen, auch positive Entwicklungen zu benennen. Durch den Fokus auf lokale Widerstandsgruppen in den diversen Ländern wird darauf aufmerksam gemacht, dass marginalisierte Bevölkerungsgruppen nicht in Unmündigkeit verharren müssen. Allerdings wird auch deutlich, dass die Machtverhältnisse nach wie vor asymmetrisch verteilt sind und sich viele benachteiligte Bevölkerungsgruppen kaum gegen Ungerechtigkeiten wehren können.

Die Herausgeber machen bereits in der Einleitung des Sammelbandes darauf aufmerksam, dass sie sich nicht nur auf eine theoretische Analyse der Fallbeispiele einlassen, sondern konkrete Lösungsvorschläge aufzeigen wollen. Das Konzept der politischen Ökologie gilt als Analyserahmen für die einzelnen Kapitel und der Konfliktbegriff ist wesentlicher Ausgangspunkt für die Fallbeispiele. Trotzdem fehlen leider konkrete Vorschläge zur Konfliktlösung. Die Ursachen der Umweltkonflikte und die Interessen der verschiedenen AkteurInnen werden schlüssig dargestellt, jedoch ohne neue Ideen zur Bewältigung dieser Probleme vorzustellen. Trotzdem gibt das Buch interessante Einblicke in die Komplexität von Umweltkonflikten. Der Hinweis auf die teilweise ambivalenten Programme von Umweltschutz- und Menschenrechtsorganisationen ist besonders im Hinblick auf die Zukunft der internationalen Entwicklungszusammenarbeit interessant.

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Pye, O. & Bhattacharya, J. (Eds.) (2013).
The Palm Oil Controversy in Southeast Asia. A Transnational Perspective.
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With 50 percent of all products in European supermarkets containing palm oil and a rising demand for biofuels in the EU, palm oil has emerged as the fastest growing monoculture in the world. While consumption is spreading all over the world, production is basically centred in Malaysia and Indonesia, which account for more than 80 percent of the global production.

The edited volume *The Palm Oil Controversy in Southeast Asia. A Transnational Perspective* focuses on this single commodity from a transnational perspective, highlighting some of the most contentious issues around palm oil expansion in the region, and linking them to emerging resistance and campaigning against the social and environmental costs of the boom. Edited by the social scientists Oliver Pye and Jayati Bhattacharya, the book comprises an introduction and 11 chapters as an outcome of a joint workshop between the University of Bonn, Germany, and the Institute of Southeast Asian Studies (ISEAS), Singapore, in 2009. The workshops brought together academic researchers, NGO campaigners, policy makers, and company associates to discuss the palm oil controversy. Thus, the volume is a brisk composition of different approaches in addressing a contentious model of agricultural expansion.

In the first chapter, Oliver Pye introduces a transnational perspective as a guiding framework for the book, which means to “understand the emergence of connected and overlapping but distinct economic, social, and political spaces which cross and connect nation states without necessarily becoming a general, global phenomenon” (p. 5). With regard to the palm oil industry, Pye identifies three major transnational processes: (1) a transnational turn of the palm oil industry, (2) a transnational labour regime, and (3) the emergence of transnational environmental activism.

With regard to the first pattern, Teoh Cheng Hai shows that the *transnational turn of the palm oil industry* has been mainly triggered by Malaysia in the 1990s. Since then, the Malaysian palm oil industry has shifted from nationally oriented plantation development to a transnational expansion of Malaysian investments, mainly to Indonesia for upstream industries (plantation companies) and to Europe, China, and India for downstream industries (palm oil processing companies). At the same time, vertically integrated “mega palm oil based corporations” (p. 29) emerged through concentration processes and have become major players in controlling the commodity chain. Reversing the picture, Norman Jiwan links the Malaysian expansion to the Indonesian experience. Jiwan refers to the liberalisation policies stipulated by the IMF during the Asian crisis as a major enabling factor for the expansion of Malaysian plantation companies to Indonesia in the late 1990s. Despite the role of international donors, Jiwan highlights the important function of the Indonesian state (both at the national and regional scale) in enabling and promoting palm oil expansion, which is linked to devastating environmental consequences (biodiversity loss, deforestation, water and soil pollution) and social conflicts over land, indigenous rights, and working conditions in the plantations. On a local level, Junji Nagata and Sachiho W. Arai complement the picture of the changing palm oil industry with a contribution on the plantation sector in Riau. The Sumatran province occupies the largest share of palm oil plantations in Indonesia with 24 percent of the working population directly linked to this industry. Mary Luz Menguita-Feranil geographically moves the view east to the palm oil expansion in the Philippines that has generally eluded attention so far. Menguita-Feranil argues that although the ambitious expansion plans of the Philippine government have not materialised yet, Malaysian investments as well as national biofuel policies may be an important trigger in the future.

Following the second transnational pattern, the next two chapters focus on the *transnational labour regime* in the South-East Asian palm oil industry. Johan Saravanamuttu highlights the enormous reliance of the Malaysian palm oil industry on migrant work, currently 90 percent of the foreign workers in Malaysia come from Indonesia. Saravanamuttu characterises the Malaysian palm oil industry as a “flexible foreign labour regime” (p. 131) that is based on exclusivity and transience. Thus, migrant workers have to enter the destination country alone (i.e. without their family) and need to return ‘home’ after the contract expires. Furthermore, migrant workers

are often sent back home in times of economic downturn or when 'causing trouble' in the form of strikes or unionisation. While Saravanamuttu focuses on more general and quantitative data on migrant labour in Malaysia, Fadzilah Majid Cooks and Dayan Suria Mulia link the transnational labour regime in Malaysia with a more detailed picture of the situation in the province of Sabah. Following a qualitative research agenda, they analyse the perceptions of the Sabahan population towards Indonesian migrants and the role of the latter in nationalist politics in Sabah. Cooke and Mulia show that the dominant view articulated in the media and often supported by political elites and companies is based on the construction of "cultural dilution" presenting migrants "as a homogenous group, prone to breaking the law and criminal activities" (p. 147). Not surprisingly, the concrete experiences of people working with labour migrants in the plantation industry (Sabahan taxi drivers and plantation workers) show a much more differentiated picture of the situation.

The third part of the volume analyses the emergence of *transnational environmental activism* as an important outcome of a palm oil industry that transcends national boundaries. Oetami Dewi starts with a focus on the Kalimantan Border Oil Palm Mega Project where 1.8 million hectares of land on the Indonesia-Malaysian border were supposed to be planted with oil palm. Controversially, the project collided with the *World Wide Fund for Nature* (WWF) promoted *Heart of Borneo* project, a plan to allocate a cross-border conservation area over parts of Malaysia, Indonesia, and Brunei. Both an outcome of transnational strategies, Dewi argues to transcend the dichotomy between plantation development and conservation areas, which both tend to ignore local communities' rights, and argues for an alternative approach that guarantees control over land for local communities. From a more analytical perspective, Oliver Pye analyses major differences in transnational environmental activism on the basis of two major campaigns that have emerged around the palm oil controversy, namely the formation of the *Roundtable on Sustainable Palm Oil* (RSPO) and the call for a moratorium on biofuels in the EU. Pye argues that transnational activists connect local protests, initiatives, and NGOs in South-East Asia with concerned consumers, activists, and campaigns in Europe. However, these transnational activists are no homogenous group. Thus, a differentiation between international NGOs, transnational social movement organisations (TSMOs), and transnational advocacy networks (TANs) proves helpful for analysing different strategies and aims in

transnational campaigning. According to Pye, international NGOs have been major contributors to the formation of the RSPO, focusing on the certification of palm oil. On the other hand, TSMOs and TANs in the campaign for a moratorium on biofuels have transcended the strategy of market-based instruments and call for a rethinking of the current plantation system as such. Focussing more on the former part of transnational activism, Eric Wakker introduces a concrete research tool for NGOs to analyse the complex involvement of different actors in the palm oil industry. The Resource Trade Cycle Analysis (RETRAC) can start from either a specific product (e.g. palm oil, biodiesel) or a certain actor (e.g. plantation company, investment bank) to investigate the “linkages between consumption and production of natural resource-based products” (p. 224) and develop subsequent NGO strategies.

With regard to the specific transnational links to Europe, Joana Chiavari discusses the EU biofuel policies and their possible impact on South-East Asia, and Patrick Anderson completes the volume with a contribution on indigenous peoples and the palm oil boom in Indonesia. Although Anderson analyses the Indonesian state as a major actor in the conflict, he stresses the role of the international movement for indigenous rights as well as the RSPO in politicising the topic and influencing struggles on the ground.

The volume at hand is an appreciated contribution to research about natural resource extraction in the global South and the linkages to Europe, both with regard to investments and incentives as well as to environmental activism. Whereas most studies about palm oil focus either on specific case studies or the connection between plantations and deforestation and the disappearance of orang-utans, this book tries to shed light on a more complex and diverse picture of palm oil development and campaigning in South-East Asia and beyond. The volume stresses the importance of transnationalisation in the palm oil production without neglecting the crucial role of the nation state. Although national laws and regulations in support of a transnational palm oil industry are in place, they often lag behind with regard to social and environmental safeguards and transfer these responsibilities to international market-based instruments like the RSPO.

The book benefits from contributions from both academic and non-academic research and marks some broader research lines for future studies on conflicts about large-scale agricultural investments, not only on palm oil in South-East Asia but also

on other commodities and in other geographical regions. Although the transnational perspective systematically outlined in the introduction is not always coherently realised in the individual chapters, the book provides excellent starting points for both researchers and activists who are interested in natural resource extraction from a transnational perspective.

MELANIE PICHLER

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Call for Papers

ASEAS

Österreichische Zeitschrift für Südostasienwissenschaften
Austrian Journal of South-East Asian Studies

Focus **SOCIAL MOVEMENTS**

We also accept submissions OUTSIDE THE FOCUS!

The upcoming issue 6(1) of the Austrian Journal of South-East Asian Studies will feature a focus on *Social Movements* in South-East Asia, and will aim at bringing together established scholars and junior researchers from various academic fields in order to do the interdisciplinary nature of this broad topic justice. Emphasis shall be placed on both structure and dynamics of social movements and their specific local contextualisation as well as transnational predicaments. The intersection of this issue with larger topics of political and economic systems, labour, migration, health, environment, and peace, but also with aspects of culture, religion, gender, age, race and class, shifting along multiple scales and dimensions, shall contribute to a diversified approach of the publication.

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 - Transnational lives of South-East Asian communities abroad
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