



# ASEAS

9(1) 2016



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

**FOCUS** POLITICAL ECOLOGY AND SOCIO-ECOLOGICAL CONFLICTS





# ASEAS



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



## ASEAS

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

The *Austrian Journal of South-East Asian Studies* (ASEAS) is a peer-reviewed and interdisciplinary open access journal and a core project of the *Society for South-East Asian Studies* (SEAS) in Vienna, Austria. ASEAS is published biannually both in print and as an online open access journal. All articles can be downloaded free of charge from the society's website ([www.seas.at](http://www.seas.at)); to purchase print versions, please contact *Caesarpress – academic publishing house* ([www.caesarpress.com](http://www.caesarpress.com)). The journal's editors invite both established as well as young scholars to present research results and theoretical discussions, to report about ongoing research projects or field studies, to introduce academic institutions and networks, to publish conference reports and other short essays, to conduct interviews with experts on Southeast Asia, or to review relevant literature. Articles have to be written in German or English. As an interdisciplinary journal, ASEAS intends to cover a variety of aspects of Southeast Asia (e.g. culture, economics, geography, linguistics, media, politics, society) from both historical as well as contemporary perspectives.

### MEDIENINHABERIN & HERAUSGEBERIN / PUBLISHER

SEAS – Gesellschaft für Südostasienwissenschaften / Society for South-East Asian Studies  
ZVR-Zahl 786121796, Liebharts-gasse 11/25, 1160 Wien, Austria

### GEGENSTAND / PURPOSE

Der Verein SEAS bezweckt unter anderem die Förderung der Südostasienwissenschaften und der Bildung des wissenschaftlichen Nachwuchses, sowie des Stellenwertes und der Auseinandersetzung mit der Region Südostasien in Österreich und darüber hinaus.

### OFFENLEGUNG / DISCLOSURE (§ 25MEDG)

Der Verein SEAS ist zu 100 Prozent Eigentümer von ASEAS. Die namentlich gekennzeichneten Beiträge enthalten die Absichten der Autor\_innen und nicht notwendigerweise jene der Redaktion.

### REDAKTIONSANSCHRIFT / EDITORIAL ADDRESS

Liebharts-gasse 11/25, 1160 Wien, Austria; E-Mail: [aseas@seas.at](mailto:aseas@seas.at)

### CHEFREDAKTEUR\_INNEN / EDITORS-IN-CHIEF

Melanie Pichler, Alexander Trupp

### REDAKTION / EDITORIAL BOARD

Claudia Dolezal, Rainer Einzenberger, Ralph Guth, Chiedza Mutsaka Skyum, Dayana Parvanova, Melanie Pichler, Michelle Proyer, Daniela Rubelli, Alexander Trupp

### REDAKTIONELLE UNTERSTÜTZUNG / EDITORIAL SUPPORT

Felix Bergmeister

### WISSENSCHAFTLICHER BEIRAT / ADVISORY BOARD

Ramses Amer (Stockholm University, Sweden), Karl Husa (University of Vienna, Austria), Harold R. Kerbo (California Polytechnic State University, USA), Huong Thanh Bui (Ritsumeikan Asia Pacific University, Japan), Rüdiger Korff (Passau University, Germany), Prasit Leepreecha (Chiang Mai University, Thailand), Wolfram Schaffar (University of Vienna, Austria), Susanne Schröter (Goethe University Frankfurt/Main, Germany)

ISSN: 1999-2521 (Print), ISSN 1999-253X (Online)

### UNTERSTÜTZT VON / SUPPORTED BY





# ASEAS

9(1) 2016



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

FOCUS **POLITICAL ECOLOGY AND SOCIO-ECOLOGICAL CONFLICTS**



## ASEAS

Österreichische Zeitschrift für Südostasienwissenschaften 9(1), 2016  
Austrian Journal of South-East Asian Studies 9(1), 2016

### FOCUS **POLITICAL ECOLOGY AND SOCIO-ECOLOGICAL CONFLICTS**

ASEAS 9(1) features a focus on socio-ecological conflicts from a political ecology perspective. It brings together an interdisciplinary collection of expressions of conflict over land, forests, water, mining, and environmental assets. It discusses the power relations underlying these forms of contestation as well as the strategies of different actors to deal with the unequal outcomes of environmental and resource politics. The contributions range from the analysis of land conflicts against the expansion of oil palm monocultures and other large-scale land deals, resistance against the dispossession of ethnic minorities from forest lands, the changing terrains of mining conflicts, the unequal effects of flood management to the potentials and pitfalls of indigenous mobilization against resource enclosures or the changing networks of environmental governance through green economy discourses. The articles employ different conceptions of socio-ecological conflicts (from political economy to poststructuralist assemblage theories) to understand the contested nature of resource appropriation and control in Indonesia, Thailand, Myanmar, the Philippines, and Papua New Guinea. The contributions highlight the complex and diverse forms of socio-ecological conflicts in Southeast Asia that constantly transform society-nature relations in unpredictable and often contradictory ways. Thereby they also show the transformative potential of collectively mobilizing people, even in the most marginalized and seemingly powerless contexts.

KOORDINATOR\_INNEN DIESER AUSGABE / MANAGING EDITORS  
Melanie Pichler & Alina Brad

TITELFOTO / COVER PHOTO  
Alexander Trupp

SATZ / LAYOUT  
Thomas Gimesi

# Inhalt ~ Contents

**1 Political Ecology and Socio-Ecological Conflicts in Southeast Asia**

Melanie Pichler & Alina Brad

**Aktuelle Südostasienforschung ~ Current Research on Southeast Asia**

**11 Multi-Functional Lands Facing Oil Palm Monocultures: A Case Study of a Land Conflict in West Kalimantan, Indonesia**

Rosanne E. de Vos

**33 Assembling Resistance Against Large-Scale Land Deals: Challenges for Conflict Transformation in Bougainville, Papua New Guinea**

Anne Hennings

**53 It Takes a Rooted Village: Networked Resistance, Connected Communities, and Adaptive Responses to Forest Tenure Reform in Northern Thailand**

Kimberly Roberts

**69 Philippine Mining Capitalism: The Changing Terrains of Struggle in the Neoliberal Mining Regime**

Alvin A. Camba

**87 Gaining Recognition Through Participatory Mapping? The Role of Adat Land in the Implementation of the Merauke Integrated Food and Energy Estate in Papua, Indonesia**

Rosita Dewi

**107 "Dry Feet for All": Flood Management and Chronic Time in Semarang, Indonesia**


Lukas Ley

**127 Mimicry of the Legal: Translating de Jure Land Formalization Processes Into de Facto Local Action in Jambi Province, Sumatra**

Yvonne Kunz, Jonas Hein, Rina Mardiana, & Heiko Faust

**147 The State of Coal Mining in East Kalimantan: Towards a Political Ecology of Local Stateness**

Anna Fünfgeld



Forschungswerkstatt ~ Research Workshop

**163**      **Contested Frontiers: Indigenous Mobilization and Control Over Land and Natural Resources in Myanmar's Upland Areas**

Rainer Einzenberger

**173**      **Assembling the 'Field': Conducting Research in Indonesia's Emerging Green Economy**

Zachary R. Anderson



Im Dialog ~ In Dialogue

**181**      **"Some of the Best Movement People are Political Ecologists at Heart": An Interview About Political Ecology With Nancy Peluso**

Melanie Pichler

# Political Ecology and Socio-Ecological Conflicts in Southeast Asia

Melanie Pichler & Alina Brad

► Pichler, M., & Brad, A. (2016). Political ecology and socio-ecological conflicts in Southeast Asia. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 1-10.

## INTRODUCTION

From July 2015 onwards, forest and peat fires raged once again in Indonesia, mainly on the remaining forests in Sumatra and Kalimantan. By the end of the year, acrid haze extended to the neighboring countries of Malaysia, Singapore, and Thailand, releasing CO<sub>2</sub> emissions equivalent to the annual emissions in Germany and driving a public health emergency across the region. Under the Haze Wave, everyday life in Indonesia was brought to a standstill, thousands of people were evacuated, and offices and schools were closed. Land clearance through slash and burn practices for industrial plantations that feed a massive global demand for palm oil and pulpwood were reported as the root cause of the fires (Balch, 2015; Osborn, Torpey, Franklin, & Howard, 2015).

The appropriation and control of land for these patterns of resource-based development – along with selective industrialization processes and rapid urbanization – have significantly contributed to economic growth in Southeast Asia. At the same time, the region – and especially marginalized groups – face the environmental and social costs of centuries of resource extraction (e.g., deforestation, water pollution, flooding, biodiversity loss, eviction of indigenous people or ethnic minorities, surge in urban poor) that give rise to resistance and conflicts against these forms of economic development. This special issue features a focus on such socio-ecological conflicts from a political ecology perspective. It brings together an interdisciplinary collection of expressions of conflict over land, forests, water, mining, and environmental assets, and discusses the power relations underlying these forms of contestation as well as the strategies of different actors to deal with the unequal outcomes of environmental and resource politics.

## POLITICAL ECOLOGY, POWER RELATIONS, AND SOCIO-ECOLOGICAL CONFLICTS

In contrast to debates about natural scarcities, political ecology highlights the *societal* and *political* character of resource extraction and environmental impacts (Robbins, 2012). The interdisciplinary research agenda analyzes the appropriation of nature and the distribution and consumption of natural resources as an explicitly political process that is linked to social relations of ownership and



control (Bryant & Bailey, 1997; Neumann, 2005; Robbins, 2012). Society-nature relations hence evolve in historically and geographically embedded constellations that are linked to power, domination, and inequalities. Based on a political economy understanding, Bryant and Bailey (1997) conceptualize power as the “ability of an actor to control” (p. 39) the *access* to nature and natural resources as well as the access of other actors to these resources. Power is, then, the *control* that one person, social group, or state has over the access to and the distribution of natural resources of another person, social group, or state, both in material (e.g., control of access to land, natural resources, and environmental risks) and symbolic terms (e.g., control of access to knowledge systems and environmental discourses) (Pichler, 2016). Hence, the appropriation and transformation of nature is shaped by social relations of power and domination and the associated actors who control the access to natural resources (Wissen, 2015). As Blaikie and Brookfield (1987) put it: “one person’s degradation is another’s accumulation” (p. 14).

Focusing on the political character of environmental problems implies taking related conflicts into account. Conflicts serve “as a prime form and expression of politics” (Le Billon, 2015, p. 602) where underlying relations of power and domination, and (contradictory) interests are revealed. Whereas mainstream environmental research often strives for the prevention of conflicts, political ecologists challenge the depoliticization of environmental issues and highlight the emancipatory potential of contestation and conflict.

Over the last three decades, political ecology research has developed diverse conceptions of socio-ecological conflicts. Socio-ecological conflicts can be defined as struggles associated with the unequal access to, distribution of, and control over natural resources (e.g., land, water, forests) as well as ecological benefits and risks (Le Billon, 2015; Martinez-Alier, 2009; Peet & Watts, 2004; Pichler, 2016; Turner, 2004). Hence, “resource enclosure or appropriation” by powerful actors increases scarcities and accelerates conflict (Robbins, 2012, p. 200). Poststructuralist political ecologists have criticized this (Neo-)Marxist and structural explanation of power relations and conflicts (i.e., conflicts explained from political and economic hierarchies in vertically stratified societies), arguing for a more relational understanding of conflicts and power that evolves in assembled networks and rhizomes (Bennet, 2010; Rocheleau, 2015). Furthermore, feminist and postcolonial research has emphasized the role of culture and identity (evolving along intersectional lines of class, gender, ethnicity, religion, place, and colonial legacy) to understand the emergence of socio-ecological conflicts and struggles (Escobar, 2006; Nightingale, 2011). The contributions in this issue employ a variety of these conceptions for understanding the contested nature of resource appropriation and control in Southeast Asia.

### CONTESTED RESOURCES IN SOUTHEAST ASIA

For centuries, conflicts over the distribution and control of natural resources and ecological benefits have played a major role in Southeast Asia, from land occupations and resistance against dispossession from forests to opposition against mega-dams or mining sites (Hirsch & Warren, 1998). Land control, alienation, and dispossession have been central in land politics ever since colonial rule. Conflicts over land, that

is, the dispossession from and unequal distribution of land and the respective strive for nationalization of land and agrarian reforms, characterized all major revolutionary independence struggles in Southeast Asia from Indonesia to Vietnam and the Philippines (Borras, 2006; Lane, 2008; Moise, 1976). The subsequent years of mostly state-led development modernism and capitalist transformations through agricultural expansion (green revolution) and partial industrialization were characterized in many countries of the region by further large-scale land dispossession by central state institutions (e.g., Peluso, Afiff, & Rachmann, 2008, for Indonesia). The neoliberal turn in authoritarian states led to a further integration into the world market and intensified environmental impacts such as deforestation, pollution of waterways, degradation and conversion of agricultural land, and declining population of wildlife and biodiversity. In recent years, large-scale land acquisitions (denoted as land grabbing) for the production of export crops (for food, fuel, and fibre) have led to further enclosures and accelerated socio-ecological conflicts (Borras, Franco, Kay, & Spoor, 2011; Hall, 2011; Hall, Hirsch, & Li, 2011). In Indonesia, for example, oil palm plantations have expanded over 4.3 million ha of land since the turn of the millennium (Brad, Schaffartzik, Pichler, & Plank, 2015). In Vietnam, the boom crop coffee has spread over vast areas of land since the mid-1990s, when the country abruptly became the world's second-largest producer (Hall, 2011). In Laos and Cambodia, extensive amounts of land have been converted to plantations of fast-growing trees to serve the global demand for wood chips, pulp, and paper (Barney, 2009).

The contributions to this issue demonstrate that different groups of actors benefit from land politics and how these unequal power relations foster subtle or open forms of resistance. Rosanne de Vos examines a projected expansion of oil palm plantations in a village in West Kalimantan, Indonesia, and how a community succeeded to prevent the expansion in their area. Along the same vein, Yvonne Kunz, Jonas Hein, Rina Mardiana, and Heiko Faust address coping strategies of local communities against land dispossession in the course of large-scale agricultural expansion in Sumatra, Indonesia. Anne Hennings discusses the specific situation of large-scale land acquisitions in post-war Bougainville, Papua New Guinea, and develops a conceptual framework for the nexus of resistance, land acquisitions, and conflict transformation. In another case in point, Rosita Dewi analyzes current land grabbing strategies in the *Merauke Integrated Food and Energy Estate* (MIFEE) in the autonomous province of West Papua, Indonesia, and how corporate and government interests have taken possession of customary land for the expansion of industrial plantations. Rainer Einzenberger discusses the integration of Myanmar's resource-rich and unruly upland areas into state territory, the corresponding processes of land enclosures, and the growing importance of indigeneity as a new political discourse to oppose these strategies.

With similar dynamics to land-related conflicts, the control of forests has played a crucial role for colonial powers as well as in nation building processes and the expansion of capitalist development in Southeast Asia (Bryant, 1998, for Myanmar; Le Billon, 2000, for Cambodia; Leigh, 1998, for Malaysia; Peluso, 1992, for Indonesia; Vandergeest & Peluso, 1995, for Thailand). As highlighted by Le Billon's (2000) research on the interlinkage of forests and war politics, forest commodification and logging supported the capitalist transformation during the post-Khmer Rouge period in Cambodia. The mapping and categorization of state-controlled territories served

Suharto's authoritarian regime to establish control over land and forests in Indonesia (Peluso, 1992). The conflicts resulting from these enclosures address the establishment of timber plantations, the conversion of forest land for agricultural or industrial purposes as well as conservation projects that expel people from their lands and livelihoods (Corson, 2011; Osborne, 2011; Peluso, 2011). Regarding the latter, many political ecology studies reflect upon the quest for centralized state control of forests and its specific impact on indigenous peoples and ethnic minorities (Peluso & Vandergeest, 2001; Roth, 2004).

Recent years have seen new commodification dynamics – similar to the land grabbing phenomena – emerging from the appropriation and control of land and forests for allegedly 'green' and ecological purposes. "Green grabbing" (Fairhead, Leach, & Scoones, 2012) and associated conflicts emerge from the very policies and measures to deal with the environmental costs of industrialization and economic growth and include conflicts over conservation areas, payments for ecosystem services (e.g., REDD+), or agrofuels development (McCarthy, Vel, & Afiff, 2012, on green acquisitions in Indonesia; Pasgaard & Chea, 2013, on the social dimensions of REDD+ in Cambodia; Roth, 2004, on conservation policies and ethnic minorities in highland Thailand). In this issue, Nancy Peluso – in an interview with Melanie Pichler – reflects on the changing patterns of "political forests" in Southeast Asia, from state-led development to new instruments like REDD+. Kimberly Roberts analyzes the threatening dispossession of an ethnic minority community in northern Thailand and their "rooted networks" to retain access to a forest area proposed for a national park. Zachary Anderson reflects on the emerging green economy in Indonesia that materially and discursively shapes the new green appropriation of nature. In doing so, he focuses on the emerging environmental governance network in East Kalimantan, and the subtle ways in which actors align with or resist these strategies.

Mining has been another major source of socio-ecological conflicts in Southeast Asia, mainly in extractive regimes such as Indonesia and the Philippines. Indonesia is the leading exporter of coal by weight in the world (World Coal Association, 2016) and the Philippines represents the fifth richest country in mineral resources in the world, extracting nickel, gold, and copper (Department of Environment and Natural Resources, 2016). Mining conflicts mainly evolve from the negative environmental impacts and human rights abuses of extractive industries, often involving multinational corporations (Ballard & Banks, 2003). Environmental impacts are related to dam failure of tailings ponds and associated toxic contamination e.g., the ecological disaster of the Ok Tedi mine in Papua New Guinea (Ballard & Banks, 2003) or mercury exposure associated with gold mining in Philippine Mindanao or Indonesian West Papua (Appleton et al., 1999; Rifai-Hasan, 2009) or mercury exposure associated with gold mining in Indonesian West Papua (Rifai-Hasan, 2009) or Philippine Mindanao (Appleton et al., 1999). Human rights violations often stem from conflicts with indigenous people when mining sites expand to remote areas and indigenous populations face eviction and lose control over their land (Holden, Nadeau, & Jacobson, 2011, for the Philippines, Rifai-Hasan, 2009, for Indonesia). In recent decades, not only local protests but also separatist conflicts associated with autonomy endeavors in Southeast Asia revolved around mining, including the rebellion associated with Rio Tinto's copper and gold mine in the autonomous region of Bougainville, Papua New

Guinea, or the conflicts around the Freeport gold mine in the autonomous province of West Papua, Indonesia (Ballard & Banks, 2003). In this issue, Anne Hennings discusses the socio-ecological conflicts culminating in the uprising against the Panguna copper mine in Bougainville in the late 1980s and reflects on the implications of these assemblages for contemporary struggles against land grabbing in the autonomous region. Anna Fünfgeld evaluates the consequences and conflicts arising from urban coal mining in East Kalimantan's capital of Samarinda, Indonesia, and reflects on the role of the state in these conflicts. From a political economy perspective, Alvin Camba discusses the neoliberal restructuring of the Philippine mining regime since the 1980s that has shifted the terrains of struggle from protest in the streets into the domains of state agencies and scientific networks.

Water politics constitute another contentious terrain in current resource strategies. In recent years, socio-ecological conflicts have centered in the Mekong region that has seen an unprecedented shift from a Cold War front line to an integrated economic cooperation playground since the 1990s (Asian Development Bank, 2013; Bakker, 1999; Middleton, Garcia, & Foran, 2009). The World Bank and the Asian Development Bank have promoted the privatization of the Greater Mekong Subregion with a focus on large-scale hydropower development along the Mekong river. Political ecologists documented the commercialization of the water resources and the associated local livelihood losses (e.g., fisheries) as well as the further marginalization of local communities through scientific expertise and capitalization, especially in Laos and Cambodia (Goldman, 2004; Molle, Foran, & Kakonen, 2012). Furthermore, the increasing regional integration has fostered transborder mobilization and conflicts over the unequal distribution of costs and benefits related to large-scale dams, for example, dam construction in Laos to feed the energy demand in Thailand (Middleton, 2012; Sneddon & Fox, 2006). Already in the 1980s, similar developments raised awareness in Indonesia, where an anti-dam movement formed against the Kedungombo dam in Central Java (Aditjondro, 1998). Somehow connected but on a different front, political ecologists have turned to flooding and the unequally distributed vulnerabilities to floods that have intensified due to climate change, and stream control associated with rapid urbanization and economic growth (Pelling, 1999; Ranganathan, 2015). In this issue, Lukas Ley analyzes flood management in urban Central Java, Indonesia, and the specific forms of dealing with the ecological crisis that evolved in poor communities in the coastal city of Semarang.

Political ecology research has documented the diverse forms of resistance and contestation associated with the asymmetric power relations in the control of nature and natural resources, ranging from legal strategies and peaceful protests (e.g., civil disobedience, boycotts, strikes) to violent rebellion or more subtle weapons of the weak. These latter forms of resistance are especially important in authoritarian contexts where open confrontation might be especially dangerous. According to Scott (1985), this "everyday form of resistance" is often fought with 'ordinary' weapons such as "foot dragging, dissimulation, false compliance, pilfering, feigned ignorance, slander, arson, sabotage, and so forth" (p. 29). In recent years, poststructuralist political ecologists have contributed to and expanded Scott's work and conceptualize the emergence of resistance in "rooted networks" (Rocheleau & Roth, 2007) that connect territory, power, and ecology and allow for an exploration of subtle and polycen-

tric actions that resist dominant powers. For the Southeast Asian context, Malseed (2008) documented informal inter-community action and solidarity amongst Karen villagers in authoritarian Myanmar that enable control over land and livelihoods where formal organization is difficult. Peasants, for example, illegally harvest forest products or plantation crops and village heads often underreport crop harvests or other resources to meet livelihood needs. In this issue, Kimberly Roberts uses the concept of rooted networks to analyze the organizing efforts of an ethnic minority village in northern Thailand through networking between villages, creating counter maps, establishing community forestry, and collaborating with civil society and local government to retain forest access.

In recent years, judicial strategies to counter increasingly “licensed exclusions” (Hall et al., 2011, p. 27) or “legal dispossession” (Pichler, 2015) have gained importance. These include, for example, counter-mapping activities (e.g., participatory mapping) of indigenous peoples against land grabbing processes or the filing of law suits for human rights adherence regarding the appropriation of natural resources. In this issue, Rosita Dewi analyzes participatory mapping and the potential pitfalls of this strategy in the MIFEE project in West Papua, Indonesia. Yvonne Kunz et al. examine how local communities in Jambi, Indonesia, mimic formal legal practices of land formalization to prevent dispossession from and conflicts over land.

### THE TRANSFORMATIVE NATURE OF CONFLICTS?

Much political ecology research highlights the potential of socio-ecological conflicts for the rupture or defeat of unequal power relations and structures of domination – as if conflicts were intrinsically about social justice and change. The above presented insights on the subtle, complex, and rooted forms of resistance challenge these assumptions and call for a closer look on both transformative and stabilizing strategies. Research on socio-ecological conflicts also shows that actions and strategies that question the current forms of appropriation of nature and natural resources do not necessarily transform society-nature relations but may be coopted and therefore alter power relations in complex ways. Rosita Dewi shows these processes with regard to the use of participatory mapping in West Papua. Whereas NGOs introduced the strategy as an important tool to support a community’s fight against land grabbing, it has simultaneously enabled the establishment of a land market through the formalization of land tenure and encouraged land leases to corporations and the local government. The contribution also points to the ambivalent role of NGOs. Whereas NGOs are frequently celebrated as ‘rescuers’ of societal and environmental problems, the role of NGOs in the course of participatory mapping in this particular case shows that their contribution to either progressively transform or legitimize power asymmetries depends on multiple factors (e.g., community capacity, involvement in policy processes). Providing another example of coping strategies, Lukas Ley discusses a local flood management project in Semarang, Indonesia, and the subtle conflicts arising from it. Instead of creating the conditions for radical change, flood-related conflicts simply allow some individuals and collectives to produce the conditions necessary to ‘endure’ situations of social instability and uncertainty. Conflicts take the shape of silent critique that never erupts onto the political stage but is moderated by local

communities (and their representatives) themselves. This is especially true for marginalized urban communities, for whom ecological crisis (materialized through daily flooding of their houses) is chronic rather than temporary.

To explain the relative stability and the co-option of socio-ecological conflicts and strategies despite inherent contradictions, power relations, and inequalities in capitalist society-nature relations, political ecologists resort to critical state and hegemony theory to reflect on the role of institutions and more specifically of the state in stabilizing the control of nature and natural resources. Following Gramsci, the state is a terrain where conflicting and contested interests are stabilized via hegemonic political projects (Brand, 2013; Brand & Wissen, 2013; Gramsci, 1971; Jessop, 1990). In hegemonic projects, particular groups of actors are able to generalize their particular interests and frame them as the 'general good' (e.g., the extraction of natural resources to boost economic growth or the eviction of 'illegal' residents for urban infrastructural development). This generalization of particular interests is not necessarily enacted through coercion but through consensus, that is, these particular interests and strategies are accepted by the majority of the people (Pichler, 2015). Hegemony therefore requires alliances between elites (e.g., plantation or mining companies, local landowners, regional banks) and the broader population (e.g., workers, peasants, indigenous people, urban poor) and (material) concessions to meet the latter's interests. These may comprise the inclusion of smallholders in the course of oil palm expansion or wage increases for miners in order to prevent strikes (Camba, 2016; Pichler, 2015).

Despite examples and tendencies of co-option and the stabilizing effects of current society-nature relations, the role of socio-ecological conflicts as expressions of politics make them a reference point for any transformative strategy and practice. In his research on workers' struggles in Malaysian oil palm plantations, Pye (2015) shows that everyday forms of resistance by workers offer possibilities of empowerment and collective action. Going beyond consumer-oriented campaigning and connecting an organized labor movement with environmental justice claims may open up new opportunities for transformation. In this issue, Rosanne de Vos examines a land conflict related to oil palm plantations in West Kalimantan that erupted into violence and eventually led to the rejection of the planned plantation. She focuses on the multiple functions of land for local communities (e.g., food security, income stability, flexibility to respond to crises and opportunities) that villagers saw threatened through the oil palm plantation project and the mobilizing effect of these functions to reject the plantation project. Kimberly Roberts analyzes more subtle achievements by highland communities in Thailand that up to now have retained their *de facto* access to forest resources against several threats of eviction. She argues that these are not the result of open confrontation or isolated mobilizations but that these efforts have been successful due to networked activities and negotiation processes in an assemblage of relations.

In sum, the contributions in this issue highlight the complex and diverse forms of socio-ecological conflicts in Southeast Asia that constantly transform society-nature relations in unpredictable and often contradictory ways. Thereby they also show the transformative potential of collectively mobilizing people, even in the most marginalized and seemingly powerless contexts.





## REFERENCES

- Aditjondro, G. J. (1998). Large dam victims and their defenders: The emergence of an anti-dam movement in Indonesia. In P. Hirsch & C. Warren (Eds.), *The politics of environment in Southeast Asia: Resources and resistance* (pp. 29-54). London: Routledge.
- Appleton, J. D., Williams, T. M., Breward, N., Apostol, A., Miguel, J., & Miranda, C. (1999). Mercury contamination associated with artisanal gold mining on the island of Mindanao, the Philippines. *Science of the Total Environment*, 228(2), 95-109.
- Asian Development Bank. (2013). *Assessment of the Greater Mekong Subregion energy sector development: Progress, prospects, and regional investment priorities*. Mandaluyong City: Asian Development Bank.
- Bakker, K. (1999). The politics of hydropower: Developing the Mekong. *Political Geography*, 18(2), 209-232.
- Balch, O. (2015, November 11). Indonesia's forest fires: Everything you need to know. *The Guardian*. Retrieved from <http://www.theguardian.com/sustainable-business/2015/nov/11/indonesia-forest-fires-explained-haze-palm-oil-timber-burning>
- Ballard, C., & Banks, G. (2003). Resource wars: The anthropology of mining. *Annual Review of Anthropology*, 32, 287-313.
- Barney, K. (2009). Laos and the making of a 'relational' resource frontier. *The Geographical Journal*, 175(2), 146-159.
- Bennett, J. (2010). *Vibrant matter. A political ecology of things*. Durham: Duke University Press.
- Blaikie, P., & Brookfield, H. (1987). *Land degradation and society*. London: Methuen.
- Borras, S. M. (2006). The Philippine land reform in comparative perspective: Some conceptual and methodological implications. *Journal of Agrarian Change* 6(1), 69-101.
- Borras, S. M., Franco, J. C., Kay, C., & Spoor, M. (2011). *Land grabbing in Latin America and the Caribbean viewed from broader international perspectives*. Santiago de Chile: FAO.
- Brad, A., Schaffartzik, A., Pichler, M., & Plank, C. (2015). Contested territorialization and biophysical expansion of oil palm plantations in Indonesia. *Geoforum*, 64, 100-111.
- Brand, U. (2013). State, context and correspondence. Contours of a historical-materialist policy analysis. *Austrian Journal of Political Science*, 42(4), 425-442.
- Brand, U., & Wissen, M. (2013). Crisis and continuity of capitalist society-nature relationships. The imperial mode of living and the limits to environmental governance. *Review of International Political Economy*, 20(4), 687-711.
- Bryant, R. (1998). The politics of forestry in Burma. In P. Hirsch & C. Warren (Eds.), *The politics of environment in Southeast Asia: Resources and resistance* (pp. 107-121). London: Routledge.
- Bryant, R. L., & Bailey, S. (1997). *Third world political ecology*. London: Routledge.
- Camba, A. A. (2016). Philippine mining capitalism: The changing terrains of struggle in the neoliberal mining regime. *Austrian Journal of South-East Asian Studies*, 9(1), 69-86.
- Corson, C. (2011). Territorialization, enclosure and neoliberalism: Non-state influence in struggles over Madagascar's forests. *Journal of Peasant Studies*, 38(4), 703-726.
- Department of Environment and Natural Resources. (2016). *Mineral resources*. Quezon City. Retrieved from <http://www.denr.gov.ph/news-and-features/latest-news/16-mineral-resources.html>
- Escobar, A. (2006). Difference and conflict in the struggle over natural resources: A political ecology framework. *Development*, 49(3), 6-13.
- Fairhead, J., Leach, M., & Scoones, I. (2012). Green grabbing: A new appropriation of nature? *Journal of Peasant Studies*, 39(2), 237-261.
- Goldman, M. (2004). Eco-governmentality and other transnational practices of a 'green' World Bank. In R. Peet & M. Watts (Eds.), *Liberation ecologies: Environment, development, social movements* (pp. 166-192). Oxon: Routledge.
- Gramsci, A. (1971). *Selections from the prison notebooks*. New York: International Publishers.

- Hall, D. (2011). Land grabs, land control, and Southeast Asian crop booms. *Journal of Peasant Studies*, 38(4), 837-857.
- Hall, D., Hirsch, P., & Li, T. M. (2011). *Powers of exclusion. Land dilemmas in Southeast Asia*. Singapore: NUS Press.
- Hirsch, P., & Warren, C. (Eds.). (1998). *The politics of environment in Southeast Asia: Resources and resistance*. London: Routledge.
- Holden, W., Nadeau, K., & Jacobson, R. D. (2011). Exemplifying accumulation by dispossession: Mining and indigenous peoples in the Philippines. *Geografiska Annaler: Series B, Human Geography*, 93(2), 141-161.
- Jessop, B. (1990). *State theory: Putting the capitalist state in its place*. Cambridge: Polity Press.
- Lane, M. (2008). *Unfinished nation. Indonesia before and after Suharto*. London: Verso.
- Le Billon, P. (2000). The political ecology of transition in Cambodia 1989-1999: War, peace and forest exploitation. *Development and Change*, 31(4), 785-805.
- Le Billon, P. (2015). Environmental conflict. In T. Perreault, J. McCarthy, & G. Bridge (Eds.), *The Routledge handbook of political ecology* (pp. 598-608). London: Routledge.
- Leigh, M. (1998). Political economy of logging in Sarawak, Malaysia. In P. Hirsch & C. Warren (Eds.), *The politics of environment in Southeast Asia: Resources and resistance* (pp. 93-106). London: Routledge.
- Malseed, K. (2008). Where there is no movement: Local resistance and the potential for solidarity. *Journal of Agrarian Change*, 8(2-3), 489-514.
- Martinez-Alier, J. (2009). Social metabolism, ecological distribution conflicts, and languages of valuation. *Capitalism Nature Socialism*, 20(1), 58-87.
- McCarthy, J. F., Vel, J. A., & Afiff, S. (2012). Trajectories of land acquisition and enclosure: Development schemes, virtual land grabs, and green acquisitions in Indonesia's Outer Islands. *Journal of Peasant Studies*, 39(2), 521-549.
- Middleton, C. (2012). Transborder environmental justice in regional energy trade in mainland South-East Asia. *Austrian Journal of South-East Asian Studies*, 5(2), 292-315.
- Middleton, C., Garcia, J., & Foran, T. (2009). Old and new hydropower players in the Mekong region: Agendas and strategies. In F. Molle, T. Foran, & M. Kakonen (Eds.), *Contested waterscapes in the Mekong region: Hydropower, livelihoods and governance* (pp. 23-54). London: Earthscan.
- Moise, E. E. (1976). Land reform and land reform errors in North Vietnam. *Pacific Affairs*, 49(1), 70-92.
- Molle, F., Foran, T., & Kakonen, M. (2012). *Contested waterscapes in the Mekong region: Hydropower, livelihoods and governance*. London: Earthscan.
- Neumann, R. P. (2005). *Making political ecology*. London: Hodder Education.
- Nightingale, A. (2011). Bounding difference: Intersectionality and the material production of gender, caste, class and environment in Nepal. *Geoforum*, 42, 153-162.
- Osborn, M., Torpey, P., Franklin, W., & Howard, E. (2015, December 1). Indonesia forest fires: How the year's worst environmental disaster unfolded – Interactive. *The Guardian*. Retrieved from <http://www.theguardian.com/environment/ng-interactive/2015/dec/01/indonesia-forest-fires-how-the-years-worst-environmental-disaster-unfolded-interactive>
- Osborne, T. (2011). Carbon forestry and agrarian change: Access and land control in a Mexican rainforest. *Journal of Peasant Studies*, 38(4), 859-883.
- Pasgaard, M., & Chea, L. (2013). Double inequity? The social dimensions of deforestation and forest protection in local communities in Northern Cambodia. *Austrian Journal of South-East Asian Studies*, 6(2), 330-355.
- Peet, R., & Watts, M. (2004). *Liberation ecologies. Environment, development, social movements*. 2nd edition. London: Routledge.
- Pelling, M. (1999). The political ecology of flood hazard in urban Guyana. *Geoforum* 30(3), 249-261.
- Peluso, N. L. (1992). *Rich forests, poor people: Resource control and resistance in Java*. Berkeley: University of California Press.
- Peluso, N. L. (2011). Emergent forest and private land regimes in Java. *Journal of Peasant Studies*, 38(4), 811-836.



- Peluso, N. L., & Vandergeest, P. (2001). Genealogies of the political forest and customary rights in Indonesia, Malaysia, and Thailand. *The Journal of Asian Studies*, 60(3), 761-812.
- Peluso, N. L., Afiff, S., & Rachmann, N. F. (2008). Claiming the grounds for reform. Agrarian and environmental movements in Indonesia. *Journal of Agrarian Change*, 8(2-3), 377-407.
- Pichler, M. (2015). Legal dispossession: State strategies and selectivities in the expansion of Indonesian Palm oil and agrofuel production. *Development and Change*, 46(3), 508-533.
- Pichler, M. (2016). What's democracy got to do with it? A political ecology perspective on socio-ecological justice. In M. Pichler et al. (Eds.), *Fairness and justice in natural resource politics* (pp. 34-52). London: Routledge.
- Pye, O. (2015). Transnational space and workers' struggles. Reshaping the palm oil industry in Malaysia. In K. Dietz, B. Engels, O. Pye, & A. Brunnengraber (Eds.), *The political ecology of agrofuels* (pp. 186-201). New York: Routledge.
- Ranganathan, M. (2015). Storm drains as assemblages: The political ecology of flood risk in post-colonial Bangalore. *Antipode* 47(5), 1300-1320.
- Rifai-Hasan, P. A. (2009). Development, power, and the mining industry in Papua: A study of Freeport Indonesia. *Journal of Business Ethics*, 89(2), 129-143.
- Robbins, P. (2012). *Political ecology*. 2nd edition. Chichester: Wiley-Blackwell.
- Rocheleau, D. (2015). Roots, rhizomes, networks and territories: Reimagining pattern and power in political ecologies. In R. L. Bryant (Ed.), *The international handbook of political ecology* (pp. 70-88). Cheltenham: Edward Elgar.
- Rocheleau, D., & Roth, R. (2007). Rooted networks, relational webs and powers of connection: Rethinking human and political ecologies. *Geoforum*, 38(3), 433-437.
- Roth, R. (2004). On the colonial margins and in the global hotspot: Park-people conflicts in highland Thailand. *Asia Pacific Viewpoint*, 45(1), 13-32.
- Scott, J. C. (1985). *Weapons of the weak: Everyday forms of resistance*. New Haven: Yale University Press.
- Sneddon, C., & Fox, C. (2006). Rethinking transboundary waters: A critical hydropolitics of the Mekong basin. *Political Geography*, 25(2), 181-202.
- Turner, M. D. (2004). Political ecology and the moral dimensions of 'resource conflicts': The case of farmer-herder conflicts in the Sahel. *Political Geography*, 23(7), 863-889.
- Vandergeest, P., & Peluso, N. L. (1995). Territorialization and state power in Thailand. *Theory and Society*, 24(3), 385-426.
- Wissen, M. (2015). The political ecology of agrofuels: Conceptual remarks. In K. Dietz, B. Engels, O. Pye, & A. Brunnengraber (Eds.), *The political ecology of agrofuels* (pp.16-33). New York: Routledge.
- World Coal Association. (2016). *Coal market and prices*. Retrieved from <http://www.worldcoal.org/coal/coal-market-pricing>

## ABOUT THE AUTHORS

Melanie Pichler is editor-in-chief of the Austrian Journal of South-East Asian studies (ASEAS) and a researcher at the Institute of Social Ecology, Alpen-Adria Universität Klagenfurt, Austria. Her research focuses on theoretical and empirical analyses of socio-ecological conflicts and transformation processes with a political ecology and state theoretical perspective.

► Contact: [melanie.pichler@aau.at](mailto:melanie.pichler@aau.at)

Alina Brad is a PhD candidate and lecturer at the Department of Political Science, University of Vienna, Austria. In her dissertation, she analyzes the political ecology of Indonesia's palm oil sector with a special focus on power relations and scale.

► Contact: [alina.brad@univie.ac.at](mailto:alina.brad@univie.ac.at)

# Multi-Functional Lands Facing Oil Palm Monocultures: A Case Study of a Land Conflict in West Kalimantan, Indonesia

Rosanne E. de Vos

► de Vos, R. E. (2016). Multi-functional lands facing oil palm monocultures: A case study of a land conflict in West Kalimantan, Indonesia. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 11-32.

This paper presents an ethnographic case study of a palm oil land conflict in a Malay community in West Kalimantan, Indonesia. The conflict occurred in the preparatory phase of a large-scale plantation, before any oil palms were planted. After protest from local communities, the project was canceled. This case enables an empirical enquiry of land tenure as well as the meaning of land and associated resources for people's livelihoods in a pre-plantation situation. The article aims to understand how people's responses to the oil palm plantation project are rooted in the way they give meaning to the land that is targeted for conversion. Using a functional analysis of property relations, the article shows that people value multiple functions of land, including food security, income security over generations, flexibility to respond to crises and opportunity, and the ability to retain autonomy and identity as farmers. One of the factors that contributed to the conflict was the expectation that a conversion of diversified agricultural land and forest into a monoculture plantation, run by a company, would change the functionality of land and associated resources in a way that would negatively impact livelihood opportunities, lifestyles, and identity.

**Keywords:** Land Conflict; Meaning of Land; Oil Palm; Property and Access; West Kalimantan

~

## INTRODUCTION

When the green paddy fields turn yellow, it is time to harvest the rice. Farmers in Kebun Hijau<sup>1</sup> village put rubber tapping on hold and work in a race against time to harvest their staple crop. The first harvest is celebrated with a ceremony for the new rice; a nightly event where villagers gather to make a sweet dish of roasted unripe rice with coconut sugar. After the harvest month, the farmers return to their rubber gardens to generate cash income. People in Kebun Hijau have produced crops for the world market since colonial times, including rubber, copra, pineapple, and a variety of pulse crops. Recently, several farmers have started to plant pepper plants and oil palms to try out new cash crops. However, after a company planned to establish a large-scale oil palm plantation, the oil palm became part of a violent land conflict.

This article presents an ethnographic case study of a conflict about an oil palm plantation project in Kebun Hijau, a Malay village in a littoral (*pesisir*) dis-

1 Due to the sensitivity of the subject and ongoing conflicts, all names and village names are pseudonyms.

trict in West Kalimantan, Indonesia. Since the beginning of this millennium, oil palm plantations have been expanding rapidly throughout Kalimantan.<sup>2</sup> The expansion of oil palm plantations leads to the conversion of vast areas of agricultural land and forest into monocultures. This has triggered violent land conflicts between plantation companies and rural communities, as well as conflicts within communities.<sup>3</sup> In 2014, palm oil watchdog Sawit Watch reported 717 ongoing conflict cases in Indonesia. The conflict presented in this article started in the preparatory phase of a plantation project. I analyze the case from a property rights and access to resources perspective, looking at how people's responses to the plantation project are related to the way they give meaning to land and associated resources that are targeted for conversion to oil palm.

In brief, the conflict started in 2008, after a plantation company received a 10,000 ha land concession from the district government. The concession area included a large part of the village lands of Kebun Hijau and the lands of 13 other villages. The plantation project was met with resistance from local communities because people feared that they would lose their land to the company. After four years of conflict, the district government ordered the company to cease its activities; the plantation project was canceled before any oil palms were planted. The conflict had led to violent confrontations between the company and its supporters and opponents in the villages. A mass demonstration against the company ended with protestors throwing stones at the office of the district head. During a second protest, they set fire to the base camp of the company. The conflict created an atmosphere of fear and mistrust between opponents and supporters of the plantation within the villages. Although the company has now left the area, the situation remains tense. New companies are scouting the area and conflict is likely to reoccur.

With this case study, the article contributes to an ongoing debate about palm oil production and land conflicts. The global debate on palm oil production started after several international NGOs began mobilizing around palm oil issues in response to the major forest fires of 1997 in Indonesia (Pye, 2010, p. 858). Most academic literature on palm oil concentrates on environmental issues, such as deforestation, peat-land destruction, (water and air) pollution, and biodiversity loss (Fitzherbert et al., 2008; Wilcove & Koh, 2010). Gradually, more attention has been paid to socio-economic issues such as labor conditions, challenges and opportunities for smallholders, gender differences, and (indigenous) land rights (Julia & White, 2012; Lee et al., 2014; Li, 2015; McCarthy, 2010). Companies, development institutions, and governments have asserted that the development of plantations is an opportunity for rural development, job creation, and the development of infrastructure in isolated areas (World Bank & IFC, 2011). Scholars have recorded cases in which farmers have indeed been able to benefit from cultivating oil palm, either independently or through contracts with a company (Castellanos-Navarette & Jansen, 2015 ; Jelsma, Giller, & Fairhurst, 2009). However, particularly for large-scale plantations, scholars and ac-

2 Oil palm plantations in West Kalimantan grew from 522,508 ha in 2010 to 929,360 ha in 2014 (Badan Pusat Statistik [BPS], 2015).

3 In using the term 'community', I am aware that communities are not unified groups of people, and that there can be major power differences within communities. Moreover, I recognize that members of communities can have conflicting interests and opinions.

tivists have reported land acquisitions without free, prior, and informed consent and cases in which local communities have been expelled from their lands without receiving compensation or the promised smallholder plots (Milieudefensie, Lembaga Gemawan, & Kontak Rakyat Borneo, 2007; Sirait, 2009; Vermeulen & Cotula, 2010).

White and Dasgupta (2010) warn not to fall into the trap of blaming the crop; the problem is not the oil palm. Rather, they argue that the outcome of land conversion for plantations depend on “the manner in which crops are grown, under which property arrangements and labor regimes, and in what kind of commodity chains” (p. 605). McCarthy (2010) calls this the “terms upon which people are incorporated and integrated into globalized oil palm markets” (p. 823). In addition, the outcomes of land conversion depend on pre-existing “crops, property arrangements and labor regimes, and commodity chains” (White & Dasgupta, 2010, p. 605), that is, on socio-economic relations *before* oil palm plantations are established. While this is recognized in most research, some researchers and policy makers subsequently argue that palm oil related land conflicts originate from a lack of ‘clear’ land rights in rural areas (Rist, Feintrenie, & Levang, 2010; World Bank & IFC, 2011, p. 20). Hall (2011) effectively refutes this presumption by stating that land rights insecurity “does not necessarily imply that land relations were insecure before a (crop) boom; who controlled what may have been well understood. It does mean that once the boom begins and the value of land rises, these relations are thrown into question” (p. 9).

When land conflicts are attributed to a situation of unclear land rights, the solution focuses on ‘clarifying’ what belongs to whom. During fieldwork (see next section), I encountered a company that invited villagers to go to court if they did not agree with the plantation, in order to determine what land belonged to whom. In this way, the company rendered the conflict a matter of disagreement about ownership and land borders, which could be ‘fixed’ by looking at law documents, thus disregarding concerns about the consequences of a plantation on livelihoods. The villagers refused to go to court because, lacking formal documents, they feared they would lose the land to the company. Such a narrow focus on clarifying what ‘belongs’ to whom fails to see why and how land and associated resources are meaningful to people and will not help to address conflicts. On the contrary, its focus on the formal legal status of land might even exacerbate the problem. Earlier research on land conflicts in Indonesia has shown that responses to agrarian change are to a great extent conditioned by how people perceive land tenure in relation to livelihood needs, opportunities, and threats. Furthermore, these conflicts have environmental, socio-economic, cultural, and political dimensions (Banks, 2002; Cramb et al., 2009; Dove, 1983; McCarthy, 2006). Building on this literature, I argue that, in order to understand oil palm related land conflicts, it is important to analyze the different ways in which people give meaning to land and associated resources that are targeted for land conversion.

The article proceeds as follows: In a theoretical discussion on the meaning of land and associated resources, I build on the functional analysis of property relations of Benda-Beckmann and Benda-Beckmann (1999) as well as a theorization of access of Ribot and Peluso (2003). This approach allows an empirical inquiry into how people distinguish between different land types, what kind of benefits they derive from them, and why these are significant to different people, beyond a focus on economic

benefits only. The article proceeds with a brief discussion of oil palm expansion in West Kalimantan. The main section of the article presents a case study of a conflict about an oil palm plantation project in littoral West Kalimantan. I analyze the meaning people give to agricultural land, rubber gardens, and forest against their expectations on the consequences of the establishment of a large-scale oil palm plantation. This article shows that land and associated resources targeted for oil palm conversion are meaningful to people in various ways, including for food security, income security over generations, flexibility to respond to crises and opportunities, identity, and the ability to retain autonomy as farmers. The opponents of the plantation expect that an oil palm plantation may change and limit this multi-functionality of land and thereby negatively impact their livelihood opportunities, lifestyles, and identities.

### METHODOLOGY

This article is based on ethnographic fieldwork in coastal villages in West Kalimantan during several research visits between 2013 and 2015. During my first visit to the region, I spent three months as a guest at a local NGO in Pontianak. For the following visits, I returned to conduct fieldwork in one of the villages that I had earlier visited with this NGO. I lived with a farmer family for three months and followed the villagers in their daily routines, such as planting and harvesting rice, preparing for festivities, or chatting on verandas.

I conducted about 58 semi-structured interviews (some more formal than others) with village authorities and villagers without formal political positions.<sup>4</sup> My host family and their network of family and neighbors were an important source of information on the daily life in the village and the organization of land tenure and natural resources. For interviews with people who had been involved in the conflict, either as leaders or as participants in meetings and demonstrations, I was assisted by the chair of a farmers' group, who had also been a leader of the resistance movement.

Doing research in a village with a history of violent conflict, where tensions are still high, proved to be a challenge. It took time before people were convinced that I was not working for a company. During my stay, two motorcycles of visitors were nearly set on fire because they were (falsely) suspected of being 'company people'. In this context, it was difficult to talk about the possible advantages of the plantation project, though people shared why they were initially in favor of the plantation and why they later changed their mind. I was not able to speak to leaders of the supporters of the plantation. Moreover, these supporters were less organized than the opponents, and since 'being in favor' (*berpihak*) is now strongly criticized, it was difficult to identify these people. Another limitation of my research was that I could not interview company staff as they were no longer present in the area.

Hence, this article explains the resistance and the different perceptions people had about the plantation plans. I do not dismiss the possibility that some people still support the plantation project. The purpose of this article, however, is not to show that people are either in favor or against oil palm. Rather, I intend to demonstrate

---

4 I counted all conversations in which I discussed topics related to the research questions. With several people I had multiple conversations; I counted these as one. Interviews were often conducted with more than one person; I counted these as one interview.

how people's responses to oil palm plantation projects are crucially rooted in the way they give meaning to the land that is targeted for conversion.

### THE MEANING OF LAND IN OIL PALM LAND CONFLICTS

A literature review of land use in Kalimantan shows a variety of land use and tenure practices that goes beyond the notion of land as a mere location for agricultural production or infrastructure. Land, and the benefits people can derive from land, can concurrently be valuable for socio-economic, cultural, spiritual, ecological, and political reasons. For example, Dove (1983) demonstrates that farmers' choices for certain crops can be a strategy to seek acknowledgement for land claims from authorities. Haug (2014) points out that land tenure in Kalimantan is subject to spiritual and ritual procedures. Peluso (2009) explains that land tenure is an important factor in the construction of ethnic identities and kinship relations. A legal-anthropological perspective, which allows an empirical inquiry of land tenure, helps to grasp this complexity of the meaning of land to people's livelihoods.

People who are dependent on land need tenure security to be protected against involuntary removal (Reerink, 2011, p. 1) or exclusion from the ability to benefit from land (Ribot & Peluso, 2003). This requires negotiations with other people; therefore relations between people and land (or other valuables) are above all "relations between people about land" (Benda-Beckmann & Benda-Beckmann, 1999, p. 21). Such relations become manifest in property, that is, "the ways in which the relations between society's members with respect to valuables are given form and significance" (Benda-Beckmann, Benda-Beckmann, & Wiber, 2006, p. 14). Benda-Beckmann and Benda-Beckmann (1999) propose a functional analysis of property. This approach acknowledges that people attribute meaning to property in multiple ways – many more than sheer economic meanings. Functions of property are important to people in different ways and can become more or less important over time. A functional analysis of property requires an empirical inquiry of property holders, objects of property (people's conceptualizations of their environment), and bundles of rights and responsibilities in different times and places (Benda-Beckmann & Benda-Beckmann, 1999; Benda-Beckmann et al., 2006).

The functionality of property can be contested, especially in Indonesia, where land relations are embedded in a context of legal plurality and competing authorities. Sikor and Lund (2009) stress that different authorities strive to obtain legitimacy by recognizing or denying property claims. The composition of bundles of rights and responsibilities, and also the question of who can be a property holder and what legitimate property objects are, is therefore subject to power struggles. This means that the endorsement or limitation of property functionalities depends on the authority that legitimates property claims. The functionality of land is also conditioned by access to land. Ribot and Peluso (2003) highlight that having property rights to land does not yet guarantee the ability to derive benefits from this land. They argue that the actual ability of people to derive benefits from land or associated resources depends on various mechanisms of access, including technology (tools, but also infrastructure), capital, market, labor, knowledge, authority, *and* property. However, property is an extraordinary mechanism of access because it can legitimize or dele-



gitimize other mechanisms of access. In this article, I talk about functions, meanings, and values. While these concepts are closely related, there are also differences between them. The functionality of land is composed of property holders, objects, and different bundles of rights and responsibilities in different times and places as well as the different ways in which people give meaning and form to it. Examples of functions are environmental, economic, cultural, political, and religious functions. When I discuss the meaning of land or associated resources, I refer to people's interpretations (expressed in narratives and practices) of land and associated resources; either positive or negative. Finally, value or valuation refers to people's perceptions about the appreciation of land and associated resources in relation to their livelihoods, lifestyles, and identities.

### OIL PALM EXPANSION IN WEST KALIMANTAN

With an annual production of 33 million tons, Indonesia has become world leader in palm oil production (Sheil et al., 2009). In Sumatra, the cradle of the Indonesian palm oil industry, the number of oil palm smallholdings (both contract farmers and independent smallholders) is catching up with private and state plantations (Ditjenbun, 2014). However, in West Kalimantan, oil palms are mostly grown in large-scale plantations run by private or state companies (BPS, 2015; Li, 2015). The first oil palm plantations in West Kalimantan were established in the interior district of Sanggau in the 1980s. At that time, Indonesia maintained a plantation system known as *nucleus-plasma* (NES). In a NES plantation, 20% of the plantation area (*nucleus*) is managed directly by state or private companies. The land is owned by the government and leased to a company through a Land Cultivation Rights permit (*hak guna usaha*, HGU) for 35 years. The remaining 80% of the concession (*plasma*) is managed and cultivated by smallholder farmers (transmigrants or locals), for which they can receive formal land certificates (Semedi & Bakker, 2014, p. 380). In the 1980s, *plasma* plots often included 0.5 ha for homes and subsistence gardens. Local landowning communities could be included in the smallholder schemes by contributing land to the plantation. The plantation sector was strongly supported by the state, which provided credit, infrastructure, migrant labor, and land.

The Asian crisis of 1997/1998 which led to the fall of the Suharto's authoritarian New Order regime and far-reaching political, administrative, and economic reforms, announced a new episode for palm oil production. McCarthy (2010) defines this episode as the *laissez faire* phase. The central state withdrew direct support for the plantation sector and smallholder inclusion and left control to the market (McCarthy, Gillespie, & Zen, 2012). The economic and political reforms contributed to a favorable investment climate, and district governments in so called 'frontier areas' like Kalimantan and Papua regarded oil palm as an opportunity to attract investments (Pye, 2010). The issuance of plantation permits became a source of income for district governments, and companies and district governments engaged in reciprocal relations (McCarthy et al., 2012). Pichler (2015) observes that "as a result, local governments privilege the expansion of oil palm plantations rather than focusing, for example, on replanting existing plantations or supporting smallholders" (p. 526).

Various scholars have pointed out that the conditions under which people and

their lands are incorporated into the oil palm sector have deteriorated since the beginning of the reform period in 1999 (Gillespie, 2011; Li, 2015; McCarthy, 2010; McCarthy et al., 2012). The Plantation Law Nr. 18/2004 allowed companies to use a reversed *nucleus-plasma* ratio with a minimum of only 20% percent for smallholder plots (Gillespie, 2011). Companies were also no longer required to designate land for subsistence farming (Pichler, 2015, p. 522). Companies are now responsible for directly negotiating with local communities about the transfer of land and *plasma* arrangements. The specific terms of land acquisition are no longer regulated by the central state, but by district regulations. The most recent plantation scheme called ‘partnerships’ (*kemitraan*) allows companies to control and manage both the *nucleus* and *plasma* plantations under a so called ‘one roof’ (*satu atap*) or ‘one management’ (*satu manajemen*) system (Potter, 2015). McCarthy et al. (2012) highlight that in West Kalimantan companies that use such a plantation scheme do not actually return *plasma* plots to smallholders, but rather offer them “the share of the production from the 20% *plasma* area which the company retains under its own management” (McCarthy et al., 2012, p. 560). The profit for *plasma* holders is reduced by various costs for transportation, management, fertilizer, and credit. Many *plasma* holders complain that these costs are too high and the monthly income is too low.<sup>5</sup> At the two plantations that I visited, it was not clear what would happen to the *plasma* plots after the concession expired. People also did not know how much they owed the company and when their debts would be repaid (also observed by McCarthy et al., 2012). In theory, *plasma* holders receive land certificates for their plots after they have repaid their debts for the investment in oil palms. Remaining land contributed to the plantation then becomes state land, which is leased out to the company (Julia & White, 2012). According to McCarthy et al. (2012) this is not always clear to people who surrender land. They observe that “villagers believed they were lending land that would later be returned to them rather than selling it for perpetual alienation under a state plantation concession (HGU)” (p. 560). In the one-roof scheme, local communities often work at the plantation as day laborers. Indeed, an argument in favor of plantations is that these could create jobs for rural communities who do not have many other job opportunities. However, Li (2011) shows that oil palm plantations are less labor intensive than frequently promoted. According to her, “an established plantation uses only one worker per four to ten hectares of land” (p. 284).

### OIL PALM LAND CONFLICT IN KEBUN HIJAU VILLAGE

The exact terms under which people are incorporated into the palm oil sector vary from place to place. As companies are now directly negotiating with rural communities, outcomes largely depend on power relations and the ability of communities to organize. The case study that follows illustrates people’s responses to an oil palm plantation project in a rural community in West Kalimantan. Opponents of the project refused incorporation into the oil palm sector, partly based on their valuation of current land tenure arrangements which they regard as more favorable to their livelihoods and lifestyles.

---

<sup>5</sup> I visited two plantations which used a one-roof scheme and I interviewed plasma holders during village meetings.



### Kebun Hijau

Kebun Hijau village is located a two hour drive on a run-down road from the district capital to the coast. The village has a population of approximately 3500 inhabitants. The majority of the population identifies as ethnic Malay and is Muslim. The Malay have lived in this area for at least a century.<sup>6</sup> In the early 20th century, the colonial government encouraged farmers in this region to plant rubber trees and coconut palm to respond to the rubber and copra boom. Elderly villagers remember that the colonial government encouraged their parents to plant rubber trees in exchange for food and luxury goods. Roads as well as rivers and sea routes connected the provincial capital Pontianak with Malaysia to facilitate the trade in these commodities (Seavoy, 1980). Rubber and copra production have remained key sources of income in the littoral regions. In Kebun Hijau, farmers also produce rice, fruits, and vegetables for subsistence and cash crops and products like pulse crops, corn, pepper, sugar, edible bird's nests, and oil palm. In times of a low rubber price, remittances from labor migration to plantations in Malaysia or logging companies in Kalimantan, Sumatra, and Papua become important sources of income.

The village is divided into four parts, reflecting the village history. The oldest part of the village is the residential area, which stretches along the main road. Until the 1960s, the rest of the village area was covered with peat forest and tree gardens. In 1965, the village head decided that the colonial rubber trees had to be cut down to make rice fields and that new rubber gardens could be opened in the forest. Behind the residential area, the rubber trees made way for an open *ladang* area: rain-fed agricultural fields suitable to use as rice fields (*ume*) and vegetable gardens (*kebun kacang*). In the 1980s, the population started to grow and young families were encouraged to move into the forest to make a new settlement. Nowadays, this *kampung* consists of about 80 households. It functions as a gateway between the *ladang* area and the hinterland (*darat*), where tree gardens (rubber and coconut), fruit gardens, and forest (*hutan*) are located. Due to several forest fires, large parcels of forest and tree gardens have been burned. Now this is open grassland where gradually people are replanting tree crops and vegetable gardens.

The *ladang* fields and the tree gardens are divided into plots separated by ditches. By clearing forest and making gardens and fields (*merimbah*), families could claim ownership over the plots. Over time, these plots were passed on through inheritance (*warisan*) or sold to neighbors and family (*jual-beli*). Plots can also be used under leasehold (*sewa-menyewa*) or share-cropping arrangements (*bagi-hasil*). Ownership is monitored by the 'head of plot boundaries' (*kepala parit*),<sup>7</sup> who keeps record of who owns or uses what. He assists the village head in case of internal disputes about land. There are four *kepala parit* in the village. If plots are left uncultivated for some time, other people can make a claim. The *kepala parit* is in charge of supervising and allocating the uncultivated plots. Uncultivated plots are mostly found in the hinterland.

6 See Peluso (2009) and Davidson and Kammen (2002) on the many ethnic conflicts that have occurred in this area.

7 *Kepala parit* literally means 'head of ditches', which refers to the narrow ditches which indicate the boundaries of plots. Other villages in the area may use other names for this position, such as *kepala hutan* (head of the forest).

The *ladang* area is seldom uncultivated because *ladang* plots can be leased out in case the owner does not cultivate the land. Several plots in the *ladang* area have been registered through land certificates issued by the National Land Agency. I have not encountered people who hold such certificates for their tree gardens or other plots in the hinterland. The *ladang* fields, the tree gardens and parts of the hinterland are classified as non-forest area subject to the Basic Agrarian Law. These gardens can be classified as ‘non-registered occupied land’ or as ‘administratively registered occupied land’ in case people hold a letter of land clarification (*Surat Keterangan Tanah*). This type of land is available for agricultural use, including oil palm cultivation. The rest of the hinterland is state forest land (production forest) subject to the Basic Forestry Law. This type of land cannot be used for oil palm plantations (Bedner, 2016).

The local land tenure arrangements that have developed over time allow for a diversity of livelihood strategies. The next paragraphs describe the introduction of an oil palm plantation, which requires specific land tenure arrangements. The plantation project led to conflict, not only about whether or not to accept oil palm, but all the more about the functionality of land and the distribution of benefits under different land tenure arrangements.

### Evolution of the Conflict

In 2007, an agribusiness company met with village authorities from several villages, including Kebun Hijau, to discuss a plan to establish a large-scale oil palm plantation of approximately 10,000 ha, using a *nucleus-plasma* partnership scheme. The company obtained permission to organize ‘socialization’ meetings<sup>8</sup> in the villages to explain more about the project. In 2008, the district government granted a location permit which allowed the company to start with land transfer negotiations with the communities. A leader of a farmers’ group<sup>9</sup> in the *kampung* in Kebun Hijau was present at the first meeting with the village authorities. Afterwards, he gathered the members of his group to discuss the project. After discussing advantages and disadvantages, this group decided that they were against the plantation. My hosts, who are members of this group, recall a heated discussion between opponents and supporters of the plantation plans at the first socialization meeting in an elementary school. Several people that I interviewed about this meeting explained that they had prior information about the reputation of palm oil companies in Kalimantan, from family members in other districts and RUAI TV, a local television station run by the NGO AMAN.<sup>10</sup> Moreover, several villagers were in contact with a regional farmers’ movement which was established after a conflict with an oil palm company in a nearby area. The farmers’ movement helped to organize the opponents of the oil palm project. The sub-

---

8 Socialization meetings (*sosialisasi*) is an Indonesian concept which refers to an event wherein companies or the government announce (development) projects to communities and inform them about the procedures.

9 Farmers’ groups are common in the region. By registering as a group with the sub-district government, farmers can apply for government aid for resources like fertilizer, seeds, or hand-tractors. Usually, farmers’ groups cultivate a rice field, vegetable garden, or rubber garden to try out farming techniques, sometimes assisted by government extension officials.

10 *Aliansi Masyarakat Adat Nusantara* (Alliance of the Indigenous Peoples of the Archipelago) is an NGO that focuses on indigenous rights issues. AMAN was founded in Pontianak in 1999.

district government issued an official letter stating that the sub-district rejected the plantation project plan. The company meanwhile started to place land marks and made preparations to build a seed nursery in one of the villages and roads up to Kebun Hijau. According to villagers, rubber gardens and rice fields were damaged during these activities. In 2010, the farmers' movement organized a demonstration in front of the office of the district government. The demonstration ended violently with people throwing stones at the building. A few weeks later, people organized another demonstration at the base camp of the company. Company assets were damaged, two police motorcycles were burned, and the house of an (allegedly pro-palm oil) village head was damaged. Two villagers were convicted for the violence and sent to jail for six months. Eventually, the company withdrew from the area and moved to another district. The conflict left a deep impact on the communities, as opponents and supporters of the oil palm plan had verbally and physically attacked each other. This is not the end of the story, however; after these events the new district head issued a new location permit for a new company. Again, Kebun Hijau was included in the permit. Company staff has been spotted to inspect the location and visit village authorities. At the time of writing, no further actions have taken place.

### Land Tenure and Livelihoods

In the next sections, I follow the livelihood strategies of my hosts in the *kampung*, Sri and Yadi, and their family and neighbors. This analysis shows how they give meaning to the different lands in their village, including agricultural fields, rubber gardens, and forest, and how their land use is constrained by mechanisms of access. I argue that these meanings and the land tenure arrangements related to them are of utmost importance to understand the palm oil related conflict.

#### *Agricultural Fields: Food Security and Flexibility*

The term *ladang* refers to rain-fed agricultural fields. Most households cultivate plots of 0.5-2.0 ha. Some households obtained locally recognized ownership over their plot through inheritance, land purchase, or clearing forest. However, like Sri and Yadi, many households do not have a plot of their own and they lease from neighbors and family members or use share-cropping arrangements. Sri and Yadi lease 0.5 ha from a cousin who lives in another village. A *ladang* can have multiple functions, depending on who uses it, in what ways, and in which season. First and foremost, a *ladang* provides food security. From September to February, *ladang* plots are used as an *ume*:<sup>11</sup> a field for dry rice cultivation. An *ume* plot of 1 ha can produce between 1.5 to 5 tons of *padi* per harvest.<sup>12</sup> Sri and Yadi usually obtain enough rice from their 0.5 ha plot for themselves and their two sons for one year. However, sometimes they need to sell rice to obtain cash. When people have surpluses, these are sold to the local market or given to family members living in urban areas.

The ability to derive benefits from an *ume* depends on several factors. First, cultivating rice is labor intensive because land preparation, planting, and harvesting are

11 *Ume* is the local term, Bahasa Indonesia uses *huma*.

12 According to a government extension official, yields are low compared to other regions.

done manually. Therefore, the amount of hectares that one is able to cultivate depends on access to labor. There are two ways to harvest rice: with a small hand knife or with a scythe. Using a scythe is much faster because one cuts the *padi* from the root instead of cutting the rice grains from the stalks. However, this takes more energy. Yadi's sister, Siti, is unable to use a scythe. As her husband works in Malaysia, she has to take care of the harvest by herself, using a hand knife.<sup>13</sup> To solve this labor problem, people hire farm workers (*upah*). However, during the harvest time there is a high demand for farm workers. During my visit, Sri and Yadi tried to find workers to help with the rice harvest but they failed to find anyone still available.

Second, technology is an important mechanism of access to an *ume*. Tools to speed up the harvest allow people to cultivate more land (e.g., a thrasher or a hand-tractor), and technology might improve the quality of the soil. Contrary to government banners in the village that state: "Let's plant rice twice a year!", Sri does not plant rice twice a year because, according to her, her land is sour from the latex residue in the groundwater. The lack of a functioning irrigation system precludes the proper drainage of water which damages the quality of the soil. Furthermore, the paths to the rice fields are unpaved and can turn into knee-high rivers in the rainy season. This is the condition under which the farmers have to transport bales of *padi* on bicycles, motorcycles, and on foot to the threshing factory in the village. This indicates that although people have different kinds of rights to benefit from an *ume*, actual benefits are limited due to lack of technology. After the rice season, the *ume* fields are converted into *kebun kacang*: gardens where pulse crops, corn, cucumber, and watermelon are grown. Hence, the *ladang* fields become a source of cash income. The limited access to markets is a challenge to generate an income from these crops. The poor condition of the infrastructure makes it difficult to transport crops quickly to the nearby towns.

Another function of the *ladang* area is that land use and crop choices can be adapted to needs, and the availability of capital, time, and labor. This implies two things: First, with seasonal crops, people can adapt their crop choice to market demands, labor availability, and ecological circumstances. Second, land rights are flexible; people can buy one plot this year and sell, lease out, or lease even more the next year. For example, Mrs. Ngah told me she did not rent a *ladang* plot this year because she was pregnant and her husband worked in Malaysia. She may rent again next year. Even selling land is perceived as flexible; people often sell land when in need of direct cash, for example, to pay for the education of children, medical expenses, or make the Islamic pilgrimage (*haji*). They do this with the expectation that it will be possible to buy new land or open up new land in the future. However, this flexibility is challenged because due to population growth, land is becoming scarcer and it is not easy to regain land once it has been sold.

The low yields that are derived from *ladang* fields in this region may reduce the status of such land to 'unproductive' in the eyes of the district government, which emphasizes the economic function of the land when promoting plantation development. However, despite the low yields and the farmers' focus on production

---

13 Taking care of the rice fields is mostly a women's job because many men migrate to Malaysia for work. A man who just returned home confirmed to me that he was stressed because he had to take over the harvest from his pregnant wife and, not being used to this work, he was too slow and the *padi* became overripe.

for subsistence, *ladang* fields are meaningful to farmers for providing food security and additional cash income, in accordance with conditions set by mechanisms of access. Further, the analysis of rice fields has demonstrated that current land tenure arrangements provide a variety of options to obtain land rights other than through ownership. This allows people who do not hold ownership rights over land to cultivate rice and other crops. A plantation system would threaten this variety of land tenure and eventually affect people's access to land.

### *Tree Gardens: Security for Future Livelihoods*

After the rice harvest season, and if it is not raining, Sri can be found working in her rubber garden. The garden was planted some 45 years ago by her father-in-law. He is too ill to work in his gardens now and allocated them equally among his children. Yadi and Sri received 0.5 ha. Sri admits that life as a rubber farmer has become more difficult. During a price boom around 2008, rubber prices were up to IDR 20,000 (USD 1.5) per kg but dropped to IDR 4,000 to 8,000 (USD 0.3 to 0.6) at the moment. The global rubber price crisis is 'the talk of the village'. I often discussed with the villagers why they wanted to maintain their rubber gardens despite the low prices. The diverse answers to this question reveal multiple functions of rubber gardens. First, people indicate that they consider it important that rubber gardens have a long history in the village. People said they maintained the gardens because these were made by their ancestors and passed over from generation to generation (*turun-temurun*). By clearing forest and planting rubber trees, these ancestors claimed land and created a source of income for the next generations. During a conversation about the history of the family, Sri said: "My rubber garden is an inheritance from my parents-in-law. We cannot sell it; we have to maintain the garden for the grandchildren. If my son asks 'whose land is this?' I will say: It was granted by your grandfather". Her statement shows that she wants her son to know the history of the garden which he and his brother will inherit one day. Moreover, her statement about maintaining the garden for the grandchildren reveals that land is an important asset to ensure an income for the next generation. Sri and Yadi have no money to provide for a higher education for the children and chances are that they will follow in their parent's footsteps and become farmers. The framing of rubber gardens as *turun-temurun* helps to make people reluctant of land transfers to outsiders like oil palm companies. This discourse was strongly promoted by opponents of the oil palm project plans.

Second, tapping rubber allows a diversified livelihood. Sri works in the gardens from dawn to around 10 am. This enables her to spend the afternoon in the rice field or the vegetable garden. Third, rubber needs little input, the trees grow without fertilizer and pesticides, and tapping rubber only requires a small knife and coconut shell to collect the latex. Rubber does not require good infrastructure; people can transport latex on bicycles over the muddy roads. Latex can be preserved a long time, so there is no need to transport it quickly for processing. Farmers can postpone selling until prices are higher. Furthermore, the harvest cannot fail the way other crops can. Fourth, tapping rubber is light and easy work, which can be performed

by anyone, including children, elderly, and people with weaker health conditions.<sup>14</sup> This means that rubber provides an income to various parts of the population. Fifth, rubber is valued as a source of daily cash. Even though the price is low, rubber can be tapped and sold every day, except when it is raining. Rubber trees' only enemies are fire and rain. Sri argues that even with low prices and a lot of rain, rubber still provides income security.

If it rains, then we have no money but we can anticipate that. We can save money in the dry season. We can take a lot of food from the forest. When it is like that, we are fine. The vegetables are still fresh and natural. If we tap rubber one day, we can still get 50,000 rupiah, even with this low price. If we are laborers, we have to work every day and our salaries are fixed and small. We like to live like this without coercion; it is no burden to work.

In an interview with Mrs. Miza, an elderly lady, I asked why she maintained the rubber trees despite the low price. I consider her response exemplary for the functions of rubber gardens described above:

Rubber gives us our daily food. The profit is enough for our daily costs and needs. We can send our children to school using the income from rubber. Our *padi* [rice field] is for food, our rubber is for cash. Our ancestors already planted rubber and we continue to do so. Rubber trees can be productive for 12 to 13 years. When oil palms are that old, I cannot harvest them anymore. I can still tap rubber, thank God. [I asked: Why can't you harvest oil palms?] It hurts. When we are old, we can still tap rubber. With oil palm, if it is far from the road, we have to carry the thorny fruits. And the older and taller the trees, the harder it gets. [I said: But the rubber price is so low.] Yes, too low. But we maintain our rubber. If we sell our land, we will have to eat stones. With rubber we can eat. Rubber does not need fertilizer; we don't need money to produce rubber. If there is oil palm, there is no firewood. And we cannot grow vegetables. Even *padi* cannot grow close to oil palm. I can't be someone's coolie. It is best we have rice and rubber.

Her answer demonstrates the variety of factors that motivate the choice for crops, beyond price and yields. While oil palm may provide higher income, in the perception of people like Mrs. Miza, rubber provides a more *secure* income, now and in the future. Though many people are keen to plant oil palm, they do not want to cut their rubber trees in exchange for it.

So far, the analysis of rice fields and rubber gardens demonstrates that these lands are valued because they provide food security and income security for a variety of property holders over several generations. In addition, people value the current flexibility in bundles of rights and responsibilities. This flexibility allows them to uphold

---

14 The depiction of rubber tapping as light and easy work in comparison to the description of harvesting oil palm fruits as labor intensive contrasts the findings of Semedi and Prasetya (2014). The difference may be explained by a different perception on what is heavy labor: The people in my case study measure this in physical exercise needed, whereas Semedi and Prasetya seem to measure in hours required for the labor.



a large variety of crop choices and respond to crises and opportunities caused by fluctuating prices and new markets. While these functions of land are related to economic benefits (food and cash), at the same time, these benefits are related to social continuity from past to future generations and identities. Land is important because it enables a connection to the ancestors and is an investment for future generations. A change to monoculture production would fix property objects, property holders, and bundles of rights and responsibilities according to *nucleus-plasma* arrangements and reduce the meaning of land to a mere economic function.

### *Forest: Safety Net and Threat*

At the western end of the village, behind the tree gardens, the forest – or what remains of a peat forest – begins. The first time I went there, I was surprised to find that what people call ‘forest’ includes a large open space damaged by forest fire. Many villagers lost part of their tree gardens in the fire. Hence, forest refers to land that is uncultivated or not yet in full production, including land that is left (temporarily) uncultivated. Many people told me that they own a plot in this area, which they do not cultivate because they lack time, labor, or capital. Behind the burned forest lays a peat forest, where once a logging company harvested timber. Yadi said that the trees are getting scarcer and it will not take long before the forest has disappeared. Yadi is concerned about this development because the forest keeps the mosquitos and insects away from the houses and rice fields. Depletion of the forest will also affect his family because he is one of the two villagers of Kebun Hijau that harvest timber in this forest.

The forest is also a source of food. Sri and Yadi do not produce vegetables for consumption; instead they collect vegetables in the forest areas. Last year, Yadi had an accident which disabled him to work in construction for three months. This meant they had little cash income. Sri told me she had to be clever (*pandai pandai*) and find food in the forest: ferns, mushrooms, taro roots, honey, and many kinds of (medicinal) leaves. Besides vegetables, people also collect firewood and catch fish in the forest area. Yadi said that since the forest fire, there is surprisingly a lot more fish in the streams. Every day he sets out fish pots to catch snakehead murrel, carp, and catfish, which he sells to his neighbors. During my stay, Sri often prepared meals using solely ‘forest food’ and rice from their own stock. In particular, when commodity prices are low or people are unable to work due to illness or old age, the forest is a safety net for food security.

However, not only positive functions are attributed to the forest. People often referred to the forest as ‘still forest’ (*masih hutan*), that is, not cultivated yet. In stories about the past, the forest is associated with ghosts and djinns. Nowadays, the forest is considered as a risk of fire, which threatens the tree gardens because forest means uncultivated and therefore uncontrolled land. Moreover, land further away from the main road is regarded as less valuable because the road towards the *darat* area is in a bad condition. One villager who inherited land in this area said: “I don’t care about my land in the *darat* behind the *kampung* because it is far away and not productive enough for me, it is all right if this land becomes a plantation”. When discussing the oil palm conflict, people often explained to me that they were initially in favor of

the plantation because they thought it would be established in ‘the forest’. People in Kebun Hijau expected that the oil palms would be planted in the area behind their tree gardens. A discussion with a village official in the neighboring village Batu Raya who had been involved in the negotiations with the company sheds light on why people welcomed a plantation in the forest.

People are afraid of empty land. So, initially we agreed with the company, because they will manage the empty land. They will surely take care that there is no forest fire. If the plantation would be on sleeping land, we would agree because we have to think of our roads.

People hoped that, if a plantation was to be established in the forest, this would protect their gardens from fire. Moreover, they hoped that the company would build a road which they could use to transport their crops. However, after the company started placing land marks from the main road to the border of the production forest, it became evident that the plantation would not be located in the forest. On the contrary, the plantation would include the tree gardens and rice fields and exclude the forest area and the uncultivated plots located there. The village official's comments on this were: “The company never disclosed the exact location of the plantation. If they had said it was not in the forest but on our land, we would have rejected the plan before they uttered one word”. The company could not, however, develop the plantation in the forest area because forest land cannot be converted into agricultural land without permission from the Ministry of Forestry. The tree gardens and *ladang* area already had the status of non-forest area and were therefore available for agricultural production, including oil palm.

In analyzing the functions of forest land, it appears that the meaning of land can be ambiguous. Forest land is appreciated as a source of food and ecological balance but, at the same time, forest land is also regarded as a threat to other farming activities. It cannot be stated in a general sense that ‘opponents’ of the plantation give a certain meaning to land that contrasts the meaning ‘supporters’ give to land. Both opponents and supporters have ambiguous conceptions of the meaning of land. What is important is, however, how the functions of land are used in narratives regarding the plantation project. For example, the company emphasized the meaning of the forest as a threat (even though the plantation would in fact *not* be located in the forest), whereas its opponents emphasized that the loss of the forest would jeopardize food security.

#### *Land Provides Autonomy to Farmers*

The preceding shows that different types of land have diverse functions which relate to food security, daily and long term cash income and resilience in times of crisis, as well as historical-cultural functions. Besides the different benefits people obtain from land by producing crops, land is also valued because it provides a sense of identity and autonomy as a farmer. People fear that if the oil palm plantation is established, there will be no land left for farming. In this case, they believe that they will have to become plantation laborers. A plantation laborer is referred to with the term ‘coolie’



(*kuli*), which is a negative, colonial term for laborer. I often heard the phrase: “If the plantation is established, we will become coolies on our own land”. A talk between my hostess and her friends illustrates why being a *kuli* is regarded as inferior to being a farmer:

[Siti:] If the plantation is established then the land will not be ours: It will be the company’s. We don’t want to be a *kuli*. We don’t want a salary from the company.

[Yesa:] That would feel as if we are forced, tied. If we have our own land, we are independent, if we want to work or not. If we work hard, we harvest, if we are lazy then we don’t. If you work for a company you have to go to work, whether you want to or not.

Being a laborer means that you cannot determine when you work, how hard you work, and what you plant. You lose the opportunity to improve your livelihood by creativity and diligence. Yet, many people in Kebun Hijau are keen to work on oil palm plantations in Malaysia, where they spend six months to several years. A conversation I had with Jeffrey, a young father who had just returned after six months in Malaysia, explains this apparent contradiction. I asked him if he would not rather have a plantation in his village, so he would not have to leave home to work. He replied:

I disagree, because then we would be forced to work. Our working hours would be fixed. If I feel tired and want to stay home and the foreman came by . . . that would not be possible. Our land will no longer be ours.

While he was happy to work on a plantation in Malaysia, he did not want to have the plantation in his own village. Working in Malaysia is temporary; when people return home, they wish to return to farming, which is regarded as less heavy work than plantation labor. An identity of the ‘independent farmer’ against the ‘tied laborer’ is promoted by opponents of the plantation plans. This identity is upheld by the regional farmers’ movement. Their aim is to raise awareness about the negative impact of oil palm on farmers’ livelihoods and to assist farmers with farming techniques that obtain higher yields. The chair of the movement, who is also leader of a farmers’ group in Kebun Hijau, believes that the better farmers are organized and the more productive they are, the stronger they can oppose the plantation plans. This makes sense because with higher yields, farmers may be less inclined to transfer their lands to companies.

People’s conceptions about plantation labor versus farming demonstrates that the meaning of land is not limited to economic functions but includes less tangible meanings related to self-esteem, pride, and upholding a certain way of life and a sense of belonging. Current land tenure arrangements provide a degree of autonomy which cannot be replicated in a plantation system and therefore people’s negative perceptions of plantation labor cannot be simply addressed by improving labor conditions.

### The Oil Palm Project

In this final section, I relate the meaning of land to people's expectations of the plantation project. The location permit for the plantation included all agricultural fields and rubber gardens as well as parts of the forest land. Only the 'production forest', far back in the hinterlands, was not included. People in Kebun Hijau expected that a conversion to oil palm would mean a complete transition from diversified agriculture to monocrop production. There is not enough land in the area to accommodate *both* a plantation of 10,000 ha *and* mixed cropping agriculture. When oil palms have matured they cannot be intercropped because the canopy blocks sunlight (Koczberski, Curry, & Bue, 2012). Theoretically, land owners have the right to refuse conversion to oil palm and 'enclave' their land. However, in practice it is impossible to productively maintain enclaved plots of 2 to 3 ha in the midst of a plantation because isolated paddy fields suffer from pests. Furthermore, the company does not favor such a fragmented plantation because it diminishes production efficiency. Subsequently, the location of the plantation is usually not negotiated plot by plot; either all land is included in the plantation or none at all. The switch to monocrop production therefore means that people lose the opportunity to adapt their crop choice to changing circumstances. They also have no alternative sources of income during the maturing period of the oil palms and in times of price drops or harvest failures. This context distinguishes the case from other plantation projects where people submitted parts of their land to the plantation while maintaining enough land to continue alternative livelihood strategies (Jelsma et al., 2009; Semedi & Bakker, 2014).

In addition to the loss of diversified livelihood strategies, opponents of the plantation project also expect to lose access to land. There is concern that not all households would obtain a *plasma* plot. Under *nucleus-plasma* arrangements, farmers are expected to transfer approximately 10 ha of their land to the company, for which they receive back 2 ha planted with oil palms as *plasma* plots (Rist et al., 2010). However, in Kebun Hijau many households have no more than 2 ha in total. If people transfer 2 ha to the plantation and receive back 0.4 ha (20%), they are left with a *plasma* plot that is too small to be economically viable. On the other hand, if the company would uphold 2 ha as the minimum size for *plasma* plots, there would only be enough land for 267 plots for a village of 3500 inhabitants. Furthermore, not every household in Kebun Hijau 'owns' agricultural fields or rubber gardens. The previous section demonstrated that current land tenure arrangements allow a variety of options for obtaining land rights other than ownership, including share-cropping, leasehold, and clearing new forest land. The establishment of a plantation would require a change in land tenure arrangements in order to meet the criteria of *nucleus-plasma* schemes. People who have no land to contribute to the plantation have limited opportunities to become *plasma* holders. Meanwhile, they are not compensated for losing access to the land which they currently share-crop or lease. This would also impact livelihood opportunities for future generations (White, 2012).

Farmers whose land is incorporated into oil palm plantations often become day-laborers on the plantation. Such a change from farming to plantation labor would have profound impacts on daily lives, severely restraining people's autonomy. Particularly in a 'one-roof' plantation scheme, people lose control over decision-making

regarding production, marketing strategies, and labor time. In Kebun Hijau, many people have experience with working on oil palm plantations in Malaysia. Plantation labor is regarded as heavy labor, not suitable for women, elderly people, and people with weaker health conditions. Though in other plantations in the region, women do work as laborers, women are not hired above the age of 35 and have to retire at 55 (as observations from a visit to a nearby plantation showed). Meanwhile, those fit to work on plantations may choose to continue to work in Malaysia because of higher wages. It is therefore likely that the company would attract labor migrants from outer regions. The local population may then become what Li (2010; 2011) describes as “surplus people” whose land is needed but whose labor is not.

The explanations from the company about the plantation project did not address these concerns. Rather, the company made promises such as that the villagers would be able to make the pilgrimage to Makkah and that they would have money to improve their houses. The company also promised to improve the roads. Such promises are not related to any serious estimation of the benefits of oil palm as a crop vis-a-vis rubber, rice, and other crops. In socialization meetings, what was also not elaborated on was who will receive these benefits, how and when, or how people’s lifestyles would change.

## CONCLUSION

In this article I have presented a case study of a conflict in a Malay community in West Kalimantan that occurred in the preparatory phase of an oil palm plantation project. Violent confrontations arose between a plantation company and its opponents and supporters in the community, and the project was canceled before any oil palms were planted. To understand this conflict, I analyzed land tenure arrangements in the pre-plantation situation in relation to people’s responses to the plantation project. The findings demonstrate that resistance – or the absence of resistance – to oil palm plantation projects is not only conditioned by characteristics of the project itself. Rather, responses are rooted in the way people give meaning to the land and associated resources targeted for conversion to oil palm. To address land conflicts, it is therefore not sufficient to improve laws and policies on plantations or set up standards for the conduct of companies. The people in the case study village expected that a plantation system as such would negatively impact their livelihoods, lifestyles, and identities in three ways.

*First*, people were concerned about becoming dependent on monoculture cash crop production. Current land tenure arrangements allow for a wide range of crop choices. For the villagers, this means that land provides food security, income stability (for present and the future generations), and the flexibility to respond to crises and opportunities, such as new market opportunities. In times of limited cash income, the rice fields, vegetable gardens, and foods from the forest are crucial for food security. Rubber, even with the current low prices, provides predictable daily cash income for household expenses. Rubber gardens are also an investment for future generations. Meanwhile, rubber trees require little labor and attention, so villagers can plant additional crops. In contrast, an oil palm plantation would be incompatible with these diversified livelihood strategies because oil palm does not allow intercrop-

ping and there is not enough land available for farmers to continue producing other crops alongside oil palm. A conversion to oil palm would endanger food security and make farmers dependent on one market without having a safety net in times of crisis.

*Second*, the functional analysis of property relations exposed how a variety of property holders, beyond 'land owners', can derive benefits from land through leasehold, share-cropping, and clearing new forest land. Past and future generations are recognized because they influence bundles of rights and opportunities of current property holders. This is in line with Benda-Beckmann and Benda-Beckmann (2014, p. 21), who argue that property relations are meaningful only if they can be preserved over time, beyond the lifespan of property holders. *Plasma* arrangements only acknowledge current property holders while there is no guarantee for future generations to obtain *plasma* plots. Furthermore, people who have no land to offer to the plantation would lose access to land because they are not able to register as *plasma* holders and other options to obtain land rights will disappear. Therefore, a plantation would limit access to land for a considerable part of the local population.

*Third*, this loss of access to land is not compensated by opportunities for labor. Although labor migration to plantations in Malaysia is an important part of people's livelihood strategies, plantation labor is regarded as heavy work that is not suitable for women, the elderly, and people with weaker health conditions. Those who are not able to go to Malaysia for work (where wages are higher than on Indonesian plantations), would not be able or willing to work on a plantation in the village. An important reason why people do not regard plantation labor as an option is that they regard a laborer lifestyle as inferior to the more autonomous lifestyle of farmers. People refer to plantation laborers as 'coolies' or 'tied laborers'. Moreover, being a farmer is associated with heritage from the ancestors. The establishment of a plantation would mean the loss of people's identities as autonomous farmers.

This shows that people's responses to oil palm plantations are deeply rooted in their perceptions of land tenure arrangements in the pre-plantation situation. For farmers, incorporation into the oil palm sector does not mean a mere switch to a new tree crop. Rather, by analyzing property rights and mechanisms of access, this article has shown that the incorporation of farmers and their land into the oil palm sector would lead to the loss of the multiple functions of land, particularly food security, income security over generations, flexibility to respond to crises, and opportunity and autonomy for farmers. This outcome is in stark contrast to claims that oil palm plantations bring 'development' to the marginalized littoral regions of West Kalimantan and turn 'unproductive' into productive land.



## REFERENCES

- Banks, G. (2002). Mining and the environment in Melanesia: Contemporary debates reviewed. *The Contemporary Pacific*, 14(1), 39-67.
- Bedner, A. (2016). Indonesian land law: Integration at last? And for whom? In J. McCarthy & K. Robinson (Eds.), *Land and development in Indonesia: Searching for the people's sovereignty* (pp. 63-88). Singapore: Institute of Southeast Asian Studies.

- Benda-Beckmann, F. von, & Benda-Beckmann, K. von (1999). A functional analysis of property rights, with special reference to Indonesia. In T. van Meijl (Ed.), *Property rights and economic development: Land and natural resources in Southeast Asia and Oceania* (pp. 15-56). London: Routledge.
- Benda-Beckmann, F. von, Benda-Beckmann, K. von, & Wiber, M. G. (Eds.) (2006). The properties of property. In *Changing properties of property* (pp. 1-39). New York: Berghahn Books.
- Benda-Beckmann, F. von, & Benda-Beckmann, K. von (2014). Temporalities in property relations under a plural legal order: Minangkabau revisited. *The Journal of Legal Pluralism and Unofficial Law*, 46(1), 18-36.
- Badan Pusat Statistik. (2015). *Kalimantan Barat dalam angka*. Retrieved from [kalbar.bps.go.id/website/pdf\\_publicasi/Kalimantan-Barat-Dalam-Angka-2015.pdf](http://kalbar.bps.go.id/website/pdf_publicasi/Kalimantan-Barat-Dalam-Angka-2015.pdf)
- Castellanos-Navarrete, A., & Jansen, K. (2015). Oil palm expansion without enclosure: Smallholders and environmental narratives. *Journal of Peasant Studies*, 42(3-4), 791-816.
- Cramb, R. A., Colfer, C. J. P., Dressler, W., Laungaramsri, P., Le, Q. T., Mulyoutami, E., . . . & Wadley, R. L. (2009). Swidden transformations and rural livelihoods in Southeast Asia. *Human Ecology*, 37(3), 323-346.
- Davidson, J. S., & Kammen, D. (2002). Indonesia's unknown war and the lineages of violence in West Kalimantan. *Indonesia*, 73, 53-87.
- Ditjenbun (2014). Statistik Perkebunan Indonesia 2013-2015, Kelapa Sawit. Retrieved from [ditjenbun.pertanian.go.id/tinymcepub/gambar/file/statistik/2015/SAWIT%202013%20-2015.pdf](http://ditjenbun.pertanian.go.id/tinymcepub/gambar/file/statistik/2015/SAWIT%202013%20-2015.pdf)
- Dove, M. R. (1983). Theories of swidden agriculture, and the political economy of ignorance. *Agroforestry Systems*, 1(2), 85-99.
- Fitzherbert, E. B., Struebig, M. J., Morel, A., Danielsen, F., Brühl, C. A., Donald, P. F., & Phalan, B. (2008). How will oil palm expansion affect biodiversity? *Trends in Ecology & Evolution*, 23(10), 538-545.
- Gillespie, P. (2011). How does legislation affect oil palm smallholders in the Sanggau district of Kalimantan, Indonesia? *Australasian Journal of Natural Resources Law and Policy*, 14(1), 1-37.
- Haug, M. (2014). Resistance, ritual purification and mediation: Tracing a Dayak community's sixteen-year search for justice in East Kalimantan. *The Asia Pacific Journal of Anthropology*, 15(4), 357-375.
- Hall, D. (2011). Land grabs, land control, and Southeast Asian crop booms. *Journal of Peasant Studies*, 38(4), 837-857.
- Jelsma, I., Giller, K., & Fairhurst, T. (2009). *Smallholder oil palm production systems in Indonesia: Lessons from the NESP Ophir project*. Wageningen: Wageningen University.
- Julia, & White, B. (2012). Gendered experiences of dispossession: Oil palm expansion in a Dayak Hibun community in West Kalimantan. *Journal of Peasant Studies*, 39(3-4), 995-1016.
- Koczberski, G., Curry, G. N., & Bue, V. (2012). Oil palm, food security and adaptation among smallholders households in Papua New Guinea. *Asia Pacific Viewpoint*, 53(3), 288-299.
- Lee, J. S. H., Ghazoul, J., Obidzinski, K., & Koh, L. P. (2014). Oil palm smallholder yields and incomes constrained by harvesting practices and type of smallholder management in Indonesia. *Agronomy for Sustainable Development*, 34(2), 501-513.
- Li, T. M. (2010). To make live or let die? Rural dispossession and the protection of surplus populations. *Antipode*, 41(1), 66-93.
- Li, T. M. (2011). Centering labor in the land grab debate. *The Journal of Peasant Studies*, 38(2), 281-298.
- Li, T. M. (2015). Social impacts of oil palm in Indonesia: A gendered perspective from West Kalimantan. *CIFOR Occasional Paper No. 124*. Bogor: CIFOR.
- McCarthy, J. F. (2006). *The fourth circle: A political ecology of Sumatra's rainforest frontier*. Stanford: Stanford University Press.
- McCarthy, J. F. (2010). Processes of inclusion and adverse incorporation: Oil palm and agrarian change in Sumatra, Indonesia. *The Journal of Peasant Studies*, 37(4), 821-850.
- McCarthy, J. F., Gillespie, P., & Zen, Z. (2012). Swimming upstream: Local Indonesian production networks in 'globalized' palm oil production. *World Development*, 40(3), 555-569.
- Milieudefensie, Lembaga Gemawan, & Kontak Rakyat Borneo (2007). *Policy, practice, pride and prejudice. Review of legal, environmental and social practices of oil palm plantation companies of the Wilmar Group in Sambas District, West-Kalimantan (Indonesia)*. Amsterdam: Milieudefensie.

- Peluso, N. L. (2009). Rubber erasures, rubber producing rights: Making racialized territories in West Kalimantan, Indonesia. *Development and Change*, 40(1), 47-80.
- Pichler, M. (2015). Legal dispossession: State strategies and selectivities in the expansion of Indonesian palm oil and agrofuel production. *Development and Change*, 46(3), 508-533.
- Potter, L. (2015, June). Who is 'land grabbing'? Who is deforesting? Will certification help prevent bad practice? Paper presented at the international conference on Land Grabbing: Perspectives from East and Southeast Asia, Chiang Mai, Thailand.
- Pye, O. (2010). The biofuel connection: Transnational activism and the palm oil boom. *The Journal of Peasant Studies*, 37(4), 851-874.
- Reerink, G. (2011). *Tenure security for Indonesia's urban poor: A socio-legal study on land, decentralisation, and the rule of law in Bandung*. Leiden: Leiden University Press.
- Ribot, J. C., & Peluso, N. L. (2003). A theory of access. *Rural Sociology*, 68(2), 153-181.
- Rist, L., Feintrenie, L., & Levang, P. (2010). The livelihood impacts of oil palm: Smallholders in Indonesia. *Biodiversity and Conservation*, 19(4), 1009-1024.
- Seavoy, R. E. (1980). Population pressure and land use change: From tree crops to sawah in northwestern Kalimantan, Indonesia. *Singapore Journal of Tropical Geography*, 1(2), 61-67.
- Semedi, P., & Bakker, L. (2014). Between land grabbing and farmers' benefits: Land transfers in West Kalimantan, Indonesia. *The Asia Pacific Journal of Anthropology*, 15(4), 376-390.
- Semedi, P., & Prasetya, A. (2014). Oil palm versus rubber: GIS empirical check for land grabbing in West Kalimantan. *Journal of Asian Network for GIS-based Historical Studies*, 2, 43-50.
- Sheil, D., Casson, A., Meijaard, E., Van Noordwijk, M., Gaskell, J., Sunderland-Groves, J., . . . & Kanninen, M. (2009). The impacts and opportunities of oil palm in Southeast Asia: What do we know and what do we need to know? *CIFOR Occasional Paper No. 51*. Bogor: CIFOR.
- Sikor, T., & Lund, C. (2009). Access and property: A question of power and authority. *Development and Change*, 40(1), 1-22.
- Sirait, M. (2009). *Indigenous peoples and oil palm plantation expansion in West Kalimantan, Indonesia*. The Hague: Cordaid Memisa.
- Vermeulen, S., & Cotula, L. (2010). Over the heads of local people: Consultation, consent, and recompen-  
se in large-scale land deals for biofuels projects in Africa. *The Journal of Peasant Studies*, 37(4), 899-916.
- White, B., & Dasgupta, A. (2010). Agrofuels capitalism: A view from political economy. *The Journal of Peasant Studies*, 37(4), 593-607.
- White, B. (2012). Agriculture and the generation problem: Rural youth, employment and the future of farming. *IDS Bulletin*, 43(6), 9-19.
- Wilcove, D. S., & Koh, L. P. (2010). Addressing the threats to biodiversity from oil-palm agriculture. *Biodiversity and Conservation*, 19(4), 999-1007.
- World Bank, & IFC. (2011). *The World Bank Group framework and IFC strategy for engagement in the palm oil sector*. Retrieved from ifc.org/palmoilstrategy

## ABOUT THE AUTHOR

Rosanne E. de Vos is a PhD candidate at the Sociology of Development and Change Group, Wageningen University, Netherlands. Her research interests include legal anthropology and rural development as well as local histories of people and their lands, with a special focus on Kalimantan and East Nusa Tenggara, Indonesia.

► Contact: rosa.devos@wur.nl

### ACKNOWLEDGEMENTS

I am grateful for the insightful discussions and feedback from Michiel Köhne, Dik Roth, and Adriaan Bedner. Moreover, I thank Melanie Pichler, Martina Padmanabhan, Annet Pauwelussen as well as two anonymous reviewers for their feedback. I would like to thank Prof. Garuda Wiko of the Tanjung Pura University and Lembaga Gemawan in Pontianak for their support during my stay in West Kalimantan. Special gratitude goes out to the communities that welcomed me into their homes and their lives. This research was funded by the Wageningen School of Social Science.



# Assembling Resistance Against Large-Scale Land Deals: Challenges for Conflict Transformation in Bougainville, Papua New Guinea

Anne Hennings

► Hennings, A. (2016). Assembling resistance against large-scale land deals: Challenges for conflict transformation in Bougainville, Papua New Guinea. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 33-52.

Responding to the academic void on the impact of socio-ecological conflicts on peace-building and conflict transformation, I turn to resistance against large-scale land acquisitions in post-war contexts. Promising in terms of reconstruction and economic prosperity, the recent rush on land may, however, entail risks for reconciliation processes and long-term peace prospects. With reference to post-war Bougainville – as yet an autonomous province of Papua New Guinea – the article aims to conceptualize the impact of resistance against large-scale land deals on conflict transformation processes. Applying assemblage theory thereby allows not only analyzing multilayered dynamics in post-conflict societies but also new perspectives on socio-ecological conflicts. The findings suggest increasing resistance against land deals and state territorialization in Bougainville with resemblances to pre-war contentious politics against Panguna mine. Yet, the lasting war trauma, a high weapon prevalence, and growing social friction add to destructive deterritorialization processes that are currently slowed down by the upcoming independence referendum.

**Keywords:** Assemblage; Conflict Transformation; Land Grabbing; Papua New Guinea; Resistance

~

## INTRODUCTION

In times of climate change and a combined energy, food, and financial crisis (McMichael, 2013; Ross, 2014), access to and control over land and certain resources are increasingly contested (Hall et al., 2015, p. 467). Although far from being a new phenomenon, the nature of contemporary commercial land and resource acquisitions indicates a shift towards new spatial-temporal dimensions (Wily, 2012). Ever-larger tracts of land or forests are leased for 50 up to 99 years to corporations mainly from BRICS countries, the Middle East, Europe, and North America. Most host governments offer a variety of economic and legal incentives, while investors, in turn, promise employment opportunities, infrastructure development, technological transfer, and contributions to local or national food security (Anseeuw et al., 2012; Bloomer, 2012). However, displacement, long-term environmental damage, and socio-cultural as well as political marginalization give rise to increasing resistance against large-scale land acquisitions



and land grabs<sup>1</sup> in the global South. Following the development in Sub-Saharan Africa (Hall, Scoones, & Tsikata, 2015), a large number of land transactions have taken place in Southeast Asia in recent years. Despite certain risks to acquire vast areas for agriculture, mining, or carbon offsetting purposes, profitable conditions increasingly attract investors in post-conflict countries (Tripathi, 2011).<sup>2</sup> Countries as diverse as Cambodia, the Lao PDR, Papua New Guinea, or the Philippines, while struggling to stabilize after years of violent conflict ranging from genocide to anti-regime and secession wars, face a contemporary rush on their lands, forests, and mineral resources (Land Matrix, 2015). At the surface, these developments may seem promising in terms of reconstruction and economic prosperity (Anseeuw et al., 2012; FAO, 2013; Locher & Müller-Boker, 2014). However, they may also entail risks for reconciliation processes and long-term peace prospects due to changing formal and informal land ownership and the often unjust distribution of negative externalities and benefits.

This article refers to the specific situation of reconciliation, land acquisitions, and resistance in post-war Bougainville. Selecting the case of Bougainville, as yet an autonomous province of Papua New Guinea (PNG), is interesting for two reasons. First, armed resistance against the negative socio-ecological impacts of the Panguna copper mine in Bougainville triggered a decade long civil war (1988-1998) – referred to in the earlier period of peace as the “world’s first successful eco-revolution” (Rotheroe, 2000). Second, the independent state of Bougainville (the referendum is expected to take place until 2020) will certainly depend on revenues from foreign direct investments (Kangsi & Damana, 2014, p. 14). Due to the worsening economic situation, the autonomous government is already under pressure to seek (external) financing opportunities such as in the mining or agricultural sector. Taking these recent developments in Bougainville into account, the article aims to conceptualize the impact of resistance against large-scale land deals on socio-economic and political conflict transformation dynamics.

Drawing on Deleuze’s and Guattari’s (1987) poststructuralist assemblage approach, I analyze territorialization processes (e.g., dynamics of land tenure shifts, displacements, and reconciliation) that strengthen or destabilize the identity and capacities of assemblages. Assemblage thinking takes socio-spatial relations into account and permits an expanded understanding for the processes and interactions on different levels and between heterogeneous actors and the environment. The article is organized as follows. I briefly review the existing literature on land deals, conflict transformation, (liberal) peacebuilding, and resistance. Building upon a brief introduction of the assemblage perspective, I develop the theoretical framework. Using the case of Bougainville, the conceptual framework will be further outlined by scrutinizing the issue of land acquisitions, territoriality, as well as the emergence and

1 Following the Tirana Declaration (2011), land grab indicates large-scale land deals associated with at least one of the following aspects: human rights violations, lacking participation, information or compensation of affected communities, or a lack of thorough environmental or social assessments. Whereas the terms land deals, land acquisitions or foreign direct investment generally refer to the commodification of land, they also subsume the predominant phenomenon of land grabbing (Cotula et al., 2014). I mainly use the terms land deals or acquisition, unless I want to highlight implications specifically related to land grabs.

2 Post-conflict situations are vulnerable political and economic transition phases. According to Badran (2014), “peace failure is likely at any time during the first two decades” (p. 213).

impact of resistance in fragile post-war contexts. In this regard, I draw parallels to historic developments, such as earlier resistance practices against Panguna mine on the verge of civil war.

### LAND DEALS, RESISTANCE, AND POST-CONFLICT CONTEXTS

Only recently taken up, resistance and conflicts related to large-scale land use changes and commercial land acquisitions still remain underexplored in scholarly debates (Brent, 2015; Hall et al., 2015). While recent studies dealing with the contemporary land rush are often limited to conflicts around displacement or marginalization (Cotula et al., 2014; Ince, 2014; Mittal, 2013), scant attention has been paid to the impact of emerging resistance and their implications for local or national stability.<sup>3</sup> When examining resistance, the land grabbing literature, as some scholars criticize, usually perceives peasants as victims, whose traditional livelihoods are threatened and who inherently oppose large-scale land deals (Schneider, 2011). Few exceptions challenge this generally accepted assumption, such as Mamonova's (2015) analysis of non-resistance of Ukrainian peasants. This said, most affected communities in some way or other, however, react from below against land deals and particularly land grabbing in various and complex ways (Hall et al., 2015). Local communities are thereby not passive victims but "powerful and potentially transformative agents" who frame their resistance by interpreting their own experiences of marginalization and injustices (Cavanagh & Benjaminsen, 2015, p. 730).

When dealing with resistance against land grabbing in the Global South, most scholars apply framing (Benford & Snow, 2000) and mobilization approaches (Edwards & McCarthy, 2004) or adopt Scott's (1985) concepts of everyday resistance and weapons of the weak (Adnan, 2013; Cavanagh & Benjaminsen, 2015; Malseed, 2008). For instance, Schneider (2011) scrutinizes the complex case of Cambodia and discusses the efficacy of (un-)organized resistance. Accordingly, three kinds of rural resistance can be distinguished: official politics within the respective authorities; everyday resistance which is rather unplanned and indirect; and direct, organized, mostly overt advocacy politics. Depending on external (mainly political) circumstances, resistance may easily transform from everyday resistance to advocacy politics or vice versa. Instances of extreme political repression, coercion, or marginalization can push peasants to "cross the threshold of fear and insecurity" (Adnan, 2007, p. 214). This either means that everyday resistance takes a backseat in favor of more confrontational overt forms of resistance or, conversely, peasants have to find all the more covert means of everyday politics. Referring to this literature, this article considers everyday resistance as well as advocacy politics and centers around the implication of resistance for conflict transformation processes. I refrain from a detailed analysis of resistance against large-scale land deals in Bougainville including framing strategies, organizational structures, and resource mobilization. Instead, the article explores the motivations and means of resisting groups and reveals implications for "(un)peaceful relations" (Menzel, 2015) in post-conflict contexts.

---

3 The recent publication of the *Journal of Peasant Studies* (Hall et al., 2015) on land grabbing and resistance is an overdue exciting exception.

War-torn societies, donors, and most governments would agree that rebuilding a country in the wake of violent conflict generally aims at establishing conditions that enable sustainable peace in the long run (Pugh, Cooper, & Turner, 2011).<sup>4</sup> Mostly external-driven peacebuilding interventions address four main pillars, each encountering various obstacles: security; justice and reconciliation; social and economic wellbeing; governance and participation (Jarstad & Sisk, 2008; Schneckener, 2005; Woodward, 2013). For years, donors and international organizations have favored the neoliberal approach to peacebuilding (Woodward, 2013, pp. 141-143). In contrast to institutional, security-centered, and civil society approaches, liberal peacebuilding comprises a set of economic and political measures that primarily promote democratization, early elections, and – most important – a free market economy (Campbell, Chandler, & Sabaratnam, 2011). Accordingly, corporations and liberal politicians continue to advocate for the stabilizing and long-term advantages of corporate peace (Haski-Leventhal & Shippa, 2013; Pugh, 2016) which, in turn, further legitimizes foreign direct investments. At the same time, the social dimensions of post-war development are often disregarded (Menzel, 2015), questioning the durable objective of peacebuilding. Likewise, little attention has been paid to the social and symbolic dimensions of land or natural resources in the wake of conflicts (Auweraert, 2013). Here, particularly Unruh's and Williams' (2013) work stands out. They show that contested access and control over land and natural resources not only encourages (armed) conflicts but that the (re-)distribution of land remains a key risk factor during conflict transformation. In a similar vein, UNEP and UNDP (2013) jointly analyzed the natural resource and demobilization, disarmament, reintegration (DDR) nexus with regard to conflict risks and long-term peace prospects to conclude that natural resources and access to land is key to economic recovery and successful reconciliation.

This being said, few scholars have explored the specific impact of large-scale land acquisitions in post-war countries despite potential risks to conflict transformation. Taking land use change, identity, and external interests into account, Gertel, Rottenburg, and Calkins (2014) offer a starting point with a profound analysis of multilayered conflict dynamics resulting from land and resource investments in Sudan. Millar (2015a, 2015b) reveals potential destabilizing effects of land grabbing, that is, increasing economic inequality, in post-conflict Sierra Leone. However, Millar does not consider communal coping strategies or potential synergies between war experiences and means of resistance. With that said, I particularly focus on contentious politics against land deals in Bougainville and aim to reveal resemblances to earlier forms of resistance against Panguna mine that eventually resulted into a full-scale war.

### CONCEPTUALIZING ASSEMBLAGE AND TERRITORIALITY

Assemblage concepts have become increasingly popular tools for expanding understanding of new social formations arising in consequence of the multiple crisis of capitalism and climate change (Larner, 2011). Inspired by the poststructuralist forest

---

4 Reychler and Paffenholz (2001) refer to sustainable peace as a “situation characterized by the absence of physical violence; the elimination of unacceptable political, economic and cultural forms of discrimination; a high level of internal and external legitimacy or support; self-sustainability; and a propensity to enhance the constructive transformation of conflicts” (p. 12).

carbon and tenure literature, scholars started drawing attention to the concepts of assemblage and territorialization to explore the impacts and dynamics of large-scale land deals (McMichael, 2012; Sassen, 2013). Thus far largely applied in geography, sociology, and anthropology, assemblage can also add new perspectives to the field of peace and conflict studies, as demonstrated by Hoffman's (2011) differentiated analysis of "war machines" – about the role of young men in the Sierra Leonean and Liberian civil war.

Setting out constructivist accounts of socio-spatial relations and proposing a non-dualistic understanding of nature and society, assemblage theory provides an alternative approach to modernist thinking in terms of conceptualizing the social and natural world. Whereas it shares this critique of modernization theory with political ecology approaches, assemblage theory criticizes the structural (Marxist) thinking in political ecology that seeks to explore causal rather than emergent linkages and neglects the agency of nature (Blaikie & Brookfield, 1987; Bryant, 1998; Neumann, 2015; Zimmerer & Bassett, 2003). In order to compensate for these shortcomings, political ecology scholars have increasingly turned to Latour's Actor-Network Theory (ANT). ANT can, however, only partly address these shortcomings (Braun, 2004; Mutersbaugh & Martin, 2012) as it leaves "little room for politics" (Loder, 2012) and hence, falls short in scrutinizing resistance against large-scale land deals in politically contested post-conflict settings.

In contrast to structural approaches, the strength of assemblage theory derives from its focus on the relationality of things and people (Ong, 2014) that "permits the researcher to speak of emergence, heterogeneity, the decentered and the ephemeral in nonetheless ordered social life" (Marcus & Saka, 2006, p. 101). The notion of assemblage entails a theory of practices and interaction since relations "are made and remade in practices" (Bueger, 2014, p. 62). Accordingly, assemblage thinking moves beyond anthropocentrism and proposes an approach to overcome the highly debated dichotomy between agency and structure (Anderson, Kearnes, McFarlane, & Swanton, 2012, p. 172). Instead of emphasizing the *being*, assemblage apprehends the *making* of socio-natures "whose intricate geographies form tangled webs of different length, density and duration, and whose consequences are experienced differently in different places" (Braun, 2006). This conceptual perspective enables a comprehensive understanding of emerging resistance against land acquisitions in complex conflict transformation situations. In the following, I outline key terms and characteristics of assemblages and develop a conceptual framework.

### **Assemblage and Power From a Socio-Spatial Perspective**

In this article, I largely draw on DeLanda's (2006, 2011) assemblage approach and ontology that builds on Deleuze and Guattari (1987). Following assemblage ontology, each entity can be understood as immanently historically produced; be it a city, a community network, or a nation state. The relation between component parts is contingent obligatory as "a historical result of their close coevolution" (DeLanda, 2006, p. 11). Assemblages do not form a seamless whole (DeLanda, 2011, p. 188; Deleuze & Guattari, 1987, p. 698), but imply emergence resultant from its interacting entities (Li, 2007, p. 264). During the process of emergence, component parts retain

their identity and autonomy and, once stabilized, can become component parts of another (larger) assemblage. While the emerging property or features of the larger assemblage may change, the identity of the respective component parts remains. The occurrence of emergent properties depends on interactions that are defined, more specifically, by the entities' capacities (DeLanda, 2011, p. 205). Entities are characterized by a mixture of material and virtual or expressive roles, whereby the latter includes linguistic, but also social expressions, such as solidarity, legitimacy, or prestige. For instance, the expression of identity through architecture or the symbolic relation to land can be regarded as virtual dimensions of a rural community assemblage while the material dimension concerns the physical neighborhood, infrastructure, village gatherings, fields, or forest, to name but a few.

According to Deleuze and Guattari (1987, p. 27), vertical relations are a feature of social space, whereby they understand power as a relation between forces, not between subjects. Force means "any capacity [be it physical, socio-economic, legal, mystical] to produce or change a 'becoming'" (Parr, 2011, p. 111). As a consequence, every event or phenomenon results from hierarchical interaction patterns between forces. Hence, power can be neither apprehended as central governing nor equally distributed but "as a plurality in transformation" (Anderson & McFarlane, 2011, p. 125). This means different and even contrary kinds of power, for example, resistance, domination, authority, manipulation or inducement (Allen, 2004), emerge and operate simultaneously and thus, go beyond commonly applied global-local or state-civil society divisions (McFarlane, 2009, p. 565). Power is also an integral part of territoriality. Often reduced to socially or institutionally occupied space, territory rather encompasses interactions of social life and power. Territory encompasses more than physical tangible land. Rather, it emerges from claims to land (Gertel et al., 2014; Sassen, 2006; Scott, 1998) and is characterized by the dimensions of identity, authority, and economic efficiency. According to Sack (1986), territoriality is an attempt to control or influence people, phenomena, and relations by asserting control over a certain geographic area (pp. 387-388). Notably, nation states apply this logic (Hassner, 1997; Vandergeest & Peluso, 1995) but territoriality also matters in armed conflicts when control over a certain area is established or expanded. However, territoriality cannot be reduced to those who assert control as it may be contested or resisted (Scott, 1998). Politics are in a never-ending state of becoming since a "political assemblage [is] continually made anew, continually reinvented" (Hardt, 1993, p. 121). Thereby, new assemblages representing new interests and organizational structures (e.g., resisting groups) seek to increase their capacities in order to alter contemporary hierarchical patterns.

### **Assembling the Land Grabbing, Resistance, and Conflict Transformation Nexus**

Assemblages are determined along two axes; namely, the processes of territorialization and coding. Between these two processes heterogeneous entities come together and fall apart (Anderson & McFarlane, 2011). Territorialization concerns the internal homogeneity of an assemblage and can be differentiated threefold – although each entity of an assemblage may be involved in all processes simultaneously (DeLanda,

2006, pp. 13-14, 123; Deleuze & Guattari, 1987, pp. 703-705). Analyses along territorialization and coding processes allow revealing spatial and material features of territories whilst taking social relations into account. In the following, I illustrate and discuss both territorialization and coding processes with regard to resistance against large-scale land deals in post-war societies.

Territorialization stabilizes the identity of an assemblage by strengthening the internal homogeneity and defining its (spatial) boundaries; usually facilitated by the state that “distinguishes the legal from the illegal, the legitimate from the illegitimate, the licit from the illicit” (Hoffman, 2011, p. 8). In this way, the state not only regulates access rights to territory and resources, but also expands control over its population, what Vandergeest and Peluso (1995) critically refer to as “property rights over people” (p. 394). Accordingly, state territorialization implies the exclusion of certain social groups and the monopolization of economic benefits through resource control. This being said, reactions from below can be differentiated threefold: Either communities accept, ignore, or oppose state territorialization efforts (Berry, 2009, p. 24). Although not inevitably linked, large-scale land acquisitions can in most cases be understood as an act of state territorialization that goes beyond the mere material appropriation of land and commodities. Rather, it is an act of gaining control over social, cultural, and economic resources which is sometimes closely associated with elite capture (Dina & Sato, 2014; Hall, 2013). In the case of the Panguna mine, the central government of PNG in Port Moresby not only failed to facilitate a constructive dialogue, but also deliberately promoted labor migration from other parts of the country, thereby further disadvantaging and alienating Bougainville’s communities. Generally, the government’s willingness or commitment to address claims against land grabbing to guarantee free prior and informed consent or compensation for affected communities can be regarded as the virtual or expressive role of the authorities (DeLanda, 2006, p. 57). While land deals may be an act of state territorialization, they are the more if resistance against these practices is suppressed. Opposing groups may be pushed to assemble their forces and strengthen their identity which contributes to territorialization processes *within* resisting communities. In this respect, the Bougainville Revolutionary Army (BRA) is a case in point. While the government of PNG ignored local claims, acts of everyday resistance and related advocacy politics strengthened the movement’s identity that has been closely intertwined with Panguna.

Deterritorialized assemblages, on the other hand, are rather unstable, heterogeneous, show fuzzy boundaries, and can be distinguished as relative or absolute deterritorialization (Braun, 2008). The former, *reterritorialization*, refers to destabilizing processes opening assemblages up to change which may yield an alternative identity (DeLanda, 2006), for instance, when state-owned land is transferred to an indigenous administration or resistance movements succeed (Braun, 2008; Woods, Anderson, Guilbert, & Watkin, 2013). In contrast, the process of absolute *deterritorialization* shows rather destructive tendencies and involves a much more radical identity change, for instance caused by violence or a severe loss of livelihoods. Both deterritorialization processes can occur simultaneously in the wake of large-scale land deals. The top-down exclusive commodification of land, forests, and minerals destabilizes an assemblage since the former is contingent upon the separation of land from social meanings and its transformation into valorized capital (Gertel et al., 2014; Sassen,



2006). Hence, the range of interactions between the land and its former owners or utilizers inevitably changes and is replaced by a primarily economically motivated relation which often holds resemblances to exploitative patterns. Confronted with eviction and dispossession, communities need to find coping strategies that are often related to certain means of contestation. If (non-violent) resistance succeeds, alternative coping mechanisms do not harm other communities or the environment or in cases where new negotiation opportunities open up, one can speak of reterritorialization. By contrast, in cases of extreme repression or coercion – often (in)directly supported by investors or donors through controversial infrastructure or land governance projects (Fairhead, Leach, & Scoones, 2012; Mousseau & Moore, 2013; Neef, Touch, & Chiengthong, 2013) – communities may be pushed to engage in more confrontational and riskier forms of resistance (Kerkvliet, 2009) as in Bougainville during the 1980s. Accordingly, violence easily escalates and undermines state authority which further accelerates absolute deterritorialization. This may entail destructive long-term impacts, disrupt peace and reconciliation processes, or even promote new armed conflicts (Hoffman, 2011, p. 9).

Complementing territorialization, coding sharpens and maintains the identity of assemblages and is often facilitated by the media. Type and acknowledgement of legitimate authority plays a key role for (de-)coding processes. Highly coded assemblages usually occur in very formal environments, such as hierarchically organized societies in which authority is uncontested. If formal governance or legitimate authority are weakened, for instance as a result of war, assemblages can be referred to as decoded. However, many social assemblages are neither highly coded nor territorialized (DeLanda, 2006, p. 15). Interactions of resistance are regarded as not yet coded. Referred to as “non-place” in spatial terms, resistance suddenly emerges “within historical arrangement(s) of power relations” (Lambert, 2006, pp. 143-144) on the margins of an assemblage. Created at the edge, where the “entity experiences an outside” (Sutton & Martin-Jones, 2011), resistance may transform the whole assemblage. The success of resistance again is closely related to the response of the addressed legitimate authority; be it negotiation, coercion, or disregard.

### **ASSEMBLING REACTIONS FROM BELOW IN POST-CONFLICT BOUGAINVILLE**

In the following, embedded into historical trajectories I give a brief overview on current land-related developments in Bougainville that became an autonomous province of PNG in the aftermath of the civil war in 2000. In doing so, I seek to uncover resemblances between former and contemporary resistance dynamics against state territorialization through land and resource commodification. PNG ranks among the top ten target countries of large-scale land deals. So far, more than 5.2 million ha of land have been leased, mostly to foreign investors (Land Matrix, 2015) covering roughly 12% of the total surface. Affected communities were left largely uninformed and excluded from negotiation or participation (Global Witness, 2014). Investors are not only interested in PNG’s rich mineral resources but also in commercially untouched rainforest areas that are suitable for agro-industrial plantations. Meanwhile, the government faces various challenges that are (in)directly linked to the land rush, such as illegal logging, massive soil and water degradation, community displacement,



and increasing food insecurity (Mousseau, 2013). In mid-2014, a court decision revoked one third of the Special Agricultural Business Leases (SABL) due to ongoing discrepancies with existing community land tenure. Notwithstanding, the judicial review of the other SABL is still pending while the federal court stopped the implementation of the court decision in early 2015 (Kalebe, 2015).

### Increasing State Territorialization

The autonomous status of Bougainville exempts the island's resources from SABL regulations but nonetheless the island increasingly attracts investors. In the wake of the secession war (1988-1998), a debate on (sustainable) mining and alternative ways of foreign direct investments was initiated in the early 2000s. After seven years of negotiation, the Autonomous Bougainville Government (ABG)<sup>5</sup> passed a new interim mining act in August 2014 to address Bougainville's specific needs. According to the new bill, minerals are now owned by traditional landowners who also have veto power over exploration licenses, while the ABG owns minerals of non-customary land (PNG Mine Watch, 2014). However, critics claim the new law paves the way for the long contested Panguna mine<sup>6</sup> to re-open without landowner consent and, moreover, privileges former operator BCL in negotiating new mining licenses in the area. Amid this controversial discussion on long-term sustainable investments, conflict transformation<sup>7</sup>, and low financial capacities, the Bougainville Inward Investment Bureau (BIIB) was recently established. Aiming to attract responsible investment that meets Bougainville's specific context and needs, the BIIB developed ethical principles and identified four key investment sectors including agriculture, tourism, fisheries, and mining (BIIB, 2014). Still, the BIIB needs to prove its commitment and involve Bougainvilleans a lot more into the negotiation process of utilizing the country's resources. The pending re-opening of Panguna mine, the allocation of further exploration licenses, and increasing agro-industrial acquisitions suggest that a contrary development is underway. President Momis has always supported large-scale mining and advocates for its (mainly financial) advantages (Kangsi & Damana, 2014, p. 14). Moreover, corruption undermines a constructive debate on the pros and cons of large-scale mining and thus helps to mobilize pro-land and resource investment forces within the ABG and the elite. In addition to internal power dynamics, external pressure due to financial dependencies mainly from Australia, PNG (see Cochrane, 2016, on PNG's ambitions to buy Rio Tinto's Panguna shares), and particularly China encourages the ABG to sell off its land, forests, and minerals (Roka, 2014). These de-

---

5 Following the peace agreement between the government of PNG and the Bougainville Revolutionary Army (BRA), the ABG was established in 2000. Regarded as one of PNG's great elder statesman, president Grand Chief Dr. John Lawrence Momis was re-elected in 2015. During the 1970s, he co-drafted the constitution of PNG but also helped to establish secessionist movements in the North Solomons (which includes Bougainville). Taken hostage by the BRA in 1997, he nevertheless continued advocating for reconciliation between ex-BRA combatants and the Papua New Guinea Defense Force whilst preparing for the independence referendum (Radio New Zealand, 2015).

6 See Vernon (2005) for more detailed information on the socio-ecological impact of the Panguna copper mine.

7 For further information on the peacebuilding process see Regan (2002) and Braithwaite, Charlesworth, Reddy, and Dunn (2010).

velopments point to increasing state territorialization that is closely linked to broader dynamics of Bougainville's state formation and consolidation (Corson, 2011; see Cavanagh & Benjaminsen, 2015, on similar dynamics in Uganda).

### **Contested Land Deals and the Risk of Re-Opening Panguna**

Recently, there has been growing discontent and public resistance against the allocation of land to investors and commodity commercialization. For instance, affected communities in Tinputz that have occupied the plantations since the end of the war continuously oppose the unjust allocation of land to foreign investors (Laukai, 2009). Since 2011, a number of protests, for example, against the Torokina palm oil plantation and related cases of corruption, have been reported (Ambros, 2014). These and other examples reveal that rural resistance in post-war Bougainville is fairly well organized despite decentralized and weak political structures (Simili & Chand, 2013). Since autonomous Bougainville can be referred to as neither highly coded nor territorialized, it enables overt and public forms of resistance. As such, opposing groups address their claims directly to responsible authorities by means of advocacy politics like demonstrations, sit-ins, or through legal means.

The current forms of resistance indicate processes of non-violent reterritorialization that may alter the whole assemblage. However, Bougainville's history and the outbreak of civil war shows that contentious politics may easily turn into armed resistance. Back then, mingling with the idea of secession, initial protest against the socio-ecological impacts of Panguna copper mine (e.g., contamination-related health risks, increasing conflicts with labor migrants, and social differentiation) turned into a full armed conflict. Certainly, the roots of war are much more complex but the legacy of the conflict and particularly Panguna mine grievances are still present and influence contemporary politics (Ipp & Cooper, 2013). Shortly after the war, affected communities claimed for redistributive justice concerning still pending compensation payments by legal means. In 2000, a group of affected Panguna residents filed a human rights suit in the US against Panguna mine operator RioTinto/BCL but lost the case in 2013. Panguna remains a symbol of social injustices in Bougainville and the envisaged re-opening, eagerly promoted by president John Momis (PNG Mine Watch, 2015), is highly contested. It has been argued that the ABG provokes a new armed conflict if it continues to ignore the grievances and growing frustration of the population (Kangsi & Damana, 2014, p. 15). The ABG consultation process (2010-2014) on the future of the mine adds to this and has led to growing mistrust in the government. Communities have criticized that the consultation was neither fully inclusive nor transparent; many felt misrepresented going along with suspicions of local elite bribery or manipulation of the public opinion (Kangsi & Damana, 2014, p. 34). Yet, it seems that affected communities would agree to re-open Panguna mine under certain conditions: after independence; under local ownership/control; after compensation, reparation and reconciliation; and after alternative options for economic development have been explored (Kangsi & Damana, 2014, p. 32). As it is unlikely that BCL will agree to these terms, the re-opening remains highly disputed.

### Early Resistance, Emerging War, and Bougainville's Reterritorialization

Contemporary means of non-violent resistance against land acquisitions, such as demonstrations, sit-ins, petitions, or public media campaigns, resemble advocacy politics and mobilization efforts from the 1960s to the 1980s, prior to the outbreak of armed conflict (EJOLT, 2014; May, 2004). From an assemblage point of view, years of resistance politics 'on the margins' successfully transformed, and in this case de- and reterritorialized, the whole assemblage. Analyzing the early years of opposition, it becomes clear that Port Moresby's disregard and the continuing marginalization of indigenous and peasant populations largely contributed to transform advocacy politics into more confrontational violent resistance and, hence, slowly facilitated deterritorialization. During the exploration phase, confronted with claims of the Panguna Landowners Association (PLA) the PNG government offered compensation and an unpopular revenue sharing scheme (Ipp & Cooper, 2013). However, the promised payments never materialized. At the same time, the emergence of a relatively wealthy local elite encouraged the intensification of social frictions which also involved long-standing family or village disputes over access to land (Kangsi & Damana, 2014, p. 8). Growing concern over the health-related consequences of mining which came to light after the environmental assessment was published in late 1988 eventually triggered the shift from protest to armed resistance (Kangsi & Damana, 2014; May, 1990).

Francis Ona, leader of the militant PLA wing and former BCL employee, adopted the post-colonial and anti-missionary critique of the Bougainvillean Hahali and Dameng movements<sup>8</sup> in order to mobilize and legitimize violent dissidence within the population (Regan, 2002). In sharp contrast to the common assumption that Bougainvilleans are "a united people, resisting colonialism, mines, and, later, Papua New Guinea" (Regan, 2002), opinions on grievances, means of resistance, or separatism vary widely depending on the socio-economic status and the colonial experience of individuals or on community level. During the course of war, this led to separations within the resistance movement and new conflict lines between rivaling groups. Francis Ona realized the importance of unity and a strong internal identity (one could speak of highly territorialized and relatively coded resistance) for the movement's success and, thus, linked the struggle against Panguna mine to claims for independence: "We are not part of your country any more. . . . We belong to the Republic of Bougainville and we are defending our island from foreign exploitation" (Francis Ona, 12 April 1989, cited in May, 2004, pp. 274-275).

The early territorialization of the resistance movement manifested the wish for sovereignty in Bougainville which was, at that time, only expressed by few less influential groups. Supported by mining operator BCL, Port Moresby's (para-)military answer to the uprisings and a nine month embargo of the Panguna area strengthened local solidarity and, hence, internal territorialization of the, by then, armed resistance movement. In turn, this facilitated socio-political reterritorialization dynamics in the province of Bougainville, which continue to this day. Access to power and the

---

<sup>8</sup> The Dameng have supported the armed struggle since 1989 while criticizing Panguna mine in three respects: the degradation of land that is key to all social relations, the negative impact of money that was introduced as means of payment in a previously egalitarian society, and the scale of labor migration. For more information on post-colonial movements and resistance in Bougainville, see Griffin (2005).

distribution of resources in the emerging national state remain continuously negotiated and contested. Moreover, as a consequence of the war, the mode of coding changed in favor of traditional authorities (e.g., the council of elders<sup>9</sup> and the community auxiliary police) that filled the institutional void after PNG's state authority withdrew. Ever since then, traditional authorities have once again become key institutions in communal decision making and conflict resolution processes (Braithwaite et al., 2010; Regan, 2002). Despite a patriarchal tendency resulting from colonial influence, the political representation of women has a long history in Bougainville and women played a pivotal and recognized role in the peace talks (Quay, 2012).<sup>10</sup>

### **Deterritorialization Dynamics: Reconciliation Under Threat?**

Against this backdrop, large-scale land deals seem to be an all the more sensitive issue in contemporary Bougainville and the threshold to take up violent everyday means of resistance is relatively low. Reasons for the potential of (violent) conflict are manifold and include a generally high readiness to stand up for one's rights, the frustration about the lost Rio Tinto/BCL trial, and the overall difficult socio-economic situation in Bougainville (Ipp & Cooper, 2013; Jennings & Claxton, 2013). Moreover, the disarmament process led by the UN peacekeeping mission was not successful, that is, a large number of weapons still remain in circulation (Ipp & Cooper, 2013; Spark & Bailey, 2005). Some villagers, ex-combatants, and gangs kept their weapons to guarantee self-protection in case of anew land or resource grabs facilitated by the (ignorant) state and powerful corporations (PNG Mine Watch, 2015). While similar narratives are also common in other post-war disarmament contexts, the experience of a successful uprising against operator BCL and Port Moresby reinforces the self-defense discourse in Bougainville. This being said, Panguna mine is still under the control of former BRA rebels who claim control and access to the mine and stop any further explorations.

Growing friction between the ABG and most Bougainvilleans – mainly resulting from the government's contemporary land and resource investment policy – adds to decreasing trust in state authorities and hence, to slow deterritorialization and decoding in the autonomous province. While the government seeks revenues, many Bougainvilleans advocate for a people-centered development. They demand alternatives to intensive mining, such as subsistence horticulture, animal farming, alluvial gold panning, or fishing and prawn farming (Kangsi & Damana, 2014, p. 43). The allocation of land to influential investors from China, PNG, or Australia will, hence, remain among the core challenges to Bougainville's future. Threats to access to and control of land may have far reaching socio-cultural implications and could easily escalate local conflicts that are often legacies from colonial times aggravated through the war (Ipp & Cooper, 2013). Whether the destructive impact of deterritorialization materializes will depend on the government's response to current claims of groups

---

9 The council of elders facilitates a "symbiotic relationship between customary authority and state authority" (Braithwaite et al., 2010). Elected or based on heredity, elders could also be church, women, or youth leaders.

10 Clan membership is mainly determined by matrilineal lines and in many parts of Bougainville land is owned by women (Kangsi & Damana, 2014).

resisting land deals and the consideration of the lasting Panguna trauma. Even more important, the government's willingness to enter into a genuine dialogue with concerned communities will influence whether resisting groups pursue currently applied advocacy strategies or shift to everyday resistance including violent means. For the time being, the immanent independence from Port Moresby seems to be of higher priority and a catalyst for a united peaceful Bougainville, thus slowing down deterritorialization. Nonetheless, critiques concerning the continuing land allocation to investors and the re-opening of Panguna mine which can severely undermine the peace and reconciliation process abound (Ipp & Cooper, 2013).

## CONCLUSION

The developed framework and the explorative approach of this article are a first attempt to conceptualize the nexus of resistance, land acquisitions, and conflict transformation by using the case of Bougainville. Embedded in the global land grabbing discussion, the article illustrates the fertility of assemblage thinking for analyzing socio-ecological conflicts and linking various academic fields, such as peace and conflict studies, political ecology, and agrarian studies. The assemblage approach enables new perspectives on post-war state territorialization efforts, related conflict transformation, and peacebuilding obstacles and reveals potential conflict dynamics. The analysis exemplifies how early resistance against the Panguna mine emerged on the margins and eventually transformed the whole assemblage. The success of the resistance movement, the victory of BRA, and Bougainville's path to independence can be understood as a perpetuation of these dynamics. This said, applying assemblage theory offers insights into the transformative power of (successful) resistance struggles and their socio-economic and political impact on various levels.

Exemplifying the developed framework with reference to the case of Bougainville also gave insights into its possible shortcomings and strengths. Albeit every theory sooner or later fails to do justice to the complexity of the world, assemblage is able to grapple with a fair share of complex and ever-changing realities. Applying this perspective unveiled co-occurring and partly contrary territorialization processes with regard to Bougainville's path towards independence, ongoing conflict transformation processes, and more specifically local resistance against land and resource commodification. This multilayered focus may complicate the analysis but allows a thorough snapshot of contemporary issues and dynamics around land deals, questions of (sustainable) development, and contentious politics. It became apparent that Bougainville's continuing reterritorialization process goes back to earlier post-colonial movements and contentious politics against Panguna mine. Yet, concurrently large-scale land deals add to deterritorialization tendencies that have gained strength although decelerated by the struggle towards independence and the reconsideration of traditional authorities. In recent years, Bougainville's governmental authority has gained increasing legitimacy which indicates a gradual development towards a more coded assemblage. Whether deterritorialization may challenge the newly independent nation depends on the government's willingness and ability to implement its sustainable development policy. Non-consensus based agro-industrial projects or mining may offend local communities and pose a threat to Bougainville's very identity which

is closely intertwined with (ancestral) land, the trauma of Panguna, and the civil war. Additionally, the dwindling threshold to take up violent means combined with a high weapon prevalence may cause serious harm to reconciliation and conflict transformation. Finally, the findings reveal the complexity of contestation on the one hand and land acquisition dynamics in post-conflict societies on the other hand. Certainly, more research needs to be done on interlinkages between war experiences and applied means of resistance.



## REFERENCES

- Adnan, S. (2007). Departures from everyday resistance and flexible strategies of domination: The making and unmaking of a poor peasant mobilization in Bangladesh. *Journal of Agrarian Change*, 7(2), 183-224.
- Adnan, S. (2013). Land grabs and primitive accumulation in deltaic Bangladesh: Interactions between neoliberal globalization, state interventions, power relations and peasant resistance. *The Journal of Peasant Studies*, 40(1), 87-128.
- Allen, J. (2004). The Whereabouts of power: Politics, government and space. *Geografiska Annaler, Series B: Human Geography*, 86(1), 19-32.
- Ambros. (2014, November 14). Local people on Bougainville oppose Torokina oil palm. PNG Exposed Blog. Retrieved from <https://pngexposed.wordpress.com/2014/11/14/local-people-on-bougainville-oppose-torokina-oil-palm/>
- Anderson, B., Kearnes, M., McFarlane, C., & Swanton, D. (2012). On assemblages and geography. *Dialogues in Human Geography*, 2(2), 171-189.
- Anderson, B., & McFarlane, C. (2011). Assemblage and geography. *Area*, 43(2), 124-127.
- Anseeuw, W., Boche, M., Breu, T., Giger, M., Lay, J., Messerli, P., & Nolte, K. (2012). *Transnational land deals for agriculture in the global South: Analytical report based on the land matrix database*. Bern: CDE.
- Auwaert, P., van der (2013). Institutional aspects of resolving land disputes in post-conflict societies. In J. D. Unruh & R. Williams (Eds.), *Land and post-conflict peacebuilding* (pp. 345-362). London: Routledge.
- Badran, R. (2014). Intrastate peace agreements and the durability of peace. *Conflict Management and Peace Science*, 31(2), 193-217.
- Benford, R. D., & Snow, D. A. (2000). Framing processes and social movements: An overview and assessment. *Annual Review of Sociology*, 26(1), 611-639.
- Berry, S. (2009). Property, authority and citizenship: Land claims, politics and the dynamics of social division in West Africa. *Development and Change*, 40(1), 23-45.
- Bougainville Inward Investment Bureau. (2014). *Responsible investment framework*. Retrieved from [www.investbougainville.com/Responsible-Investment](http://www.investbougainville.com/Responsible-Investment)
- Blaikie, P., & Brookfield, H. (Eds.). (1987). *Land degradation and society*. New York: Routledge.
- Bloomer, P. (2012, November 13). The great Africa land grab. *Ecologist*. Retrieved from [http://www.theecologist.org/News/news\\_analysis/1676932/the\\_great\\_africa\\_land\\_grab.html](http://www.theecologist.org/News/news_analysis/1676932/the_great_africa_land_grab.html)
- Braithwaite, J., Charlesworth, H., Reddy, P., & Dunn, L. (2010). *Reconciliation and architectures of commitment: Sequencing peace in Bougainville*. Acton: ANU E Press.
- Braun, B. (2004). Nature and culture: On the career of a false problem. In J. S. Duncan, N. C. Johnson, & R. H. Schein (Eds.), *Blackwell companions to geography. A companion to cultural geography* (pp. 151-179). Malden: Blackwell Publishing.
- Braun, B. (2006). Environmental issues: Global natures in the space of assemblage. *Progress in Human Geography*, 30(5), 644-654.
- Braun, B. (2008). Towards a new earth and a new humanity: Nature, ontology, politics. In G. Castree & D. Gregory (Eds.), *David Harvey: A critical reader* (pp. 191-222). Malden: Wiley-Blackwell.



- Brent, Z. W. (2015). Territorial restructuring and resistance in Argentina. *Journal of Peasant Studies*, 42(3-4), 671-694.
- Bryant, R. L. (1998). Power, knowledge and political ecology in the third world: A review. *Progress in Human Geography*, 22(1), 79-94.
- Bueger, C. (2014). Thinking assemblages methodologically: Some rules of thumb. In M. Acuto & S. Curtis (Eds.), *Reassembling international theory. Assemblage thinking and International Relations* (pp. 58-67). London: Palgrave Macmillan.
- Campbell, S., Chandler, D., & Sabaratnam, M. (2011). Introduction: The politics of liberal peace. In S. Campbell, D. Chandler, & M. Sabaratnam (Eds.), *A liberal peace? The problems and practices of peace-building* (pp. 1-9). London: Zed.
- Cavanagh, C. J., & Benjaminsen, T. A. (2015). Guerrilla agriculture? A biopolitical guide to illicit cultivation within an IUCN Category II protected area. *Journal of Peasant Studies*, 42(3-4), 725-745.
- Cochrane, L. (2016, January 8). Bougainville mine: PNG attempt to buy Rio Tinto's shares in Australian mining company 'completely unacceptable'. *Bougainville News*. Retrieved from <http://bougainville-news.com/2016/01/08/bougainville-mine-png-attempt-to-buy-rio-tintos-shares-in-australian-mining-company-completely-unacceptable/>
- Corson, C. (2011). Territorialization, enclosure and neoliberalism: Non-state influence in struggles over Madagascar's forests. *Journal of Peasant Studies*, 38(4), 703-726.
- Cotula, L., Oya, C., Codjoe, E. A., Eid, A., Kakraba-Ampeh, M., Keeley, J., & Rizzo, M. (2014). Testing claims about large land deals in Africa: Findings from a multi-country study. *The Journal of Development Studies*, 50(7), 903-925.
- DeLanda, M. (2006). *A new philosophy of society: Assemblage theory and social complexity*. London: Continuum.
- DeLanda, M. (2011). *Philosophy and simulation: The emergence of synthetic reason*. London: Continuum.
- Deleuze, G., & Guattari, F. (1987). *A thousand plateaus: Capitalism and schizophrenia*. Minneapolis: University of Minnesota Press.
- Dina, T., & Sato, J. (2014). Is greater fishery access better for the poor? Explaining de-territorialisation of the Tonle Sap, Cambodia. *The Journal of Development Studies*, 50(7), 962-976.
- Edwards, B., & McCarthy, J. D. (2004). Resources and social movement mobilization. In D. A. Snow, S. A. Soule, & H. Kriesi (Eds.), *Blackwell companions to sociology. The Blackwell companion to social movements* (pp. 116-152). Malden: Blackwell Publishing.
- EJOLT. (2014). *Rio Tintos lawsuit, Papua New Guinea*. Retrieved from <http://ejatlas.org/conflict/rio-tintos-lawsuit-papua-new-guinea>
- Fairhead, J., Leach, M., & Scoones, I. (2012). Green grabbing: A new appropriation of nature? *Journal of Peasant Studies*, 39(2), 237-261.
- FAO. (2013). *Trends and impacts of foreign investment in developing country agriculture: Evidence from case studies*. Rome: FAO.
- Gertel, J., Rottenburg, R., & Calkins, S. (2014). *Disrupting territories: Land, commodification & conflict in Sudan*. Suffolk: James Currey.
- Global Witness. (2014). *The people and forests of Papua New Guinea under threat: The government's failed response to the largest land grab in modern history*. London: Global Witness.
- Griffin, J. (2005). Movements towards secession 1964-76. In A. J. Regan & H.-M. Griffin (Eds.), *Bougainville before the conflict* (pp. 291-299). Canberra: Pandanus Books.
- Hall, D. (2013). *Land*. Cambridge: Polity Press.
- Hall, R., Scoones, I., & Tsikata, D. (2015). *Africa's land rush: Rural livelihoods and agrarian change*. Suffolk: James Currey.
- Hall, R., Edelman, M., Borrás, S. M., Scoones, I., White, B., & Wolford, W. (2015). Resistance, acquiescence or incorporation? An introduction to land grabbing and political reactions 'from below'. *Journal of Peasant Studies*, 42(3-4), 467-488.
- Hardt, M. (1993). *Gilles Deleuze: An apprenticeship in philosophy*. Minneapolis: University of Minnesota Press.



- Haski-Leventhal, D., & Schippa, C. (2013). *The corporate peace framework: Corporate peace is an idea whose time has to come*. Sydney: Institute for Economics and Peace.
- Hassner, P. (1997). Obsolete and obsolete: Non-territorial transnational forces versus the European territorial state. In O. Tunander, P. K. Baev, & V. I. Einagel (Eds.), *Geopolitics in post-wall Europe: Security, territory and identity* (pp. 45-58). London: Sage.
- Hoffman, D. (2011). *The war machines: Young men and violence in Sierra Leone and Liberia*. Durham: Duke University Press.
- Ince, O. U. (2014). Primitive accumulation, new enclosures, and global land grabs: A theoretical intervention. *Rural Sociology*, 79(1), 104-131.
- Ipp, O., & Cooper, I. (2013). *Bougainville stability desk study*. Washington: USAID.
- Jarstad, A., & Sisk, T. D. (2008). *From war to democracy: Dilemmas of peacebuilding*. Cambridge: Cambridge University Press.
- Jennings, P., & Claxton, K. (2013). *A stitch in time. Preserving peace on Bougainville: Special report*. Retrieved from [https://www.aspi.org.au/publications/special-report-a-stitch-in-time-preserving-peace-on-bougainville/SR59\\_bougainville.pdf](https://www.aspi.org.au/publications/special-report-a-stitch-in-time-preserving-peace-on-bougainville/SR59_bougainville.pdf)
- Kalebe, J. (2015, February 17). Land owners take action while decision pends in court. *Act Now!* Retrieved from <http://actnowpng.org/node/25432>
- Kangsi, N., & Damana, N. D. (2014). *Voices of Bougainville*. Sydney: Jubilee Australia Research Centre.
- Kerkvliet, B. J. (2009). Everyday politics in peasant societies (and ours). *Journal of Peasant Studies*, 36(1), 227-243.
- Lambert, G. (2006). *Who's afraid of Deleuze and Guattari?* London: Continuum.
- Land Matrix. (2015). *Global map of investments*. Retrieved from <http://landmatrix.org/en/get-the-idea/global-map-investments/>
- Larner, W. (2011). C-change? Geographies of crisis. *Dialogues in Human Geography*, 1(3), 319-335.
- Laukai, A. (2009, May 13). Owners say land grab may upset peace process. *New Dawn on Bougainville*. Retrieved from <http://bougainville.typepad.com/newdawn/2009/05/landowners-say-land-grab-may-upset-peace-process.html>
- Li, T. M. (2007). Practices of assemblage and community forest management. *Economy and Society*, 36(2), 263-293.
- Locher, M., & Müller-Böker, U. (2014). 'Investors are good, if they follow the rules'. Power relations and local perceptions in the case of two European forestry companies in Tanzania. *Geographica Helvetica*, 69(4), 249-258.
- Loder, T. A. (2012). Integrating agencement/assemblage into political ecology. *Anthropologies*. Retrieved from <http://www.anthropologiesproject.org/2012/09/integrating-agencementassemblage-into.html>
- Malseed, K. (2008). Where there is no movement: Local resistance and the potential for solidarity. In S. M. Borras, M. Edelman, & C. Kay (Eds.), *Transnational agrarian movements confronting globalization* (pp. 323-348). Malden: Wiley-Blackwell.
- Mamonova, N. (2015). Resistance or adaptation? Ukrainian peasants' responses to large-scale land acquisitions. *Journal of Peasant Studies*, 42(3-4), 607-634.
- Marcus, G. E., & Saka, E. (2006). Assemblage. *Theory, Culture & Society*, 23(2-3), 101-106.
- May, R. J. (1990). The Bougainville crisis. *The Pacific Review*, 3(2), 174-177.
- May, R. J. (2004). *State and society in Papua New Guinea: The first twenty-five years*. Canberra: ANU Press.
- McFarlane, C. (2009). Translocal assemblages: Space, power and social movements. *Geoforum*, 40(4), 561-567.
- McMichael, P. (2012). The land grab and corporate food regime restructuring. *Journal of Peasant Studies*, 39(3-4), 681-701.
- McMichael, P. (2013). Land grabbing as security mercantilism in International Relations. *Globalizations*, 10(1), 47-64.
- Menzel, A. (2015). *Was vom Krieg übrig bleibt: Unfriedliche Beziehungen in Sierra Leone. Kultur und soziale Praxis*. Bielefeld: transcript.

- Millar, G. (2015a). Investing in peace? Foreign direct investment as economic justice in Sierra Leone. *Third World Quarterly*, 36(9), 1700-1716.
- Millar, G. (2015b, February). Local experiences of the liberal peace: Marketization and emergent conflict dynamics in Sierra Leone. Paper presented at the ISA Conference, New Orleans, Louisiana.
- Mittal, A. (2013). *Omo: Local tribes under threat: A field report from the Omo valley, Ethiopia*. Oakland: The Oakland Institute.
- Mousseau, F. (2013). *On our land: Modern land grabs reversing independence in Papua New Guinea*. Oakland: The Oakland Institute.
- Mousseau, F., & Moore, M. (2013). *Development aid to Ethiopia: Overlooking violence, marginalization, and political repression*. Oakland: The Oakland Institute.
- Mutersbaugh, T., & Martin, L. (2012). Dialectics of disassembly: Heifer-care protocols and the alienation of value in a village dairy cooperative. *Environment and Planning A*, 44(3), 723-740.
- Neef, A., Touch, S., & Chiengthong, J. (2013). The politics and ethics of land concessions in rural Cambodia. *Journal of Agricultural and Environmental Ethics*, 26(6), 1085-1103.
- Neumann, R. P. (2015). Political ecology of scale. In R. L. Bryant (Ed.), *The international handbook of political ecology* (pp. 475-487). Cheltenham: Edward Elgar Publishing.
- Ong, A. (2014). The carpenter and the bricoleur: A conversation with Aihwa Ong and Saskia Sassen. In M. Acuto & S. Curtis (Eds.), *Reassembling international theory. Assemblage thinking and International Relations* (pp. 17-24). London: Palgrave Macmillan.
- Parr, A. (2011). *The Deleuze dictionary*. Edinburgh: Edinburgh University Press.
- PNG Mine Watch. (2014). *Bougainville Copper maintains inside running on re-opening Panguna mine*. Retrieved from <http://ramumine.wordpress.com/2014/08/22/bougainville-copper-maintains-inside-running-on-re-opening-panguna-mine/>
- PNG Mine Watch. (2015). *Momis: 'Panguna will be reopened by force'*. Retrieved from <https://ramumine.wordpress.com/2015/02/26/momis-panguna-will-be-reopened-by-force/>
- Pugh, M. C. (2016). Corporate peace. Crisis in economic peacebuilding. In T. Debiel, T. Held, & U. Schneekener (Eds.), *Peacebuilding in crisis: Rethinking paradigms and practices of transnational cooperation* (pp. 175-190). London: Routledge.
- Pugh, M. C., Cooper, N., & Turner, M. (2011). Introduction. In M. C. Pugh, N. Cooper, & M. Turner (Eds.), *Whose peace? Critical perspectives on the political economy of peacebuilding* (pp. 1-10). New York: Palgrave Macmillan.
- Quay, I. L. (2012). *Pacific women's leadership: Scoping study*. Melbourne: IWDA.
- Radio New Zealand. (2015, November 9). *Reconciliation of Bougainville's BRA and the PNGDF planned*. Retrieved from <http://www.radionz.co.nz/international/programmes/datelinepacific/audio/20177973/reconciliation-of-bougainville-s-bra-and-the-pngdf-planned>
- Regan, A. J. (2002). Bougainville: Beyond survival. *Cultural Survival*, 26(2). Retrieved from <https://www.culturalsurvival.org/ourpublications/csq/article/bougainville-beyond-survival>
- Reychler, L., & Paffenholz, T. (2001). *Peace building: A field guide*. London: Lynne Rienner.
- Roka, L. F. (2014). *Bougainville China Corporation is a disaster for Bougainville*. Retrieved from [http://asopatypepad.com/asopa\\_people/2014/12/bougainville-china-corporation-is-a-disaster-for-bougainville.html](http://asopatypepad.com/asopa_people/2014/12/bougainville-china-corporation-is-a-disaster-for-bougainville.html)
- Ross, A. R. (2014). Editor's introduction: The global land grab. In A. R. Ross, V. Shiva, N. Chomsky, M. Rameau, & G. L. Boggs (Eds.), *Grabbing back. Essays against the global land grab* (pp. 9-35). Oakland: AK Press.
- Rotheroe, D. (Director) (2000). *The coconut revolution*. Stampede Films (Producer).
- Sack, R. D. (1986). *Human territoriality: It's theory and history*. Cambridge: Cambridge University Press.
- Sassen, S. (2006). *Territory, authority, rights: From medieval to global assemblages*. Princeton: Princeton University Press.
- Sassen, S. (2013). Land grabs today: Feeding the disassembling of national territory. *Globalizations*, 10(1), 25-46.

- Schneckener, U. (2005). Frieden Machen: Peacebuilding und Peacebuilder. *Die Friedens-Warte*, 80(1/2), 17-39.
- Schneider, A. E. (2011, April). *What shall we do without our land? Land grabs and resistance in rural Cambodia*. Paper presented at the International Conference on Global Land Grabbing, University of Sussex, UK.
- Scott, J. C. (1985). *The weapons of the weak. Everyday forms of peasant resistance*. New Haven: Yale University Press.
- Scott, J. C. (1998). *Seeing like a state: How certain schemes to improve the human condition have failed*. New Haven: Yale University Press.
- Simili, S., & Chand, S. (2013). *Entrepreneurs and their impact on the reconstruction of post-conflict Bougainville*. Canberra: University of NSW.
- Spark, N., & Bailey, J. (2005). Disarmament in Bougainville: 'Guns in boxes'. *International Peacekeeping*, 12(4), 599-608.
- Sutton, D., & Martin-Jones, D. (2011). *Deleuze reframed: A guide for the arts student*. London: I. B. Tauris.
- Tripathi, S. (2011). Corporate Social Responsibility. In M. C. Pugh, N. Cooper, & M. Turner (Eds.), *Whose peace? Critical perspectives on the political economy of peacebuilding* (pp. 87-104). New York: Palgrave Macmillan.
- UNDP, & UNEP. (2013). *The role of natural resources in disarmament, demobilization and reintegration: Addressing risks and seizing opportunities*. New York: UNDP.
- Unruh, J. D., & Williams, R. (Eds.). (2013). *Land and post-conflict peacebuilding*. London: Routledge.
- Vandergeest, P., & Peluso, N. L. (1995). Territorialization and state power in Thailand. *Theory and Society*, 24(3), 385-426.
- Vernon, D. (2005). The Panguna mine. In A. J. Regan & H.-M. Griffin (Eds.), *Bougainville before the conflict* (pp. 258-273). Canberra: Pandanus Books.
- Wily, L. A. (2012). The global land grab: The new enclosures. In D. Bollier & S. Helfrich (Eds.), *The wealth of the commons. A world beyond market and state*. Amherst: Levellers Press.
- Woods, M., Anderson, J., Guilbert, S., & Watkin, S. (2013). Rhizomic radicalism and arborescent advocacy: A Deleuzo-Guattarian reading of rural protest. *Environment and Planning D: Society and Space*, 31(3), 434-450.
- Woodward, S. L. (2013). The IFIs and post-conflict political economy. In M. R. Berdal & D. Zaum (Eds.), *Political economy of statebuilding. Power after peace* (pp. 140-157). New York: Routledge.
- Zimmerer, K. S., & Bassett, T. J. (2003). Approaching political ecology: Society, nature, and scale in human-environment studies. In K. S. Zimmerer & T. J. Bassett (Eds.), *Political ecology. An integrative approach to geography and environment-development studies* (pp. 1-28). New York: Guilford Press.

## ABOUT THE AUTHOR

Anne Hennings is a PhD fellow at the Institute of Political Science, University of Muenster, Germany, and a visiting researcher at the Heinrich Boell Foundation in Phnom Penh, Cambodia. Her research focuses on the politics of contested land deals and its impact on post-conflict dynamics in Southeast Asia and Sub-Saharan Africa. Anne is speaker and co-founder of the working group "Nature, Resources, Conflict" of the German Association for Peace and Conflict Studies.

► Contact: [anne.hennings@wwu.de](mailto:anne.hennings@wwu.de)

### **ACKNOWLEDGEMENTS**

I gratefully acknowledge helpful comments and suggestions from the two anonymous reviewers and the editors. An earlier version of this article was presented at the third LDPI Conference 2015 in Chiang Mai, whose participants provided much appreciated feedback. I would also like to thank my research assistants Julia Henn and Naemi Hüsemann.



# It Takes a Rooted Village: Networked Resistance, Connected Communities, and Adaptive Responses to Forest Tenure Reform in Northern Thailand

Kimberly Roberts

► Roberts, K. (2016). It takes a rooted village: Networked resistance, connected communities, and adaptive responses to forest tenure reform in northern Thailand. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 53-68.

Conflicts persist between forest dwelling communities and advocates of forest conservation. In Thailand, a community forestry bill and national park expansion initiatives leave little space for communities. The article analyzes the case of the predominantly ethnic Black Lahu village of Huai Lu Luang in Chiang Rai province that has resisted the threats posed by a community forestry bill and a proposed national park. The villagers reside on a national forest reserve and have no *de jure* rights to the land. This article argues, however, that through its network rooted in place and connected to an assemblage of civil society, local government, and NGOs, Huai Lu Luang has been able to stall efforts by the Thai government that would detrimentally impact their use of and access to forest resources. Their resistance is best understood not in isolation – as one victimized community resisting threats to their livelihoods – but in connection to place, through dynamic assemblages. A ‘rooted’ networks approach follows the connections and nodes of Huai Lu Luang’s network that influence and aid the village’s attempts to resist forest tenure reform.

**Keywords:** Community Forestry; Ethnic Minorities; Resistance; Rooted Networks; Thailand

~

## INTRODUCTION

In the face of global concerns over deforestation and conservation, throughout the highlands of Southeast Asia, the narrative of upland communities as forest destroyers persists. This concept that people and forests are mutually exclusive has direct implications when policies aimed at stalling or reversing deforestation rates run in contradiction to the livelihoods of communities living within these forests. Political ecologists have long investigated these relationships between nature and society (Blaikie & Brookfield, 1987; Robbins, 2004) and have explored state territorial expansion through forests (Bryant, 1997; Vandergeest & Peluso, 1995), the mechanisms behind resource use and access (Peluso & Lund, 2011; Ribot & Peluso, 2009), the appropriation of land for conservation (Adams & Hutton, 2007; Roth, 2008), and how these forest governance mechanisms impact local communities (Hares, 2009; Vandergeest, 2003; Walker, 2003; Wittayapak, 2008).

In Thailand, community forestry policies, the expansion of the national park system, and a community land deed pilot project represent attempts to reduce

deforestation rates and provide opportunities to either exclude communities from forests or incorporate them within the management of these ecosystems. Between 1961 and 2005, forest coverage in Thailand decreased from 53.3% to 31.5% (World Bank, 2016), giving Thailand one of the highest deforestation rates in Southeast Asia. More recent calculations suggest a slight increase in forest cover to roughly 33% (Leblond & Pham, 2014). However, pressure still remains from the Thai Royal Forestry Department (RFD) to conserve the remaining forests (Wittayapak, 2008). The 1985 National Forest Policy strives to maintain the country's forest cover and in 1989, the Thai government implemented a nationwide logging ban (Johnson & Forsyth, 2002, pp. 10-11; Vandergeest & Peluso, 2006, pp. 377-379). This shift in forest policy from timber to conservation management relies on the stringent separation of people from forests (Walker, 2003, p. 2) and eventually devalues traditional swidden agriculture and non-timber forest product (NTFP) harvesting practices of the roughly 6 million highland ethnic minorities of Southeast Asia who live within the boundaries of protected areas (Badenoch, 2006). The notion that forests and people cannot co-exist implies that forest dwellers must be evicted in order to protect forested areas. Holders of this position argue that deforestation is caused by population increases and by illegal forest encroachment for activities like shifting cultivation (Walker & Farrelly, 2008, p. 377). Due to the illegality of residing within forest reserves, most upland villages live under the threat of eviction – a threat which is occasionally realized (Peluso & Vandergeest, 2011, p. 595). In 1991, an estimated 20% of the 56,000 villages in Thailand were located within forest reserves (Bugna & Rambaldi, 2001). A detailed survey of 1,400 communities undertaken by the Department of Land Development in Chiang Mai province around this time found that 90% were located within forest reserves meaning that a large number of upland communities are actually illegal (Walker & Farrelly, 2008, p. 377). By 2000, the Department of National Parks (DNP) had established 13 national parks, resulting in the relocation of over 200 communities (Srimongkontip, 2000). According to Leblond (2010), the majority of these conservation-induced relocations took place in the late 1980s and early 1990s, with a higher risk of relocation for non-Karen ethnic minority groups.<sup>1</sup> The most famous of these relocation attempts was the *Khor Jor Kor* scheme of the early 1990s. After the 1991 coup, the military government attempted to evict five million people from reserve forests (Hall, 2011). During the initial implementation of the program, at least 16 villages were relocated. The number of households affected ranges from two thousand to as many as forty thousand (Walker & Farrelly, 2008). However, the scheme was shelved after vigorous protests from farmer organizations and civil society groups (Hall, 2011; Walker & Farrelly, 2008). However, recent changes in Thai politics have again raised this threat of eviction. On June 2014, the current junta's National Council for Peace and Order issued two orders, the first stating that encroachers in protected areas and poachers of forest goods will face strict legal measures and the second stipulating that the poor and communities settled in protected areas prior to this policy will not be affected (Editor2, 2015).

This article converges on the interactions of Huai Lu Luang, an ethnic minor-

---

1 Out of the 12 officially recognized ethnic minority groups in Thailand, Karen are the largest (353,000), with Hmong (112,000), and Lahu (82,000) following in size. Karen are also the only group that can claim to be 'indigenous' in Thailand (Forsyth & Walker, 2008).



ity village in northern Thailand, as it responds to challenges to their forest access through relationships that assemble, disassemble, and shift over space and time. Focusing on three distinct mechanisms that could alter Huai Lu Luang's *de facto* use of forest resources in Thailand, the article looks at the community forestry bill, a proposed national park, and a proposed community land deed pilot project. These mechanisms are initiated in separate agencies, the Royal Forestry Department, the Department of National Parks, and Thai Parliament, respectively. Huai Lu Luang's responses to each of these mechanisms are best understood not as an isolated community, but instead through an assemblage of relations. In the literature, the actions of marginalized minorities get cast as either events of strength, as in the Chiapas rebellion of 1994 in Mexico (McMichael, 2008), or as everyday actions of resistance that remain a powerless community's only recourse (Jones, 2012; Scott, 1985). However, as Rocheleau (2015) showed in Chiapas, many of these resistances do not take shape in isolation, but through networks, rooted in place and strengthened through a web of civil society and communities.

Huai Lu Luang's rootedness connects to Michaud's (2006) Southeast Asia massif. Approximately 80 million people reside within the Southeast Asian massif (usually above 500m) of mainland Southeast Asia, stretching across Myanmar, Thailand, Laos, China, Cambodia, and Vietnam (Michaud, 2006, pp. 2-5). These 'minority' populations are larger than the population of Myanmar, Thailand, Laos, or Cambodia. However, representing numerous transnational ethnicities, these highland peoples typically reside in the periphery of their nation states and are often categorized as backward, barbarian, uncivilized, and wild (McCaskill & Kampe, 1997; Scott, 2009; Vandergeest, 2003; Vienne, 1989). Moreover, with their subsistence livelihoods, mobile communities, and diversity – all of which are hard to govern and difficult to tax – they pose a threat to settled agrarian states (Bryant, 1997; Scott, 2009).

Literature on resistance incorporates any form of resistance to impositions from a dominant power (Baviskar, 2001; Peluso 1992; Scott, 1985), suggesting that any activity can be political (Jones, 2009). In the uplands of Southeast Asia, Scott (2009) conceptualizes the resistance of communities as anarchist. Yet, contemporary Huai Lu Luang, rooted in place, engage with civil society, neighboring communities, NGOs, and local government. Huai Lu Luang has 'resisted' threats to their forest resource use and access through both avoidance and defiance as well as cooperation. As in Chiapas, this resistance is best understood in connection to place, through dynamic assemblages. Rocheleau and Roth's (2007) analytical framework of 'rooted' networks allows for a way to follow the connections and nodes of Huai Lu Luang's network that influence and aid the village's attempts to influence various branches of the Thai government's forest tenure reform efforts. These are not the sterile networks of some types of complexity theory, but are rather rooted, disrupted, and shaped by territory, infused with power, containing social and natural nodes and exhibiting both static and dynamic characteristics. Such network thinking allows for an exploration of these actions and actors that resist dominant powers. Hence, in understanding the situation of rural, landless communities, we must carefully trace their connections to both human and non-human entities and seek to understand how power shapes the nature of those connections (Rocheleau & Roth, 2007).

### HUAI LU LUANG VILLAGE

Huai Lu Luang is a village of roughly 400 people and is located in Mae Yao sub-district, Muang district, in Chiang Rai province alongside the Mae Kok river at roughly 475m elevation. The Lahu people of Huai Lu Luang have responded to, prepared for, and adjusted to external forces affecting their lives and livelihoods since the beginning of the 20th century. Originating in southern China, Lahu are part of the Tibeto-Burman language family group. Over the last two centuries, they have dispersed and migrated across the uplands of Southeast Asia. The largest population of Lahu still resides in southern Yunnan (China) (approximately 453,700 people in 2000), while an estimated 78,000 live in the Shan state of Myanmar, 103,000 in northern Thailand, and less than 16,000 are dispersed between Laos and Vietnam (Michaud, 2006, pp. 130-131).

Huai Lu Luang's history and networks start in the early 20th century in the remote mountains of Yunnan. Three generations ago, in the 1940s,<sup>2</sup> many of Huai Lu Luang's ancestors lived in southern China, converted to Christianity, practiced shifting cultivation on the slopes of mountains, and grew rice in lowland paddy fields. According to Lahu Baptist Convention staff, in 1896, the American Baptist missionary William Marcus Young moved to the Shan state of Myanmar. From Keng Tung, Young's missionary work expanded north to Yunnan province where many of the Black and Yellow<sup>3</sup> Lahu people converted to Christianity (Lahu Baptist Committee, personal communication, March 31, 2009). Mao's communist China brought with it religious persecution, demand up to 80% of the villager's crops, and forced labor. Thus, many Yellow and Black Lahu moved from southern China to Keng Tung. In the 1960s, the military junta took power in Myanmar, once again restricting villager's religious freedom and forcing some into labor camps. Yet again, many Black and Yellow Lahu were forced to leave and migrated from Myanmar to Thailand to create the village of Obsuawan in the northern sub-district of Mae Yao. In 1962, mostly Yellow Lahu families from Obsuawan created the village of Panasawan. Around 1973, 12 Black Lahu families separated from Panasawan and established Huai Lu Luang. A large influx of migrants from Myanmar between 1974 and 2006 increased the population of the village household number from 30 in 1977 to 90 in 2010, with a total population of around 400 (village pastor, 18 October 2010). Religion and connections to 'parent' villages feature strongly in Huai Lu Luang. Just as spider plants drop new offshoots of roots when overcrowding, encouraging a relocation for access to greater nutrients and water (Rocheleau & Roth, 2007, p. 435), Huai Lu Luang became an offshoot of Panasawan, which itself was an offshoot of Obsuawan, which was an offshoot from a village in Keng Tung, Myanmar, which was an offshoot from a village in the Yunnan province of China.

Today, a national forest reserve – first designated by the RFD – surrounds Huai Lu Luang. In 2002, the RFD gave permission to the DNP to work toward establish-

2 All dates referring to the migratory history and establishment of Huai Lu Luang result from oral history and are therefore to be regarded as generalizations.

3 Among the Lahu six subcategories are recognized (Michaud, 2006). Of these subcategories, Black, Yellow, and Red (English translations) live in the sub-district where Huai Lu Luang is located. From conversations with community members, there are linguistic and cultural distinctions between these groups.

ing Lam Nam Kok National Park (Department of National Parks, 2015). The DNP is currently in the process of turning the forest reserve into the Lam Nam Kok National Park. Four districts and 13 sub-districts are located in the area proposed for the national park. In Mae Yao sub-district alone, this includes 13,000 people and 18 villages covering an area of 733 km<sup>2</sup> (UHDP staff, 26 July 2015). Villagers of Huai Lu Luang have *de facto* but no formal (*de jure*) rights to the land that they use, which includes the forest and the fields that surround the village. The majority of households in Huai Lu Luang farm paddy fields, and few that do not, either share or rent fields from their neighbors. Moreover, all households farm upland fields and have access to a shared community forest (village pastor, 18 October 2010). The villagers plant rice in paddy fields as well as rice and corn in upland fields and have an average annual per capita income of THB 9000 (USD 250) (Kaiser et al., 2012). The lack of available land precludes the use of swidden agriculture, which Lahu historically practiced in China and Myanmar where they cultivated fields for three years and then fallowed fields for one to two years (Lahu Baptist Committee, 31 March 2009). Huai Lu Luang has roughly 90 households, 95% of whom are Black Lahu and the remaining 5% are ethnic Yellow Lahu or Akha. The village has a history of organizing around committees, with a youth committee, church committee, and community forest committee. However, as a traditionally patriarchal society, only men serve on these committees (Community Forest Committee, 28 October 2010).

The classification of Huai Lu Luang as a marginalized community harkens to its status as a 'hill tribe' (*chao khao*). In Thailand, *chao khao* make up only about 1.45% of the officially registered population and scant attention is paid to them (Michaud, 2006, p. 240). There is, however, a popular narrative of *chao khao* as 'forest destroyers'. The Karen are the only ethnic group that have escaped the narrative of 'forest destroyers' and instead have donned one of 'forest guardians' (Forsyth & Walker, 2008; Michaud, 2006). Thai government officials and the media characterize all other officially recognized ethnic groups as uncivilized and blame them for national problems such as deforestation. The term 'hill tribes' came into use in the 1950s to describe the non-ethnic Thai groups living in the uplands of northern and western Thailand that quickly became identified with the negative stereotypes of forest destroying, opium cultivating, and non-Thai troublemakers (Buergin, 2000). However, this narrative does not always reflect the reality on the ground (Sato, 2000, pp. 164-165) but further marginalizes ethnic, upland 'hill tribe' communities.

#### APPROACH AND METHOD

This article uses Rocheleau and Roth's (2007) framework of rooted networks to analyze how Huai Lu Luang – through its network – has responded to threats to forest access as well as opportunities to secure formalized access. Rooted networks utilize actor network theory's ability to combine non-human and human entities and political ecology's placement of these entities within territories, literally 'rooting' networks to place. Building on these aspects, these networks then expand to understand constructs and interactions of nature and culture through a web of relations that carry power and polycentricity, situated knowledge(s), and rootedness and territory in its understanding of relations and processes (Rocheleau, 2008, p. 215). While the frame-

work broadly seeks to address four challenges – placing power in networks, connecting those networks to territories, incorporating natural and social elements, and integrating static networks and dynamic system behaviors – this article focuses primarily on the first two. Treating roots and networks as active analogies to plants helps to understand how a network can be dynamic and still ‘rooted’ to a territory. Plant species vary in fixity and mobility, individual and collective associations, and in relation to habitat. Extensive tap roots anchor some plants, spider plants send out new roots when resources become scarce, and fungal mycorrhizae networks aid plants’ ability to absorb nutrients in porous soils (Rocheleau & Roth, 2007). Like Rocheleau’s examples of resistance in Chiapas (2008) and the Dominican Republic (2009), Huai Lu Luang’s resistance is rooted in place and in a network of unequal coalition of NGOs, local government, and local community groups (Rocheleau, 2008; 2015).

My own work with Thai NGO *Upland Holistic Development Project* (UHDP) and my later role as an academic researcher place me as a small piece of Huai Lu Luang’s network. In 2007, I began my ongoing relationship with UHDP when I moved to their small agroforestry resource center. The center, established in 1997 in northern Thailand, took up space on a west facing hillside, barren at that time, but since then covered in agroforest, upland fields, orchards, fish ponds, agricultural plots, animal pens, and an assortment of homes that housed the mixed community of Lahu, Karen, Palaung, Kachin, and Akha staff and their families. Prior to interviews I conducted for my master degree, my work at UHDP had already acquainted me with the predicament of Huai Lu Luang’s community forest and its many layers. As a volunteer for UHDP from January to June 2007, I worked on counter mapping efforts for the community forests of villages in Mae Yao sub-district, including Huai Lu Luang. This included an overnight visit in April 2007 with UHDP co-director Bunsak Thongdi, hiking the boundaries of their community forest with the community forest committee and recording GPS waypoints. Later, in May 2007, I conducted GPS use trainings for members of Huai Lu Luang’s community forest committee as well as for neighboring communities and in 2008, I became a liaison between the US NGO *Plant With Purpose* and UHDP.

I returned to Huai Lu Luang between September and November of 2010, conducting key informant interviews, group interviews, and semi-structured survey interviews. For the semi-structured surveys, I interviewed 32 individuals (roughly 13% of the village’s population) and conducted follow-up interviews with the community forestry committee, village headman, and UHDP staff. Every interview was tape recorded and Warunee Harichaiikul – a Lahu villager working at a Chiang Rai Lahu Boarding School – translated the interviews from Kham Mueang (Northern Thai language) or Black Lahu to English. The survey interviewees were selected through a purposive sampling method, a type of non-probability sampling where I ascertained which units should be observed based on my judgment about which ones will be the most useful or representative (Babbie, 2007, p. 193). Based on participant observations, I noted that individuals of differing ages and genders used different forest resources in their daily lives; therefore, I selected the sub-groups of gender and age because I wanted to capture as much diversity as possible (see Table 1). Communities are not homogenous entities and the participation of only one ethnic group, social class, or gender in community forest governance may negatively impact that gov-

ernance (Ratner & Moser, 2009). The age groups were chosen based on discussions with UHDP around labor divisions.

	Male	Female
Age Group A (ages 19-34)	5	5
Age Group B (ages 35-49)	7	5
Age Group C (ages 50+ )	5	5

Table 1. Number of Interviews by Age and Gender.  
*Notes: Age group B contained male Yellow Lahu and age group C contained one male Akha respondent. (own compilation).*

## THE ROOTED NETWORKS OF HUAI LU LUANG

Huai Lu Luang's rooted network extends throughout the Southeast Asia massif, connecting it with communities and religious organizations in China, Myanmar, and Thailand, while being grounded through the ecological constraints and requirements of managing a community forest. Within Thailand, Huai Lu Luang connects with NGOs, civil society, and the sub-district government through dynamic arrangements that shift and alter depending on changing circumstances. The following section describes Huai Lu Luang's efforts to either secure formalized land rights or to ensure a retention of current informal land use. To this end, they have joined national debates on community forestry, formed a network with neighboring villages and partner NGOs, and collaborated with the sub-district both to resist the creation of a national park and to apply for a community land deed.

### National Community Forest Debates

Community forestry represents a form of common-pool resource management. Contrary to Hardin's (1968) tragedy of the commons, commons do not always lead to ungoverned territories and the deterioration of ecosystems, but instead often involve complex and sophisticated governing mechanisms (Agrawal, 2007; Thompson, 1975). Chhatre and Agrawal (2008) define the common pool resource of forest commons as "forests used in common by a large number of heterogeneous users" (p. 13286). In Thailand, variations of community forestry have a long history. These community forests show the characteristics of defined resource boundaries, user group identity, and property rights for resource benefits (Ostrom, 2002). In the last 30 years, competition for forest products between villages and business interest in combination with a nation-wide logging ban have caused a resurgence of community forestry efforts (Ganjanapan, 1998, p. 78; Li, 2002; Walker, 2003).

In 1977, over concerns around forest degradation and water quality, Huai Lu Luang established a community forest, with *de facto* permission from the RFD (which later in 2001 transferred authority to the DNP). Representatives of the 30 families (one representative for each family) present in Huai Lu Luang at that time voted unanimously to accept the community forest, its committee, and its rules. According to the committee the community forest was established because:

Before the community forest, everybody did what was right in their own eyes concerning the forest. It's a must to have a committee. Before, outsiders like Thai people cut the trees, and we had no authority to stop them, because we didn't have the committee and the community forest. (Huai Lu Luang, 18 October 2010)

The committee itself is made up of 13 Black Lahu volunteer men broken up into the roles of president, vice president, secretary, and treasurer. Women are not allowed on the committee or in any leadership role in Huai Lu Luang. The committee agreed on the community forest rules before they were submitted to the rest of the village for approval. However, Huai Lu Luang's *de facto* community forest lacked formal *de jure* status. At the end of the 1980s, groups of activities, academics, and NGOs began to argue for *de jure* local control of resources through community forests as an alternative to the forest conservation strategy of the RFD (Buergin, 2000, p. 11).

In 1990, the RFD wrote the first official draft of the community forestry bill to address the issue of forest tenure reform. According to Johnson and Forsyth (2002), development-based NGOs, academics, and grassroots organizations criticized this version for maintaining a state-led system of forest management. From this point, a back and forth process began with the community forest bill. In response to the RFD version, a coalition of activists and development NGOs drafted the first 'people's' version asserting the rights of local villages to enter and use forests (Johnson & Forsyth, 2002, p. 14). Through Huai Lu Luang's community forest, the village became actively involved in the community forestry debates in Thailand, with the survival of their *de facto* community forest hinging on the outcome of these debates. In 1999, some Huai Lu Luang villagers joined some roughly 3000 representatives of the different minority groups to demonstrate in Chiang Mai, demanding their right to citizenship, a simpler naturalization process, and recognition of their settlement and land use rights in protected areas (Buergin, 2000, p. 14).

Unfortunately, neither the RFD version nor the 'people's' version of the community forestry bill actually accounts for local use of forest resources (Walker, 2003). For swidden agriculturists, land is that of a shifting mosaic of forest, agroforest, and agriculture supporting their livelihoods and often increasing biodiversity of the area (Xu, Lebel, & Sturgeon, 2009). However, for villages like Huai Lu Luang, a lack of land security caused a spatial reorganization where they moved away from overlapping and flexible boundaries to more static and clearly delineated forests, upland fields, and paddy fields. As Roth (2008) references, this negotiation between state and community is a spatially produced process and reflects social and environmental relationships. For Huai Lu Luang, agriculture exists within the forest, and villagers both plant desirable species within their community forest and harvest products beyond timber from the forest. Villagers listed forest vegetables, wood for building houses, mushrooms, bamboo, food, firewood, herbs, banana flower, raising cattle, nuts, construction wood and bamboo, water, string bamboo, medicine, land, and furniture as services they get from the community forest that they could not afford to pay for otherwise. The 'forest', for Huai Lu Luang is a component of an integrated landscape that provides long term and short term benefits and products. Larger debates surrounding conservation have shifted Huai Lu Luang's use of space from swidden agri-



culture to agroforestry plots and backyard gardens. This allows community members to maintain their use of traditional forest products, while respecting the boundaries established by the DNP.

### **Forest for the King and the Arrival of NGOs**

In the midst of the community forestry debates, and in another attempt to secure access to forest land, Huai Lu Luang set aside part of the forest for the King. Although Huai Lu Luang is a predominately Baptist Lahu village, Buddhist students from Chiang Mai visited Huai Lu Luang and recommended that they dedicate a portion of the forest (not already designated as community forest) to the King in order to prevent the government from taking the land. In 1995, due to encouragement from these university students, the villagers conducted a Buddhist ceremony to set aside an additional portion of 5,000 rai (800 ha) for the King. Concurrently, in the late 1990s, other NGOs began to work with Huai Lu Luang. One of their first established relationships was with the Thai-Lahu Baptist Convention (initiating projects on health, AIDS, drugs, environment, and community forestry), but later they established working relationships with the Mekong Minority Foundation (MMF), Mirror Foundation, Compassion International, Community Organizations Development Institute (CODI), a Rice Bank, and UHDP. These organizations have worked independently and cooperatively with Huai Lu Luang, depending on the intersections of the various projects, each contributing to Huai Lu Luang's rooted network.

UHDP began working with Huai Lu Luang in 2006, with the original goal to improve the networking and farming capacity of villagers and to increase their understanding of community forestry. UHDP was founded in 1996 by Baptist missionaries from the US, with an aim of assisting marginalized or resource poor ethnic minority communities along the Thai-Burma border (UHDP, 2 February 2007). The first year of Huai Lu Luang's connection to UHDP involved the establishment of watershed networks. These networks provided a space for seven neighboring communities to meet and discuss their interactions with the sub-district government, RFD officials, and DNP. Through the network, UHPD also gave trainings in community forestry and related laws that provided a chance for neighboring villages to network and update each other on the situations in their respective villages and to take a proactive, rather than reactive, stance to changes in forest policies. During these meetings, villagers talked about the potential problem of the proposed national park and encounters they had experienced with the DNP. In one case, the DNP offered THB 50,000 (USD 1,670) to Huai Lu Luang villagers under the pretense of preserving the forest and giving the land to the DNP. One community forestry committee member described his experience as this:

I sensed that something was wrong. The next morning the officer come again and asked for us to give them the land, but then on another day the officer said he wanted to negotiate with the villagers. That day I was not around, but then all the villagers signed their signature. Why they signed is because the government said 'we will give you 50,000 baht, this money is not to buy the land but



to help you save the forest'. When I found out the villagers had signed I went down to the headquarters and told the officer 'it's wrong for you to do that, to just ask some of the villagers to sign the signature in order to approve that. You have to get the signature from the headman all the way down through to the sub-district'. The officer that gave the money said he wouldn't give money anymore. But it didn't stop there, he came one more time and tried to entice the headman. But I said 'you cannot do this, if you want to ask us to accept the money, you must tell all of the villagers and ask them first whether they think it's good and if they agree to sell the land or not. (Huai Lu Luang, 18 October 2010)

Although the villager encouraged Huai Lu Luang not to accept the money, that was not the case for neighboring villages. Panasawan (see Figure 1) received THB 50,000 and lost the land they had used as a community forest. Eventually, Huai Lu Luang ended up giving Panasawan a portion of their community forest. In 2007, villagers proactively decided that they needed to map their own boundaries of the community forest so that they would not have to rely on DNP documents. This led to GPS trainings and GIS, which I designed for UHDP staff and members of this watershed network (see Figure 1).

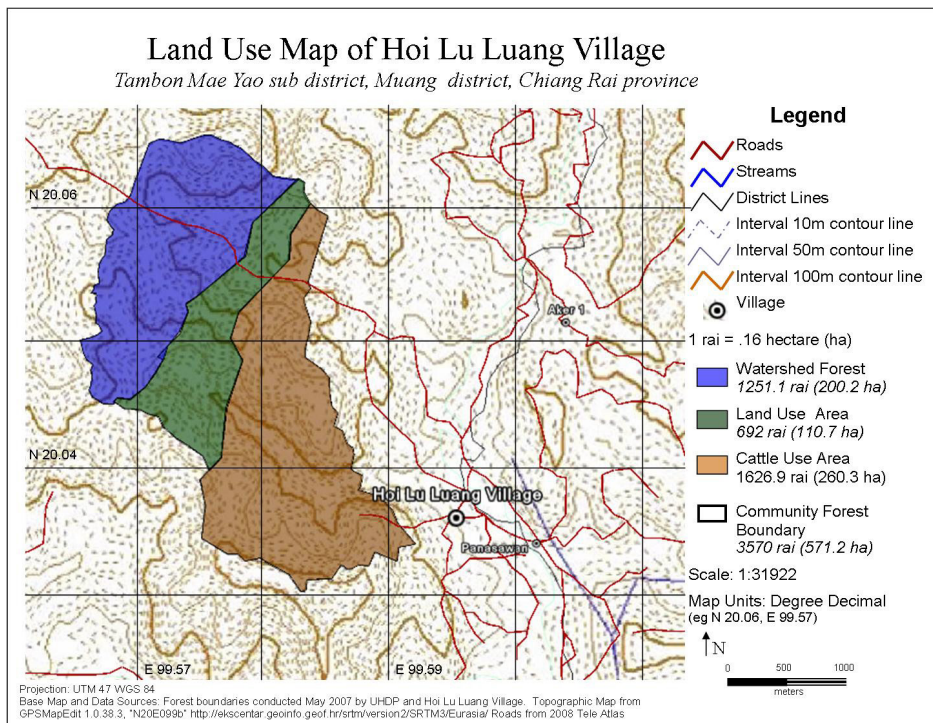


Figure 1. Huai Lu Luang Community Forest. (Roberts, 2011).

### National Park Plans and Collaborations With Local Government

By 2008, the sub-district (*tamboon*)<sup>4</sup> stepped in and showed support for the villages by helping them create more detailed maps. These maps used 1:4000 scale aerial photos and each household could trace the outline of their paddy and upland fields. The hope was that by designating the land and creating official maps, villages would have better negotiating tools with the DNP. In December 2008 and January 2009, the conflict over forest access came to a crisis when the DNP began a serious drive to establish the Lam Nam Kok National Park. According to UHDP, the DNP needed to get approval from communities within the different sub-districts before officially establishing the national park. The villages had to vote on 15 January 2009 about whether or not to allow the national park in their area. On 23 December 2008, the villages held a meeting, appointed two to three people from each village for a meeting with the *tamboon* on 28 December.

On 15 January 2009, the representative from Mae Yao sub-district rejected the national park. This vote forced the DNP to hold more formal communications with the *tamboon* and the villages themselves. According to UHDP staff members, the park was approved in all sub-districts except Mae Yao. So while the park was partially approved, boundaries have not been set and it has not been officially established:

Many things have started about the national park, they have a center, they have put up signs, but they still cannot get the approval from the central government because of Mae Yao. The national park has tried to work with the sub-district administrative governments. It happened in one area [not Mae Yao] that there was an official agreement between the national park and the local leadership that 'okay we're going to set the boundary between the national park and the community, but there's no document. So they're working on that. It's not easy, because there's no document. . . . In the case of Mae Yao, the department can't get the approval from the local communities because people understand and through the work of UHDP and the watershed network, they are aware about these problems. Even the local leaders of Mae Yao, they understand and they indirectly support the local communities instead of working with the national parks on this process, they insist on getting approval from the local communities first. (UHDP staff, 28 July 2015).

### Thai Parliament's Community Land Deed Pilot Project

Simultaneously, while the DNP was pushing its national park plans, the central government was moving ahead with its pilot project of community land deeds (*chanod*

---

4 The Tamboon Administration Act, established in 1992, sought to delegate more jurisdiction to sub-district and district level administrations. As a result of this act, governance is divided between central, provincial, district, sub-district, and village level administrations. The ministries and departments fall under the jurisdiction of the central government, with its elected officials and appointed ministry positions. The central government also appoints provincial and district level officials. A district is composed of at least two sub-districts (*tamboon*) whose officials are locally elected for five years and operate under the supervision of the district chief officers. At the village level (*mooban*), a village headman is elected for five years. Both the *tamboon* and village headman positions are considered government officers and get a monthly remuneration from the central government (Government of Thailand, 2006, pp. 1-15).

*chumchon*). A *chanod chumchon* is another alternative to the community forestry bill. Prime minister Abhisit Vejjajiva's cabinet approved community land title deeds in June 2010. The objectives are to improve soil quality and provide land to poor farmers through the issuance of land rights certificates for communities living on state land (Chudasri, 2010). Chudasri (2010) suggested that the community land deed screening committee would give priority to communities that demonstrated a good land use plan with strong internal community control and a commitment to caring for natural resources. Against the background of the project, Huai Lu Luang shifted its focus from community forestry to obtaining a *chanod chumchon*. No longer concerned with just mapping and documenting the boundaries of the community forest, Huai Lu Luang began efforts to demonstrate that they had "a good land use plan with strong internal community controls". Aided by the *tamboon*, they obtained 1:40000 air photo maps on which they meticulously traced all community land use from the forest, to the fields, to the village center. Additionally, my own research evaluated Huai Lu Luang's capacity to effectively self-govern their community forest. These findings then strengthened Huai Lu Luang's *chanod chumchon* application to demonstrate strong internal community control and a commitment to caring for the forest. However, as with the national park, the situation for Huai Lu Luang has not substantially changed since 2010. Due to the political turnover from Vejjajiva's government to Yingluck Shinawatra's government to the 2014 military coup (BBC, 2015) the future of the *chanod chumchon* project remains uncertain.

## CONCLUSION

Huai Lu Luang's tale is not one of resounding success. Pressures on natural resource use and labor in China caused many villagers to migrate to Myanmar in the 1940s and similar pressures from the Burmese military junta in the 1960s caused a later undocumented migration to Thailand. In Thailand, Huai Lu Luang's *de facto* use and access to forest resources has made their circumstances precarious in the midst of national concerns over deforestation rates and a racialized narrative that criminalizes ethnic minority communities inside forested areas. As a result of perceived and actual threats of relocation or forest access restriction, they involved themselves in national debates over community forestry, defiantly attending protests, while also trying to cooperate with restrictions placed on them by the RFD. As a Christian community, they respected the Buddhist national religion and dedicated part of the forest area they use in a Buddhist ceremony to the Thai King. In response to national park creation plans, they have counter-mapped the area of the forest that is unofficially designated as their community forest, not trusting the DNP maps. They joined a watershed network of neighboring villages and NGOs, which helped them to stay informed on the interactions of their neighbors with the RFD and DNP and the rapidly changing policies from the Thai state that may affect them. They have collaborated with their sub-district government to hold the DNP accountable to its claims of an informed consent process over the creation of a new national park, and they have seized the opportunity to become part of a pilot project for community land deeds proposed by the prime minister's cabinet in 2010. In this process, my research project itself became a piece of the community land deed application. Interviews conducted

with Huai Lu Luang villagers unearthed dozens of individual, community level, and, importantly for this article, network level actions that have been taken to either prevent the direct loss of access to forest resources or to secure formalized rights to forest resources.

Huai Lu Luang's responses to the community forestry bill, a proposed national park, and a proposed community land deed pilot project are best understood not as acts of an isolated community, but instead through their 'rooted' network. It is through their affiliation with the Baptist church that the community first moved from China to Myanmar. In Thailand, this affiliation later connected them with UHDP, a new node with international connections. Huai Lu Luang's relationship with their *tamboon* allowed a means of both cooperating with the DNP, as well as resisting any establishment of the national park that did not respect their land use. Some nodes, like their affiliation with national protests over an RFD influenced version of the community forest bill died off, while others, like their relationship to their *tamboon*, continue to change as politics and elected officials change locally, provincially, and nationally.

None of these relationships or actions have guaranteed Huai Lu Luang *de jure* rights. The community forest bill has not guaranteed access to the forest, the DNP still plans to establish Lam Nam Kok National Park, and *chanod chumchon* has an uncertain future. However, neither has the community forest bill nor the DNP cut off Huai Lu Luang's access to the forest. Instead, Huai Lu Luang has demonstrated agency and choice. Through their 'rooted' network, connected to place and through an assemblage of individuals and organizations, they have stalled a loss of forest access and use. They are neither passive victims of the political dynamics within Thailand nor actively resisting the government at every step, instead they are working within their networks to negotiate access. Through these networks, they have gained support from the *tamboon*, have collaborated with national movements, and have formed their own network of villages. These relations to other villagers, local government, religious groups, NGOs, and at times civil society, allow Huai Lu Luang to continue to respond to, prepare for, and, if need be, resist national and regional policies that could either aid or inhibit their attempts to secure formalized land rights.



## REFERENCES

- Adams, W. M., & Hutton, J. (2007). People, parks and poverty: Political ecology and biodiversity conservation. *Conservation and Society*, 5(2), 147-183.
- Agrawal, A. (2007). Forests, governance, and sustainability: Common property theory and its contributions. *International Journal of Sustainable Development & World Ecology*, 1(1), 111-136.
- Babbie, E. R. (2007). *The practice of social research*. Belmont: Thompson Wadsworth.
- Badenoch, N. A. (2006). *Social networks in natural resource governance in a multi-ethnic watershed of Northern Thailand*. Doctoral thesis, Graduate School of Asian and African Studies, Kyoto University.
- Baviskar, A. (2001). Written on the body, written on the land: Violence and environmental struggles in Central India. In N. L. Peluso & M. Watts (Eds.), *Violent environments* (pp. 354-379). Ithaca: Cornell University Press.

- BBC. (2015, August 19). Thailand Profile – Timeline. Retrieved from <http://www.bbc.com/news/world-asia-15641745>
- Blaikie, P. M., & Brookfield, H. C. (1987). *Land degradation and society*. London: Methuen.
- Bryant, R. L. (1997). *The political ecology of forestry in Burma 1824-1994*. Honolulu: University of Hawaii Press.
- Buergin, R. (2000). 'Hill tribes' and forests: Minority policies and resource conflicts in Thailand. *SEFUT Working Paper No 7*.
- Bugna, S., & Rambaldi, G. (2001). A review of the protected area system of Thailand. *ASEAN Biodiversity*, 1(3), 36-41.
- Chhatre, A., & Agrawal, A. (2008). Forest commons and local enforcement. *Proceedings of the National Academy of Sciences of the United States of America*, 105(36), 13286-13291.
- Chudasri, D. (2010, September 30). Land reform: First community deeds in October. *Bangkok Post*. Retrieved from <http://www.bangkokpost.com/archive/first-community-deeds-in-october/198513>
- Department of National Parks. (2015, April 22). Lam Nam Kok National Park. Retrieved from <http://www.dnp.go.th/parkreserve/asp/style1/default.asp?npid=233&lg=2>
- Editor2. (2015, February 23). Thai Authorities briefly detain Karen activities for protesting junta's forest policy. *Prachathai News English*. Retrieved from <http://prachatai.org/english/node/4809>
- Forsyth, T., & Walker, A. (2008). *Forest guardians, forest destroyers: The politics of environmental knowledge in northern Thailand*. Seattle: University of Washington Press.
- Ganjanpan, A. (1998). The politics of conservation and the complexity of local control of forests in the northern Thai highlands. *Mountain Research and Development*, 18(1), 71-82.
- Government of Thailand. (2006). Thai Local Government. Department of Local Administration, Bureau of Local Administrative Development, and Division of Technical Services and Foreign Affairs.
- Hall, D. (2011). Land grabs, land control, and Southeast Asian booms. *The Journal of Peasant Studies*, 38(4), 837-857.
- Hardin, G. (1968). The tragedy of the commons. *Science*, 162, 1243-1248.
- Hares, M. (2009). Forest conflict in Thailand: Northern minorities in focus. *Environmental Management*, 43(3), 381-395.
- Johnson, C., & Forsyth, T. (2002). In the eyes of the state: Negotiating a 'rights-based approach' to forest conservation in Thailand. *World Development*, 30(9), 1591-1605.
- Jones, R. (2012). Spaces of refusal: Rethinking sovereign power and resistance at the border. *Annals of the Association of American Geographers*, 102(3), 685-699.
- Kaiser, E. T., Roberts, K., Pawkham, J., Thongdi, B., Morikawa, R., & Satre, D. (2012). Healthy forest, healthy people: Remote sensing and monitoring support implementation of community forestry in Thailand. *Proceedings - 2012 IEEE Global Humanitarian Technology Conference, GHTC 2012*, 111-116.
- Leblond, J.-P. (2010). Population displacement and forest management in Thailand. *ChATSEA Working Papers*, 8. Retrieved from <http://asiapacific.anu.edu.au/newmandala/wp-content/uploads/2010/06/CHATSEA-WP-8-Leblond.pdf>
- Leblond, J.-P., & Pham, T. H. (2014). Recent forest expansion in Thailand: A methodological artifact? *Journal of Land Use Science*, 9(2), 211-241.
- Li, T. M. (2002). Engaging simplifications: Community-based resource management, market processes and state agendas in upland Southeast Asia. *World Development*, 30, 265-283.
- McCaskill, D., & Kampe, K. (1997). *Development or domestication? Indigenous peoples of Southeast Asia*. Chiang Mai: Silverworm Books.
- McMichael, P. (2008). *Development and social change: A global perspective* (4<sup>th</sup> ed.). Los Angeles: Pine Forge Press.
- Michaud, J. (2006). *Historical dictionary of the peoples of the Southeast Asian massif*. Lanham: Scarecrow Press.
- Ostrom, E. (2002). Reformulating the commons. *Ambiente and Sociedade*, 5(10), 1-22.
- Peluso, N. L., & Lund, C. (2011). New frontiers of land control: Introduction. *Journal of Peasant Studies*, 38(4), 667-681.



- Peluso, N. L., & Vandergeest, P. (2011). Political ecologies of war and forests: Counterinsurgencies and the making of national natures. *Annals of the Association of American Geographers*, 101 (3), 587-608.
- Ratner, S., & Moser, S. (2009). *Community resilience and wealth: The challenges and opportunities for rural communities in a rapidly changing world*. US Endowment for Forestry and Communities. Retrieved from [http://www.usendowment.org/images/Community\\_Resilience\\_Report.pdf](http://www.usendowment.org/images/Community_Resilience_Report.pdf)
- Ribot, J. C., & Peluso, N. L. (2009). A theory of access. *Rural Sociology*, 68(2), 153-181.
- Robbins, P. (2004). *Political ecology: A critical introduction*. Malden: Blackwell.
- Roberts, K. (2011). *Evaluating community forestry in Huai Lu Luang*. Master thesis, College of Forestry and Conservation, University of Montana, MT.
- Rocheleau, D. (2008). Rooted networks, webs of relation, and the power of situated science: Bring the models back down to earth in Zambrana. In M. Goldman et al. (Eds.), *Knowing nature: Conversations at the intersection of political ecology and science studies* (pp. 209-226). Chicago: University of Chicago Press.
- Rocheleau, D. E. (2015). Networked, rooted and territorial: Green grabbing and resistance in Chiapas. *The Journal of Peasant Studies*, 42(3-4), 695-723.
- Rocheleau, D., & Roth, R. (2007). Rooted networks, relational webs and powers of connection: Rethinking human and political ecologies. *Geoforum*, 38(3), 433-437.
- Roth, R. J. (2008). "Fixing" the forest: The spatiality of conservation conflict in Thailand. *Annals of the Association of American Geographers*, 98(2), 373-391.
- Sato, J. (2000). The political economy of bufferzone management: A case study from Western Thailand. In M. Victor, C. Lang, & J. Bornemeier (Eds.), *Community forestry at a crossroads: Reflections and future directions in the development of community forestry* (pp. 87-99). Bangkok: RECOFTC.
- Schendel, W., van (2002). Geographies of knowing, geographies of ignorance: Jumping scale in Southeast Asia. *Environment and Planning D: Society and Space*, 20(6), 647-668.
- Scott, J. C. (1985). *Weapons of the weak: Everyday forms of peasant resistance*. New Haven: Yale University Press.
- Scott, J. C. (2009). *The art of not being governed: An anarchist history of upland Southeast Asia*. New Haven: Yale University Press.
- Srimongkontip, S. (2000). Building the capacity of watershed network to resolve natural resource conflicts: Field experiences from the Care-Thailand Project. *Asian-Pacific Community Forestry Newsletter*, 13(2), 46-50.
- Thompson, E. P. (1975). *Whigs and hunters: The origin of the Black Act*. Harmondsworth: Penguin Books.
- Vandergeest, P. (2003). Racialization and citizenship in Thai forest politics. *Society and Natural Resources*, 16, 19-37.
- Vandergeest, P., & Peluso, N. L. (1995). Territorialization and state power in Thailand. *Theory and Society*, 24(3), 385-426.
- Vandergeest, P., & Peluso, N. L. (2006). Empires of forestry: Professional forestry and state power in Southeast Asia, Part 2. *Environment and History*, 12, 359-393.
- Vienne, B. (1989). Facing development in the highlands: A challenge for Thai society. In J. McKinnon & B. Vienne (Eds.), *Hilltribes today: Problems in change* (pp. 33-60). Thailand: O.S.T.R.O.M.
- Walker, A. (2003, July). Seeing farmers for the trees: Community forestry and the arborealisation of agriculture in northern Thailand. *Draft Paper for Discussion at the "Politics of the Commons"*, Chiang Mai, Thailand.
- Walker, A., & Farrelly, N. (2008). Northern Thailand's specter of eviction. *Critical Asian Studies*, 40(3), 373-397.
- Wittayapak, C. (2008). History and geography of identifications related to resource conflicts and ethnic violence in Northern Thailand. *Asia Pacific Viewpoint*, 49(1), 111-127.
- World Bank. (2016). Forest area (% of land area). Retrieved from <http://data.worldbank.org/indicator/AG.LND.FRST.ZS/countries?page=2>
- Xu, J., Lebel, L., & Sturgeon, J. (2009). Functional links between biodiversity, livelihoods, and culture in a Hani swidden landscape in Southwest China. *Ecology and Society*, 14(2).

### ABOUT THE AUTHOR

Kimberly Roberts is currently a PhD student in critical human geography at the Department of Geography at York University, Canada. Her research interests include the political ecology of forestry and conservation and natural resource conflicts, specifically in Southeast Asia.

► Contact: [kimr22@yorku.ca](mailto:kimr22@yorku.ca)



# Philippine Mining Capitalism: The Changing Terrains of Struggle in the Neoliberal Mining Regime

Alvin A. Camba

► Camba, A. A. (2016). Philippine mining capitalism: The changing terrains of struggle in the neoliberal mining regime. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 69-86.

This article analyzes how the mining sector and anti-mining groups compete for mining outcomes in the Philippines. I argue that the transition to a neoliberal mineral regime has empowered the mining sector and weakened anti-mining groups by shifting the terrains of struggle onto the domains of state agencies and industry networks. Since the neoliberal era, the mining sector has come up with two strategies. First, *technologies of subjection* elevate various public institutions to elect and select the processes aimed at making the mining sector accountable and sensitive to the demands of local communities. However, they often refuse or lack the capacity to intervene effectively. Second, *technologies of subjectivities* allow a selective group of industry experts to single-handedly determine the environmental viability of mining projects. Mining consultants, specialists, and scientists chosen by mining companies determine the potential environmental damage on water bodies, air pollution, and soil erosion. Because of the mining capital's access to economic and legal resources, anti-mining communities across the Philippines have been forced to compete on an unequal terrain for a meaningful social dialogue and mining outcomes.

**Keywords:** Mining; Philippines; Political Economy of Development; Protest Politics; Resource Conflicts

~

## INTRODUCTION

The Philippines, with natural resources valued at almost USD 1 trillion, ranks fifth in the world in terms of mineral resources: third in terms of gold reserves, fourth in copper, fifth in nickel, and sixth in chromite (Philippine Rural Reconstruction Movement, 2010). This article analyzes how mining sector and anti-mining groups compete for mining outcomes.<sup>1</sup> Even though the Philippine mineral industry has occupied a central role in the economy since the beginning of the 20th century (Camba, 2015), the nature of these contentions has changed during the neoliberal era. While previous works have focused on the developmental potential of the mining sector (Rovillos, Ramo, & Corpuz, 2003; Rovil-

1 Mining outcomes pertain to many overlapping and possible scenarios but often encompass the following: whether or not communities in the mining areas – in local Philippine towns called the *barangay* or indigenous peoples groups – are given a voice to allow mining operations, fair compensation for the destruction of livelihoods and environments, employment and services for the communities and protection from harassments and legal threats. The mining sector includes transnational and local mining companies, national government agencies, and at times local government actors. Anti-mining groups consist of social movements, people's organizations, and local communities in the mining area.

los & Tauli-Corpuz, 2012; Santos & Zaratan, 1997), social movement mobilization against the mining sector (Holden & Jacobson, 2007a), state violence on anti-mining communities (Holden, 2005; Holden & Jacobson, 2007b), the political economy of the mining sector (Camba, 2015; Gomez, 2012; Hatcher, 2014; Israel, 2010, 2011; Orfenio, 2009), local mineral governance (Holden, 2012; La Vina, de Leon, & Bueta, 2012), and everyday forms of resistance against mining projects (Nem Singh & Camba, 2016), there has been relatively little discussion on the shifting terrains of contention where disputes between the mining sector and anti-mining groups take place.

I argue that the transition to a neoliberal mineral regime has empowered the mining sector and weakened the anti-mining groups by shifting the terrains of struggle from protest in the streets into the domains of state agencies and industry networks. During the colonial (1901 to 1941), national (1945 to 1964), and authoritarian (1965 to 1985) mineral regimes, anti-mining communities across the Philippines resisted the state and mining capital's imperative to incorporate mineral lands into the circuits of extraction.<sup>2</sup> However, during the neoliberal era (1986-present), the mining sector devised two strategies to forward its economic interests. First, *technologies of subjection* elevate public institutions, such as the Mining Government Bureau (MGB), the National Commission for Indigenous Communities (NCIP), and the Department of Environment and Natural Resources (DENR) to elect and select the processes aimed at making mining accountable and sensitive to the demands of local communities. Though some branches of these institutions want to intervene to help local communities, they often refuse or lack the capacity. Second, *technologies of subjectivities* allow a selective group of industry experts to single-handedly determine the environmental viability of mining projects with no oversight. Mining consultants, specialists, and scientists chosen by mining companies determine the potential environmental damage on water bodies, air pollution, and soil erosion. Because of the mining capital's access to economic and legal resources, anti-mining communities across the Philippines have been forced to compete on an inherently unequal terrain for a meaningful social dialogue and mining outcomes.

I use what Aihwa Ong (2006) calls "neoliberal exceptions" to refer to how states in the Global South deviate from their usual practices of governing in order to become more attractive investment destinations and legitimate players in the global economy. Postcolonial states transform their often inefficient and rent-seeking government agencies into capable and effective ones in order to implement neoliberal policies. These agencies become "exceptions" from conventional governing principles and administration standards across the country. As a result of these changes, protest tactics have not only been inhibited by capital-intensive mineral extraction but also hindered by institutional constraints, diminishing the effectiveness of their anti-mining mobilizations and campaign efforts. To effectively compete for mining outcomes, the opponents of mining projects need to contest the implementation of the neoliberal mining frameworks on institutional grounds: adopting the language of the state and institutions and leveraging their own capacity to conduct science.

---

2 I draw on selected cases of anti-mining communities and social movements from my fieldwork conducted in the Philippines in 2009 and 2014. The two broad national movements include *Alyansa Tigil Mina* (Alliance to Stop Mining) and *Kalikasan* (Nature).

This study fosters a dialogue of political economy, political ecology, and the sociology of labor (Agarwala, 2013; Silver, 2003; Zhang, 2015). Specifically, it shows the shifts in the strategies of the mining sector and the subsequent adoption by anti-mining groups as they become integrated in global circuits of production and consumption (Elias, 2010; Nevins & Peluso, 2008; Ong, 2006). The neoliberal mining regime has not only invited capital to open up new lands for extraction (Nevins & Peluso, 2008; Ong, 2006; Peluso, 1992), but also generated enormous socio-ecological consequences for communities in the mining areas. As political ecology deals with the “chains of explanation to exploring marginalized communities” (Peet & Watts, 2004, p. 3) by situating the environmental problems in a broader context, a study of the shifting strategies of mining companies and the later adoption by anti-mining communities could further our understanding of the neoliberal restructuring of the extractive sector in the Global South.

I follow the tradition of global ethnography pioneered by Micheal Burawoy (1985, 2013) in order to understand how economic production, state strategies, and local histories constitute with, and form through, each other. Numerous scholars have presented cutting edge ethnography works on labor in different parts of the world but the extractive sector has largely been overlooked (Bickham-Mendez, 2005; Dreby, 2010; France, 2011; Parrenas, 2015). Though there are some ethnographies on mining and development (Kirsch, 2014), I aim to extend an ethnographic approach towards the Philippine mining industry to understand how the mining sector and anti-mining groups compete for mining outcomes since the neoliberal restructuring in 1986. A study of how new state strategies subdued resistance and how the subsequent adaptation of anti-mining communities to neoliberal restructuring has the potential to explore how people in precarious situations and informal labor conditions become more empowered social actors under particularly contentious conditions (Peet & Watts, 2004).

I draw on selected cases of anti-mining communities and social movements from my fieldwork in 2014 conducted in the provinces of Camarines Norte, Abra, Mountain Province, Romblon, and Bohol. Through interviews with community leaders, representatives of social movements, national and local government officials, and spokespersons of transnational mining companies, I attempt to reconstruct the terrains of struggle between the mining sector and the anti-mining groups. First, I develop a theoretical framework that examines neoliberalism as an exception in the extractive sector in the Global South. Second, I briefly discuss the Philippine mining sector prior to and during the neoliberal period. In the main section of the article, I analyze the two strategies that emerged after the shift towards a neoliberal mining regime in 1986: technologies of subjection in elevation of national state agencies and technologies of subjectivities through the power of industry experts. In both strategies, I briefly discuss how communities have adapted to the new terrain of contestation.

## NEOLIBERALISM AS AN EXCEPTION: SUBJECTION AND SUBJECTIVITIES IN THE EXTRACTIVE INDUSTRY

David Harvey (2005, 2010), one of the prominent Marxist theorists in the 21<sup>st</sup> century, argues that neoliberalism was an elite-led project that successfully reversed capitalism's profitability crisis of the 1970s. Across Western Europe, states experienced tightening budgets, staggering economic productivity, and rising labor unrest. These conditions pushed political elites to restructure the economy around the principles of neoliberalism: privatization of state enterprises, deregulation of goods and services, and the liberalization of economic production. Neoliberal elites dismantled state regulations and empowered transnational companies across the world. Harvey (2006, 2010) also portrays neoliberalism as a knowledge paradigm that empowered dominant modes of governance employed by local and national governments, influencing civil society and non-state organizations, capitalizing on the ideological cleavages between labor and social movements, and most pivotally, subsuming economic and political elites into the rubrics of neoliberal ideology.

However, the neoliberal restructuring of economies varies across places and economic sectors. The extractive industry, a vast, interconnected, and multi-trillion dollar heavy sector, occupies a central position in the global neoliberal restructuring of economic production. Mining communities in Africa, Asia, and Latin America have resisted mining companies (Kirsch, 2014; Nem Singh & Bourgooin, 2013; Peet & Watts, 2004), but the vast networks of corporations facilitate transactions between the extractive sector and commodity producers, making the mining companies relatively anonymous and invulnerable to consumer boycotts, inter-state regulatory efforts, and labor unrest (Kirsch, 2014).

State actors and representatives of the mining sector justified the expansion of the industry by emphasizing the need to revitalize the economy and provide employment. A more recent example of these efforts is the branding of the sector as a 'promoter' of sustainable development (Recidoro, 2013). However, despite such investments, recent transformations in technology have weakened the employment capacity and environmental viability of the mining sector. Because mining companies rely heavily on machine-heavy, capital-intensive open-pit extraction, which minimizes the use of labor (Kirsch, 2014), they employ fewer permanent laborers and rely instead on contractual workers to construct infrastructure and protect them from protest politics. Even though capital-intensive mining extracts more minerals, it also produces 50 times the waste and tailing vis-à-vis underground extraction (Kirsch, 2014). Alongside this shift towards capital-intensive mining, the World Bank and the Asian Development Bank promoted the liberalization of the formerly protected mineral sectors across the world (Bridge, 2004; Camba, 2015). States in the Global South amended their mining codes, dismantled labor and environmental protection, and provided new institutions to expand mineral extraction (Bridge, 2004).

To understand the neoliberal restructuring at the local level, Aihwa Ong's (1999a, 1999b, 2006) formulation of "neoliberal exceptions" has been a more useful concept than macroeconomic theories and institutional approaches. In agreement with Harvey's assessment that neoliberalism empowered the state to implement neoliberal reforms, Ong examines the micro-level transformations of governance and govern-

ing fostered by the global shift towards neoliberal restructuring. Specifically, Ong's framework traces and locates how neoliberalism reconfigures the relationship between the state and the people, sovereignty and territoriality, as well as power and knowledge. She argues that neoliberalism re-conceptualizes state governance as apolitical and technical, territories as commodities, and knowledge paradigms as universally applicable. Ong suggests that states in the Global South need to transform the exceptions in their governing practices to compete for foreign direct investments. The monopoly of violence, which is the primary repertoire of the state, may attract unwanted international scrutiny and embolden resistance movements. Widespread use of state violence may also become ineffective due to the considerable costs on citizen morale, ideology, international reputation, and social order. In the Philippine mining sector, these practices become exceptions because the MGB, NCIP, and DENR become efficient agencies to implement neoliberal frameworks. Before restructuring, these institutions were inefficient by Western standards and controlled by rent-seeking elites, but they were transformed to forward global mining interest. Local, rent-seeking elites controlled mining production in the past. Under neoliberal restructuring, however, they need to follow the rules of the national government and relinquish control of production to the transnational companies.

In my reformulation of Ong's argument, neoliberal exceptions divert the terrains of struggle from protest in the street to state institutions and industry networks. Neoliberal exceptions assemble and constitute the new state strategies of subjection and subjectivities. Technologies of subjection regulate the behavior of the governed in particular matters of social and economic outcomes (Ong, 2006). These technologies not only privileged the MGB, the NCIP, and the DENR to determine and implement the procedures aimed at making mining socially accountable, but also monopolized important decision-making on mining claims at critical junctures, bypassing and ignoring democratic procedures in favor of expediting mining permits for mining companies. Furthermore, these institutions limit anti-mining groups within asymmetric decision making structures, preventing them from deploying other weapons in their repertoires. Technologies of subjectivities empower industry experts chosen by mining companies to determine the environmental viability of mining projects: water pollution, energy usage, mercury pollution, and soil erosion. Members of the networks – holders of particular credentials – police the boundaries of their own membership, hindering outsiders even with similarly competitive credentials from cross-checking their assessments. Not only are these practices dangerous, but they also prevent accountability measures by remaining inaccessible and unintelligible to the outside. Furthermore, these networks also monopolize the interpretation of particular modes of dominant knowledge paradigms to occlude other social groups with different sets of beliefs (Ong, 1999b, 2006). Environmental assessments neglect and do not take into account alternative forms of local and gendered knowledge (Nevins & Peluso, 2008; Peet & Watts, 2004), obscuring the concerns of indigenous communities, labor organizations, farmers, and environmental groups. Technologies of subjection by state agencies minimize anti-mining resistance through the emergence of state-led consultations and official registration. Technologies of subjectivities, in the form of industry networks, go hand-in-hand with the technologies of subjection, casting a cover of scientific legitimacy, accuracy, and neutrality onto the decision-

making structures of state institutions. Both technologies of subjection and subjectivities enable and deny options for the mining sector and anti-mining groups. These technologies not only assume that all governed citizens are and should be liberal subjects that can decide freely, manage rationally, and survive independently, but also privilege the role of state institutions that exalts the currency of economic, social, and cultural capital. For actors to successfully impede state power and the scientific credential, movements must therefore acquire the necessary economic, social, and cultural capital. Economic capital, in terms of access to law firms, information, and local officials, prefigures the outcomes of many legal cases across the world. Access to social and cultural capital, such as educational attainment and scientific literacy, increases the credibility of the actors. Indeed, cultural capital at many times becomes the 'proxy' for an empirically reflexive, careful scientific examination of processes. Because of the nature of the structures and rules of these institutions and networks, local communities and resistance movements ultimately lose out as a result of the mismatch of their strategies and tactics.

### FROM THE COLONIAL TO THE NEOLIBERAL MINING REGIME

This section presents a critical historical overview of Philippine mineral industry: late colonial (1901-1941), national developmental (1945-1964), and state authoritarianism (1965-1985). I present the historical development of Philippine mining to show the key changes under the current neoliberal mineral regime (1986-present). In the colonial mineral regime, the US army ravaged the mountainous provinces of the non-hispanized Philippine provinces. The Northern Mountain Province and Moro regions in Mindanao were targeted because the previous colonizer, the Spanish government, had never controlled them. By 1903, a colonial mineral law was passed and over five hundred foreign investors applied to explore and extract minerals and export them to the global market. In 1921, the Philippines evolved as a major gold exporter, which shipped a total amount of USD 3,217,843 during that year (Camba, 2015). After the Great Depression, the US economy needed nickel, chromium, iron, and zinc from the Philippines to manufacture products and build infrastructure under the state-led New Deal program. Near the end of the 1930s, there were 19 large mineral infrastructures owned by major foreign mining companies and more than five hundred smaller companies that operated a thousand mines of various size. These mines directly employed approximately 75,000 laborers and hundreds of thousands of other people for supporting auxiliary work. In 1940, the Philippines exported precious and gold metals worth USD 39,229,352 (Camba, 2015). In the course of this expansion, hundreds of communities were dispossessed of their lands and waves of soil erosion and deforestation occurred, while Philippine elites consolidated political and economic power (Camba, 2015). As mining operations expanded across the country, approximately 50,000-75,000 Filipinos were turned into laborers for the mining industry. This transformation expanded their power as they occupied a position at the point of production.<sup>3</sup> Protest and resistance could, at times, stop mineral-related

---

3 Beverly Silver's (2003) *Forces of Labor* and Lu Zhang's (2015) *Inside China's Automobile Factories* argue that labor's position at the point of production empower them to resist exploitation and bargain for better conditions.



operations and induce conflict in these mines (Camba, 2015). Before World War II, numerous rallies and strikes occurred in the major mining companies of Benguet and Lepanto, and at the Marsman Corporation, which increased the cost of labor for companies (American Chamber of Commerce, 1937, 1939a, 1939b; Brimo, 1953, 1961). Labor started to acquire more attention from the state, but the interruption of war delayed working hour regulations and other demands into the post-war period. Though laborers and peasant organizations fought for different reasons, they both mobilized and campaigned against the colonial mineral regime (American Chamber of Commerce, 1937, 1939a, 1939b).

After World War II, during the national mining period (1945-1964), the capacity of workers to stop production by leaving their work and taking the fight to the streets had limited the mining industry's ability to capitalize on cheap labor. The mineral industry maintained steady profits, but could not bring back the conditions of profitability from the 1930s. The Philippine senate and congress mandated the industry to pay the minimum wage and threatened to impose taxes on mining licenses, corporate tax, and real estate, making the political and economic situation for mining companies more costly (Sanders, 1963).

As domestic business interests purchased most of the major mining companies during the 1950s, Filipino-owned mining companies such as Benguet, Atlas, Marcopper, Lepanto, and Philex began to export minerals mainly to Japan (Alyansa Tigil Mina, 2010; Orfenio, 2009). But it was only under Ferdinand Marcos (1965-1986) that the state sought to extract state revenues from the mining industry and subsequently altered the rules of the game in favor of large-scale mining (Lopez, 1992; Orfenio, 2009). The state supported the capitalization of domestic firms and aggressively promoted mineral exploration in peripheral regions. From a passive, non-interventionist policy framework based on the colonial treaties arranged with the US, Marcos shifted the mining regime towards an "active, state-led" development model in 1974. He enacted Presidential Decree 464, which favored established business interests that could mobilize financial resources to explore, develop, and exploit minerals. The active promotion of large-scale domestic capital, however, also meant restricting the rules of foreign ownership (e.g., a cap of 40% equity ownership in companies), thereby effectively preventing the entry of foreign mining companies (Lopez, 1992).

During the national and the Marcos period, communities were able to strike a bargain with the state and domestic capital through the political conditions of that time. For example, the Benguet Mining Corporation provided workers with a fair share of compensation in health benefits, education plans, and retirement packages in return for their labor and support (M. Dempste Baluda, Geological Society of the Philippines, Quezon City, 3 April 2010). Provincial officials in Benguet recognized Marcos' rule in exchange for some level of autonomy over economic production. Protest politics and various strategies limited the capacity of the state and capital to expand mineral operations. The Ikelahans in Nueva Vizcaya, for example, resisted Marcos' plans to transform the province into a giant tourist city (D. de Vera, executive director, Philippine Association for Intercultural Development, Quezon City, 6 June 2014).

The key point is that the incorporation of workers into the developing mining economy simultaneously increased their power to protest and resist exploitation. Despite the US colonial and Marcos regimes' monopoly over the use of force, the



need to maintain legitimacy and keep ties to the provincial elites limited the use of military violence. There were certainly human rights violations and the impunity of violence, but they were concentrated on the anti-Marcos activist groups, Islamic separatist movements, the New People's Army, and the oppositional political parties.

The fall of Marcos paved the way for neoliberal restructuring at the beginning of Corazon Aquino's presidency (1986-1992). The post-Marcos governments consolidated the neoliberal model in the context of political instability and economic indebtedness. In 1987, Corazon Aquino approved the National Economic and Development Authority's Medium-Term Philippine Development Plan (1987-1992) that stressed the role of foreign companies in national recovery by dismantling state monopolies. Furthermore, she adopted the Executive Order (EO) 266 – an investment omnibus code – and strengthened administrative reforms (Bowie & Unger, 1997). EO 266 awarded generous tax holidays, duty-free import, and tax exemption for the first five years for any foreign investment (Orfenio, 2009). Beyond shifting the principle of land ownership away from the traditional leasehold system, the new code regarded the state as the initial tender that would treat land as a commodity for mineral exploration and extraction.

President Fidel Ramos (1992-1997) embraced sweeping liberal economic reforms as a way of catching up with the country's neighboring Asian tigers. In particular, he secured multilateral investment treaties and promoted privatization of public services. President Gloria Macapagal-Arroyo (2001-2009), during her period as senator, was the principal author of the Philippine Mining Act of 1995 (RA 7942), which became the state's answer to foreign mining investors' demands to reduce uncertainties in the extractive industries (Orfenio, 2009; Vivoda, 2008). At the same time, more progressive political reforms were implemented, for example, the recognition of indigenous peoples' rights through the Indigenous Peoples Rights Act of 1997 and the decentralization of power towards local government units to strengthen regional autonomy especially in mineral-rich Mindanao. The neoliberal restructuring transformed the power of the mining sector over anti-mining organizations through shifting the terrains of struggle from the streets to the domain of state institutions: the passive NCIP, the pro-mining stance of the MGB, and the conflicting interest of the DENR, as well as the power of industry experts in deciding a mining project's environmental viability. This is discussed in the following section.

### TECHNOLOGIES OF SUBJECTION: ELEVATION OF STATE INSTITUTIONS

To begin with, the 1995 Mining Act has been shown to have weak mechanisms for local communities (together with civil society organizations) to channel their grievances towards state institutions. The expansion of large-scale mining has delegated the safeguards for political consent and social acceptability to the NCIP and the DENR. The primary instruments of local accountability in the mining industry are the social acceptability clause for *barangays* aided by local governments and the process of Free, Prior and Informed Consent (FPIC) for indigenous peoples groups facilitated by the NCIP. More importantly, the social acceptability clause and FPIC are susceptible to self-interested individuals in mining, leading to numerous allegations that both consultation processes are largely hollow (congressional staff, Committee on National

Communities, Quezon City, 19 October 2013). Some problems identified by critics include the arbitrary selection of *barangay* captains or new leaders in the indigenous communities who are supportive of large-scale mining, the numerous consultations with the communities until they acquiesce to mining, the treatment of minority support from few members of the community as majority vote or consent, and the lack of specific procedures for the FPIC that subject the consent-building process to multiple and often competing interpretations (R. Halip, Asia Indigenous Peoples Pact, Bangkok, 12 June 2014). Because of the numerous, repetitive, and arbitrary consultation procedures, multinational firms and local elites are given opportunity to exploit the social acceptability clause of the FPIC process, pushing numerous communities to acquiesce to mineral industry demands.

Though NCIP and local governments weaken the acts of protest in the streets and constitute the legitimacy of due process to determine mining outcomes, indigenous people face more inhumane kinds of historical and contemporary violence. To begin with, the Mining Act fails to delineate government land, ancestral domains, and protected areas, on the one hand, and appropriates land with mining potential for exploitation, on the other hand. Using the absence of documentary evidence as an excuse, state agencies have weakened indigenous peoples' claim to systematic ancestral domain, landownership, and property protection (congressional staff, Committee on National Communities, 19 October 2013). According to a policy paper from the Samdhana Institute (2011), the NCIP funnelled the majority of its budget to education, health, and development projects for indigenous peoples. The main responsibilities of protecting ancestral land from outsiders, registering landownership, and systematizing ancestral land domains were ignored. Around 60% of the budget went to the salaries of personnel and only 40% went to administrative expenses and programs for indigenous people. From 2006 to 2009, only 17% was channelled directly to indigenous peoples and intercultural communities, which paid for scholarships, trainings, health programs, livelihood, and legal services. Instead of recognizing indigenous peoples' legitimate right to their lands, the NCIP became a container of poverty. Furthermore, the mining companies pay for the FPIC procedures themselves, which undermines the NCIP's capacity to facilitate FPIC. If mining companies supplement the income of underpaid NCIP officials to conduct the FPIC process, the process becomes a conflict of interest that erodes the legitimacy of the NCIP and the Philippine government (Samdhana Institute, 2011). There is currently no single standard for financial transparency regarding the transfer of finances from the mining companies to the NCIP, making it difficult for anti-mining groups to acquire information and documentary evidence regarding the unfair situation. The refusal of indigenous people to participate in the preparation of NCIP's budget exacerbates the situation, accentuating the institutional rigidities of state agencies and the marginalized political participation of those in the peripheries.

While the budget was channelled mainly to salaries, the overall state budget allocation for the NCIP was arguably inadequate. NCIP officials bemoan their inability to do their duties properly because of the lack of financial support from the government. In 2004, NCIP provincial officers were paid around USD 210 every month. For instance, Attorney Jake Dumala, an NCIP officer in the southern province of Davao del Norte, said that they end up using their own vehicles, salaries, and time while

their support for indigenous groups “is being hampered by their meagre budget” (Alama, 2004). Dumala appealed for a small increase “for travel allowances to better serve our Lumad brothers, an IP group in the South, who are almost living in far-flung areas” (Alama, 2004), but the Philippine government did not give them any financial redress. In 2015, the results of the NCIP’s failure to protect indigenous people in Davao del Norte became clear. The Lumads, the major indigenous group in the province, started to evacuate their lands due to the fighting between leftist groups and the Philippine military. The clashes were reportedly over potential mineral lands that mining companies wanted to open up.

Another research conducted by academics from the University of the Philippines Baguio (UPB) complements the Samdhana study. During the four-day gathering of indigenous peoples in 2011, the UP Baguio academics suggested that the NCIP’s budget management and internal financial mechanisms have been faulty, inefficient, and wasteful (Sinumlag, 2011). They showed that the NCIP has received donations from international donors and direct funding from the Department of Budget and Management, but has had “unliquidated cash advances worth P 36.6 million, as well as an additional P 9.5 million” since 1997 (Sinumlag, 2011). The research also indicated that the NCIP has been significantly quicker to grant FPIC approval for mining companies than to issue Certificates of Ancestral Domain Titles (CADT) and Ancestral Domain Sustainable Development and Protection Plans (ADSDPP). Indigenous people need to have titles registered in NCIP for the legal protection of their lands. Since the formation of the NCIP in 1997, it has only granted a total of 159 CADT and 89 ADSDPP in contrast to 312 FPIC approvals (Sinumlag, 2011). Indigenous people who failed to register their lands with the NCIP (or where the NCIP was too slow) were not given the right to participate in the FPIC process, which led to expedited mineral applications, exploratory mineral testing, and numerous other operations (congressional staff, Committee on National Communities, 19 October 2013).

My own fieldwork shows that the FPIC process gives the leader or the council of the indigenous peoples the freedom to choose what kind of operation to allow and under which conditions (Alyansa Tigil Mina, 2010; National Commission on Indigenous People [NCIP], 2012; Philippine Congress, 2013). However, questions of leadership and location of ancestral domains remained vague. The law not only prefigures a liberal logic, reducing people to individual subjects with ‘free’ choices like consumers in markets, but also violently abstracts the historically tenuous experience of the autonomous indigenous peoples from the ‘sin’ of Philippine nation state formation.

However, the inadequacy of the NCIP does not come as a surprise. From 1997 until 2011, the NCIP was under the office of the Department of Environment and Natural Resources. What is striking is that the ministry in charge of protecting the environment is also the state agency responsible for signing and approving mining leases. In other words, the neoliberal policy framework brought together irreconcilable objectives within a weak state that created frictions within the bureaucracy. In 2011, the NCIP was finally transferred to the Office of the President and mandated to formulate new FPIC guidelines (NCIP, 2012). Some state actors have said that in the first 10 years of the NCIP, the state barely gave support to fund the FPIC. For example, a local government official in Cotabato City reported that the NCIP only had a staff of four people and an annual budget of USD 3,000 for traveling to remote

areas, supporting indigenous peoples' livelihoods, and conducting counter studies (congressional staff, committee on National Communities, 19 October 2013). Many supporters of the anti-mining groups know of the NCIP's historical inability to protect indigenous peoples. In a privilege speech given to the 15th Philippine Congress, representative Teddy Brawner Baguilat (2011) said:

The government's obsession for 'mining at all costs' stems from the perpetuation of Executive Order No. 270-A, issued on January 2004, which provided for guiding principles for the revitalization of the mining industry. This EO has led government agencies to violate indigenous peoples' right to free prior and informed consent recognized in the IPRA [Indigenous Peoples Rights Act] but undermined by none other than the National Commission on Indigenous Peoples (NCIP) with their issuance and implementation of the 2006 NCIP guidelines on FPIC, which has been criticized by indigenous peoples' leaders and their support groups, more favourable to mining corporations and violative of the right to self-determination of the indigenous peoples. . . . Another observed cause of conflict is the flawed or defective implementation of the free prior and informed consent requirement for indigenous peoples. In many cases, regulating agencies either bypass this requirement or the implementing agency in connivance with companies manipulated the acquisition of consent of the affected communities.

At the end of the speech, Baguilat (2011) called on "President Simeon Benigno Aquino III to immediately issue an executive order calling for the moratorium while we are in the process of improving our mining policies".

In sum, technologies of subjection elevated the NCIP and the DENR to elect and select processes to protect *barangays* and indigenous people by (1) disengaging from social conflict; (2) abetting the mining sector over indigenous people and *barangays*; and (3) denying state support to effectively protect indigenous peoples from outside actors.

### TECHNOLOGIES OF SUBJECTIVITIES: THE RISE OF INDUSTRY EXPERTS

Technologies of subjectivities empower industry experts and constrain public participation in emerging scientific networks. To begin with, the 1995 Mining Act requires the DENR to implement pre-extraction monitoring measures (Environmental Work Program, Environmental Compliance Certificate, Environmental Protection and Enhancement Program). Mining companies also need to submit post-extraction measures (Final Rehabilitation and Decommissioning Plan). Apart from these mining specific policies, several other laws (e.g., the National Integrated Protected Areas Act or the Wildfire Resource Conservation Act) reinforce environmental protection (Rovillos et al., 2003). After the Environmental Impact Assessment (EIA), mining companies need to acquire an Environmental Compliance Certificate from the DENR. The Environmental Management Bureau of the DENR together with the Mine Environmental Protection and Enhancement Office review proposals and create an Environmental Assessment Review Committee to conduct scheduled inspections, public hearings, and open house testing of environmental impacts. Within 120 days, the

proponents of the project need to submit the EIA to the Environmental Management Bureau. Unless explicitly rejected, the proposal is considered accepted. After submitting the EIA, the Provincial Environmental Board of local governments needs to verify the study through various standards. Pro-mining local governments delegate their members to the provincial board, keeping anti-mining groups away from important positions of influence. Membership in the board requires political connections, economic resources, and social capital in the provinces. In case indigenous peoples protest against the result of the EIA, their grievances go through the NCIP's regional heading office instead of the indigenous peoples' own socio-political systems.

Criticism on the procedures of the EIA has been widely voiced. The requirements of public information have been narrowed, the processing timeframes reduced, and the decision-making concentrated to the Environmental Management Bureau (Rovillos et al., 2003). Mining companies conduct the EIA themselves by contracting industry experts. Since the mining company pays for the EIA, the contractor-payee relationship spawns doubt on the authenticity, sincerity, and neutrality of the study. Industry experts rely on the mining companies to pay for their services, producing a perverse incentive to present a rosy picture of the mining project and erode the findings of the EIA (congressional staff, committee on National Communities, 19 October 2013). With civil society organizations and communities unable to participate in adjudicating and externally verifying the findings, the EIA becomes an ineffective tool to protect *barangays* and indigenous peoples (M. Diego, Mangyan Taga-Bukid, Atsmata Indigenous Group, Quezon City, 6 June 2014).

The dynamics amongst industry experts, juridical procedures, and the mining companies constrain the opposition of indigenous peoples and social movements. NCIP's regional offices and the Provincial Regional Courts act as the institutional mechanisms for hearing indigenous peoples' grievances. The regional offices work like a regular trial court and quickly facilitate cases and favor those who have political connections to the local governments (congressional staff, committee on National Communities, 19 October 2013). In some cases, members of the local government bodies hunger for the potential foreign direct investments in the mining sector, believing in credentials of industry experts and deferring to their understanding of the soil, wind patterns, water bodies, and many others (former local government unit staff, Bayombong, 26 June 2014). Both courts subsequently dismissed alternative governing standards, such as respect for ancestral domains and indigenous peoples' livelihoods, as backward, superstitious, and 'anti-development'. They lack the capacity to conduct their own independent studies and externally check the findings of industry experts, constraining the effectiveness of the procedures (D. de Vera, 6 June 2014).

Even when trials take place, they require year-long attendance in the courts of the provincial capital (D. de Vera, 6 June 2014). While mining companies can access expensive law firms that have a firm grip on the legal system of the land and the patronage networks across the country, civil society organizations, local communities, and indigenous groups need to pool their financial and social resources together in order to attend the trials (D. de Vera, 6 June 2014). Since many of these people rely on cultivating their land for livelihood, they gruelingly need to adjust their schedule to accommodate the court trials (T. Fernando Daing, indigenous group leader, Quezon City, 18 June 2014). It may be convenient for mining company officials to drive to

the courthouse from their hotels but it takes half a day for indigenous peoples' leaders to walk from their lands to the provincial capital (D. de Vera, 6 June 2014). Time taken away from farming and put into court attendance disrupts livelihoods and the already limited material reproduction of indigenous peoples. The courts neglect the asymmetric economic and political conditions between indigenous peoples and mining companies, ostensibly treating them as equal before the law.

In the province of Nueva Vizcaya, the regional branch of the Mines and Geosciences Bureau approved a mineral exploration permit prior to the company's FPIC process. Titan Mining Corporation, the mining applicant, at that time, bypassed the FPIC process with the Ikelahans, the main indigenous group in the province (former local government unit staff, 26 June 2014). The Nueva Vizcaya branch of the bureau ostensibly gave the final permit even if it did not have the power to do so because of the size of the potential mining area. Instead of scrutinizing the application, the bureau's main office in Manila quickly approved the permit in less than 30 days (D. de Vera, 6 June 2014). Other concerns such as the ancestral domain, community beliefs, and livelihood concerns were deemed irrelevant to national development (M. Diego, 6 June 2014). The Ikelahans were unable to present a viable environmental study to the bureau to rebut the findings of Titan Mining Corporation (D. de Vera, 6 June 2014).

The Tampakan mining project in South Cotabato – with USD 5.8 billion the biggest investment in the Philippine mining sector – serves as another example. The project exists in a quad-boundary with three other provinces: Agusan del Sur, Davao del Sur, and Sultan Kudarat. According to local government unit staff, SMI-Xstrata, the mining applicant, submitted a tampered and incomplete EIA, which lacked geographic simulation information of the river basins of the surrounding provinces. Regardless of the incomplete and manipulated data of the report, the 'expertise' and credentials of the industry experts railroaded the mining application through the Provincial Environmental Board, the Mines and Geosciences Bureau, and the Department of Environment and Natural Resources (former local government unit staff, 26 June 2014). In a meeting facilitated by the state, SMI-Xstrata used the impeccable scientific studies and the projected monetary gain to justify the project. Exclusive membership in the industry networks and the state support enabled the mining companies to manufacture studies on the environmental viability of their operations. Technologies of subjectivities enabled them to bypass the ancestral knowledge of the indigenous groups that was framed as suppositious and premodern.

Though technologies of subjection and subjectivities weaken opposition, anti-mining groups began to adapt their strategies to limit the mining sector's growing power (F. Sevilla, policy and research officer, Alyansa Tigil Mina, Quezon City, 19 June 2014). Groups started to build broad, multi-sectoral alliances amongst interested parties. The Ikelahans not only protested in the streets in Manila and contested the legality of the mining application in the court, but also contacted legislators and other social movements to pressure relevant state institutions.<sup>4</sup> The Ikelahans contacted the local parliamentary representatives and key allies in congress that led to

---

4 After their experience of protesting against the incursions of the Marcos regime, descendants of the Ikelahans moved to white-collar careers in law and medicine in the cities. Some of their members acquired their own networks to contest the Titan Mining Corporation (D. de Vera, 6 June 2014).



several interventions from congressional representatives, which pressured the DENR to retract the mining application due to shaky conditions. Subsequently, and in a possible act of vengeance, Titan Mining Corporation sued the Ikelahan leaders for libel and economic sabotage that led to year-long and costly meetings for the indigenous peoples: legal harassments, court hearings, meetings in the cities, and arbitrations (former local government unit staff, 26 June 2014). Furthermore, anti-mining groups started to expand their capacity to conduct studies to counter the industry experts of mining companies. Despite political support from the former president Gloria Macapagal's administration to the Tampakan project, a provincial referendum was organized by the national government, local governments, and civil society members to vote on mineral extraction. Social movements and peoples' organizations believed that the mining firm and the national government deliberately presented an incomplete, manipulated, and biased scientific assessment. Their suspicions were exacerbated by the government's refusal to make the controversial EIA available to anti-mining groups (D. de Vera, 6 June 2014). Through the support of local people's organizations, various indigenous peoples and national organizations such as Alyansa Tigil Mina (ATM) and the Philippine Association for Intercultural Development (PAFID), conducted a counter assessment of the project. PAFID's study, supported by Cambridge-based geologists, challenged the study made by SDMI-Tampakan and proved that SDMI-Xtrata's study did not take the implications on the river basins of the surrounding provinces into account. The results of the provincial referendum united initially undecided local government officials, local *barangays* and indigenous peoples in four provinces to take a firm anti-mining position (D. Arias, campaign and advocacy officer, Alyansa Tigil Mina, Quezon City, 19 June 2014). Hence, the anti-mining vote won through the referendum culminated in one of the most controversial moratorium in the country (P. Macling Malayao, spokesperson, Kalipunan ng mga Katutubong Mamayan ng Pilipinas, Quezon City, 15 June 2014). Australian investors of the Tampakan mining project, industry experts from the DENR and MGB, Chamber of Mines, and national government officials were disappointed but had to relent to the referendum's decision. Hence, anti-mining groups have started to use the language of science against industry experts of the mining companies.

## CONCLUSION

Using Ong's concept of neoliberal exceptions, this article discussed the changing terrains of struggle in contemporary Philippine mining. I argued that the transition to a neoliberal mineral regime has empowered the mining sector and weakened the anti-mining groups through two new governing strategies. First, technologies of subjection have elevated state mining institutions to choose and put into effect the processes aimed at addressing the demands of local communities. Second, technologies of subjectivities have privileged a selected group of industry experts to narrowly arbitrate the environmental viability of mining projects with little external review. Because of the mining capital's access to economic and legal resources, anti-mining communities across the Philippines have been forced to compete on an unequal terrain for a meaningful social dialogue and mining outcomes. With allies in state institutions and science at their behest, the subjection of the institutions and subjectivi-



ties of science become seemingly incontestable spaces for the opponents of mining. The mining sector has been able to marginalize community concerns such as ancestral domains, social justice, and community subjectivities through the monopoly of, and skewed access to, the power of state institutions and the credentials of industry experts.

There are three concrete findings for the Philippines. First, state policies should consider expanding civil society, social movement, and community participation in state mining institutions. Communities faced abusive policy decisions from the mining sector and state institutions as a result of the lack of checks and safeguards. Successful mining cases in Chile, Brazil, and Indonesia were built on state-society compromises. Specifically, civil society organizations occupied important roles in the mining sectors of these states. Second, anti-mining communities should continue to invest in capacity to counter the mining sector in their terrain: state institutions and scientific assessments. The bigger danger to communities is the incomprehensible nature of the mining sector's new weapons within the neoliberal era. Movements across the world must continue to shift their strategies alongside the continuing transformation of global capitalism. And last, postcolonial development in the Philippines must be inclusive and just for those who have been abandoned by the state for decades. Indigenous peoples have been the most abused and neglected group from the Spanish regime until today. It is not fair for the mining sector and the state to transform their governing strategies just for the sake of competitive advantage. A just and democratic mining sector has to consider alternative and historically rooted governing standards.



## REFERENCES

- Agarwala, R. (2013). *Informal labor, formal politics, and dignified discontent in India*. Cambridge: Cambridge University Press.
- Alama, R. G. (2004, July 31). NCIP operating in Davao del Norte on shoestring budget. *Philippine Information Agency*. Retrieved from <http://archives.pia.gov.ph/?m=12&sec=reader&rp=1&fi=p040731.htm&no=3&date=07/31/2004>
- Alyansa Tigil Mina. (2010). CSO assessment of the MTPDP (2006-2010). *Mining*. Quezon City: Alyansan Tigil Mina.
- American Chamber of Commerce. (1937, April). Base metal potentialities, p. 21.
- American Chamber of Commerce. (1939a, January). What the differs are doing, pp. 23-24.
- American Chamber of Commerce. (1939b, August). Halfway in 1939, p. 21.
- Baguilat, T. (2011). Questions of privilege by Representative Brawner Baguilat: Privileged speech given at the Philippine House of Representatives, 15th Congress of the Committee on Natural Cultural Communities, Quezon City.
- Bickham-Mendez, J. (2005). *From revolution to maquiladora: Gender, labor and globalization*. Durnham: Duke University Press.
- Bowie, A., & Unger, D. (1997). *The politics of open economies: Indonesia, Malaysia, the Philippines, and Thailand*. Cambridge: Cambridge University Press.
- Brimo, H. (1953, March). Mining. American Chamber of Commerce, p. 112.
- Brimo, H. (1961, April). Mining. American Chamber of Commerce, p. 160.

- Burawoy, M. (1985). *The politics of production. Factory regimes under capitalism and socialism*. New York: Verso.
- Burawoy, M. (2013). Ethnographic fallacies: Reflections on labour studies in the era of market fundamentalism. *Work, Employment, and Society*, 27(3), 526-536.
- Bridge, G. (2004). Mapping the bonanza: Geographies of mining investment in an era of neoliberal reform. *The Professional Geographer*, 56(3), 406-421.
- Camba, A. (2015). From colonialism to neoliberalism: Critical reflections on Philippine mining in the "long twentieth century". *Extractive Industries and Society*, 2(2), 287-301.
- Dreby, J. (2010). *Divided by borders: Mexican migrants and their children*. Berkeley: University of California Press.
- Elias, J. (2010). Locating the "everyday" in international political economy. *International Studies Review*, 12(4), 603-609.
- Gomez, E. T. (2012). State-business linkages in East Asia: The developmental state, neoliberalism and enterprise development. In A. Walter & X. Zhang (Eds.), *East Asian capitalism: Diversity, continuity and change* (pp. 68-89). Oxford: Oxford University Press.
- France, T. (2011). *Outsourcing the womb: Race, class and gestational surrogacy in a global market*. London: Routledge.
- Hatcher, P. (2014). *Regimes of risk: The World Bank and the transformation of mining in Asia*. Basingstoke: Palgrave.
- Harvey, D. (2005). *A brief history of neoliberalism*. New York: Verso.
- Harvey, D. (2006). *The limits to capital*. New York: Verso.
- Harvey, D. (2010). *Enigma of capital*. Oxford: Oxford University Press.
- Holden, W. N. (2005). Civil society opposition to nonferrous metals mining in the Philippines. *Voluntas*, 16(3), 223-249.
- Holden, W. N., & Jacobson, D. (2007a). Ecclesial opposition to nonferrous metals mining in the Philippines: Neoliberalism encounters liberation theology. *Asian Studies Review*, 31(2), 133-154.
- Holden, W. N., & Jacobson, D. (2007b). Mining amid armed conflict: Nonferrous metals mining in the Philippines. *The Canadian Geographer*, 51(4), 475-500.
- Holden, W. N. (2012). Ecclesial opposition to large-scale mining on Samar: Neoliberalism meets the church of the poor in a wounded land. *Religions*, 3, 833-861.
- Israel, D. (2010). National industrialization in Philippine mining: Review and suggestions. *PIDS Discussion Paper Series*, 35. Quezon City: Philippine Institute for Development Studies.
- Israel, D. (2011). Value addition: The way of the future for Philippine mining. *PIDS Policy Notes*, 18. Quezon City: Philippine Institute for Development Studies.
- Kirsch, S. (2014). *Mining capitalism. The relationship between corporations and their critiques*. Oakland: University of California Press.
- La Vina, A., de Leon, A., & Bueta, G. R. (2012). Legal responses to the environmental impact of mining. *Philippine Law Journal*, 86(4), 284-340.
- Lopez, S. (1992). *Isle of gold: A history of mining in the Philippines*. Oxford: Oxford University Press.
- National Commission on Indigenous People. (2012). The revised guidelines on free and prior informed consent. NCIP Administrative Order, No. 3. Quezon City: Office of the President.
- Nem Singh, J. T., & Bourgooin, F. (Eds.). (2013). *Resource governance and developmental states in the Global South: Critical international political economy perspectives*. Basingstoke: Palgrave Macmillan.
- Nem Singh, J. T., & Camba, A. (2016). Neoliberalism, resource governance, and the everyday politics of protest in the Philippines. In J. Elias & L. Rethal (Eds.), *Everyday political economy of Southeast Asia* (pp. 49-71). Cambridge: Cambridge University Press.
- Nevins, J., & Peluso, N. (2008). *Taking Southeast Asia to market: Commodities, nature, and people in the neoliberal age*. New York: Cornell University Press.
- Ong, A. (1999a). *Flexible citizenship: The cultural logics of transnationality*. Durham: Duke University Press.

- Ong, A. (1999b). Clash of civilizations or Asian liberalism? An anthropology of the state and citizenship. In H. L. Moore (Ed.), *Anthropological theory today* (pp. 48-73). Malden: Polity Press.
- Ong, A. (2006). *Neoliberalism as exception: Mutations in citizenship and sovereignty*. Durham: Duke University Press.
- Orfenio, R. (2009). Failure to launch: Industrialization in metal-rich Philippines. *Journal of the Asia Pacific Economy*, 14(2), 194-209.
- Parrenas, R. S. (2015). *Servants of globalization: Migration and domestic Work* (2<sup>nd</sup> ed.). Stanford: Stanford University Press.
- Peet, R., & Watts, M. (2004). *Liberation ecologies: Environment, development, and social movements*. London: Routledge.
- Peluso, N. L. (1992). *Rich forests, poor people: Resource control and resistance in Java*. Berkeley: University of California Press.
- Philippine Congress. (2013). House measures (national/local) primarily referred to and/or rules-referred national cultural communities 2010-07-01 to 2013-06-30, 16<sup>th</sup> Congress of the Committee on Natural Cultural Communities, Quezon City.
- Philippine Rural Reconstruction Movement. (2010). *Mining Potential in the Philippines*. Retrieved from <http://www.prrm.org/publications/gmo2/mpotential.htm>
- Rovillos, R. D., Ramo, S. B., & Corpuz, Jr., C. (2003). When the isles of gold turn into the isles of dissent: A case study on the Philippine mining act of 1995. Paper presented at the meeting on Indigenous Peoples, Extractive Industries and the World Bank, Oxford.
- Rovillos, R. D., & Tauli-Corpuz, V. (2012). Development, power and identity politics in the Philippines. In S. Sawyer & E. T. Gomez (Eds.), *The politics of resource extraction: Indigenous people, multinational corporation and the state* (pp. 129-159). London: Palgrave Macmillan.
- Recidoro, R. (2013). *The 'alternative' mining: A bill designed to kill responsible mining in the Philippines*. Pasig City: Chamber of Mines of the Philippines.
- Sanders, E. J. (1963, May). Mining. American Chamber of Commerce, p. 244.
- Santos, T., & Zaranan, M. (1997). Mining resources accounting: A technique for monitoring the Philippine mining industry for sustainable development. *Journal for Asian Earth Science*, 15(2-3), 155-160.
- Silver, B. (2003). *Forces of labor: Workers' movements and globalization since 1870*. Cambridge: Cambridge University Press.
- Sinumlag, A. (2011). Reform the NCIP, said indigenous people's groups. *Bulatlat News*. Retrieved from <http://bulatlat.com/main/2011/08/23/reform-the-ncip-said-indigenous-peoples-groups/>
- Samdhana Institute. (2011). *Tracking national commitments for the protection of indigenous peoples rights in the budget. A study of the national budget of the national commission on indigenous peoples (NCIP)*. Cagayan de Oro City: The Samdhana Institute.
- Vivoda, V. (2008). Assessment of the governance performance of the regulatory regime governing foreign mining investment in the Philippines. *Minerals & Energy – Raw Materials Report*, 23(3), 127-143.
- Zhang, L. (2015). *Inside China's automobile factories. The politics of labor and workers' resistance*. Cambridge: Cambridge University Press.

## ABOUT THE AUTHOR

Alvin A. Camba is a doctoral student in sociology at Johns Hopkins University. Combining detailed ethnographic fieldwork and macro-comparative methods, he focuses on analyzing historical mechanisms that embed states in and toward particular development pathways within the global circuits of capital. At the moment, he focuses on Chinese investments in Southeast Asia to make sense of the region's emerging development dynamics.

► Contact: [aacamba@gmail.com](mailto:aacamba@gmail.com)

### ACKNOWLEDGEMENTS

Fieldwork for this article was conducted prior to the matriculation at Johns Hopkins University. I thank Shirley M. Lung for her support and comments during the writing process. I also appreciate the two anonymous reviewers for their helpful critique and suggestions. For facilitating access to interviews with local organizations, community leaders, government officials, and anti-mining activists, I would like to thank members of Alyansa Tigil Mina (ATM) Coalition, PAFID (Philippine Association for Intercultural Development), and Kalikasan (NATURE). Any naiveties, gaps, or errors in the argument and the research are mine alone.

# Gaining Recognition Through Participatory Mapping? The Role of Adat Land in the Implementation of the Merauke Integrated Food and Energy Estate in Papua, Indonesia

Rosita Dewi

► Dewi, R. (2016). Gaining recognition through participatory mapping? The role of adat land in the implementation of the Merauke Integrated Food and Energy Estate in Papua, Indonesia. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 87-106.

Participatory mapping has recently become an instrument used by NGOs to advocate for *adat* (customary) land in Indonesia. Maps produced from participatory mapping are expected to support legal recognition through land formalization or titling. In order to stop land grabbing through the *Merauke Integrated Food and Energy Estate* (MIFEE) project, this strategy has also been applied in Merauke district, Papua. However, the pitfalls of communal participatory mapping have brought negative impacts to *adat* communities. This paper analyzes the land grabbing and mapping processes in three villages in the MIFEE area to show the unexpected consequences of participatory mapping. These mapping processes have caused fragmentation and conflict among *adat* communities. Furthermore, the legal recognition of communal *adat* land ownership is facilitating the buy-out of *adat* land by companies and/or the state.

**Keywords:** *Adat*; Land Grabbing; MIFEE; Papua; Participatory Mapping



## INTRODUCTION<sup>1</sup>

Gaining legal recognition for customary (*adat*) land is still a major challenge for indigenous people in Indonesia. *Adat* can be described as a way of life that links history, land, and law (Davidson & Henley, 2007). With regard to the recognition of *adat* communities, land constitutes a central issue because many *adat* lands are currently threatened by land grabbing. Compared to other provinces in Indonesia, Papua is leading in gaining legal recognition for *adat* land rights. Papuan *adat* communities gained legal recognition through the Special Autonomy Law for Papua No. 21/2001. It seems, however, that legal recognition through this law has failed to protect the customary rights of *adat* communities, particularly with regard to their *adat* land. Although legal recognition is believed to be the best method to guarantee these rights, it has clearly proved insufficient in the case of Papua. This is most clearly shown in Merauke district, where the *Merauke Integrated Food and Energy Estate* (MIFEE) project is developed.

The MIFEE project comprises over a million ha of land and is the first na-

1 A draft version of this paper was presented at the Graduate School of Global Studies Workshop Series 2014 "Environmental Governance and Development Policy in Southeast Asia", 10 January 2015, Sophia University, Tokyo.

tional project in Papua developed by the Indonesian government after Papua was granted autonomy. The central government considers MIFEE an ideal space for agricultural expansion since its vast arable areas contain much potential. In 2010, MIFEE replaced the *Merauke Integrated Rice Estate* (MIRE) which was established by the local government in 2008 to boost investment. After failing to attract investors, MIRE was relaunched as MIFEE for broader investment targets in August 2010 (Ito, Rachman, & Savitri, 2014). The central government allocated 1.283 million ha for this new project (Government of Indonesia, 2010).

However, the project has faced a number of implementation problems, especially land conflicts with local communities. Through MIFEE, investors have taken over local *adat* lands of the Marind Anim tribe, one of the major tribes that lives in the Merauke district. The Papuan local government granted location permits for concessions to companies without any prior consent from the Marind Anim as the *adat* landowners and thus, land grabbing has been a major issue in the area (Aliansi Gerakan Reformasi Agraria, 2012; Ito et al., 2014; Lamonge, 2012; Zakaria, Kleden, & Franky, 2011).

Land grabbing refers to the purchase or lease of vast tracts of land to create agricultural operations producing food, feed, or fuel, the aim being to secure the long term supplies by foreign investors, private investors, or government (Arellano-López, 2012; Daniel, 2011; Daniel & Mittal, 2009). According to the FAO, there are three indicators to define land grabbing: first, the size of land with a minimum of 1,000 ha for a single deal; second, the direct involvement of foreign investors or governments; and third, negative impacts on food security in the recipient countries (Borras, Kay, Gomez, & Wilkinson, 2012). However, several researchers have criticized this definition as being too narrow. They argue that many land grabs are currently not carried out by foreign investors but also by domestic and transnational companies, often with encouragement and support from the central governments. Furthermore, land grabbing is not only limited to large-scale land deals (Borras & Franco, 2011, p. 5; Borras et al., 2012, p. 404). In land grabbing, the state engages in re-ordering or restructuring the country's land tenure system through policies that justify the use of idle, underutilized, or sparsely populated territories thus facilitating the entrance of large-scale land-based investment (Arellano-López, 2012; Daniel, 2011; Daniel & Mittal, 2009). For the purpose to analyzing MIFEE, land grabbing is defined as controlling or taking possession of large-scale lands in order to transform them into agricultural estates by domestic and/or transnational companies with the engagement of local and central governments.

In order to protect *adat* land in Merauke, NGOs have adopted participatory mapping as a way to advocate for *adat* rights. The purpose of participatory mapping is to gain land titling and formalization for *adat* land. Land titling is the specific type of formalization in which the state demarcates the boundaries of the land, records ownership, and recognizes the landholders' ownership and the right to sell, mortgage, or transfer it (Hall, Hirsch, & Li, 2011). Many researchers have examined the positive impacts of participatory mapping in helping traditional communities to protect their ancestral lands (Deddy, 2006; Gessa, 2008; Herlihy & Knapp, 2003). Some argue that local people can use maps created from participatory mapping to legitimize their claims over customary lands. Or in some cases, traditional communities were revi-

talized by the process of participatory mapping (Peluso, 1995; Pramono, Natalia, & Janting, 2006). Furthermore, participatory mapping may promote indigenous natural resource management and reduce conflict (Deddy, 2006). Such research provides positive encouragement for NGOs to promote participatory mapping. The pitfalls of communal participatory mapping may, however, also create several negative impacts. Research has shown that participatory mapping can cause fragmentation or conflict among communities due to the fixation of land control and the map's rigidity. It can weaken indigenous ideas and conceptions of space and promote land privatization. Moreover, participatory mapping expected to counter government mapping can be regulated and co-opted by the state (Fox, 2011; Fox, Krisnawati, & Hershock, 2005; Hodgson & Schroeder, 2002). The concerns about participatory mapping mentioned above were also found in the participatory mapping process in Merauke.

To date, there has been no research on how participatory mapping was introduced in the MIFEE area, what the impacts are, and how the process differs from that in other parts of Indonesia. For that reason, this article aims to fill this knowledge gap and show the unexpected consequences of participatory mapping in Papua.

### LEGAL RECOGNITION OF ADAT LAND RIGHTS

During the Suharto government, the state did not pay due attention to *adat* communities and treated their land as state land (Hall et al., 2011). The 1999 Human Rights Act states that communal land, being part of the cultural identity, deserves recognition and protection (Fitzpatrick, 2007, p. 77). After the regime change, this recognition corresponded with the main agenda of the *Aliansi Masyarakat Adat Nusantara* (AMAN), the national indigenous peoples' organization that struggles for the recognition of *adat* communities (Arizona & Cahyadi, 2013). In 2011, AMAN and other NGOs advocating for the rights of *adat* communities proposed the draft bill of Recognition and Protection of *Adat* Communities and called on the Constitutional Court to review the Forestry Law No. 41/1999 regarding the existence of *adat* forest. However, until today, these efforts have still not materialized in substantial changes to the land regime. The decision of the Constitutional Court to recognize the existence of *adat* forest land has not changed the government policy regarding *adat* land in general. *Adat* land is still treated as idle land that is put under the jurisdiction of the state (state land). Hence, land conflicts between *adat* communities and the state continue.

In fact, however, *adat* communities do not have to wait for the enactment of a national law to gain recognition, but local governments at the district or province level have the authority to recognize *adat* communities under local regulations. After the fall of Suharto's authoritarian regime, the new government under president Habibie started implementing decentralization policies in 1999.<sup>2</sup> These policies transferred power from central to local government and gave wider authority to local governments to enact their own local regulations as long as they do not contradict national law. This also includes regional authority for the recognition of *adat* (Bakker &

---

2 See regional autonomy laws No. 22/1999 and No. 32/2004, and laws on the fiscal balance between central and regional governments No. 25/1999 and No. 33/2004.



Moniaga, 2010). However, local governments are usually reluctant to recognize *adat* communities in their regions as they are competing to attract investment for regional development. Land designated for concession areas or other investment has often been cultivated by *adat* communities, especially outside of Java. Therefore, local governments perceive the legal recognition of *adat* communities as a burden. As a result, local governments often facilitate land grabbing by working closely with corporate actors (Alhamid, Ballard, & Kanowski, 2009).

### THE CASE STUDY SITE

The district of Merauke comprises a vast area of 4.6 million ha in the autonomous province of Papua. The total population of Merauke district is 263,664 people (Population and Civil Registration Board of Merauke District, 2015). The indigenous population of Papua comprises 56.3%; the rest are transmigrants (43.7%) who mainly came from Java and Makassar (Statistics Indonesia, 2011). The biggest tribe in Merauke is the Marind tribe, often called Marind Anim. This tribe is divided into seven big clans: Gebze, Mahuze, Ndiken, Kaize, Samkakai, Balagaize, and Basik-basik. Each clan has its own clan leader. Each local village, where Marind Anim live, usually consists of these seven clans and is headed by an *adat* leader. Whereas this leader represents customary law, each local village also has a village leader that is legally recognized by the state. In addition, there is also a customary community council (*Lembaga Masyarakat Adat*, LMA) leader – a position created by the central government after the establishment of the Papua Special Autonomy Law. This function sometimes overlaps with the function of the *adat* leader. These three levels of leadership make up the political complexity of local villages.

In the Marind Anim tribe, *adat* land ownership is based on clan membership with borders that have been agreed upon among the clans that own the *adat* land. Usually, land ownership is based on ancestral heritage and passed down through oral stories from generation to generation. Trees, stones, rivers, or sago palm huts are used to signify the land borders of *adat* land. *Adat* communities also have their own mechanisms for leasing *adat* land. To lease a piece of *adat* land from one clan, the transfer has to be agreed upon by the clan members and the seven clans leaders who live in the village through an *adat* meeting that is led by the village *adat* leader.

In this article, I examine three cases in three villages – Selu, Duku, and Alu village<sup>3</sup> – which serve as examples of the land grab process. Selu (435 people, 108 households) represents a village that accepted company cultivation of their *adat* land in the early stages of the MIFEE implementation, when John Gluba Gebze still served as the head of Merauke district (2001-2010). Duku (691 people, 153 households) represents a village that accepted company cultivation of their *adat* land after Romanus Mbaraka became the new head of Merauke district in 2011. And Alu (430 people, 73 households) is a village that rejected company cultivation of their *adat* land. All three villages initiated and conducted participatory mapping (Statistic Indonesia, 2011; Yasanto, 2013).

The research scope is limited to the period between the implementation of the MIFEE project (2010) and the end of Susilo Bambang Yudhono's (SBY) presidential

---

3 Due to the sensitivity of the issue, the names of the villages have been changed.

term (2015). Data collection was carried out in the Merauke district in January, August, and September of 2014. Data were collected through interviews with leaders in each of the three villages, *adat* community members in each village, the former governor who initiated the MIFEE project, local government representatives, the company that holds concessions in that area, and NGOs which act as advocates on behalf of the *adat* communities in these villages.

### MIFEE AS A LAND GRABBING PROJECT IN THE NAME OF DEVELOPMENT

MIFEE was launched by the central government in August 2010. The project is meant to strengthen the national food and energy stock and at the same time accelerate economic development in Merauke (Government of Indonesia, 2010). MIFEE is a continuation of the Merauke District Program. The local government launched this investment program on the 105th anniversary of the Merauke district in 2007. The program was marked for the symbolic handover of *adat* land from *adat* communities to the government to be hereafter given to the investors. Later, in 2008, the local government and investors agreed to create a specific project called MIRE (Awat MIFEE, 2012). The establishment of MIRE was in line with president SBY's speech on the great rice harvest in 2006: "First, let's develop Merauke as a rice granary; second, develop plantations in Merauke such as sugarcane and palm oil to deal with food security problems" (Yudhoyono, 2006). In order to realize MIRE, a consortium of 15 Saudi Arabian investors and Indonesian corporations was ready to take part in the project (Rulistia, 2008). The Bin Laden Group, an investor from Saudi Arabia, prepared USD 4 billion to develop 500,000 ha of land in Merauke. However, this investment was cancelled due to the global financial crises (Awat MIFEE, 2012). To make the project suited for the new conditions, the government re-packaged the MIRE project into MIFEE. MIFEE was expected to attract investment in Merauke that was not only limited to rice cultivation but also in the plantation and forestry sector. It was in line with president SBY's ambition to "feed Indonesia, feed the world" after the global food and energy crises in 2008 (Awat MIFEE, 2012). Under Government Regulation No. 18/2010, MIFEE was officially launched in 2010.

However, these investments threaten *adat* land. From 2007 to 2010, the district head granted location permits for over 2.4 million ha of land (more than 50% of the total area of Merauke) to 36 companies.<sup>4</sup> When granting location permits, the district head based his decision solely on the spatial planning of the district, without notifying or receiving the consent of the *adat* communities, which were in effect the *adat* landowners. The location permits neglected the rights of the Marind Anim people. This became the major factor that prevented permit holders from establishing plantations. In order to make the process of land transfer smoother, several companies used illegal ways to get permission from *adat* communities.<sup>5</sup> Local government and village leaders were frequently involved in this process.

---

4 This area was greater than allocated in the initial plans for the MIFEE (1.283 million ha) (Investment Board of Merauke District, 2011).

5 Companies used many methods to ensure the transfer of land rights from *adat* communities, including intimidation, co-opting village leaders, and cheating during the negotiation process (Zakaria et al., 2011).

No	Company	Commodity	Area (ha)		Location (subdistrict)
			Location Permission	Operation Permission	
KORINDO GROUP					
1	PT. Dongin Prabhawa	palm oil	39,800	34,000	Ngguti
2	PT. Berkat Cipta Abadi	palm oil	40,000	14,525	Ulilin
3	PT. Inocin Abadi	industrial timber plantation (IUPHHK-HTI)	100,000	99,665	Ulilin
4	PT. Papua Agro Lestari	palm oil	39,800	32,347	Ulilin
MEDCO GROUP					
5	PT. Selaras Inti Semesta	IUPHHK-HTI	301,600	169,400	Kaptel
6	PT. Medco Papua Industri Lestari	wood and chip	2,800	na	Kaptel
7	PT. Medco Papua Alam Lestari	IUPHHK-HTI	74,219	na	Kaptel
MODERN LAND GROUP					
8	PT. Wanamulia Sukses Sejati	IUPHHK-HTI	61,000	na	Animha
9	PT. Agri Surya Agung	sugarcane	40,000	36,774	Ilwayab, Tubang, Ngguti
10	PT. Nusantara Agri Resources	sugarcane	40,000	39,005	Ilwayab, Ngguti
11	PT. Mega Surya Agung	soybean, corn	24,697 (changed from coordinate into 9,882)	na	Kaptel, Ngguti
12	PT. Wanamulia Sukses Sejati	IUPHHK-HTI	96,553	na	Kaptel, Muting
13	PT. Wanamulia Sukses Sejati	IUPHHK-HTI	116,000	na	Kaptel, Okaba, Ngguti, Muting
HARDAYA GROUP					
14	PT. Hardaya Sugar Papua Plantation	sugarcane	44,812	37,898	Jagebob
15	PT. Hardaya Sawit Papua Plantation	palm oil	62,150	44,740	Jagebob

Table 1. Companies and Concession Area in MIFEE, 2014.  
(Investment Board of Merauke District, 19 August 2014).

No	Company	Commodity	Area (ha)		Location (subdistrict)
			Location Permission	Operation Permission	
RAJAWALI GROUP					
16	PT. Cenderawasih Jaya Mandiri	sugarcane	40,000	22,117	Malind, Kurik
17	PT. Karya Bumi Papua	sugarcane	30,000	15,628	Malind, Kurik
18	PT. Rizki Kemi-lau Berjaya	sugarcane	10,000	na	Kurik
ASTRA GROUP					
19	PT. Dharma Agro Lestari	sugarcane	50,000	na	Tubang, Okaba
20	PT. Bhakti Agro Lestary	sugarcane	26,098	na	Animha
MAYORA GROUP					
21	PT. Swarna Hijau Indah	sugarcane	36,363	33,668	Tubang, Kimaam
22	PT. Randu kunning Utama	sugarcane	40,000	na	Ilwayab, Tubang, Kimaam
23	PT. Kurnia Alam Nusantara	sugarcane	50,00	na	Tubang, Ilwayab
BIA GROUP					
24	PT. Bio Inti Agrindo	palm oil	39,900	36,400	Ulilin
25	PT. Ulilin Agro Lestari	palm oil	12,538	na	Ulilin
WILMAR GROUP					
26	PT. Wahana Samudra Sentosa	IUPHHK-HTI	79,033	na	Kaptel, Ngguti
27	PT. Anugrah Re-jeke Nusantara	sugarcane	27,457	na	Tanah Miring, Animha
28	PT. Lestari Subur Indonesia	sugarcane	25,102	na	Jagebob, Sota
AMS GROUP					
29	PT. Agrinusa Persada Mulia	palm oil	40,000	39,692	Muting
30	PT. Agriprima Cipta Pesada	palm oil	33,540	na	Muting, Ulilin

Table 1 (continued).

No	Company	Commodity	Area (ha)		Location (subdistrict)
			Location Permission	Operation Permission	
WITHOUT GROUP					
31	PT. China Gbate Agriculture Development	rice, cassava, ground nut, corn	20,000	na	Okaba
32	PT. Internusa Jaya Sejahtera	palm oil	18,567	na	Muting, Ulilin, Elikobel
33	PT. Purna Karsa Wibawa	sugarcane	20,223	na	Ngguti, Tubang, Okaba
34	PT. Plasma Nutfah Marind Papua	IUPHHK-HTI	67,736	64,050	Ngguti, Okaba, Kaptel
35	PT. Merauke Rayon Jaya	HTI	206,800	na	na
36	PT. Sino Indonesia Shunlida Fishing	fish processing industry	33	na	Merauke
37	PT. Dwikarya Reksa Abadi	fishery	na	na	Ilwayab
38	PT. Cipta Papua Agri Lestari	HTI	na	na	
39	PT. Indonesia Jaya Makmur Investasi	sugarcane	20,223	na	Ngguti, Tubang
40	PT. Global Papua Abadi	sugarcane	31,026	na	Tanah Miring, Jagebob
41	PT. Karisma Agri Pratama	rice, corn, ground nut	40,000	37,786	Tubang

Table 1 (continued).

The local government usually gave support to the companies rather than the *adat* communities. When first approaching these communities, local government representatives did not always explain the company's project in detail. They used money and vague development promises to persuade *adat* communities to support the projects. On the whole, *adat* landowner communities agreed, especially if the head of the Merauke district was the one to approach the communities directly. Because the negotiation process excluded any detailed explanation of the proposed projects and because much information was deliberately withheld by the company, the land transfer process became a land grab.

### The Village of Selu

In Selu, for example, the *Selaras Inti Semesta* (SIS) company wanted to gain the right to cultivate *adat* land. SIS is a subsidiary of the *Medco Group*, which was founded by Arifin Panigoro, an active member of the *Indonesian Democratic Party of Struggle* (PDI-P). He was particularly active in encouraging Merauke's local government to open up the district to investment for large-scale plantations and agriculture (Awaw MIFEE, 2012). SIS held a concession from the local government for over 169,000 ha of land (Investment Board of Merauke District, 2014) that they and the local government made use of without the consent of the communities (Zakaria et al., 2011). In response, the communities blocked the company from entering their lands. In order to open the blockade and get the permission of the communities, SIS asked John Gluba Gebze to help SIS to approach the communities in his role as the district head of Merauke. Due to his close relationship with Arifin Panigoro,<sup>6</sup> John Gluba Gebze agreed to help the Medco Group approach the communities about leasing their *adat* land to SIS. After the involvement of the district head, who was also a member of the Marind Anim tribe, the *adat* communities in Selu agreed to negotiate with the company representatives.

We made a rejection letter that was sent to the district head. [It] forced John [Gluba Gebze] to visit Selu together with the company. . . . He promised to develop Selu if they gave permission for the company to operate in Selu. (head of Selu, 22 August 2014)

The district head promised, if the *adat* communities in Selu permitted Medco to cultivate their lands, Selu would become a small city. . . . They [the company] came to the *adat* communities and brought a document that was signed by the district head, so that the *adat* leader had to accept it. (*adat* leader of Selu, 22 August 2014)

In the end, the *adat* community agreed to give permission to SIS in exchange for IDR 300 million (USD 22,750) – *tali asih* (ex gratia) – to compensate for the use of *adat* land. Although the agreement was in writing, the company did not fully explain the details of the project during negotiations with the *adat* communities. Moreover, it did not mention the exact area of the *adat* land to be used by the project. As a result, once the project started, the communities felt that the company had cheated them. For example, one interviewed *adat* member, explained that he did not know that his land would be used for 60 years after 2009. This type of problem emerged because the process of obtaining free, prior, and informed consent was not carried out appropriately. Community members did not know the exact content of the agreement between the leaders in Selu and SIS. Once the company started to clear forests and establish forest plantations, the ability to gather food from the forest was limited, affecting the livelihoods of communities in Selu. Under a Corporate Social Responsi-

6 The close relationship between Arifin Panigoro and John Gluba Gebze (JGG) was manifested by his granting Panigoro the title Arifin Dipanigoro Warku Gebze as a member of the Gebze clan. This nomination enabled Panigoro to become the owner of the *adat* land (Tabloid Jubi, 2009).

bility (CSR) project, the company created a vegetable garden (*kebun sayur*) and a rice field for the communities to cultivate. This project did not work, however, because the *adat* communities were not familiar with rice cultivation as they traditionally gathered food from the forests. Few people joined the CSR project. In addition, few people in Selu were employed to work for the company. The communities became dissatisfied with these conditions and were disappointed as the promises from the district head had not materialized. As a result, they now want to reclaim land from the company.

### The Village of Duku

Land transfer in Duku offers another example for land grabbing. The PT. Karya Bumi Papua and PT Cenderawasih Jaya Mandiri companies (subsidiaries of the Rajawali Group) were granted location permits by the district head in 2010 for over 70,000 ha<sup>7</sup> of sugarcane plantations (Investment Board of Merauke District, 2014). The negotiation process involved the head of the Merauke district parliament approaching the *adat* communities in Duku and asking permission for the Rajawali Group to open sugarcane plantations on their lands. The company, through the head of the district parliament, promised to improve the economic conditions of the *adat* community in Duku through CSR projects. The interesting thing in this case is the position of the head of the district parliament. Not only did he serve as head of parliament, he was also the consular head of a local NGO (Yasanto) in Merauke. This NGO signed a Memorandum of Understanding (MoU) with the Rajawali Group to implement an empowerment program as a CSR project. This explains why the presence of an NGO advocating for the *adat* community has not been effective in this case.

The Rajawali Group also co-opted the LMA leader in Duku to help persuade the *adat* community to give their lands to the company. The LMA leader in this village is more active in dealing with matters outside the village, whereas the *adat* leader only deals with matters inside the village, particularly rituals on behalf of the community. With regard to the communication with the company, the LMA, supported by the village secretary (village administration), is more active compared to the *adat* leader. During the negotiation process, the company promised the leaders in Duku money for their efforts to convince the communities. The LMA leader in Duku began to actively persuade community members to lease their land for plantations by promising them that they would earn money from the lease. In return, the *adat* leader, the LMA, and the village leader in Duku as well as the village administrators received a monthly payment of between IDR 500,000 (USD 38) and 1,000,000 (USD 76) from the Rajawali Group.

By involving the head of the district parliament and the LMA leader at the village level, the companies were successful in getting the *adat* community to agree to lease their land for sugarcane cultivation. On 21 November 2010, seven clans signed an agreement document, which stipulated that 158 households would receive IDR 6 billion (USD 455,060) in compensation for their *adat* land. The money was to be given out by the head of each clan, according to the area that the clan occupied.

7 PT. Cenderawasih Jaya Mandiri holds a location permit for 40,000 ha in the Malind and Kurik sub-districts; PT. Karya Bumi Papua holds a location permit for 30,000 ha in the Kurik sub-district.



### The Village of Alu

In contrast to the cases described above, the community in Alu, although also threatened by the MIFEE land grab (by the Rajawali group), still retains their land. There are two major reasons for this: First, since their land was used for transmigration programs during the Suharto period, the contested area of community land was small (around 15,000 ha), and second, NGOs actively advocated for the protection of *adat* land in Alu. Due to the involvement of NGO advocates, the community maintained a strong position vis-à-vis the company and local government representatives. Pusaka, an NGO from Jakarta, was very active in mobilizing the *adat* communities. The village sent an official letter to the Rajawali Group and local government to reject the request to cultivate their *adat* land. Later, in 2011, as advised by Pusaka, the village also created an *adat* land map, using participatory mapping exercises in order to counter the government map that was used for MIFEE investment guidance.

As seen above, agricultural expansion of MIFEE has threatened the existence of *adat* land of the Marind Anim community through land grabbing. The government issued the concession over the *adat* land without the consent of the *adat* communities as the legitimate owners of the land. The local government was involved in a land leasing process that was perceived as unfair and harmful by the *adat* communities. Supported by the local NGOs, therefore, *adat* communities started to conduct participatory mapping to protect their *adat* land.

### CONDUCTING PARTICIPATORY MAPPING TO GAIN RECOGNITION OF ADAT LAND

In Indonesia, participatory mapping began in 1992, following the international trend in the 1990s to actively advocate for customary rights through participatory mapping. The first participatory mapping project was conducted by the World Wildlife Fund (WWF) in Kayan Mentarang, East Kalimantan (Peluso, 1995). Participatory mapping of Dayak communities was also conducted in West Kalimantan by the Pancur Kasih organization in 1995 in order to receive due recognition for the *adat* communities and their lands (Pramono et al., 2006). Participatory mapping became more prevalent after the establishment of the government's Regulation No. 69/1996 concerning public participation in spatial planning. Indonesian activists responded to the regulation by forming the Network for Participatory Mapping (*Jaringan Kerja Pemetaan Partisipasi*, JKPP) in 1996 (Pramono, Samperante, & Achmaliadi, 2009). Between 1996 and 1997, participatory mapping was conducted in several *adat* villages in Kalimantan (Deddy, 2006). It was difficult, however, for these maps to be adopted into government policies on spatial planning, especially during the Suharto government (Pramono et al., 2006). After Suharto's fall in 1998, advocacy for the rights of *adat* communities intensified. The establishment of AMAN in 1999 encouraged the struggle for the rights of *adat* communities in Indonesia. In line with the AMAN agenda, participatory mapping initiated by JKPP became an important strategy to strengthen *adat* claims to lands and forests in order to guarantee the continuity of their livelihood (Pramono et al., 2009).

In the province of Papua, participatory mapping has gained importance since the enactment of the Special Autonomy Law No. 21/2001. This law has opened up wider opportunities for participation, which has been used by NGOs to carry out participatory mapping in several villages in Papua in order to ensure land formalization and titling. The implementation of MIFEE has become an obvious example for the way in which the Indonesian government neglects the existence and rights of *adat* communities in Papua in exchange for support for development projects. It shows the contradiction of implementing a Special Autonomy Law that stipulates recognition for customary rights, while at the same time implementing a spatial planning process that prioritizes economic development at the expense of *adat* land in Merauke. This contradiction encourages NGOs to advocate for *adat* communities to fight against land grabbing in the course of MIFEE's implementation. After the launch of the project, many NGOs united to form the Papuan People's Solidarity to Reject MIFEE (SORPATOM). The NGO group was extremely effective in highlighting the negative impacts of MIFEE for *adat* communities in Merauke. The group wrote letters to the United Nations Committee on the Elimination of Racial Discrimination (UNCERD), requesting the committee to urge the Indonesian government to abandon the implementation of MIFEE (Ginting & Pye, 2013). Many of the NGOs that were incorporated in SORPATOM promoted the termination of the MIFEE project because it led to land grabs of *adat* land. These NGOs did not succeed in stopping the MIFEE project but they believed that participatory mapping could be used as an instrument to stop land grabbing. They therefore persuaded communities to create *adat* land maps to protect their land and to gain legal recognition and titles for their lands.

Several of the villages that are affected by the MIFEE project have created or plan to create *adat* land maps at the behest of NGOs. The involved NGOs believe that an *adat* land map created by a participatory mapping process can be a powerful instrument to counter government maps that are used to make claims over land or forest areas. Participatory mapping, therefore, has become a way to resist the implementation of MIFEE. Every village has its own specific reason to create an *adat* land map through participatory mapping. For example, in Selu, *Yayasan Pusaka*, an Indonesian NGO supported by international NGOs, raised awareness among *adat* communities about the importance of participatory mapping. After SIS was deemed in violation of its promises to Selu communities, the village leader asked Yasanto to help create an *adat* land map of Selu. Participatory mapping in Selu was conducted in 2013. The process took three months (from October to December). Local government funded the project<sup>8</sup> in an effort to counter the negative backlash to the land grabs that had spread during the implementation of the MIFEE. The *adat* map also made it easier for the government to map the owners of *adat* land in the respective villages (Yasanto, 2013). In addition, the close relationship maintained by Mbaraka, the new head of Merauke district, with Yasanto may have influenced his decision to trust the fund for participatory mapping of the village.

*Yayasan Pusaka* was also very active in introducing participatory mapping in Alu. The communities in Alu trusted *Yayasan Pusaka* because the NGO had supported

---

8 Participatory mapping for this village was funded from a grant made in 2013, provided from the Merauke district budget. The local government granted IDR 560,300,000 (USD 42,410) to conduct participatory mapping in five villages in Animha sub-district (Yasanto, 2013).

them in protecting their lands from the Rajawali Group. *Adat* communities, through the head of village, asked the NGO to help with the participatory mapping of their *adat* land. In 2011, participatory mapping of the village was conducted with the financial support of two international NGOs – the Forest Peoples Program (FPP) and the Climate Land Use Alliance (CLUA). In the process, a participatory *adat* map was established for the border area between Alu and neighboring villages. The map was anticipated to provide a last defense for Alu communities against the Rajawali Group as the major instrument to claim their lands.

In Duku, the secretary of the village requested students from Musamus University (Universitas Musamus Merauke) to facilitate participatory mapping. The *adat* communities in Duku felt that creating the *adat* land map was important and planned to self-fund the project. Duku was initially driven to make an *adat* land map after communities from Alu claimed parts of Duku *adat* land as their own. *Adat* communities in Duku aim to use the map to reclaim the *adat* land that is now claimed by Alu communities. However, the participatory mapping has yet to begin and remains under negotiation between Musamus University and village administrators in Duku.

From these three examples, it is clear that participatory mapping has become an important instrument to create a sense of legal ownership for the *adat* communities. In Selu, the *adat* map created through participatory mapping will be used to reclaim *adat* land that has been taken by the company by means of unfair negotiation. In Alu, *adat* members feel that the *adat* map is an important tool to protect their lands from a company that tried to grab them. It is also important for claiming *adat* land ownership for Alu members who feel that the community was left with too little land after the transmigration project. Unlike the other two villages, the Duku community feels that participatory mapping is important to claim lands that are threatened by *adat* communities in their neighboring village. In all three villages, *adat* maps created by participatory mapping are seen by *adat* people as powerful instruments to claim ownership of *adat* land.

### THE LIMITS OF PARTICIPATORY MAPPING

Experiences from several countries over the last decades have shown that participatory mapping has helped communities to receive recognition of customary rights (Chapin, Lamb, & Threlkeld, 2005; Deddy, 2006; Gessa, 2008; Herlihy & Knapp, 2003; Roth, 2009). Participatory mapping has led to successful land claims, compensation for customary lands taken by states or companies, and the recognition of customary lands and territories (Fox et al., 2005; Peluso, 1995). The maps enhanced community capacity to negotiate access to local resources, and increased their involvement in policy processes. However, the practice of participatory mapping may also bring unexpected consequences for the communities. First, mapping can cause fragmentation and conflict among communities. Second, because the map fails to provide customary land use information, it can erode the status of indigeneity of customary lands. Third, the map can increase state co-optation over customary lands by giving the government authority to control customary lands under legal regulations (Fox, 2011, p. 66). The participatory mapping that has been carried out in order to counter MIFEE has also faced the problems described by Fox (2011), including fragmentation

and conflict among members of the Marind Anim tribe. After participatory mapping was conducted, a dispute about the border between neighboring villages emerged. Previously the two villages did not have a rigid concept of their border but used a natural barrier such as a stand of trees, a river, or stones to signify the border between *adat* land held by a certain clan and to recognize existing *adat* land ownership. The border was acknowledged based on a mutual understanding among the community members. For example, when they hunted kangaroo (*saham*) and the animal died on another clan's land, the hunters would divide and share the meat with the owners of the land.

However, after the participatory mapping was conducted, the rigidity of the map caused problems. The communities felt that claims to certain areas were very important. A clear example concerns the neighboring villages of Alu and Duku. Alu wanted to protect their land from the company and the local government, but when they conducted participatory mapping, they failed to consult with the neighboring village of Duku. This led to their claiming an area near the border of the two villages. The Alu community used the map to claim *adat* land that overlapped with the *adat* land of Duku. This led to fragmentation between the communities in Alu and Duku. The two communities are both from the Marind Anim tribe and members often intermarry. Therefore, the *adat* land of these two villages does not require a rigid border. In addition, because of intermarriage, *adat* landowners cannot be divided firmly on the side of one village or the other, because the next generation could inherit the rights over *adat* land from either village. This is why Alu's claim over Duku's *adat* land ignited the anger of Duku members. On the other hand, Duku's rejection of Alu's map also sparked the anger of Alu members.

They [Duku] violated the *adat* land border that has been existing. Rajawali Group created the border beyond the original border. This caused the conflict. . . . There was a meeting between Alu and Duku to discuss this border. They persisted [on the newly created borders] and I evicted the Duku village head. (village head consultative body in Alu, 20 August 2014)

That is Duku land, but after the company operated, they [Alu] did not accept that border. They defended that [border] . . . even the conducted *adat* meeting cannot solve this [*adat* land border] dispute. Besides that, they even threatened us. (village head of Duku, 21 August 2014)

These issues not only fragmented *adat* communities, but also led to social conflict. In the case of Alu and Duku, tensions have erupted between *adat* members from both villages. Worse still, the traditional *adat* meeting that is customarily used to solve problems among *adat* communities has not been able to settle the problem of overlapping land claims. In order to settle the conflict, administrators from both villages agreed to bring the problem to the district head of Merauke for resolution. However, as of September 2014, the conflict had yet to be resolved.

This conflict shows the irony of participatory mapping of *adat* land. While *adat* communities struggle to gain recognition, the community itself no longer recognizes their own *adat* rules. Despite the aim to revitalize indigenous values through the

implementation of participatory mapping, the recognition of *adat* land instead keeps them away from their indigenous values. The conflict between Alu and Duku villagers has contributed to the loss of indigenous values for the Marind Anim tribe. The map made things worse through a lack of information and a failure to address *adat* values during the participatory mapping process, which created misunderstandings about land ownership. In fact, it is considered taboo among *adat* communities to discuss the history of *adat* land with anyone from outside the village clan.

The case of Selu is different from the two cases above. The map created with participatory mapping in Selu will be used to reclaim the *adat* land that is cultivated by SIS. The *adat* communities in Selu do not know how many hectares of land have already been cultivated by the company. Nonetheless, the map is also expected to be useful for reclaiming *adat* land after the contract with Medco is finished. Unlike the map in Alu that only delineated the border with its neighbors, the participatory *adat* map in Selu also maps *adat* land among the clans inside Selu. The map does not only show the border with the neighboring village, but also states the name of the clan that owns *adat* land within the village (Yasanto, 2013). Indeed, the goal of this map is not the delineation between villages but the mapping of *adat* landowners among the clans in Selu. The rigid and detailed map produced by the communities of Selu may loosen kinship ties within single clans of Marind Anim, causing members to become individualistic. This, in turn, could make clan members become more pragmatic in seeking economic profit as individual landowners. Because the map does not recognize the concept of *adat* land, it may transform communal land into private land. As a result, a race to claim *adat* land may take place in this village. In the long term, the map may ignite fragmentation or even conflict as the participatory mapping process has failed to gather complete information about the history of *adat* land.

Another problem is that the head of Merauke district has not yet signed the document that would make *adat* maps a legal proof of *adat* land ownership. Accordingly, the map still lacks the force of law. Based on my observations, local government support for participatory mapping is only voiced to counter the negative backlash from implementing MIFEE. Although local government is trying to promote the protection of *adat* land in Merauke, its unwillingness to legalize the participatory *adat* map indicates its half-hearted support. Furthermore, the local government even intends to use the maps to conduct negotiations with landowners. According to them, the main obstacle to implement MIFEE is the complexity to lease *adat* land. The *adat* map makes it easier for the government and companies to target whom to negotiate with. A concrete example for this argument is a land deal in Baley village, where the company SIS leased land to set up a saw mill. As there was no *adat* map that showed the owners of the land, the company mistakenly gave financial compensation to the *adat* community in Baley. However, the *adat* community in the neighboring village (Sesa), was the actual owner of the land used to set up the factory. The situation led to a conflict that was disadvantageous for the company and could have been avoided through a detailed map. Therefore, the government and the company both benefit from *adat* maps that guide their investments. In turn, the same maps often leave *adat* communities without the legal protection they hoped to gain from the participatory mapping process.

The cases show that the communities perceive the maps as the final accomplishment of all forms of struggle for their *adat* land: “We have our original map [participatory map] that shows the border of our land” (village head consultative body in Alu, 20 August 2014). Hence, holding an *adat* map means having authority over the area that is claimed. The communities do not realize, however, that participatory mapping produces flexible maps that can change at any time with social change in the community. Even in the NGO participatory mapping report, “it stated that the map is not the final map. This map is an early stage of *adat* land owner map which has to improve and update with the existed information to obtain the definitive map” (Yasanto, 2013, p. 41). Inter-marriage among villages also can change the piece of *adat* land status in the village. Besides that, the *adat* land that is owned by an *adat* community in one village is not always only inside the village, but also situated in other villages (Yasanto, 2013, p. 102). However, how this affects the map was not communicated well to the *adat* community in the process of mapping.

This lack of understanding the map, its legality, and how it can be used causes conflict among the members of clans and villages. Over-simplification of the importance of participatory mapping by the NGOs has contributed to the problem. Participatory mapping has become a generic prescription for all *adat* communities struggling for their lands, whether or not the resulting maps are recognized by the government. The promotion of participatory mapping by Indonesian NGOs follows an international NGO movement, which also actively supports and funds the local NGOs working with *adat* communities in the MIFEE project. Although the NGOs believe that the maps produced from participatory mapping can be used to gain land formalization, and even land titling from the government, they have not considered the possible problems that these maps may cause.

## CONCLUSION

Participatory mapping has been considered as an important mechanism for *adat* communities in their struggle to claim rights to customary land. This perception is boosted by NGOs in Indonesia who also advocate on behalf of the Marind Anim indigenous people in Merauke. They believe that participatory mapping can stop the land grabbing taking place under the MIFEE project in Merauke district, Papua, and protect the *adat* land of the Marind Anim. Through an analysis of the land grabbing as well as the subsequent participatory mapping processes in three villages in the MIFEE area, this article has shown that, contrary to the intended purpose, participatory mapping has initiated problems. First, it has caused fragmentation and conflict among *adat* communities. Second, the legal recognition of *adat* land through land formalization has led to the co-optation of *adat* land by companies and/or the state. Usually, the key problem for a company is the vagueness that surrounds *adat* land ownership. Participatory mapping renders visible the clear ownership of *adat* land, making it easier for a company to identify the target of negotiation for land. In addition, once a parcel of *adat* land is fixed as land owned by one person, *adat* land can be easily transferred into private land and can then be more easily leased by legal means. It is often forgotten that not only the *adat* communities themselves and NGOs, but also investors want legal recognition for *adat* communities. Traditional communities



are always seen as obstacles to development and are difficult to target for investors. Legal recognition makes it easier for them to find the target person with whom the company representative has to speak and negotiate. Thus, it can be said that participatory mapping is creating a new space for legal land grabbing.

For *adat* land ownership, land formalization and titling could become a trap for *adat* communities and endanger their livelihoods. After land titling, *adat* land can be transferred, mortgaged, and sold in a legally-binding fashion, a process already observed in Cambodia (Milne, 2013) and in the Philippines (Crisologo-Mendoza & Prill-Brett, 2009). It is therefore not impossible that *adat* land will cease to exist and that private land ownership will become the dominant land ownership regime in Papua. In this sense, participatory mapping may become a new instrument to accelerate legal land grabbing and create new conflicts between members of *adat* communities.

The new government under president Jokowi intends to continue the agricultural expansion in Merauke. The central government is planning to open another 1.2 million ha for rice cultivation. To clarify the status of the land, Jokowi released the one map policy. The policy aims to create one map as a basis for spatial planning and for the release of all further investment permits. Considering that *adat* land has always been an obstacle for the implementation of the expansion project, can this policy be an opportunity for indigenous peoples to incorporate their traditional territories based on *adat* maps resulting from participation or does the mapping facilitate the investment in *adat* land? This question has to be considered by NGOs in their support of participatory mapping.



## REFERENCES

- Alhamid, H., Ballard, C., & Kanowski, P. (2009). Forest for the people? Special autonomy, community forestry cooperatives and the apparent return of customary rights in Papua. In C. Warre & J. F. McCarthy (Eds.), *Community, environment and local governance in Indonesia: Locating the commonweal* (pp. 145-163). New York: Routledge.
- Aliansi Gerakan Reformasi Agraria. (2012). *Land grabbing for food and biofuel. Merauke Integrated Food and Energy Estate (MIFEE) case study*. Penang: Pesticide Action Network Asia and the Pacific.
- Arellano-López, F. S. (2012). Conflicting land use agendas: Environment, indigenous land rights and development in Central Bolivia. The case of the Isiboro-Sécure indigenous territory and national park (TIPNIS). Paper presented at the International Conference on Global Land Grabbing II, Ithaca, NY.
- Arizona, Y., & Cahyadi, E. (2013). The revival of indigenous people: Contestation over special legislation on masyarakat adat. In B. Hauser-Schaublin (Ed.), *Adat and indigeneity in Indonesia: Culture and entitlements between heteronomy and self-ascription* (pp. 43-62). Göttingen: Universitätsverlag Göttingen.
- Awas MIFEE. (2012). *An agribusiness attack in West Papua: Unravelling the Merauke Integrated Food and Energy Estate*. Retrieved from [https://awasmiffee.potager.org/uploads/2012/03/mifee\\_en.pdf](https://awasmiffee.potager.org/uploads/2012/03/mifee_en.pdf)
- Bakker, L., & Moniaga, S. (2010). The space between: Land claims and the law in Indonesia. *Asian Journal of Social Science*, 38, 187-203.
- Borras, S. M., & Franco, J. C. (2011). *Political dynamics of land grabbing in Southeast Asia: Understanding Europe's role*. Amsterdam: Transnational Institute.
- Borras, S. M., Kay, C., Gomez, S., & Wilkinson, J. (2012). Land grabbing and global capitalist accumulation: Key features in Latin America. *Canadian Journal of Development Studies*, 33(4), 402-416.
- Chapin, M., Lamb, Z., & Threlkeld, B. (2005). Mapping indigenous land. *Annual Review in Anthropology*, 34, 619-638.



- Crisologo-Mendoza, L., & Prill-Brett, J. (2009). Communal land management in the Cordillera region of the Philippines. In J. Perera (Ed.), *Land and the cultural survival: The communal lands rights of indigenous people in Asia* (pp. 35-61). Mandaluyong City: Asian Bank Development.
- Daniel, S. (2011). Land grabbing and potential implications for world food security. In M. Behnassi, S. A. Shahid, & J. D'Silva (Eds.), *Sustainable agricultural development* (pp. 25-42). New York: Springer.
- Daniel, S., & Mittal, A. (2009). *The great land grab. Rush for world's farmland threatens food security for the poor*. Oakland: The Oakland Institute.
- Davidson, J. S., & Henley, D. (Eds.). (2007). *The revival of tradition in Indonesian politics: The deployment of adat from colonialism to indigenism*. New York: Routledge.
- Deddy, K. (2006). Community mapping, tenurial rights and conflict resolution in Kalimantan. In F. Majid Cooke (Ed.), *State, communities and forests in contemporary Borneo* (pp. 89-110). Canberra: ANU E Press.
- Fitzpatrick, D. (2007). Land, custom, and the state in post-Suharto Indonesia: A foreign lawyer's Perspective. In J. S. Davidson & D. Henley (Eds.), *The revival of tradition in Indonesian politics: The deployment of adat from colonialism to indigenism* (pp. 130-148). New York: Routledge.
- Fox, J. (2011). Siam mapped and mapping in Cambodia: Boundaries, sovereignty, and indigenous conceptions of space. *Society and Natural Resources: An International Journal*, 15(1), 65-78.
- Fox, J., Krisnawati, S., & Hershock, P. (Eds.). (2005). *Mapping communities: Ethics, values, practices*. Hawaii: East West Centre.
- Gessa, S. D. (2008). *Participatory mapping as a tool of empowerment*. Rome: International Land Coalition.
- Ginting, L., & Pye, O. (2013). Resisting agribusiness development: The Merauke Integrated Food and Energy in West Papua, Indonesia. *Austrian Journal of South East Asian Studies*, 6(1), 160-182.
- Government of Indonesia. (2010). *Grand Design Pengembangan Pangan dan Energy Skala Luas (Food and Energy Estate) di Merauke* [Grand design of Food and Energy Estate in Merauke]. Jakarta: Ministry of Agriculture.
- Government of Indonesia. (2011). *Masterplan percepatan pembangunan dan perluasan ekonomi Indonesia 2011-2025*. Jakarta: Coordinating Minister for Economic Affairs.
- Hall, D., Hirsch, P., & Li, T. M. (2011). *The power of exclusion: Land dilemmas in Southeast Asia*. Honolulu: University of Hawaii Press.
- Herlihy, P. H., & Knapp, G. (2003). Maps of, by, and for the peoples of Latin America. *Human Organization*, 62(4), 303-314.
- Hodgson, D. L., & Schroeder, R. A. (2002). Dilemma of counter-mapping resources in Tanzania. *Development and Change*, 33(1), 79-100.
- Investment Board of Merauke District. (2011). Daftar perusahaan di kabupaten Merauke. (unpublished).
- Investment Board of Merauke District. (2014). Daftar perusahaan di kabupaten Merauke. (unpublished).
- Ito, T., Rachman, N. F., & Savitri, L. A. (2014). Power to make land dispossession acceptable: A policy discourse analysis of the Merauke Integrated Food And Energy Estate (MIFEE), Papua, Indonesia. *Journal of Peasant Studies*, 41(1), 29-50.
- Lamonge, M. (2012). *Neo-liberalism, social conflict and identity of Papuan indigenous people. Case study of Merauke Integrated Food & Energy Estate (MIFEE) in Papua*. Master thesis, International Institute of Social Studies, Erasmus University Rotterdam, The Hague.
- Milne, S. (2013). Under the leopard's skin: Land commodification and the dilemma of indigenous communal title in upland Cambodia. *Asia Pacific Viewpoint*, 54(3), 323-339.
- Peluso, N. (1995). Whose woods are these? Counter mapping forest territories in Kalimantan. *Antipode*, 27(4), 383-406.
- Population and Civil Registration Board of Merauke District. (2015). Penduduk Merauke [kursiv]. Retrieved from <http://www.merauke.go.id/portal/news/view/6/penduduk.html>
- Pramono, A. H., Natalia, I., & Janting, Y. (2006). *Ten years after: Counter-mapping and the Dayak lands in West Kalimantan, Indonesia*. Retrieved from [https://dlc.dlib.indiana.edu/dlc/bitstream/handle/10535/1997/Pramono\\_Albertus\\_Hadi.pdf?sequence=1](https://dlc.dlib.indiana.edu/dlc/bitstream/handle/10535/1997/Pramono_Albertus_Hadi.pdf?sequence=1)
- Pramono, A. H., Samperante, F., Safitri, H., & Achmaliadi, R. (Eds.). (2009). *Menuju demokratisasi pemetaan: Refleksi gerakan pemetaan partisipatif di Indonesia*. Bogor: JKPP.

- Roth, R. (2009). The challenges of mapping complex indigenous spatiality: From abstract space to dwelling space. *Cultural Geographies*, 16(2), 207-227.
- Rulistia, N. D. (2008, July 3). Saudis plan Rp 600b rice estate investment. *The Jakarta Post*. Retrieved from <http://www.thejakartapost.com/news/2008/07/03/saudis-plan-rp-600b-rice-estate-investment.html>
- Statistics Indonesia. (2011). *Pendataan potensi desa/kelurahan 2011*. Jakarta: BPS.
- Tabloid Jubi. (2009, August 27). Ada apa di balik pemberian gelar adat? Retrieved from <http://arsip.tabloidjubi.com/?p=588>
- Yasanto. (2013). *Program pemetaan tanah adat secara partisipatif lima kampung di distrik animha, kabupaten Merauke*. Merauke: Yasanto.
- Yudhoyono, S. B. (2006, April 5). Sambutan Presiden Republik Indonesia pada acara panen raya padi di Merauke, 5 April 2006. Retrieved from <http://sby.kepustakaan-presiden.pnri.go.id/index.php/pidato/2006/04/05/222.html>
- Zakaria, Y., Kleden, E. O., & Franky, Y. L. (2011). *MIFEE tak terjangkau angan malind: Catatan atas upaya percepatan pembangunan MIFEE di kabupaten Merauke, Papua*. Jakarta: Yayasan Pusaka.

### ABOUT THE AUTHOR

Rosita Dewi has been a researcher at the Centre for Political Studies, Indonesia Institute of Sciences (P2P-LIPI) since 2004. She joined the research team for Papua in 2005 and co-edited the book *Papua Road Map: Negotiating the past, improving the present and securing the future* in 2008. Currently, she is a PhD candidate at the Graduate School of Asian and African Area Studies, Kyoto University.

► Contact: [ro\\_sitazoo@yahoo.com](mailto:ro_sitazoo@yahoo.com)

### ACKNOWLEDGEMENTS

I am grateful to Okamoto Masaaki and Takeshi Ito as well as two anonymous reviewers for their comments on earlier versions of this paper. The research was supported by the Graduate School of Asian and African Areas Studies, Kyoto University, Japan.



# “Dry Feet For All”: Flood Management and Chronic Time in Semarang, Indonesia

Lukas Ley

► Ley, L. (2016). “Dry feet for all”: Flood management and chronic time in Semarang, Indonesia. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 107-126.

This article describes flood management in poor communities of Semarang, a second-tier city on the north coast of Central Java, Indonesia. Using ethnographic material from participant observation and interviews, the article argues that flood management upholds an ecological *status quo* – a socioecological system that perpetuates the potential of crisis and structures of vulnerability. While poor residents have developed coping mechanisms, such community efforts follow the logic of maintaining a precarious minimum of safety. Designed in 2009, Dutch-Indonesian anti-flood infrastructure (polder) is supposed to put an end to tidal flooding, locally called *rob*. As a short-term project, the polder promises to regulate water levels and improve the lives of local residents. While it wants to make flood control transparent and accountable to riverside communities, the project ultimately fails to escape the institutional logic of chronic crisis management. By investigating the temporality and politics of the polder project, this article aims at contributing empirical and theoretical insights to scholarship on socioecological conflicts and crisis.

**Keywords:** Crisis; Flood Prevention; Indonesia; Social Anthropology; Urban Political Ecology

~

Crisis used to be defined by its short-termness – requiring a decision on the spot, with no possibility of deferral, evasion, or repression. A crisis means we can, perhaps, suspend our usual rules and ethical standards because we must ‘act now!’ But something has happened on the way to the shelter. The bombs have been launched, but they are suspended overhead, allowing us to continue our lives under the shadow of destruction. (Cazdyn, 2012, p. 3)

## INTRODUCTION

A polder is a hydrological system that controls water levels in a geographically bounded territory. In the Netherlands, where polders were invented and are a common feature of urban landscapes, polders keep reclaimed land from being inundated. To that end, a polder is surrounded by dikes or embankments. Undesired water can be controlled either by being run off through a sluice or by being pumped out. “A polder is a triumph of technology”, notes Brett-Crowther (1983) appreciatively. But making Dutch polders has always been a political undertaking, too, since technical development was made possible through a simultaneous process of institutional development (Schoubroeck, 2010). Local councils usually oversee technical and social aspects of polders and therefore have

considerable power over territorial matters. A polder is a striking example of how societal change and technological development have shaped nature: By reclaiming land from the sea, polders are credited with creating the very foundation of daily routines and economic activities that make the Netherlands one of the wealthiest countries in the world. Like dams and other large-scale projects of modernity (Kaika, 2006), polders demonstrate the dialectics between the production of nature and the production of cities – their mechanisms, form, and cadence. This article takes its cue from the observation that “for both the developed and the less-developed parts of the world, modernization is an ongoing project in which natures, cities, and people are woven together in an inseparable dialectic of creation and destruction” (Kaika, 2006, p. 297). This vision of dialectic modernization, however, risks overlooking or entirely dismissing the specific arrangements made between actors that allow for the destructive potential of modernization to remain a driving and often unchallenged force.

This article describes the development of a community-run polder under Dutch supervision in Semarang, the capital of Central Java, Indonesia. Twelve years ago, northeastern neighborhoods of this second-tier port city were chosen to become the pilot site of a relatively simple polder system designed by a Dutch consultancy (in cooperation with Indonesian public agencies) that is supposed to put an end to seasonal and tidal flooding. Tidal highs regularly inundate the whole neighborhoods of North Semarang (Marfai & King, 2008), leaving puddles of toxic river water (rivers serve as sewer and drain at the same time) on roads and in people’s houses. The polder – an assembly of embankments, pumps, and a dam – is supposed to regulate influx and discharge of water in the densely populated area. Notably, the polder was conceptualized as a means to *alleviate* and not remedy flooding: to buy the floodplain inhabitants time so that they could revitalize their neighborhood. According to its design, the polder will stop functioning in 15 years, in view of the exorbitant rate of land subsidence (10-15 cm/year) compounded by the projected sea level rise (1 cm/year) (Marfai & King, 2008, p. 95).

Despite the original purpose, I argue, the polder project resulted in reproducing the chronic ecological crisis faced by riverside residents. Questioning the managerial, expert-driven approach to a deeply social and political problem, I also explore how the project is framed as a mere economic necessity. An ethnographic account of the polder project serves the purpose of situating the polder vis-à-vis a management of crisis that allows poor residents to continue their lives “under the shadow of destruction” (Cazdyn, 2012, p. 3). In this *chronic* mode, tame public participation is encouraged, while real alternatives are suppressed. Still, crisis elicits criticism – often expressed in frustration and despair – by those whose lives are continually put to the challenge. In fact, the polder project came to coexist with a specific, local critique of public projects. The management of crisis thus unfolds against a backdrop of muted critique, which never erupts onto the political stage. Instead, arising conflicts come to be moderated by the local communities (and their representatives) themselves.

My contribution raises several empirical and related theoretical questions: What are the kinds of conflicts that arise in sociopolitically marginalized and ecologically endangered areas? Further, what role does the management of socioecological conflicts play in sustaining these structures? Instead of creating the conditions for radical change, contesting ecological endangerment simply allows some individuals and col-

lectives to produce the conditions necessary to ‘endure’ situations of social instability and uncertainty. Drawing on participant observation and interviews, I describe the daily challenge of tidal flooding in northern neighborhoods of the low-lying delta. Marked by a history of political and economic marginalization, the north of Semarang is a complex product of colonial town planning (Cobban, 1988; Coté, 2002, 2014) and water taming (Mrázek, 2001), capitalist development, and international development projects. As a space that exists in the “margins of the state” (Das & Poole, 2004), local arrangements have played an important role in shaping (more or less respected) social norms that regulate, for example, land use, inheritance, and appropriate conduct. Given the oppressive governing style of past regimes, conflicts between civil society groups and the state are a relatively new phenomenon in Indonesia. My contribution, therefore, also attempts to build an understanding of conflicts around tidal flooding – a phenomenon expected to become a key challenge in the future (Lassa, 2012).

This contribution builds on ethnographic fieldwork conducted in Semarang between 2014 and 2015. Following Moore (2005), I consider fieldwork as a discursive practice and a located labor process. In Semarang, traversing multiple sites – poor neighborhoods called *kampungs* in Indonesian, offices and boardrooms of municipal agencies and local governments, or public events – helped me appreciate the “cultural politics of location,” that is, the salience of scale and spatiality for the “micropractices of power” (Moore, 2005, pp. 26-28). Living in the *kampung* has further allowed me to observe, as a participant in daily *kampung* life, the rhythms and patterns of tidal flooding and infrastructural adaptation. Like most ethnographic work, this article tries to tell a story and precedes from first-hand information to a certain level of abstraction. It, however, recognizes the influence of theoretical thinking on both analysis and methodology. Thus, I provide an overview of relevant theory at the beginning. Then, I provide insights into the everyday life and struggles of residents of the designated polder territory. I develop the affective contours of a ‘hard place’ where crisis is always just a moment away, due to lack of resources and unreliable infrastructure. The subsequent section argues that ‘natural’ events, like tidal highs, and progress are linked in the way that their breakdown in relations can be “built back up again by a different set of relations within the same system” (Cazdyn, 2007, p. 649). As such, the section provides the necessary contextual background to understand the workings and effects of the polder project described in the next section. I show that despite initial widespread enthusiasm about the ‘bottom-up’ initiative, public frustration and a sense of urgency threatened to erode the democratic facade of the much-delayed polder project. A conflict between the city government and eviction-refusing settlers makes the project’s beneficiaries stand united behind the project, while unruly elements of society are blamed for standing in the way of progress.

### **POLITICAL ECOLOGY, CRISIS, AND THE “CHRONIC PRESENT”**

By combining approaches to crisis from anthropology and political ecology, this section extends the understanding of crisis into the concept of “chronic time”. Narotzky and Besnier (2014) contend that “crisis refers to structural processes generally understood to be beyond the control of people but simultaneously expressing people’s breach of confidence in the elements that provided relative systemic stability and

reasonable expectations for the future” (p. S4). In other words, while crisis renders impossible the regular way of doing ordinary things, it is often triggered by mundane practices, such as subprime trading (Roitman, 2013), and despite well-established facts; for example, that segregation and poverty make certain groups of people more vulnerable to disasters (Scheper-Hughes, 2005). The sheer force of moments of crisis erodes structures and sows apprehension. Except in extreme situations, people therefore “innovate practices and institutions” when faced with crisis. Such adjustments are supposed to take the edge off the effects of instability, thereby “enabling a sense of continuity over time”. Returning to a normal way of doing things has its costs, however: such inventive strategies “may involve exclusionary practices that create and demonize an Other, which becomes the target of violence in struggles over access to resources and respect” (Narotzky & Besnier, 2014, p. S8). This double bind of crisis pre-assumes two things: First, it occurs within socially structured lifeworlds and crisis assessments are observations, not objective truth. Second, when dealing with crisis, actors draw on the resources of an environment that is “largely not of their own making but in which they have to live” (Narotzky & Besnier, 2014, p. S8).

Political ecology has provided important answers to the question of how environments are produced and what roles people, institutions, and the economy play in this process. Political ecology is generally understood as a critical investigation of the production of nature and environment that aims at understanding “the ways in which (produced) natures and environments help shape social relations” (Mann, 2009, p. 336). While studies in this vein have addressed human politics as an element in environmental change, I will focus on the (engineered) environment “as site and partial product of human politics” (Mann, 2009, p. 337). Crisis is a key theme in political ecology studies on environmental change. In fact, political ecology often assumes that crisis occurs as a result of capitalist reproduction. What is considered important in political ecology is that, in keeping with Marxist readings of social change, individual crisis does not produce systemic change, while crisis (whether real or imagined) befalling macro-social systems does not necessarily translate into tangible changes at the individual level.<sup>1</sup> I see a link between contemporary crisis management and the politics of “chronic time” laid out by Cazdyn (2007, 2012). This perspective allows me to situate the experience of risk – in the form of tidal floods – and their prevention in the context of protracted socioecological vulnerability that affects individuals and communities in North Semarang. If, as some anthropologists contend today, the “experience of chaos and permanent vital insecurity” (Narotzky & Besnier, 2014, p. S8) is the situation that defines the arena in which many people have to play, and uncertainty has become a common experience, how do social conflicts and infrastructural projects relate to this new temporality? By understanding the institution of chronic time, are we perhaps better analytically positioned to speak about individual crisis? In crisis, as I argued above, people come up with solutions. What kind of imagined futures or opportunities do crises produce? By thinking of crisis as built into chronic time rather than being an exception, I bring to light the specific types of agency that chronic time imposes on individuals living in “economies of abandonment” (Povinelli, 2012). I also contrast other environmental imaginaries with the “new chronic”.

---

1 For a more poststructural thinking of crisis and conflict within political ecology, see Rocheleau (2015).



When the solution to an environmental problem, like climate change, floods, or pollution, is reduced to the ‘meantime’ and to a ‘for now’, the category of environmental disorder is always in flux, never clearly articulated. For some individuals, the question remains: How does one determine risk, for example, posed by recurrent floods and economic stagnation? How does one plan the future? As Cazdyn (2012) notes, “the future cannot be put off, crisis and disaster cannot be totally managed, life can never be safe, and we do not all experience time – and certainly not the political effects of time – in the same way” (p. 14).

This poses the question of what role conflicts play with regard to crisis. Much literature on socio-ecological conflicts sees the potential of rupture or defeat of structures of domination – as if conflict was intrinsically about social justice and change wrought from denouncing inequalities. Here, crisis can beget creative and savvy alternatives to existing ideological frameworks and governmental structures. To be sure, conflict can produce a state similar or equal to crisis, in which relations break down and ultimately resettle in a new constellation. But that is not my point. After shedding primordialist stances and cultural essentialism (Appadurai, 1996) – theoretical constructs seeing in cultural or ethnic difference the cause of conflict – anthropologists pioneered a critical reading of the complex historical, social, and economic processes involved in producing and escalating conflict. Anthropological research has, ever since, allowed the unsettling of simplistic theories of conflict, ascribing blame often to the very policies and measures that aimed at reducing the environmental and social costs of industrialization and economic growth. Similarly, I draw attention to the incremental construction of conflicts against a background of starkly uneven urban development (Smith, 2008). In Indonesia, where colonial and authoritarian regimes have left a strong imprint on nature and society alike, conflicts are never just environmental, spatial, or political. They are hybrid and interrelated symptoms of variously experienced “ecologies of fear” (Davis, 1998) in which individuals cope with different degrees of socioecological vulnerability and hazard exposure (Bankoff, 2003). By introducing the notion of the “new chronic” to this social-historical approach to conflicts, I wish to set off a discussion about the consolidation of temporality through socioecological interventions, such as anti-flooding infrastructure and the formalization of flood prevention. The consolidation of time in a chronic configuration here happens to the detriment of a specific urban Other.

### THE CONTOURS OF A “HARD PLACE”

Thereupon, in the journey of time  
 The sea retreated from the continent  
 The mud was reborn as swamp  
 And the swamp grew into a city  
 ...  
 Sticky air, dirty skies, stuffed gutters  
 traffic jam  
 Nature has become savage,  
 values being calculated in fixed sums!  
 O my true cover. Is there still

Hatta, dalam perjalanan masa  
 Laut menjauh dari benua  
 Lumpur menjelma menjadi rawa  
 Rawa pun tumbuh menjadi kota  
 ...  
 Udara pengap, langit kotor, saluran mampet,  
 lalu lintas macet  
 Alam telah menjadi ganas,  
 nilai-nilai dihitung dengan uang pas!  
 O, hampan kesetiaanku. Masih adakah

the light of full moons	purnama cahaya
for all the urbanites and unemployed	Bagi para urban dan pengangguran
for the losers who lost hope	Bagi orang-orang kalah yang kehilangan harapan
for the urban citizens logged	Bagi warga kota yang tergenang
in tidal and river water	rob dan banjir
for the rest of time?	sepanjang zaman?

Djawahir Muhammad (2011), from *Semarang Surga Yang Hilang* (Semarang, A Lost Paradise)<sup>2</sup>

At a meeting between Indonesian provincial agencies and a Dutch consortium of NGOs and technical consultants, I had the opportunity to speak with a member of an organization tasked with rehabilitating a sizeable stretch of coastal mangrove forest east of Semarang. Intrigued by the surging presence of Dutch development projects in Semarang, I asked her why her team had decided to work on the margins of Greater Semarang. Her answer was straightforward: “The coast of Semarang City is too hard for this kind of project.” It sounded logical: Today, it is difficult to imagine Semarang’s preindustrial coast ecologies being restored to life. Industrialization turned Semarang’s coast, formerly a space for aquaculture and paddies, into a frontier of urbanization and playground for investors – a saturated and densely populated space. The *poldering* of urban space – that is, embanking, damming, and hydraulically engineering the flow of local rivers – is taking the ‘hardening’ process of Semarang’s littoral to the next level. While major rivers (*Kali Semarang*, *Kali Bulu*) once shaped the city’s littoral ecology,<sup>3</sup> it is now oversewn by bio-technical assemblages that create a deeply polarized urban landscape (Gandy, 2005). Turning rivers into polders means cutting off their flow and preventing sedimentation in the estuary. The excerpt from Djawahir Muhammad’s poem cited at the outset of this section speaks to similar physical mutations of North Semarang. In the locally famous poem, he describes the dawn of a coastal settlement in which people cohabit happily with the delta’s nature; a nature that is benevolent, malleable, and pregnant with possibilities. The passage of time goes hand in hand with change and ecological metamorphosis, until suddenly time and nature stop working for humans. Having been enclosed and commodified in the wake of industrial capitalism, nature grows ‘savage’ and rebels. The north turns into an eternal hell. The poet<sup>4</sup> specifically refers to poor residents whose lives are depicted as stagnating in a toxic mixture of air pollution and filthy flood water. A feeling pervades of being stuck “for the rest of time” in this lasting apocalyptic moment.

The remainder of this section describes local discourses of being stuck and what being stuck looks and feels like from both quotidian and diachronic perspectives. As a way of making sense of the socioecological *status quo*, which is expressed as a repetition of the same *ad infinitum*, incidents of excess – like seepage, porosity, and

2 I want to express my gratitude to the poet for allowing me to cite his work. Further, I would not have come across his writings if it had not been for my good friend Wahyu. The full poem was published in *Membela Semarang!* by Pustaka Semarang 16.

3 Presumably because of its many canals and rivers, the Dutch called *Semarang Venetië Van Java* – the Venice of Java.

4 Djawahir Muhammad grew up in North Semarang and calls himself a witness (*saksi*) of the area’s inhabitants’ plight.

abrasion – are interpreted as representing two things: the impossibility of restraining nature and the corrupt nature of state infrastructure projects. Relying on first-hand experiences of residents and observations of the rhythms of everyday life, I try to capture the ‘savage nature’ of North Semarang. I pay particular attention to two northern neighborhoods that belong to two different yet neighboring subdistricts (*kelurahan*) divided by a main road.<sup>5</sup> These neighborhoods have developed in the “margins of the state” (Das & Poole, 2004). I do not mean to say that they are autonomous, because power barely manifested or has not been fully articulated here. Rather, I hold that *kampungs* have been assiduously constituted by different regimes of power, both colonial and precolonial. Today, the Indonesian state efficiently relies on *kampungs* as partly self-governed housing projects for the indispensable workforce. By withdrawing from the scene of the *kampung*, it therefore makes its otherwise ubiquitous presence less felt (Newberry, 2008). The neighborhoods continue to attract a significant number of migrants from rural areas of Java looking for jobs in the harbor manufacturing industry. Regardless of such influx, other residents have lived their whole life in these riverside *kampungs*, their families looking back on two generations of urban development and large-scale modernization projects.

### Deni

On rainy days, the humid *kampung* air can reek of sewage and wet debris, intensified by waste flushed into the Banger river (*banger* means stinky in Javanese) through polluted drainage capillaries. I sat many times with Deni and his family in front of their riverside house. Deni is married and has three children. His youngest son, Putra, is a lively, constantly babbling boy and superhero fanatic. The family’s brick house is separated from the river by a narrow embankment road (*jalan inspeksi*) mainly used by pedestrians and motorcyclists. Cars and trucks avoid it. Alternatively, we would chat at Deni’s food stand by the main street. Here, loaded camions of the state-owned oil company Pertamina and tourist buses would roar past us, while thirsty mosquitoes whirred around our heads. Most of Deni’s routines take place between the river and his food stand, which are connected by a paved alleyway (*gang*). He often contrasted the smallness of his everyday life to a past life rich with activities: “I used to be an English teacher and a tourist guide. Now, I can barely remember English”. Deni’s oldest son, who wishes to study abroad, once told me that many neighbors have already moved uptown (*naik ke atas*) to escape the floodplain and socially stigmatized area. Economic success in Semarang often translates into social and geographical ascension. If residents have the means, they prefer to leave their downstream residences behind. “Too hot” and “too much flooding” are what I heard a few times. Deni’s son deplored that the successful stopped caring about the floodplain *kampungs*, as if they wanted to excise this place from their identity and present. Deni himself regularly complained about a lack of public commitment to improve water infrastructure in his subdistrict, and a dearth of public figures who might lead the way (*tokoh masyarakat*). Getting worked up, he lamented that nobody stepped up for them, not even

---

5 The *kelurahan* is the lowest echelon of government administration in Indonesia. It is headed (*lurah*) by a civil servant appointed directly by the municipal government.

the wealthy neighborhood chief (in whose flood-safe house I was renting a room). Deni's family especially worried about high tides during dry season months – the river bank (*tanggul*) was then barely standing the additional pressure of in-flowing water. At high tide, the Banger river looks like it is on the verge of bursting. Because the river water does not visibly flow, the river's physical mutation is better approximated by the notion of gradual swelling. Multiple times residents have informed the subdistrict government of the river bank's obsolete state, but nothing had been done, according to Deni. His house is almost flooded daily due to the river's tidal expansion. In the meantime, they tried to stack bricks against the bank in hopes of increasing its stability.

In Semarang and many other Javanese coastal cities struggling with increasing tidal highs and land subsidence, such flood events are called *rob* (see Figure 1). A young resident of the area once told me that most residents welcomed daily floods for two reasons: First, their regularity allows to make reasonable predictions of flood risk, as people know what normal and abnormal river levels amount to. If *rob* is strong, for example, coincidental rainfall will assuredly cause rivers or canals to overflow. Second, tidal floods provide *rezeki*, a term that can variably mean livelihood or luck. *Rob* is the pulsating vein of everyday economic and social life. In the presence of flood risks, residents have made their lives, pursuing their own projects with more or less success. More importantly, however, floods are not regarded as impeding success. With the regularity of *rob*, the challenge becomes one of succeeding in life in an area whose economy is stagnant, whose infrastructure is outdated and porous, and whose built environment shrinks yearly. Welcoming *rob* is then not the same as normalizing crisis and risk, but assuming a relatively stable place in society from which to try your best shot at social ascension or wait for better times.

When I came by Deni's house a few months later, I saw the whole family sitting by the river. I stopped to talk as I noticed with curiosity that workers (*tukang*) were busy dredging the gutter (*saluran*) in front of the house. Wider and deeper, the gutter now looked like a small water conduit with concrete edges. Putra was absorbed in overseeing the works and ran around cheerfully in his spiderman pajamas. Deni explained to me that they were carrying out kampung improvement work (*kerja bakti*) as they had received IDR 16 million (ca. USD 1200) from the government for repairs. He added proudly that he had been elected substitute neighborhood head (*wakil RW*). Repairs were deemed necessary because water in the gutter had been barely flowing. After the deepening, it could run more easily to the pumping station (*lebih lancar sampai pompa air*) from where it was pumped into the river, Deni explained in a workman-like manner. He leisurely snipped his cigarette stub into the river. We agreed, though, that they still had to increase their floors if they wanted to be out of *rob*'s reach. In fact, that was why they saved the brown soil from dredging the gutter in an adjacent roofed part of their house. Deni's daughter said smilingly that this free dirt (*tanah uruk*) will come in handy in the future.

### Arief

Another daily fieldwork interlocutor of mine was Arief. Although not being native to the area of Semarang, Arief devoted much of his leisure time to improving his



Figure 1. Rob in front of Deni's house. (photo by author).

neighborhood. “This is my turf (*wewenang*)”, he once told me laughingly, meaning a stretch of about hundred meters along the embankment. Even before being elected as a neighborhood head (*ketua RW*) three years ago, Arief felt deeply responsible for the cleanliness in his territory: He swept the street separating the river and his house daily, he cleared waste off the gutters manually, and he assigned space for garbage disposal. He attended most meetings at the neighborhood level and convened the neighbourhood heads (*ketua RT*) every month. Arief’s commitment to cleanliness, civil engagement, and honesty have produced tangible results in his eyes. He was convinced that his ‘turf’ was the cleanest in the whole subdistrict. In fact, when the mayor announced an official visit shortly before Ramadan, the subdistrict head (*lurah*) suggested a solemn inspection of Arief’s territory, which served as an example of successful local governance. His volunteer work often left Arief exhausted to the point of passing out during conversations. When we attended neighborhood meetings together, Arief was often the first to doze off. His unpaid neighborhood engagement also meant that he had to rely on his daytime job earnings – he made the minimum wage<sup>6</sup> in a local baseball factory. His wife sold snacks and beverages in a makeshift canteen by the river.

Located on the river bank and about 1 m below street level, Arief’s house is literally flooded every second day. Whenever I visited the family, the floor tiles were regularly inundated; chairs, benches, and dressers standing in a brownish liquid. If it was

---

6 The minimum wage was IDR 1,685,000 per month in 2015 which equals USD 117.



midday, the adjacent diesel pump would be running to normalize the water level in the street gutter. During high tide, however, rob prevented them from pumping runoff water into the river, because it could not absorb it. “It makes no sense to pump out the water now as it would return just as quickly”, Arief explained to me. This year, they were able to save enough money to raise the floors of their bedroom so that they would not have to sleep in a dark puddle. But the other rooms would have to wait.

Arief never seemed to be concerned about his socioeconomic status. Instead of worrying about money, insurances, or material things, he valued above all being reliable and of use to his “citizens” (*warga*). “I don’t even have a motorbike. I prefer to take the public minibus (*angkot*) so I can chat with other passengers.” A few years ago, his unfailing engagement earned his community the cherished diesel pump which they run as often as possible. Arief suggested a nonbinding monthly community tax (*iuran*) to pay for maintenance and operation expenses – a rule most of his constituents gladly complied with. For now, *rob* was “under control”, since they were taking water management in their own hands. When I asked him why he invested so much personal time and labor in a neighborhood organization, he answered:

I tell my friends not to expect help [from the government]. Poor people (*orang tidak mampu*) ask for help. Help comes only once. But we work in the name of God (*ibadah*). Our thinking has to be focused on the long term. In the past, we didn’t have our own pumps (*pompanisasi*) and everybody had to see for themselves (*masing-masing harus bertahan*).

This type of self-government as a form of religiously justified labor is typical for Indonesian *kampung*s. Self-governed *kampung*s on the margins of urban centers can be traced back to colonial land governance (Cobban, 1974), which strictly divided Dutch property and native land. Economically autonomous but politically marginalized, *kampung*s developed sociocultural mechanisms to compensate for the absence of welfare structures and public infrastructure. While the Indonesian state has devised a number of bio-politically motivated schemes to improve living conditions in *kampung*s (Kusno, 1998; Silver, 2011), urban neighborhoods retain a certain degree of social autonomy. Newberry (2008) described *kampung*s as community forms “reproduced through governance across various regimes but also through daily exchanges and support between inhabitants” (p. 241). The case of Arief, however, underlines the tremendous role that personal labor plays in creating and maintaining a viable environment and working infrastructures. In a social-entrepreneurial spirit, Arief has decided to take matters into his own hands. But in the absence of long-term public investment in the area, the rising tide itself becomes a barrier for sustaining his projects. Like the urban economy, then, the river is unable to absorb the result of his work.

At a certain point during my research, after news broke that the city government would expedite a delayed polder project by using municipal funds, Arief’s neighborhood was jubilant. There was a feeling of contentment and change in the air. The community was assured now that Polder Banger would become reality – sooner or later. They had made it through the rainy season without major flooding. At a neighborhood meeting presided by Arief, which aimed to be ready for the mayor’s visit, the

*lurah* held a zealous appeal. Of note is that the subdistrict head rarely attended such meetings, but, as I mentioned earlier, Arief's community had shown exemplary commitment and willingness to cooperate with the local government. The community would play an important role in the mayor's upcoming participation in their annual river cleaning event.

Concerning the mayor's visit, our collective behavior has to reflect a clean Banger river and local youth. . . . I want to show that the residents of this area care about waste, that's where I'll be pointing. Sure, in the meantime, our drainage is still like this, but garbage makes *rob* look worse. . . . Those are old habits but they have a strong impact. I want residents to look united (*guyung*) and motivated so that we come across as residents that are actually interested in making a better environment. The mayor told me that if he gets reelected, we will receive more help. This year, we got a lot of help already – 50 billion rupiah [ca. USD 3,470,000] for Polder Banger.

The *lurah's* speech reflects the importance of the large-scale intervention project for the subdistrict. Although several other subdistricts would benefit from the anti-flood project, he makes it sound as if they in particular had been rewarded with public investment in the area for changing their "habits".

On the day of the mayoral visit, Arief had a stroke. At some point, his face became weirdly disfigured; one side of his mouth having dropped beyond redressal. Strokes being rather common among middle-aged adults in Indonesia, Arief was immediately aware of his affliction, but regardless continued the inspection along with other public figures of his neighborhood. Weeks after the incident, I accompanied him to a weekly check-up at the hospital. He had been diagnosed with a stroke due to exhaustion (*kecapaian*). Despite admitting his extreme tiredness, he explained that he would continue to "serve the community so that his life would not be useless" (*mengabdikan supaya hidup saya tidak sia-sia*). His exhaustion and sickness were therefore a case in point: Financial assistance and infrastructural state projects would not change their dire situation. Only by forming a self-sufficient pumping community and working hard could they face their life in poverty (*melawan kemiskinan*). While flooding is read as evidence of the system's failure, it is also considered as a 'normal' crisis, texturing the expectations and future of riverside dwellers. Maintaining the system is an enduring state and therefore demands minute attention to and care of infrastructure. But for Deni, the infrastructure crisis of his neighborhood produces frustration, since the chronic present stifles his and his children's ambitions.

To close this section, I return to the Dutch mangrove expert's comment regarding Semarang's coastal infrastructure. On the face of it, her assessment of a solidified urban environment captures well the 'hard' reality of riverbank dwellers. But it is more complex than that. The hardness of infrastructure – as in concrete, built, developed – does not translate into certainties and safety from flooding. A feeling that could be approximated by being stuck 'between a rock and a hard place' arises when riverbanks are alternatively seeping or breaking. My interlocutors represented infrastructure as fragile and unreliable, while the subsiding ground drowns and swallows houses in ever-shortening intervals. They have two equally unsatisfying options: Waiting for government projects and doing nothing in the meantime, which puts them at risk



of gradually losing their homes to the rising tide. Or, actively inhabiting an environment that is at the mercy of tenuous and fragmentary interventions. The new polder was supposed to at least smooth out this predicament.

### “DRY FEET FOR ALL”: THE POLDER PROJECT

In 2009, the design of Indonesia’s first democratically steered polder was cheerfully released at Novotel Semarang. Shortly after, a polder board (SIMA<sup>7</sup>) was created by a memorandum of understanding and a mayoral decree (*Perwal*) that made the Dutch embassy and the municipal government of Semarang primary partners in the project.<sup>8</sup> The creation of an advisory board with civic representation followed the recommendations of a working group that consisted of Indonesian state agencies and Dutch water experts. The board is supposed to run the polder independently, that is, without interference from municipal actors. The idea was to imitate the model of autonomous, ‘democratic’ Dutch water authorities that involve the community in both operation and maintenance of the polder system. The Dutch cooperation partner suggested a catchy project slogan – “dry feet for all” – which suggested a socially inclusive solution to the flooding problem.

The Jakarta-based Dutch consultant company Witteveen & Bos won the tender to provide the technical design of the polder. In short, the polder infrastructure was to consist of a low-budget ensemble of dams and dikes, five pumps, and a water retention basin. On the one hand, sediment dredging and transferring excess water to the nearby flood canal would have lowered the water level of Banger river by approximately 1.7 m (Witteveen & Bos, 2014), restoring Banger’s historical water volume. On the other hand, a dam positioned where the stream hits the tide and a dike along the northern edge of Karang Sayu promised to stop *rob*, as it would block out sea water from the system. Banger river would have been reborn as Banger Polder. The local government asked the responsible engineers to fuse the new infrastructure as much as possible with the existing urban landscape, as the budget could not cover expensive resettlement plans. However, creating space for the pumping house did initially necessitate the eviction of residents. The land issue was resolved quietly. The second set of evictions, supposed to be carried out shortly after the pumping house had been built, however, was delayed by repeated disputes over land ownership and housing rights. In July 2014, the consultant company Witteveen and Bos deplored that despite commencement in 2010, “no, or very less progress has been achieved since November 2013” (Witteveen & Bos, 2014).

Along with other *kampungs* in eleven sub-districts, Arief’s and Deni’s neighborhoods were supposed to benefit from the Dutch-Indonesian pilot project. By reduc-

7 SIMA is a compound word carrying the first syllable of the Dutch board’s name and the second syllable of Semarang. Further, the term is reminiscent of *Shima*, the female monarch of Kalingga, a kingdom on the northern coast of Central Java. The queen is known for her truthfulness reflected by her introducing a law against thievery.

8 At the moment, the embassy still covers most administrative costs of SIMA, while it has not committed to any expenses for physical components of the polder. Please note also that the group of Indonesian and Dutch actors involved in the project has undergone several changes. However, one Dutch water authority, the *Hoogheemraadschap van Schieland en de Krimpenerwaard*, has been an important institutional partner since the get-go and continues to be deeply involved in the project.

ing flooding – not by providing economic incentives or access to jobs – the area was expected to prosper wholesale. Relieved of expenses for yearly renovations, residents were expected to use their income more adequately and towards economic betterment. A ‘democratic’ handling of the flooding issue did not entail a fair redistribution of resources and risk or equal access to urban services, but aimed at providing riverside *kampung* inhabitants with the environmental and infrastructural preconditions for improving their economic lot. This motif of ‘empowerment’ was further important in justifying taxation: The polder board aspires to financial autonomy in the near future, which would seal its independence from Indonesian state budgets. Using the term ‘contribution’ (*iuran*), which arguably emerged from a colonial context in which *kampung*s were legally autonomous (Cobban, 1974) – the project designers operated from within local discourse to endow the project with communitarian sentiment. It also managed to create strong local legitimacy, while reinforcing local structures of leadership, as residential contributions are normally drawn (*tarik*) by elected neighborhood chiefs. According to the project design, residents were already used to paying *iuran* (BPP Banger Sima, 2012), assuming that all residents had the same interest in this. The second major goal of the project was to raise awareness: supposedly, riverside communities did not know the degree to which their daily “behaviors” impacted the delta’s drainage systems and urban ecology. As such, they needed to be educated about the negative effects of littering. For example, SIMA ran a campaign called *budaya bersih* (culture of clean) in most participating sub-districts that was supposed to reduce waste disposal into the Banger river by informing residents about alternative ways of waste disposal. In short, securing the future of the *kampung* hinged on inducing different environmental practices on the part of riverside dwellers. While state intervention into water infrastructure in Indonesia has often aimed at creating governable subjects (Kooy & Bakker, 2014), the polder project conjures a subject that wants to govern itself through culturally informed and local norms of conduct. While this suggests a critique of state-run development projects, it also relieves the municipal government of subsidies by devolving responsibility to the community. Lastly, it redefines pollution as a disturbance of the river’s new urban function, which is mainly flood prevention, thereby externalizing accumulated environmental costs.

Many residents were ostensibly hopeful that the polder would improve the overall situation by substantially reducing flooding. Though some residents felt uneasy about the fact that the former oppressor had been summoned for help, the Dutch involvement was generally welcome. Long before the completion of the polder infrastructure, the project showed positive effects: The area was regularly in the news and discussed in municipal meetings. The promised improvements attracted further investment, reflected in the emergence of multiple small *kampung* improvement initiatives, such as the Ministry of Public Work’s Program for Community-Based Regulation of the Environment of Settlements (PLPBK – *Program Penataan Lingkungan Permukiman Berbasis Komunitas*).

The massive delay of the project was therefore highly controversial. At the time of writing, the polder has failed to fully materialize and completion lags three years behind. While a pumping house has been constructed at its northern edge, the main components of the polder system are still missing. The lonely pumping house haunts the original ambitious plan to get a grip on flooding. The edifice too is subject to land

subsidence and has started to sink. Bringing the intervention to fruition ultimately required the clearance of settled land to make space for the retention basin. The formal owner of the land, the Indonesian Railways Company (PT Kereta Api), claimed that it was not responsible for evicting the people living on the plot. The municipal government, which is leasing the land, however, insisted that the owner had to make sure the land was in constructible condition. An agreement was reached according to which the company had to carry out the evictions, offering a lump sum to the evictees. Compensations did not take into account land ownership but only the surface actually occupied by the house. In return, the government slightly increased the lease it was paying the company. In an indirect way, the municipal government, then, forced the eviction via financial settlement. However, Semarang's city council is currently evaluating complaints from the residents in question that bemoan inappropriate financial compensation for losing both land and habitation (IDR 250,000/m<sup>2</sup>), in case the retention area is built. Basically, the residents are challenging the legitimacy of the company's claim to land ownership, having produced evidence (in the form of a newspaper article) that suggests that title deeds were officially bequeathed to occupants by president Suharto himself. Nobody, even the complainants, thought that their appeal would stop the evictions, but their evidence raised doubts as to the eviction methods of the company. In fact, PT Kereta Api turned into an 'enemy' of the local people, while it was really the polder project that caused the trouble in the first place.

This process is far from unique for Indonesia. Van Voorst and Hellmann (2015) described recent evictions of 'illegal' dwellers in Jakarta that followed calls of 'improvement'. After often oblique promises of recognition, governments and local residents arrange deals that are most often not beneficial for the majority. In fact, in what follows, I show how residents of the subdistrict came to prefer a rigorous and exclusionary handling of the land conflict. Their claims in a sense echoed the discourse of the government which, as the democratic facade of the polder project began to crumble, resorts to criminalization in order to expedite the project completion.

### An Apocalyptic Floodplain

I headed north in the afternoon, cycling on the recently raised embankment road (*jalan inspeksi*) along the Banger river until I reached Semarang's subdistrict *Karang Sayu*. I had planned to spend some time at Adin's, who has been a local member of the polder board SIMA since 2010. Being responsible for public relations, he promotes the project in other neighborhoods and represents residential interests. Also, he is a locally known social activist with a vast local network. As usual, Adin and I ended up talking about whatever came to our minds, while smoking too many clove cigarettes in his house. Looking at the roughly plastered wall and bare floor, I was reminded that he had recently hired workers to raise his floors and heighten the walls. Finishing touches would have to wait. His wife's income was currently just enough to put food on the table, as his mainly voluntary activist work could not pay their bills.

That day, he shared some thoughts on nature with me. He spoke about century-old maps of Semarang that, so he believed, showed the delta as it looked when the Portuguese arrived in Semarang. The shoreline was many kilometers south of to-

day's ocean frontier (*batasan laut*). In the not so distant past, my research site must have risen from the Javanese sea, I pictured. When Adin was young, many fishponds (*tambak*) as well as mangrove forests (*hutanan*) separated his neighborhood and the ocean. He explained how these 'natural' structures protected the settlements from tidal waves. They were an integral part of a long gone "nature equilibrium" (*keseimbangan alam*). When settlers began occupying land north to the Pengapon corridor, a process of informal urbanization was launched. People laid claim to unmapped land, privatizing it while also creating communities, of sorts, that had rules for conduct and self-imposed regulations. The Dutch kept redrawing the 'natural' limits of the harbor which led to the gradual destruction of the protective mangrove belt. But nature cannot stay unbalanced forever, Adin forewarned me. He considered tidal flooding as nature's way of taking back stolen land: It is seeking to restore an equilibrium. Unfortunately, this would cause disaster for humans. The more people lived in places out of synch with nature, the more people were in harm's way. To solve this problem, he mused with a touch of irony, humans invented technology. Since the Dutch had been living with comparable flood risks for centuries, he concluded, Indonesia's best bet was therefore to adopt their technology.

After chatting in his house, we went for a walk through the neighborhood and stopped to sit on the Banger river embankment for a while. From here, we contemplated the neighborhood's remaining fishponds, a stagnant body of water framed by elevated train tracks to the south, a permanently inundated road to the west and the relatively new toll road to the north. The riverbank we sat on, staring absentmindedly into the distance, separates the fishponds from the Banger river. Since 2009, when the city government officially released the design for Polder Banger, the fishponds have been slated to become a retention basin with a catchment surface of 9 ha.<sup>9</sup> Poor families built small houses along the fishpond or rented rooms in apartment blocks. "I have many friends in the settlement", Adin stated, well aware that the government was planning to evict roughly 80 families.<sup>10</sup> I asked him who was going to compensate the evictees' losses in terms of property (*penggantian rugi*) and carry out the eviction. He answered: "This is a government affair. I don't want this to be a conflict between people. It ought to be a government job (*seharusnya pemerintah*)." While he advocated for the polder, Adin hoped to avoid a conflict between its beneficiaries – in theory, all local residents regardless of residency status – and the people rejecting the planned retention basin – branded as squatters. Adin liked to explain that he was speaking and acting in the name of residents like Arief and Deni (both well-known to him); poor *kampung* dwellers whose lives were stuck somewhere between ecological, economic, and medical crises. However, Adin obviously realized that the planned evictions ran counter to the participative and inclusive approach of the polder project that he wholeheartedly promoted and even helped develop. All residents – regardless of their residency status – deserved to be rescued from the rising tides, especially the poor ones. The residents by the fishponds simply happened to exist at the wrong place at the wrong time. This unfortunate situation posed an inner conflict (*konflik batin*) for

---

9 In fact, the size of retention area has been subject to contestation and re-evaluation by public and state actors.

10 An exact number of evictees was never established.

Adin, as he knew that it was neither exceptional nor coincidental. Many times before, the government had evicted residents to make space for ‘better’ and more ‘modern’ infrastructure that would solve the flooding problem. This time, however, he had allied himself with the government to produce a more just solution.

Many residents had misgivings about the ways in which the government handled flooding. Helping poor residents was just “politics”, I heard many residents complain. From experience, Adin and his activist friends knew that ‘upgrading’ poor neighborhoods did not change the long-term lot of their inhabitants. Adin was convinced that access to education (*pendidikan*) and business opportunities were just as important; not simply infrastructure (*fisik*): “The government thinks that welfare in *kampung* will increase with physical development (*pemerintah pikir dari pembangunan fisik kampung mengalami kenaikan*), but they are wrong, it does not result in empowerment. It is useless (*tidak terjadi pemberdayaan, sia-sia*).” In reality, after improvement programs, many *kampung* residents decided to sell their house and land for a profit as property prices went up. Profits allowed them to make short term investments or pay debts. Then, they resettled in an area as deprived and endangered as their previous neighborhood. Adin had seen many times that these people ended up as poor and marginalized as they had been before (*tetap miskin dan dipinggirkan*). In view of the government’s eviction plans, Adin foresaw that the polder project would have very similar consequences. Without paying attention to other sectors of society (i.e., education and economic empowerment), the polder project would intervene in the neighborhood’s ecological crisis without providing the grounds for actual change.

Though cloaked in discourses of democracy, the project was not going to provide a fairer future. Alleviating flooding in fact not only perpetuated the exclusivist tendencies of development, but also further enshrined this ideology in the polder project.

Doolding (2009) coined the concept of “ecological gentrification” to explain the ideological exclusion of certain categories of citizens from specific urban natures, such as park space. Equally, the polder project required the elimination of built structures that disturbed the technological intervention supposed to restore ecological balance and thereby flood safety. While Adin supported a smooth and peaceful resolution of the land conflict, the process by which development ended up looping poor people back into hard reality where ecological risks loom on the horizon raised important political questions for him. Those questions, however, never surfaced in meetings, where the squatter problem was discussed. The fact that Adin could imagine an apocalyptic present – somehow beyond colonial rule and capitalism – invites a conversation about alternatives but also points to the way in which he perceives his reality: a chronic situation beyond human redressal.

#### EPILOGUE: WATER GOVERNANCE AND THE NEW CHRONIC

In this paper, I have adopted the metaphor of a ‘hard’ coast to build an understanding of material and social processes that result in the precarious situation faced by poor riverside residents in the north of Semarang. While mangrove forests have been cemented over and over again, rivers embanked, and estuaries constructed, the subjects inhabiting these structures today feel ‘stuck’ physically, politically, as well as socially.

In other words, the present political configuration of ecology and uneven exposure to risk limits their room of maneuver in ways that are deeply felt to them. The polder project which comes with promises of empowerment and economic improvement not only relegates the search for alternatives to the future, but also ends up rehearsing discourses that blame riverside dwellers for the ongoing crisis, encouraging them to be more collaborative and aware.

Disaggregating capitalist development, as the polder project currently attempts to do by introducing catchy concepts such as public participation and transparency, does not address the root of the problem. The pilot project prevented meaningful political contestation of certain aspects of the plan – its experimental character effectively sidestepping public scrutiny. Further, the project is vulnerable to co-option by elements in the municipal government, precisely because in Indonesia policy is often outweighed by projects that briefly concentrate funds and actors before simply dissipating (Li, 2015). While the polder project depends on conjuring a flood-less future, its investment in the present and temporal scope are minimal. Fast-tracking the project to prevent its certain ‘death’ may have allowed for extra-legal evictions, rendering settlers a mere obstacle dealt with monetarily instead of democratically. While I have reason to believe that both Dutch and Indonesian creators of the project had good intentions, the polder in fact undermined progressive change. Without having achieved significant progress in the fight against poverty, the ‘inclusive’ polder model comes at a high social cost.

The presented case allows me to build a theoretical argument about *chronic* time with regards to Semarang’s poor floodplain communities. It may, however, not be so unique in view of similar problems faced by other Southeast Asian cities. In North Semarang, time is written into the environment and the infrastructures proposed to manage it. Tidal flooding happens daily, having more or less dramatic outcomes, and is aggravated by seasonal fluctuations. According to Cazdyn (2012), the *chronic* is about a certain relation to time and the experience of time as following a logic “that assumes that everything will remain the same as the present turns into the future” (p. 17). Residents rejoiced when the government paid attention to their drowning neighborhoods and welcomed the institutionalization of transparent and locally governed water governance. Yet, riverside dwellers’ relationships are supposed to align with the technical and temporal logic of a polder that has a clear expiry date. Catastrophe, in this sense, is merely pushed off. Instead of opening a politically viable discussion about the future, the chronic mode insists on “maintaining the system and perpetually managing its constitutive crisis, rather than confronting . . . the system’s own death” (p. 5). Operating in this chronic mode allows the government to externalize important environmental and social costs.

Floods pose a threat to the system. They are, however, only symptomatic of an ongoing crisis embodied by land subsidence, which is why the polder project presupposes the “impossible location” (p. 4) of flood safety. Like a self-fulfilling prophecy, fragmentary and voluntary investments in a systematically under-financed drainage system only slow down the present flood crisis, producing a similarly uncertain future due to both land subsidence and sea level rise that are felt most strongly by the poorest. In the end, Adin suggested to simply use the fishponds as retention space and abstain entirely from building a real basin. He did not specify whether this meant



to protect the squatters or expedite the polder implementation. In any case, his creative suggestion as representative of the polder board may have helped preserve the homes of *kampung* dwellers, but it would also have underwritten the chronic tendency of infrastructural deficiency of his neighborhood.



## REFERENCES

- Appadurai, A. (1996). *Modernity at large: Cultural dimensions of globalization*. Minneapolis: University of Minnesota Press.
- Bankoff, G. (2003). Constructing vulnerability: The historical, natural and social generation of flooding in metropolitan Manila. *Disasters*, 27(3), 224-238.
- BPP Banger Sima. (2012). *Sima News Edisi Mai*. Semarang.
- Brett-Crowther, M. R. (1983). Pondering on polders. *Food Policy*, 8(2), 157-159.
- Cazdyn, E. M. (2007). Disaster, crisis, revolution. *South Atlantic Quarterly*, 106(4), 647-662.
- Cazdyn, E. M. (2012). *The already dead: The new time of politics, culture, and illness*. Durham: Duke University Press.
- Cobban, J. L. (1974). Uncontrolled urban settlement: The kampong question in Semarang (1905-1940). *Bijdragen Tot de Taal-, Land- En Volkenkunde*, 130(4), 403-427.
- Cobban, J. L. (1988). Kampung and conflict in colonial Semarang. *Journal of Southeast Asian Studies*, 19(2), 266-291.
- Coté, J. (2002). Towards an architecture of association: H. F. Tillema, Semarang and the construction of colonial modernity. In P. J. Nas (Ed.), *The Indonesian Town Revisited* (pp. 319-347). Singapore: Institute of Southeast Asian Studies.
- Coté, J. (2014). Thomas Karsten's Indonesia: Modernity and the end of Europe, 1914-1945. *Bijdragen tot de Taal-, Land- en Volkenkunde*, 170(1), 66-98.
- Das, V., & Poole, D. (Eds.). (2004). *Anthropology in the margins of the state*. Santa Fe: School for Advanced Research Press.
- Davis, M. (1998). *Ecology of fear: Los Angeles and the imagination of disaster*. New York: Metropolitan Books.
- Dooling, S. (2009). Ecological gentrification: A research agenda exploring justice in the city. *International Journal of Urban and Regional Research*, 33(3), 621-639.
- Gandy, M. (2005). Das Wasser, die Moderne und der Niedergang der bakteriologischen Stadt. *Leviathan*, 33(4), 522-543.
- Kaika, M. (2006). Dams as symbols of modernization: The urbanization of nature between geographical imagination and materiality. *Annals of the Association of American Geographers*, 96(2), 276-301.
- Kooy, M., & Bakker, K. (2014). (Post)colonial pipes: Urban water supply in colonial and contemporary Jakarta. In F. Columbijn & J. Coté (Eds.), *Cars, conduits, and kampongs: The modernization of the Indonesian city, 1920-1960* (pp. 63-86). Leiden: Brill.
- Kusno, A. (1998). *Beyond the postcolonial: Architecture, urban planning, and political cultures in Indonesia*. Ann Arbor, MI: UMI.
- Lassa, J. A. (2012, October 6). Semarang joins the 'sinking cities network'. *The Jakarta Post*. Retrieved from <http://www.thejakartapost.com/news/2012/10/06/semarang-joins-sinking-cities-network.html>
- Li, T. M. (2015). Governing rural Indonesia: Convergence on the project system. *Critical Policy Studies*. Retrieved from <http://www.tandfonline.com/doi/full/10.1080/19460171.2015.1098553>
- Mann, G. (2009). Should political ecology be Marxist? A case for Gramsci's historical materialism. *Geoforum*, 40(3), 335-344.
- Marfai, M. A., & King, L. (2008). Tidal inundation mapping under enhanced land subsidence in Semarang, Central Java Indonesia. *Natural Hazards*, 44(1), 93-109.

- Moore, D. S. (2005). *Suffering for territory: Race, place, and power in Zimbabwe*. Durham: Duke University Press.
- Mrázek, R. (2001). *Engineers of happy land: Technology and nationalism in a colony*. Princeton: Princeton University Press.
- Narotzky, S., & Besnier, N. (2014). Crisis, value, and hope: Rethinking the economy: An introduction to supplement 9. *Current Anthropology*, 55(S9), S4-S16.
- Newberry, J. (2008). Double spaced: Abstract labour in urban kampung. *Anthropologica*, 50(2), 241-253.
- Povinelli, E. A. (2011). *Economies of abandonment: Social belonging and endurance in late liberalism*. Durham: Duke University Press.
- Rocheleau, D. (2015). Roots, rhizomes, networks and territories: Reimagining pattern and power in political ecologies. In R. L. Bryant (Ed.), *The international handbook of political ecology* (pp. 70-88). Cheltenham: Edward Elgar.
- Roitman, J. (2013). *Anti-crisis*. Durham: Duke University Press.
- Schepher-Hughes, N. (2005). Katrina: The disaster and its doubles. *Anthropology Today*, 21(6), 2-4.
- Schoubroeck, F. van. (2010). The remarkable history of polder systems in the Netherlands. *International Consultation on Agricultural Heritage Systems of the 21<sup>st</sup> Century*. Chennai.
- Silver, C. (2011). *Planning the megacity: Jakarta in the twentieth century*. London: Routledge.
- Smith, N. (2008). *Uneven development: Nature, capital, and the production of space* (3<sup>rd</sup> rev. ed.). Athens: University of Georgia Press.
- Swyngedouw, E. (2011). Depoliticized environments: The end of nature, climate change and the post-political condition. *Royal Institute of Philosophy Supplement*, 69, 253-274.
- Voorst, R. van, & Hellman, J. (2015). One risk replaces another. *Asian Journal of Social Science*, 43(6), 786-810.
- Witteveen & Bos. (2014, May 21). Site visit report Semarang. Unpublished document.

### ABOUT THE AUTHOR

Lukas Ley is a PhD candidate at the Department of Anthropology, University of Toronto, Canada. His research analyzes the socio-ecological effects of tidal flooding in Semarang, Indonesia. He is particularly interested in a spatiotemporal optics of climate change that is grounded in the lived experiences of downstream dwellers. Lukas Ley is co-founder and editor-in-chief of the independent anthropological *Journal of Urban Life* ([www.julonline.com](http://www.julonline.com)).

► Contact: [lukas.ley@mail.utoronto.ca](mailto:lukas.ley@mail.utoronto.ca)

### ACKNOWLEDGEMENTS

I would like to thank all who participated in this research. Their generosity, time, and insightful contributions have made this article possible. I would also like to thank Nadine Hare for being a patient and loving partner.



# Mimicry of the Legal: Translating de Jure Land Formalization Processes Into de Facto Local Action in Jambi province, Sumatra

Yvonne Kunz, Jonas Hein, Rina Mardiana, & Heiko Faust

► Kunz, Y., Hein, J., Mardiana, R., & Faust, H. (2016). Mimicry of the legal: Translating de jure land formalization processes into de facto local action in Jambi province, Sumatra. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 127-146.

In Indonesia, as in many other countries of the global South, processes to formalize rights over land have been implemented with the intention to reduce deforestation, decrease poverty and increase tenure security. Literature on de jure processes of land formalization is widely available. There is a gap, however, on the discrepancy of de jure land titling procedures and de facto strategies to legitimize land claims. Led by the theoretical concepts of “law as process” and “politics of scale”, this study closes this gap by analyzing the impact of national tenure formalization processes on de facto local patterns of land titling. Using empirical material from 16 villages in Jambi province, we show that the outcomes of the state-led land reforms and land tenure formalization processes are imitated and translated into locally feasible actions. We refer to these translation processes as “mimicry of the legal”. The land formalization endeavors fostering mimicry of the legal allow for resource exploitation and rent-seeking behavior.

**Keywords:** Indonesia; Land Reform; Land Tenure; Mimicry of the Legal; Politics of Scale



## INTRODUCTION

In Indonesia, as in many other countries of the Global South, processes to formalize land rights have been implemented with the intention to reduce poverty and increase tenure security (De Soto, 2000; Sjaastad & Cousins, 2008, p. 8). In the context of increasing conflicts over land due to agricultural expansion and other development and infrastructure projects, the tenure formalization endeavors are seen as an opportunity to alleviate such conflicts. With an increasing pressure on communities and difficulties they experience in accessing land, the formalization of land rights seems to be an obvious step. The concept of using land titling as a tool to stimulate investments in order to eradicate poverty and to foster more sustainable land-use practices has been widely discussed, often controversially. Many studies focus on the benefits and disadvantages of property formalization with regard to land, as well as on hurdles to implement land registration programs (Benjaminsen, Holden, Lund, & Sjaastad, 2008; Bromley, 2008; Hall, 2013; Sjaastad & Cousins, 2008; Toulmin, 2008). Toulmin (2008, p. 10), in particular, points to the fact that securing tenure rights has become ever

more urgent, given the rising demand for land for purposes of large-scale cultivation.

An increasing pressure on land is notably prevalent on Sumatra, Indonesia. Rising demands for land occur especially in the context of large-scale monoculture cultivation as well as through the expansion of conservation areas. Transmigrants, an increasing number of independent smallholders, as well as investors from other parts of the country further contribute to a rising demand in land. Since the beginning of colonization, more than 15 million ha of Sumatra's forest land have been converted (De Kok, Briggs, Pirnanda, & Girmansyah, 2015, p. 29), often in the context of land-tenure formalization processes. These processes were, for example, realized through transmigration and titling programs initiated by the government and supported by the World Bank in combination with the intention to boost cash crops. The participants of these programs were granted formal land titles and often also seedlings with the obligation to cultivate a certain crop, usually rubber or oil palm. These contract farmers are bound to sell to mostly state-run processing facilities (McCarthy, 2009, p. 115). Today, about 70% of Indonesia's oil palm plantations are located on Sumatra<sup>1</sup> (Coordinating Ministry for Economic Affairs of the Republic of Indonesia, 2011, p. 53) and about 84% of Indonesia's smallholder rubber comes from the western island (Peramune & Budiman, 2007, p. 9). Sumatra also has the highest share of transmigrants resettled from densely populated Java, Madura, and Bali (Cribb, 2000, p. 57; Miyamoto, 2006, p. 8).

Indonesia's recent attempts to formalize land tenure have been pushed by the UN-backed Reducing Emissions from Deforestation and Forest Degradation (REDD+) mechanism. The national REDD+ strategy refers to the "constitutional right to certainty over boundaries and management rights for natural resources" (Indonesia REDD+ Taskforce, 2012, p. 18). The process of formalizing rights, which normally involves an amendment of the rights, can be complex when different phases of formalization occur consecutively or even simultaneously. Rather than fostering sustainable and socially inclusive growth, this complexity can create leeway for actors to develop their own interpretations of land tenure formalization processes. This leeway in turn encourages rent-seeking behavior as well as resource exploitation (Lund, 2008, p. 135).

While there is literature on the *de jure* procedures of issuing title deeds, on the institutions in charge, on land-use planning, and on the designation of protected areas in Indonesia (e.g., Sahide & Giessen, 2015), there is a gap in the literature on the links between *de jure* land titling procedures and *de facto* actions on the local level. This study closes this gap by analyzing the discrepancy between national land formalization processes and *de facto* local level dynamics of land titling. The article therefore starts by embedding the research in a theoretical conception, establishing the underlying understanding that the law is often not simply followed but imitated and translated on different scales. Translation here refers to de- and re-construction, that is, an adjustment of meaning. While making use of language and procedures as outlined in the initial law, meaning and application shift in the course of translation (Struve, 2013, p. 131). This translation is linked to, but is not congruent with, the national legislation: Starting with the pre-colonial period through the first major changes in

---

1 Indonesia is palm oil producer number one in the world.

tenure regimes under the Dutch and the major development interventions of titling programs that followed, we explore the history of land-titling programs in Indonesia.

Led by the concepts of “law as process” (Moore, 1978) and “politics of scale” (Brenner, 1998; Meadowcroft, 2002; Neumann, 2009; Swyngedouw, 2010; Towers, 2000; Zulu, 2009), we combine theory and empirical data from Jambi province, Sumatra, to shed light on a confusingly high number of different kinds of land titles in use and their relation to public authorities. We argue that actors – these are state representatives as well as farmers – translate fragments of national land formalization programs and regulations into local action. Drawing on concepts devised by international law (Bélanger, 2011; Drumb, 2005) and post-colonial scholars (Bhabha, 1994), we call these processes “mimicry of the legal”. In our case, mimicry refers to the translation of national law to local land tenure regulations embedded in power asymmetries (Bélanger, 2011, p. 25; Drumb, 2005, p. 15; 123). In two case studies, we illustrate this mimicry process of national policies. The first case study analyzes the formation of the informal settlement *Transwakarsa Mandiri* (TSM) within a private conservation concession and REDD+ pilot initiative, while the second case study examines the general translational dynamics of village-scale land titling. The cases demonstrate that formalization of land tenure systems is not simply applied as predetermined, but is reinterpreted and translated by local public authorities and land users into a local reality. Local actors construct new village scales of regulation for facilitating access to land and property. By using fragments of national policies and regulations as well as language and symbols used by the central state, local public authorities seek to legitimize the exceeding of competencies and rent-seeking behavior. The ensuing empirical material leads to the conclusion that access to land is rather obtained by mimicry of the legal than by applying de jure procedures.

### PROCESS-ORIENTED CONCEPTIONS OF LAND TENURE FORMALIZATION

This article analyzes the translation of national formalization endeavors into de facto processes of regulation on the local level. This implies that “rules enshrined in formal law provide only part of the picture” (Lund, 2008, p. 134). In *Law as Process*, Moore (1978) puts forward the idea that regulatory processes, including rules, exist to organize and stabilize uncertainties. At the same time, processes of situational adjustment redefine rules or relationships. Although social reality is impacted by national laws, it is also impacted by the socio-cultural context in which local actors live, making the law applicable to their local setting. We analyze regulatory processes of property making as existing orders that are “endlessly vulnerable to being unmade and reproducing themselves. Even staying as they are should be seen as a process” (Moore, 1978, p. 6).

We define property in line with Sikor and Lund (2010, pp. 3-5) as a social relationship to an object of value (e.g., rights to land legitimized by a public authority). Eventually, it is the local actors embedding normative rules of property making into their local reality. A land registration program, for example, can spark the motivation of people striving for a certificate. Smallholders might for certain reasons not be able to participate in a national land titling scheme or might lack the (financial) capacities to obtain a formal land title. Actors are aware of a national rights framework securing



claims over land, hence, turning it into property backed by the central government. The authority in charge of *de jure* acknowledgments and securing of land rights is a government institution. However, the perspective of local land users on what secures and legitimizes claims may differ. In addition, local authorities, in their multiple identities, can also have a different perception from that foreseen by the national legislators. According to Lund (2008, p. 135), actors

develop certain readings of the law that may be technically [*de jure*] incorrect, though considered “the law” by the administrators and, in consequence hereof, by the local population. . . . What is commonly accepted as the reference point, the law, may in fact be a social construction that differs significantly from the normative law. The rule of law is often the rule by those who define it.

In line with Swyngedouw (2010), we assume that questions of access to natural resources, including land, can be further explained by analyzing the socio-spatial configurations of scales. We consider scale as socially produced, thus “as the outcome of socio-spatial processes that regulate and organize social power relations” (Swyngedouw, 2010, p. 8). Different public authorities construct different scales to acknowledge and secure rights. In frontier landscapes, public authorities with varying capacities and ranges of legitimacy compete with each other (Fold & Hirsch, 2009; Peluso & Lund, 2011; Tsing, 2005). They seek to constitute different – and often competing – land rights as property (Benda-Beckmann, Benda-Beckmann, & Wiber, 2009, p. 18; Sikor & Lund, 2009, p. 5). The legitimacy of public authorities in issuing land titles is in many cases characterized by “endless chains of reference to bigger authorities” (Lund, 2006, p. 693), and thus has a scale component. Authorities governing forests and land operate on different government levels and consequently create different – and sometimes overlapping – scales of regulation (Towers, 2000, p. 26). More explicitly, scales are shaped by actors while they are at the same time structuring the social practices of actors (Hein et al., 2015; Marston, 2000, p. 220; Towers, 2000, p. 26). Relevant scales of regulation that overlap and compete with each other are the village and the national scale. While the village and national scale compete with one another, the latter is at the same time structuring the village scale. When “actors . . . attempt to shift the levels of . . . decision-making authority or the level and scale which most suits them . . . [and] where they can exercise power more effectively” (Lebel, Daniel, Badenoch, Garden, & Imamura, 2008, p. 129), the literature speaks of politics of scale (Brenner, 2001; Towers, 2000). When actors are marginalized at a specific scale (e.g., the national scale), they might seek to “jump scales” to higher or lower scales in order to achieve their interest (Smith, 2008, p. 232; Zulu, 2009, p. 695). For example, in many parts of Indonesia it is almost impossible for peasants to access a land title or forest concession from the Ministry of Forestry or from the National Land Agency (NLA). Peasants consequently often jump to the village scale of regulation to legitimize land claims (Hein et al., 2015; Zulu, 2009, p. 695).

By acknowledging that rules are dynamic and that certain actors “jump scales”, it becomes apparent that the regulatory processes used at the village scale are different from the formulation of these processes at the national scale. They are “almost the same but not quite . . . almost the same but not white” (Bhabha, 1994, p. 132). Bhabha

describes these processes as mimicry. Applying the term in the postcolonial discourse context, he sees mimicry as a strategy. Inherent to this strategy is a subversion and power potential. On the discursive level, mimicry works in a double way. On the one hand, specific aspects used by colonizers are turned into own, local aspects in a way that makes them look deceptively genuine. On the other hand, there is always something remaining that cannot be read in the “still not exact” or the “almost the same” (Struve, 2013, p. 144). Since the regulatory and legal aspects are central to the context of land formalization dynamics, we extend the term to “mimicry of the legal”. Regulatory processes played out at, and amended between, scales is what we present in the following paragraphs, the outcome being what we refer to as mimicry of the legal.

### METHODOLOGY AND FIELD SITE

In order to analyze asymmetries in the national *de jure* procedures of formalizing land ownership and *de facto* local land titling, a multi-sited qualitative approach was applied (Hein et al., 2015; Marcus, 1995). Through a literature review of government and academic documents, we gained an understanding of *de jure* land tenure formalization in Indonesia and, in particular, in our research area Jambi province, Sumatra. In addition, 75 expert interviews were conducted with national government representatives, local authorities, and representatives of NGOs between June 2012 and November 2013 to learn about the *de jure* perspective on land formalization processes at different times.

To study the village-scale processes of tenure formalization it was crucial to investigate a variety of villages that differ in their origin and in their locality. The research is part of a larger Collaborative Research Centre (CRC 990 on “Ecological and socio-economic functions on lowland rainforest transformations systems in Jambi province, Sumatra, Indonesia”). Core plot villages, around which all of the 24 research center groups work, were predetermined by the overall research design. In accordance with this design, we identified 16 villages (see Figure 1) from across Jambi province. Amongst them are transmigration villages and local resettlement villages as well as villages of pre-colonial foundations. Despite the heterogeneity of the villages and the fact that transmigrants are granted title deeds by the NLA, mimicry of the legal dynamics were found in all villages. The researched villages are all located in the proximity of protected areas managed by the state or by private conservation companies. The village territories of some villages (e.g., Bungku and Singkawang) overlap with state forest, with protected areas, and with the private conservation and REDD+ pilot initiative *Harapan Rainforest* (Badan Pengelola REDD+, 2014). Overlapping claims, (e.g., village-scale land titles competing with titles (concessions) issued by the Ministry of Forestry or by the NLA), are common for many of the villages investigated. Information on land tenure systems and land titling processes was mainly gathered through semi-structured interviews in all of the villages (119 interviews across all villages) between May 2012 and October 2013. Interview partners were selected following principles of snowball sampling and present a wide variety of affiliations: village representatives, customary leaders, independent smallholders, contract farmers, employees of companies, and the like. The interview focus was on differences in the local actors’ perception of the intention as well as the motivation to obtain title deeds.

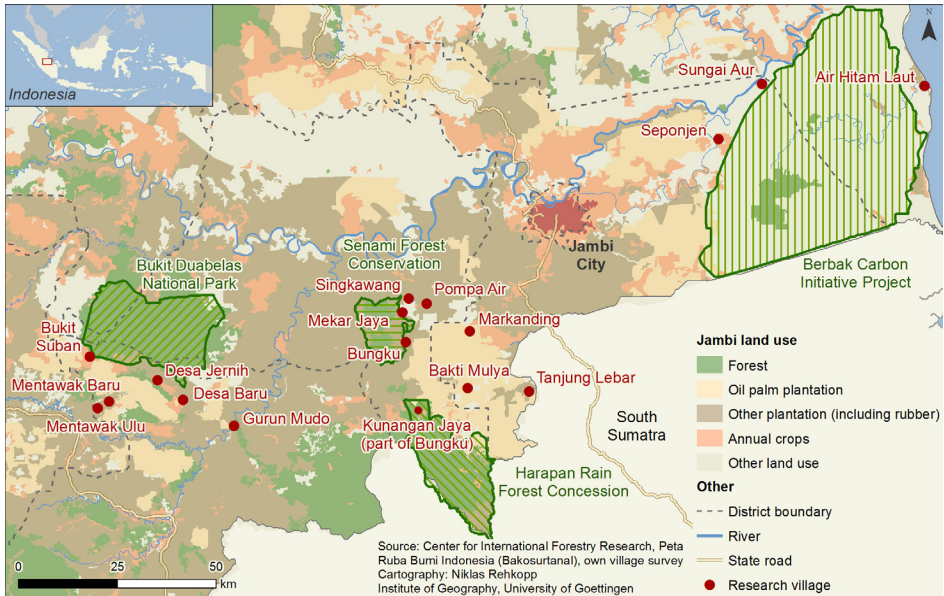


Figure 1. Research Area, Jambi Province, Sumatra, Indonesia.<sup>2</sup>

Information was also gathered through participatory observation and numerous informal interviews conducted while spending several weeks in the villages, usually in the household of the village head.

### HISTORICAL DEVELOPMENT OF TENURE FORMALIZATION IN JAMBI, SUMATRA

The emergence of land formalization during the colonialization period does not imply that land tenure had been unregulated before the Dutch arrived in Indonesia. In precolonial times, it was the Sultan who was in charge of land and resource management regulations. The different ethnic groups (*Batin* groups) inhabiting the research area at that time were mostly given autonomy by the Sultan in their land decisions. Their elected chiefs were in charge of decisions made in regard to access to land as well as in regard to what the land could be used for (Locher-Scholten, 1994, p. 48). Land, during that time, was not an individual possession, but a common good that was guarded and preserved by the community (Warman, Sardi, Andiko, & Galudra, 2012, p. 17). The maintenance of the land was regulated through *adat* rules, the rules in use by indigenous communities. These *adat* rules permitted different *Batin* lineages to control land and forest along different rivers. The boundaries between different lineages were demarcated by water courses, specific trees, and other landmarks. Within the territory of a lineage, only lineage members were allowed to establish fruit gardens and dry rice fields (Hein et al., 2015). Migrants and other outsiders had to pay tenancy to *Batin* groups for accessing land (Tideman, 1938, p. 78). Amongst

<sup>2</sup> Other land use here refers to acacia, eucalyptus, coconut, mangrove, ponds, primary and secondary swamp forest, rubber, settlements, shrubs, swamp, and tea.

these *Batin* groups are the *Batin Sembilan*, an ethnic group that has been living in the research area for generations. Until today, *Batin Sembilan* leaders are approached by land-seeking actors to be granted access to land. By acknowledging their authority as group in charge of land tenure, the access granted is legitimized at the village scale, however, not recognized at the national scale.

### Colonization and Land Tenure

Western concepts of private property rights were introduced to the research area at the beginning of Dutch colonization when the first Dutch resident, Helfrich, was deployed to Jambi in 1906 (Locher-Scholten, 1994, p. 268). The Dutch colonial government sought to strengthen land control and started to enact regulations aimed at formalizing access to land and property rights. The Agrarian Act was issued for Java and Madura in 1870 and for Sumatra in 1874 (*Sumatra Domein Verklaring*). The main intention was to “facilitate the growth of private investment in the agricultural sector” (Biezeveld, 2004, p. 140) by establishing a concession system allowing mainly European companies to run plantations. Colonization imposed laws, land-use categories, and a Western concept of private property by imposing a jurisdictional system with implications for land tenure. In Jambi, the colonial jurisdictions undermined the previous water-shed and lineage-based social and territorial structure of the *Batin* groups. The Dutch colonial administration established the *Marga* as a new jurisdiction consisting of five to six villages, and the *Pasirah* as a new public authority responsible for land tenure of the native population within a *Marga*. The *Pasirah* remained a relevant public authority until the enactment of the village government law in 1979 (UU 5/79) (Galudra, Van Noordwijk, Agung, Suyanto, & Pradhan, 2014; Hein et al., 2015).

### Independence and the Basic Agrarian Law

The independence period, commencing in 1945, was characterized by a dual system of land laws: Dutch land tenure regulations and customary rules. Until the enactment of the Basic Agrarian Law (BAL) in 1960, the dualism remained, mostly equipping non-Indonesians with land certificates for land that was mapped, measured, and titled. For Indonesian citizens, *adat* rules usually continued to be the legitimizing regulation that organized access to land (MacAndrews, 1986, p. 19).

The BAL sought to abolish this dualism mainly by revoking Dutch land laws. The basic principles, as outlined in these regulations, were based on the Indonesian Constitution from 1945, Article 33, stating that all land in Indonesia has a social function, and that land matters shall be controlled by the state as the authority representing the Indonesian people (MacAndrews, 1986, p. 21). The BAL was passed under the first president Sukarno and can be considered as an important element of his idea of an Indonesian socialism. By introducing a maximum size for land holdings (20 ha) and a redistribution of land to landless or poor households, the law aimed at promoting agrarian justice. The BAL further set out the fundamental types of land rights, the most important ones for our context being the right of ownership (*hak milik*) and the right to cultivate (*hak guna usaha*). The right of ownership needs to be registered with

the NLA, and the holder is given a certificate as evidence of the title (OECD, 2012, p. 109). Article 19 of the BAL made land registration through the NLA mandatory, but set no time limit for registration. This means that all landholders should hold a certificate issued by the NLA, indicating that the landholder is legally granted the right to own (*hak milik*). The empirical data to be presented in the case studies show that this mandatory registration is widely interpreted, mimicked, and subject to shifting levels of decision-making.

### **New Order and the Economic Development Paradigm**

Sukarno's 'Guided Democracy', during which most of the provisions from the BAL were not operationalized, ended with a military coup and made way for the New Order government under general Suharto in 1965 (Thorburn, 2004, p. 37). The new policy narrative that came with the military-led government was characterized by export-led economic growth and development (Barr, 2006, p. 23; Rachman, 2011, p. 43). For Jambi province, this meant that vast areas of the province were designated as concessions for forest exploitation, thus neglecting the rights of local indigenous communities such as the *Batin Sembilan*. In order to achieve these development goals, a number of laws and programs, often closely or directly linked to land formalization processes, were implemented or passed during a 32-year period of a centralized and authoritarian government.

#### *The Transmigration Program*

The transmigration program in Indonesia is the largest government-sponsored voluntary resettlement scheme in the world (World Bank, 1988, p. iii). People had already been moved from densely populated islands such as Java and Bali to less populated areas such as Jambi by the Dutch Colonial Administration (*Batang Hari Delta Kolonisatie Project*) (Sevin & Benoît, 1993, p. 105). This program was continued under president Sukarno with the intention of equipping landless farmers with land, but it gained momentum during the New Order regime and Suharto's strive for development. The program contained "provisions for land development, basic infrastructure, selection and transport of settlers to the sites, housing, subsistence packages, and supporting agricultural services" (Sevin & Benoît, 1993, p. 555). The Directorate General of Transmigration, in cooperation with the Directorate General of Agrarian Affairs, was to provide each transmigration household with right-to-use titles (*hak pakai*) for their house, the land that was ready for cultivation on arrival, and the land to be set aside for other cultivation purposes. After a total of five years on the site, households would be granted full right of ownership titles (*hak milik*) issued by the NLA (World Bank, 1979, p. 33). For Jambi province, where 70,000 households were moved to under the transmigration program between 1967 and 1995, this would translate to a total area of approximately 438,000 ha equipped with de jure title deeds (Miyamoto, 2006, p. 8). Participants of a sub-program called *Swakarsa* received, compared to the 'full transmigrants', 'only' a plot titled by the NLA and subsidies for relocation (Fearnside, 1997, p. 3). The term *Swakarsa* plays a major role in the mimicry dynamic of the first case study.



*Forestry Laws and the National Land Agency*

In addition to the transmigration program, the newly established Basic Forestry Law (BFL) of 1967 initiated major changes in land tenure regimes during the Suharto period. Under the BFL, the Directorate General of Forestry within the Ministry of Agriculture (later upgraded to the Ministry of Forestry) has the so-called one-sided authority to designate forest areas, regardless of the vegetation cover of a certain area. With this newly acquired authority, more than 140 million ha of forest land or approximately 74% of the land mass of Indonesia fell under the jurisdiction of one ministry (Indrarto et al., 2012, p. 23). Indigenous and local communities were disappropriated and their land became part of state forest land (*kawasan hutan*), and thus eligible for corporate exploitation via a concession system (Contreras-Hermosilla & Fay, 2005, p. 9). For local communities, it is close to impossible to receive a land certificate for state forest land. Nevertheless, as the case studies show, local land users in state forest areas hold de jure title deeds for the land they cultivate.

The NLA, formerly the Directorate General for Agrarian Affairs, governs land use and land tenure for non-forest areas while the Ministry of Forestry governs the area assigned as forest land (Hein, 2013; Indrarto et al., 2012). In terms of land formalization processes and rights of ownership to land, this dual structure has major implications: The BAL does not apply to forest land, thus right of ownership land certificates issued by the NLA only apply to non-forest land. The NLA is responsible for the administration of all non-forest land activities, including land reform, land use, land titling, and land registration (OECD, 2012, p. 109). The local reality, as to be presented in the cases later on, differs. Titles are issued on forest land and titles are also issued by institutions different from the NLA. According to the NLA, the two most common ways to acquire right of ownership land titles outside the transmigration program are sporadic and systematic registration. Sporadic registration is the process that identifies, adjudicates, and registers rights of ownership to land on an ad hoc basis, usually when walk-in customers approach the NLA and request registration of their parcel regardless of the intentions of their neighbors in this regard. Systematic registration identifies, adjudicates, and registers rights to all adjacent land parcels in a selected locality and within a given period of time (World Bank, 2002, p. 3). As one of the case studies shows, in a process of mimicry the term sporadic is reinterpreted with a new meaning at the village level.

In the process of obtaining a land certificate, the role of the village head (*kepala desa*) is crucial. Based on Government Regulation 24/1997, it is mandatory to have a proof of ownership signed by the village head in case no other written proof exists. Article 7 of Government Regulation 24/1997 further authorizes the village head to be in charge of land deeds in peripheral areas without a Land Title Registrar (*Pejabat Pembuat Akta Tanah*, PPAT). These regulations and the powers given to the village head are widely played out in local reality land titling processes. As to be seen later on, the village head is regarded as a legitimized authority in the context of issuing land titles. Again, the competency exercised by the village head is not exactly what the national regulations indicate, but they are “still not exact . . . but almost the same” (Bhabha, 2000, p. 122).

## MIMICRY OF THE LEGAL IN JAMBI PROVINCE

Despite the efforts to foster land formalization in the previous decades, only a very small number of smallholders hold *de jure* certificates. “Only about 45 percent of the 85 million existing parcels [all over Indonesia] are registered, but most of these registered parcels are not yet mapped” (Deininger, Augustinus, Enemark, & Munro-Faure, 2010, p. 11).<sup>3</sup> Nevertheless, most of the interviewed smallholders state that they do hold land titles. How does the local reality match the statistics as recorded by the NLA and the National Statistic Office? Local actors have established their own titling system, imitating the national juridical system but based on locally relevant scales of regulation, such as village territories. Even though this system looks arbitrary, it is not: It follows a complex pattern of translation from national conception to local feasibility.

Adding to the complex regulatory framework, access to *de jure* formal tenure is easier to obtain for certain groups (e.g., transmigrants) than for spontaneous migrants or groups inherent to the area.<sup>4</sup> This disequilibrium has been translated into a more feasible local set of rules. Two cases illustrate the mimicry of the legal as a local translation of national formalization processes. The first case is the formation of a particular informal settlement within state forest land and the way of formalizing its existence; the second one is a type of title deed that was found in all villages, by the name *Sporadik*.

### Mimicry 1: The Formation of *Transwakarsa Mandiri*

The forests of Kunangan Jaya have been used for shifting cultivation, hunting, and gathering activities by the semi-nomadic *Batin Sembilan* since pre-colonial times. In the 1970s and 1980s, the area became part of the logging concession of PT Asialog and of the oil palm concession of PT Asiatic Persada. As a consequence, some *Batin Sembilan* families were displaced and shifting cultivation was prohibited. Yet, a few families resisted and have remained in the area. The formation of the *Transwakarsa Mandiri* (TSM) settlement in the hamlet of *Kunangan Jaya* of Bungku village can be considered as an active spatial strategy of *Batin Sembilan* elites, village elites, and district elites to regain full control over land that had been used and owned by the local population prior to Suharto’s appropriation policies.

The settlement can be considered as a mimicry of the legal national resettlement policies such as the transmigration program or the program for ‘underdeveloped villages’ (*Impress Desa Tertinggal*, IDT). National policies are structuring in-situ access and property relations and providing them with legitimacy. The mimicry of legal policies, legal procedures, and narratives are used to legitimize and justify settlement formation and hence forest conversion. The name of the settlement, *Transwakarsa*

3 Unfortunately no data is available for Sumatra or Jambi province in particular.

4 Worth mentioning here is the Constitutional Court Decision MK35 from 2012 (Mahkamah Konstitusi Nomor 35/PUU-X/2012) declaring that customary forest must no longer be subsumed under state forest. Instead, customary forest has been changed to a category of “forests that are subject to rights”. Once implemented, this would allow indigenous groups to be granted ownership rights for parts of their customary forest land.



*Mandiri*, refers to the state-backed *Swakarsa* transmigration program, even though the TSM settlement has officially no relation to this program and none of the settlers has ever received any support from the transmigration authorities (Hein, 2016). The formation of the TSM settlement in 2003 can be traced back to an agreement between a *Batin Sembilan* leader living in the district capital of Muaro Bulian, a Javanese teacher and second-generation transmigrant, and the former village head of Bungku (Pak Kumis [pseudonym], 9 September 2012; 10 July 2013). The former village head of Bungku married into a *Batin Sembilan* family and claims to represent the formal village government and customary authority at the same time (Hein et al., 2015; Mardiana, 2014). The three leaders started the formalization process by requesting a forest conversion and settlement permit from the logging company PT Asialog (Pak Kumis, 9 September 2012; 10 July 2013) that stopped logging activities in 1997. PT Asialog refused to issue a permit, delegating it to the Ministry of Forestry as the authority in charge. They applied for a permit from the Forestry Service office in the district of Batanghari but never received a formal permit. Instead, the Javanese teacher Pak Kumis claims that he received a permit from the district head to establish a farming group for converting forests into smallholder rubber plantations. It is impossible to verify this claim; nevertheless, it seems likely that the TSM project was supported by district officials since the settlement became de facto legalized through support given by the Agricultural Agency of the district of Batang Hari (smallholder from Bungku, 10 July 2013). The Agricultural Agency provided agricultural extension services for the settlers, such as fertilizer, soy, and corn seeds. Today, the elementary school in the settlement receives operational support from the district's education agency, further legitimating the settlement. For legalizing individual land claims, the village government of Bungku issued village-scale land titles.

The formation of the TSM settlement had, according to the three leaders running the project in the first place, three objectives which were all in line with objectives of the transmigration program. The settlement should provide land for landless households, create welfare, and reduce unemployment. Additionally, it aimed at supporting poor *Batin Sembilan* households. As the program for 'underdeveloped villages', the three leaders claimed that encouraging the *Batin Sembilan* to be sedentary and teaching them "modern farming techniques" would support them in reaching "development". Following the central transmigration program, migrants participating in the TSM program should act as model farmers for local semi-nomadic groups (Pak Kumis, 9 August 2012). However, during field research in 2013 only 20 *Batin Sembilan* households lived in the settlement and only five to nine houses for *Batin Sembilan* had been built by the program.

To access land, villagers had to pay a development or administrative fee of approximately IDR 700,000 to 1,000,000 per ha (USD 55 to 80) (smallholder from Bungku, 24 August 2013). As a local indigenous group, *Batin Sembilan* were considered as previous legitimate land owners. Thus, they received the plots free of charge. The fee for migrants was meant to finance public infrastructure such as roads, electricity supply, and housing for *Batin Sembilan* and for an elementary school (Hein et al., 2015). By using the term development fee, the organizers of the TSM settlement concealed the fact that the land was actually sold. As land trade is not in line with the principles of the state-backed transmigration program, the concealment of this fact in particular

and the whole formation of the settlement in general can be considered a strategy of mimicking de jure processes of the transmigration program.

Settlement formation and road construction started in 2004. In 2010, the conservation company PT REKI received a conservation concession from the Ministry of Forestry and started to implement the Harapan Rainforest project. The concession includes the area of the TSM settlement. During the same year, the conservation company, supported by the forest police and the mobile police brigade BRIMOB, entered the settlement and announced that the settlers had to leave the area within two months (smallholder from Bungku, 24 August 2013). Most of the settlers left only temporarily and returned after the police operation ended. In 2011, a participatory mapping process started, involving PT REKI, the district and provincial forest service, the Ministry of Forestry, the village government, and representatives from the settler community. At the time of field research in 2012 and 2013, the situation was calm but the conflict was not yet resolved.

Many key informants in the settlement reported that they felt betrayed by the organizers of the settlement arguing that they were not aware of the fact that the settlement was located within state forest land. A *Batin Sembilan* elder living in the settlement complained that the TSM settlement has not created benefits for his family or other *Batin Sembilan*. He argued that they have lost most of their customary land to Javanese, Sundanese, and Minangkabau migrants and the remaining land is too small for providing a livelihood for their children (smallholder from Bungku, 24 August 2013).

The formation of the settlement has been facilitated by two scalar strategies. First of all the actor coalition ‘jumped’ to the district scale for formalizing and legitimizing the settlement and agricultural practices within state forest. They circumvented the Ministry of Forestry by requesting support from the Agricultural Agency of the district of Batang Hari. The settlement as such was constructed as a new scale of regulation which has been reproduced by migrants requesting land. Regulations for the settlement and the name of the settlement imitated national policies and laws on transmigration and tenure formalization for further legitimizing the conversion of state forest.

### **Mimicry 2: Sporadik – A Title in the Name of a Process**

The second case exemplifying translation of de jure processes of obtaining a title into local reality by mimicry of the legal is the application of the term *Sporadik*. Data reveals that amongst all 16 villages visited, peasants secure tenure and gain access to loans by using a title deed referred to as *Sporadik*. Even though a high number of different titles in use was found (e.g., *segel*, *surat jual-beli*, PRONA, SKT, SKTT), *Sporadik* seems to be the most common proof of ownership amongst local actors and was considered the strongest village-scale land title by key informants. According to interview partners, the *Sporadik* (see Figure 2) is a tenure proof of land which is measured, while the measurements need to be approved by witnesses (smallholder from Gurun Mudo, 5 July 2013).

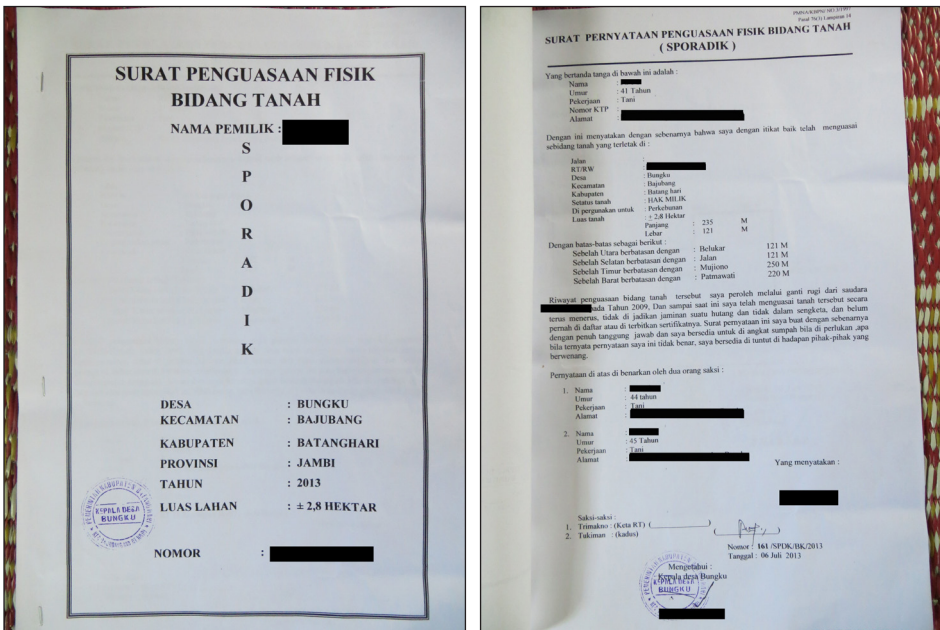


Figure 2. Sporadik Title in the Village of Bungku. (photo by J. Hein).

If we want to obtain a *Sporadik*, our land has to be measured, we have to report the location of the land to the village head, the bordering plot owners have to approve the information and the *Sporadik* can be issued. (smallholder from Desa Baru, 21 August 2013)

In some villages it was reported that the *Sporadik* was signed by the village head and in others by the sub-district head (see Figure 3). The de jure certificate, in contrast, is only valid if signed by the NLA. The mimicked *Sporadik* provides detailed information on the landholder, the size of the plot, and the location of the plot (Figure 2). It further contains the names and addresses of two witnesses confirming that the holder of the *Sporadik* is the person owning this land. It also indicates the type of right, in this case the right to own (*hak milik*). Several interview partners also reported that the *Sporadik* can be used as collateral to obtain a loan from a bank.

According to the NLA, a *Sporadik* is the process by which a single person obtains a land certificate without being part of a program (NLA representative in Jakarta, 15 August 2013). This is opposed to the process of *Sistematik*, in which a group of people hand in a bundled application to certify a certain number of plots. Both processes result in de jure land certification issued by the NLA (MacAndrews, 1986, p. 28) (see Figure 3). From the perspective of local actors, *Sporadik* is a proof of ownership and not a process. This proof of ownership is less binding than a certificate. It is, however, binding enough for the holder not to strive for more. Most interview partners holding a *Sporadik* do not see their land tenure as insecure and are not planning to buy an official NLA certificate soon.

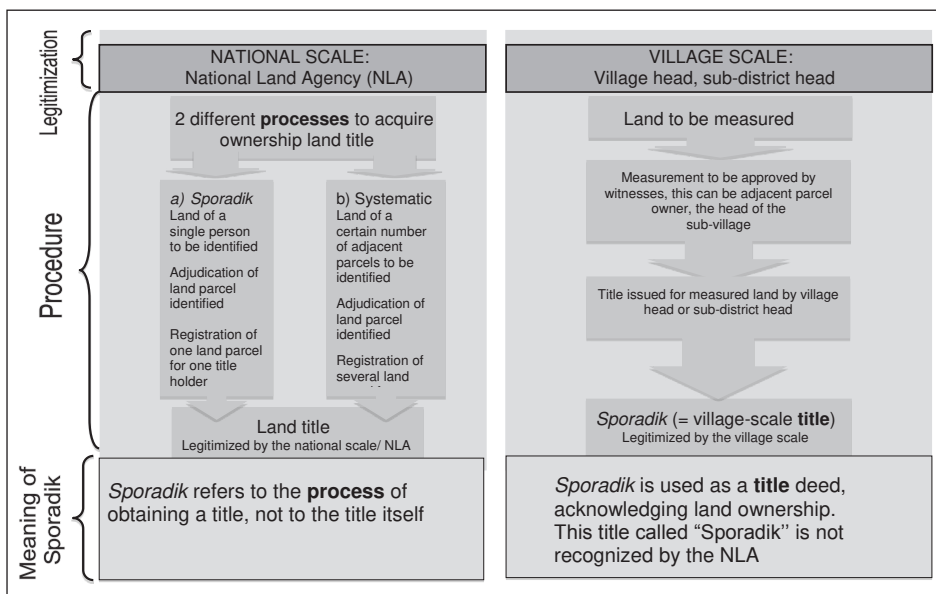


Figure 3. Sporadik in Perspective. (own illustration).

Interestingly, experts (local government officials, representatives of state-owned companies, and local NLA offices) during interviews also referred to *Sporadik* as a certificate proof of ownership, which allows the holder to borrow money from the bank. It mimics the legal certification by imitating the procedures for obtaining a land certificate issued by the NLA in using vocabulary and tools which the NLA uses. The certificates are issued and signed by the village head, most probably due to the crucial role given to the village head by the earlier mentioned Article 7, Regulation 24/1997. The fact that local banks accept the *Sporadik* as collateral on loans, as is the case for de jure land certificates, displays the de facto power of the translation process.

In two villages, it was reported that a *Sporadik* was issued as a title for plots within the boundaries of state forest land. According to national law, this is not possible since right of ownership titles cannot be issued for state forest and since the *Sporadik* is not a title itself but the procedure to obtain a title through the NLA. This further displays mimicry of the legal under the precondition that law is a process: A title which is de jure not a title on a piece of land that cannot be owned by an individual is issued by a political authority not legitimized to issue titles. And still, most parties at the village scale consider the right as legitimate.

The reason why titles are obtained by mimicry of the legal and not through the de jure procedures does not seem to be a lack of knowledge on the side of local actors. Local actors are well aware that it is actually the NLA that is in charge of issuing land ownership rights through a land certificate. It is rather an issue of access: The high costs of obtaining a land certificate, the distance to the national offices, and limitations imposed by the Ministry of Forestry seem to be a motivation for imitating the procedures in a locally feasible manner. "People prefer *Sporadik* as it is cheaper and it is not to be applied for by an office far away" (farmer from Gurun Mudo, 5 July 2013).

Local public authorities benefit from this mimicry as the *Sporadik* does not come free of charge.

The interplay of scale, land tenure regulations, and modes of production are worth mentioning. Even though it is usually the NLA issuing land certificates, supported by local documents, the highest political scale, that is the national scale, is simply left out by smallholders. This new village-scale of land tenure regulation fits perfectly to one of the dominant modes of production, namely smallholder oil palm and rubber cultivation. Pre-existing modes of production such as shifting cultivation have been regulated by lineage and water-shed scales of regulation. Tree crop cultivation has contributed to the transformation of lineage-based property to individualized and commodified property. The *Sporadik* title provides a minimum of tenure security and access to loans – both are relevant for farmers entering tree crop production (Hein et al., 2015). Local public authorities respond to this demand by producing village-scale titles and smallholders re-produce a village-scale of land tenure regulation through ‘scale jumping’. This combines mimicry of the legal and active scalar restructuring, since village authorities have expanded their competencies in legal and in spatial terms through issuing land titles.

## CONCLUSION

Processes of land tenure formalization have been initiated by many colonial and post-colonial governments in the Global South. Multilateral organizations such as the World Bank have promoted land tenure formalization and the allocation of land titles as important means to rural development. Empirical data from the case study villages in Jambi province, Sumatra, reveal tenure procedures and title deeds adjusted to the local context through mimicry of the legal. The material shows that laws in regard to access to land which seem unrealistic to obey are an invitation for local actors to mimic. All villages under investigation have established their own local titling system. Village authorities have successfully installed village-scale land tenure regulations accepted by local smallholders and by the local NLA offices. Only in transmigration villages do the majority of inhabitants hold a national juridical title deed. The land provided through the transmigration program does, however, not seem to be sufficient any more, leading inhabitants of transmigration villages to seek to expand the land under cultivation. By doing so, the transmigrants also engage in obtaining land titles, mainly *Sporadik*, further stabilizing the village scale of land tenure regulation. In some villages, *Sporadik* titles are issued for land within state forest and within the private conservation initiative Harapan Rainforest, indicating that property rights legitimized by village governments and by the national government, and entangled with different scales of regulation, compete with each other. Banks accepting *Sporadik* documents as collateral for loans are a strong hint of how the de facto local title deeds are regarded as a legitimized claim by a wide range of actors.

The reasons for mimicking national laws seem to be manifold and might not have been exhausted completely in this study. Unclear and overlapping competencies might be one reason. The role and the power granted to the village heads indicate that local authorities are exceeding their competencies. At the same time, local land owners legitimize the exceeding of competencies through requesting village-scale titles.

For land users, it is cheaper, less time consuming, and sufficiently secure to obtain a title through the village head. The majority of the actors involved on the local level do not seem to see the rationale behind the land titles issued by the NLA. Only an opportunity to be eligible for a higher loan by the bank seems to legitimize the certificate issued by the national scale. However, since the banks legitimize these competencies, legitimization for the translated procedures is further strengthened. Additionally, it seems to be a privilege of companies to get access to forest land through concessions. Mimicry then seems to serve as a subversive strategy to gain access to forest land in an asymmetric relation that otherwise restricts this access.

Mimicking the national law provides land titles and enables land use where it would not be possible according to the central state. The village-scale titles provide actors with less financial resources to access property rights legitimized by state actors providing tenure security and access to bank loans. The consequences of the mimicry on the local level, however, remain the creation of leeway for rent-seeking behavior, since the mimicked *Sporadik* titles are bought from the village heads and sometimes district heads. What also remains is a flexibility in regard to land use that allows for an exploitation of the landscape and accelerates the expansion of small-scale agriculture in the forest frontier areas of rural Indonesia.

A situation in which rules are used, abandoned, bent, reinterpreted, and side-stepped is inherent to rule systems. That this happens through imitation of de jure legal systems, while at the same time jumping scales and producing village scales, adds to the complexity. In the case of Indonesia, massive amounts of money have been invested to accelerate national land formalization processes. But still, until today, for vast areas the local reality remains a mimicry of the legal. In the future, it will be worthwhile to monitor the developments under the REDD+ strategy. The strategy refers to the constitutional rights over clear boundaries of natural resource management rights. Crucial for smallholders holding a *Sporadik* title will be whether a village-level land title is accepted as a natural resource management right by the national government in the context of the REDD+ readiness process.



## REFERENCES

- Badan Pengelola REDD+. (2014). *Demonstration activities REDD+ di provinsi Jambi*. Retrieved from <http://www.reddplus.go.id/80-kegiatan/kegiatan-demonstration-activities/2108-jambi>
- Barr, C. (2006). Forest administration and forestry sector development prior to 1998. In C. Barr, I. A. P. Resosudarmo, A. Dermawan, & J. McCarthy (Eds.), *Decentralization of forest administration in Indonesia: Implications for forest sustainability, economic development and community livelihoods* (pp. 18-31). Bogor: CIFOR.
- Bélangier, M. (2011). *Global health law: An introduction*. Paris: Editions des Archives Contemporaines.
- Benda-Beckmann, F. von, Benda-Beckmann, K. von, & Wiber, M. (2009). The properties of property. In F. von Benda-Beckmann, K. von Benda-Beckmann, & M. Wiber (Eds.), *Changing properties of property* (pp. 1-39). New York: Berghahn Books.
- Benjaminson, T. A., Holden, S., Lund, C., & Sjaastad, E. (2008). Formalisation of land rights: Some empirical evidence from Mali, Niger and South Africa. *Land Use Policy*, 26(1), 28-35.
- Bhabha, H. K. (1994). *The location of culture*. London: Routledge.



- Biezeveld, R. (2004). Discourse shopping in a dispute over land in rural Indonesia. *Ethnology*, 43(2), 137-154.
- Brenner, N. (1998). Between fixity and motion: Accumulation, territorial organization and the historical geography of spatial scales. *Environment and Planning D*, 16, 459-482.
- Brenner, N. (2001). The limits to scale? Methodological reflections on scalar structuration. *Progress in Human Geography*, 25(4), 591-614.
- Bromley, D. W. (2008). Formalizing property relations in the developing world: The wrong prescription for the wrong malady. *Land Use Policy*, 26(1), 20-27.
- Contreras-Hermosilla, A., & Fay, C. (2005). *Strengthening forest management in Indonesia through land tenure reform: Issues and framework for action*. Washington: Forest Trends.
- Coordinating Ministry for Economic Affairs of the Republic of Indonesia. (2011). *Masterplan for acceleration and expansion of Indonesia economic development 2011-2025*. Jakarta.
- Cribb, R. (2000). *Historical atlas of Indonesia*. London: Curzon Press.
- Deininger, K., Augustinus, C., Enemark, S., & Munro-Faure, P. (2010). *Innovations in land rights recognition, administration, and governance*. Washington: The World Bank.
- De Kok, R. P. J., Briggs, M., Pirnanda, D., & Girmansyah, D. (2015). Identifying targets for plant conservation in Harapan rainforest, Sumatra. *Tropical Conservation Science*, 8(1), 28-32.
- De Soto, H. (2000). *The mystery of capital: Why capitalism triumphs in the West and fails everywhere else*. New York: Basic Books.
- Drumbl, M. A. (2005). *Atrocity, punishment, and international law*. Cambridge: Cambridge University Press.
- Fearnside, P. M. (1997). Transmigration in Indonesia: Lessons from its environmental and social impacts. *Environmental Management*, 21(4), 553-570.
- Fold, N., & Hirsch, P. (2009). Re-thinking frontiers in Southeast Asia. *Geographical Journal*, 175(2), 95-97.
- Galudra, G., van Noordwijk, M., Agung, P., Suyanto, S., & Pradhan, U. (2014). Migrants, land markets and carbon emissions in Jambi, Indonesia: Land tenure change and the prospect of emission reduction. *Mitigation and Adaptation Strategies for Global Change*, 19(6), 715-731.
- Hall, D. (2013). *Land*. Cambridge: Polity Press.
- Hein, J. (2013). *Climate change mitigation in emerging economies. The case of Indonesia – Hot air or leadership?* Briefing Paper 8. Bonn: German Development Institute.
- Hein, J. (2016). *Rescaling conflictive access and property relations in the context of REDD+ in Jambi, Indonesia*. PhD thesis, Georg-August-Universität Göttingen.
- Hein, J., Adiwibowo, S., Dittrich, C., Rosyani, Soetarto, E., & Faust, H. (2015). Rescaling of access and property relations in a frontier landscape: Insights from Jambi, Indonesia. *The Professional Geographer*, 1-10.
- Indonesian REDD+ Task Force. (2012). *REDD+ national strategy*. Jakarta: Indonesian REDD+ Task Force.
- Indrarto, G. B., Murharjanti, P., Khatarina, J., Pulungan, I., Ivalerina, F., Rahman, J., & Muharrom, E. (2012). *The context of REDD+ in Indonesia*. Bogor: CIFOR.
- Lebel, L., Daniel, R., Badenoch, N., Garden, P., & Imamura, M. (2008). A multi-level perspective on conserving with communities: Experiences from upper tributary watersheds in montane mainland Southeast Asia. *International Journal of the Commons*, 2(1), 127-154.
- Locher-Scholten, E. (1994). *Sumatran sultanate and colonial state. Jambi and the rise of Dutch imperialism 1830-1907*. New York: Cornell South East Asia Program Publications.
- Lund, C. (2008). *Local politics and the dynamics of property in Africa*. Cambridge: Cambridge University Press.
- Lund, C. (2006). Twilight institutions: Public authority and local politics in Africa. *Development and Change*, 37(4), 685-705.
- MacAndrews, C. (1986). *Land policy in modern Indonesia. A study of land issues in the New Order period*. Boston: Lincoln Institute of Land Policy.
- Miyamoto, M. (2006). Forest conversion to rubber around Sumatran villages in Indonesia: Comparing the impacts of road construction, transmigration projects and population. *Forest Policy and Economics*, 9, 1-12.

- Marcus, G. E. (1995). Ethnography in/of the world system: The emergence of multi-sited ethnography. *Annual Review of Anthropology*, 24, 95-117.
- Mardiana, R. (2014). *Kehendak merestorasi ekosistem tersandera di pusanan sengkarut agraria: Konflik dan perjuangan kedaulatan agraria di wilayah restorasi ekosistem hutan Harapan provinsi Jambi*. Sayogyo Institute Working Paper 14. Bogor: Sayogyo Institute.
- Marston, S. A. (2000). The social construction of scale. *Progress in Human Geography*, 24(2), 219-242.
- Meadowcroft, J. (2002). Politics and scale: Some implications for environmental governance. *Landscape and Urban Planning*, 61, 169-179.
- McCarthy, J. F. (2009). Policy narratives, landholder engagement, and oil palm expansion on the Malaysian and Indonesian frontiers. *The Geographical Journal*, 175(2), 112-123.
- Moore, S. F. (1978). *Law as process. An anthropological approach* (2nd ed.). London: Transaction Publishers.
- Neumann, R. P. (2009). Political ecology: Theorizing scale. *Progress in Human Geography*, 33(3), 398-406.
- OECD. (2012). *OECD review of agricultural policies: Indonesia 2012*. Paris: OECD Publishing.
- Peramune, R. M., & Budiman, A. (2007). *A value chain assessment of the rubber industry in Indonesia*. Jakarta: Amarta, USAID.
- Peluso, N., & Lund, C. (2011). New frontiers of land control: Introduction. *Journal of Peasant Studies*, 38(4), 667-681.
- Rachman, N. F. (2011). *The resurgence of land reform policy and agrarian movements in Indonesia*. PhD thesis, Environmental Science, Policy and Management, University of California.
- Sahide, M. A. K., & Giessen, L. (2015). The fragmented land use administration in Indonesia: Analysing bureaucratic responsibilities influencing tropical rainforest transformation systems. *Land Use Policy*, 43, 96-110.
- Sevin, O., & Benoît, D. (1993). Techniques d'encadrement et Terres-Neuves: Les enseignements du delta du Batang Hari (Jambi-Indonésie). *Géographie et Cultures*, 7, 93-112.
- Sikor, T., & Lund, C. (2009). Access and property: A question of power and authority. *Development and Change*, 40(1), 1-22.
- Sjaastad, E., & Cousins, B. (2008). Formalisation of land rights in the South: An overview. *Land Use Policy*, 26(1), 1-9.
- Smith, N. (2008). *Uneven development: Nature, capital, and the production of space*. Georgia: University of Georgia Press.
- Struve, K. (2013). *Zur Aktualität von Homi K. Bhabha. Einleitung in sein Werk*. Wiesbaden: Springer VS.
- Swyngedouw, E. (2010). *Place, nature and the question of scale: Interrogating the production of nature*. Diskussionspapier 5. Berlin: Berlin-Brandenburgische Akademie der Wissenschaften.
- Tideman, J. (1938). *Djambi*. Amsterdam: Koninklijke Vereeniging, Koloniaal Instituut.
- Thorburn, C. (2004). The plot thickens: Land administration and policy in post-New Order Indonesia. *Asia Pacific Viewpoint*, 45(1), 33-49.
- Toulmin, C. (2008). Securing land and property rights in sub-Saharan Africa: The role of local institutions. *Land Use Policy*, 26(1), 10-19.
- Towers, G. (2000). Applying the political geography of scale: Grassroots strategies and environmental justice. *The Professional Geographer*, 52(1), 23-36.
- Tsing, A. L. (2005). *Friction. An ethnography of global connection*. Princeton: Princeton University Press.
- World Bank. (1979). *Indonesia. Transmigration II. Staff appraisal report*. East Asia and Pacific Regional Office. Retrieved from [http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2000/07/13/000178830\\_98101912433333/Rendered/PDF/multi\\_page.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2000/07/13/000178830_98101912433333/Rendered/PDF/multi_page.pdf)
- World Bank. (1988). *Indonesia. The transmigration program in perspective*. Washington: The World Bank.
- World Bank. (2002). *Loan for land administration*. Washington: The World Bank.
- Warman, K., Sardi, I., Andiko, & Galudra, G. (2012). *Studi kebijakan. Penguatan tenurial masyarakat dalam pengusahaan hutan*. Bogor: World Agroforestry Centre.
- Zulu, L. C. (2009). Politics of scale and community-based forest management in southern Malawi. *Geoforum*, 40(4), 686-699.

## ABOUT THE AUTHORS

Yvonne Kunz is a research associate at the Department of Human Geography at the University of Göttingen, Germany. Her research focuses on land tenure processes in Jambi province.

► Contact: [yvonne.kunz@geo.uni-goettingen.de](mailto:yvonne.kunz@geo.uni-goettingen.de)

Jonas Hein is a researcher at the Department of Environmental Policy and Natural Resources Management at the German Development Institute. He is a geographer who works on the political ecology of land tenure in Indonesia, forest carbon offsets, and international forest and climate policies.

► Contact: [jonas.hein@die-gdi.de](mailto:jonas.hein@die-gdi.de)

Rina Mardiana is lecturer at the Department of Communication & Community Development Sciences at Bogor Agricultural University, Indonesia. Her research focus is on population, agrarian, and political ecology.

► Contact: [rmardiana@gmail.com](mailto:rmardiana@gmail.com)

Heiko Faust is professor at the Division of Human Geography at the University of Göttingen, Germany. He is working on sustainable land use science, rural development in forest frontier areas, and on socio-cultural transformation processes. For more than a decade, Faust has been principle investigator in international collaborative German-Indonesian research centers, focusing on Sulawesi and Sumatra.

► Contact: [hfaust@gwdg.de](mailto:hfaust@gwdg.de)

## ACKNOWLEDGEMENTS

This study was financed in part by the German Federal Ministry for Economic Cooperation and Development and by the Deutsche Forschungsgemeinschaft (DFG) in the framework of the collaborative German-Indonesian research project CRC990.



# The State of Coal Mining in East Kalimantan: Towards a Political Ecology of Local Stateness

Anna Fünfgeld

► Fünfgeld, A. (2016). The state of coal mining in East Kalimantan: Towards a political ecology of local stateness. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 147-162.

The article aims at expanding political ecology research towards the role and constitution of states by demonstrating how local stateness is negotiated within conflicts over natural resources. It draws on a qualitative field study on the conflict over coal mining in East Kalimantan's capital Samarinda, Indonesia, where certain characteristics of states, such as the monopoly of violence and the rule of law, are being affirmed, altered, or undermined through practices of state and non-state actors alike. These practices do not only challenge state representations, but also reveal the symbolic importance of ideas about the state. The theoretical framework is developed on the basis of Joel S. Migdal's state in society approach together with a later work of Pierre Bourdieu and Philip Abrams' thoughts about the nature of states.

**Keywords:** Coal Mining; Indonesia; Political Ecology; Practice Theory; State Theory

~

## INTRODUCTION

Conflicts stemming from the extraction of natural resources are on the rise in many parts of the world. In Indonesia, which is known for its big variety of resources, the extraction and export of coal has been expanded remarkably over recent years, leading to the country's current standing as the world's largest exporter of coal by weight (Energy Information Administration, 2014). More than three quarters of the total extraction is exported, mainly to neighboring Asian countries (Andruleit et al., 2011; Energy Information Administration, 2014).<sup>1</sup> In the major coal production areas of East Kalimantan, South Kalimantan, and South Sumatra,<sup>2</sup> strip mining has had profound and alarming impacts upon environmental and societal change, such as the destruction of landscapes and agricultural land and the contamination of water and soil.<sup>3</sup> This is especially the case in East Kalimantan's capital, Samarinda, where mining concessions cover nearly three quarters of the total municipal area.

1 For domestic purposes, coal is mainly used for power generation and cement production on Java and Bali, while East Kalimantan – the most important production area – still lacks energy supply (Ehrhardt, Kelter, & Lenz, 1999; Susmiyati, & Kotijah, 2007).

2 About 90% of the Indonesian coal is extracted in Kalimantan (Wedig & Battenschlag, 2008).

3 Usually, strip mining – used for coal beds close to the surface – is the cheapest and hence the preferred form of extraction, which accounts for most of Indonesia's coal production (Ehrhardt et al., 1999).

However, it is not only the natural environment and the connected livelihoods of locals that are subject to a massive transformation. Coal mining has come to play a major role in local politics and significantly impacts the appearance and functioning of the state. I argue that the practices of various actor groups connected to resource extraction add to the everyday enactment and de-enactment of basic political and social patterns that can generally be regarded as dimensions of *stateness*.

While political ecology has significantly contributed to the understanding of socio-ecological conflicts on a general level, I argue that blind spots remain when it comes to conceptualizing such basic political categories as ‘the state’. This is especially remarkable as political ecology approaches are generally dedicated to “unravel[ling] the political forces at work in environmental access, management, and transformation” (Robbins, 2012, p. 3). For example, in their fundamental writing on political ecology, Bryant and Bailey (1997) stress that “to appreciate the ways in which environmental change is politicized in the Third World is in considerable measure to understand how the state has sought to manage the peoples and environments within its jurisdiction” (p. 48). Yet, it is not only important to understand how states acquire power or how they influence environmental change, but as well as how they are constituted in the first place.

This article therefore aims to contribute to a better understanding of the importance of the concept of the state in political ecology research by grounding it in the socio-economic and political dynamics arising from coal mining in East Kalimantan. Even though the incongruence of formal regulations and practices on the ground is by no means unknown, little effort has been made thus far to consistently theorize this phenomenon from a state theoretical perspective. I believe that for micro-level approaches, such as those applied in most political ecology research in recent years, it is of great importance to better understand the appearance of states on the local level and their interplay with struggles over nature. When developing a political ecology approach to local *stateness*, I will therefore look at the social realities of *stateness*, which I believe result from the practices of various actors corresponding with or contradicting common representations of states. I argue that practice-oriented approaches to the state, as developed within political science, sociology, and anthropology – like the *state-in-society approach* (Migdal, 2001) – can significantly add to bridging this gap in political ecology. This is because they take into account the embeddedness of states within their societies, rather than looking for universal elements as a means to understand the functioning and appearance of the state on the local level.

I ask how the state appears on the local level in East Kalimantan, specifically in its capital Samarinda, in the context of coal mining, and what significance this has for the ongoing dynamics in this specific policy field. Moreover, relying on these findings, I show why *stateness* is an important category in political ecology research and how the complexity of the phenomenon can be better understood with a practice-oriented approach. A late work of practice theorist Bourdieu (1994) is especially useful for grasping the structural, practical, and symbolic dimensions of *stateness*. I use the term ‘*stateness*’ instead of ‘the state’ in order to emphasize the coexistence of various state-related elements, which may be subject to change due to actors’ practices and variance in their interpretation in public discourse. Furthermore, the concept



emphasizes that a state may take on very different appearances in different local contexts or time periods. Therefore, stateness is mainly geared towards analyzing a state on the micro level, where it finally emerges within concrete processes and practices. Hence, the concept of stateness is not about creating another definition of the state. It rather aims at developing an analytical tool for the investigation of the constitution of the state on the local level. Moreover, stateness emphasizes the complex and sometimes even contradictory nature of states, whose appearance on the local level very often is beyond the ideal type elements of a state, such as the monopoly of violence and the rule of law.

The article is based on an empirical field study in Samarinda between October and December 2011, which included participant observation, qualitative interviews, group discussions, and informal conversations. Altogether, I conducted 28 qualitative interviews. Most of my interview partners were inhabitants of Samarinda's sub-district (*kelurahan*) Makroman, NGO representatives, academics, administrative staff, and coal mining workers. I furthermore talked to local parliamentarians and representatives of a development agency and a coal mining company.

The article is structured as follows: After providing an overview of current coal mining processes in Indonesia and the different actors involved in conflicts connected to coal mining in Samarinda, East Kalimantan, I develop a theoretical approach of local stateness. In the third section, I discuss this approach against the empirical case study, before coming to a conclusion on the state of coal mining in East Kalimantan.

### COAL MINING IN INDONESIA

Coal mining in Indonesia dates back to colonial times. Between 1849 and 1945, comparably small quantities were extracted by the Dutch in Kalimantan and Sumatra that mainly served as fuel for the shipping industry. Large-scale extraction was significantly fostered by the Suharto regime through the implementation of new mining and foreign investment laws since the end of the 1960s. However, due to low oil prices and limited foreign investment in the sector, the take-off period of the Indonesian coal mining industry did not commence before the late 1980s (Lucarelli, 2010). On top of this increase, Indonesia saw an exponential rise of coal mining production since the introduction of democratization and regional autonomy reforms in 1998/9 (Down to Earth, 2010).

Today, the central regulation for coal mining activities is Mining Law No. 4/2009, which was implemented in 2010 and replaced its predecessor, Mining Law No. 11/1967. *Inter alia*, the new law, together with subsequent regulations, strengthened the position of the Indonesian state in relation to private mining enterprises and fostered the involvement of Indonesian-owned companies in the mining sector.<sup>4</sup> Before the implementation of the new Regional Autonomy Law No. 23/2014, district and mu-

---

4 While according to Mining Law No. 11/1967 mining allowances were issued as contracts between the Indonesian state and the private company, Mining Law No. 4/2009 introduced a system of mining concessions, which provided the Indonesian state a stronger position, as it is able to impose sanctions on the companies in case of law-breaking. Still, the *Coal Contracts of Work* issued according to Mining Law No. 11/1967 remain in force. In particular, the large-scale PKP2B contracts (*Perjanjian Karya Pengusahaan Pertambangan Batubara*) still represent a large share of the concession areas (Susmiyati & Kotijah, 2007).

municipality governments were responsible for licensing the mid-sized mining permits, which accounted for mining production areas up to 15,000 ha (Mining Law No. 4/2009).<sup>5</sup> Depending on the location, it was either the district head or the city mayor who was responsible for issuing the concessions.<sup>6</sup>

Companies acquiring concessions are obliged to define development activities for the neighboring communities, assess the possible environmental impact (*Analisis Mengenai Dampak Lingkungan*, AMDAL), and set up a special fund for restoration after the closing of the mine (Mining Law No. 4/2009). Furthermore, the law lists several other obligations concerning health and security at the workplace, waste disposal, and community empowerment. All government levels are responsible for ensuring adherence to social and ecological standards as well as those concerning public participation, but the respective paragraphs remain vague and the distribution of tasks is often unclear despite further regulations and technical directives (Mining Law No. 4/2009).

According to the provisions of Indonesian regional autonomy, the framework law has to be complemented by local laws (*Peraturan Daerah*, Perda) in the districts and municipalities. In the municipality of Samarinda, it took more than four years for Perda 12/2013 to be issued. Until then, the local administration was still working with Perda 20/2003, which was based on the former framework law and therefore not in accordance with Mining Law No. 4/2009. These inconsistencies between the central and local administrative levels are not exclusive to the mining sector, but have cropped up in many different policy fields since the advent of decentralization. Similar to cases of dual legislation, an absence of local implementation laws or technical directives often leads to confusion and an unclear basis for administrative work (Fünfgeld, Lücking, & Platte, 2012).

### **MINING SAMARINDA: COAL MINING IN EAST KALIMANTAN'S PROVINCIAL CAPITAL**

Coal mining is omnipresent in East Kalimantan. At Balikpapan airport, there are no posters displaying the beauty of the island of Borneo to its visitors (similar to greetings common at other airports all around the world), but instead one runs into advertisements for heavy mining vehicles. When the airport bus takes local visitors to the province's capital Samarinda, one begins to grasp the physical reality of the fact that most of Indonesia's coal is extracted in this part of the country. Likewise, when

---

5 According to Mining Law No. 4/2009, the central government was responsible for the issuance of large-scale special mining permits (up to 50,000 ha) and local governments for small-scale mining permits (up to 10 ha). As small-scale permits do not significantly add to the total coal extraction in Samarinda and large-scale concessions can no longer be issued in the metropolitan area due to a lack of available territory, it is the mid-sized concessions that are important for the situation in Samarinda. Furthermore, there are also some older large-scale concessions (PKP2B), which also still cover a significant part of the city.

6 Meanwhile, the new Local Government Law No. 23/2014 has shifted all competences from district and municipal authorities to the central and provincial governments. Provisions in Mining Law No. 4/2009 have not been adjusted to Law No. 23/2014 yet. However, Circular Letter No. 04.E/30/DJB/2015 issued by the Minister of Energy and Mineral Resources stating that district heads and mayors have no authority to administer the minerals and coal sector as of 2 October 2014 is used for guidance (Cahyafitri, 2014; Hamidi, 2015).

sitting at the beautiful shores of Mahakam river in the city center, barges loaded with high piles of coal pass by every few minutes.

As in other parts of Indonesia, there has been a significant rise in the issuance of coal mining concessions since the implementation of decentralization laws. Presumably, this phenomenon is related to the shift of competences to local government heads, who gained control over the issuance of mining concessions (Down to Earth, 2010). These arrangements have obviously left space for self-enrichment amongst local authorities. Several NGOs have reported a considerable increase in coal mining-related 'money politics.' This holds especially true during local elections, when many political candidates receive financial support from mining companies, which are then rewarded with the issuance of concessions after the elections. This connection between the extractive industry and local politics is not exclusive to coal mining activities around Samarinda, but is ubiquitous in all areas of Indonesia where natural resource extraction takes place. For example, Berenschot (2015) has identified similar patterns for the palm oil business in Central Kalimantan. Furthermore, many government officials, parliamentarians, and administrative staff are directly involved in the coal mining business in one way or another, and so take advantage of their political positions. In Kutai Kartanegara, Samarinda's neighboring district, several officials, including the former district head, have been convicted of using their political positions for the benefit of coal mining businesses (Down to Earth, 2010).

Samarinda is currently covered by 4 large-scale and about 70 mid-sized concessions, which together comprise roughly 71% of its total municipal area. The number of mid-sized concessions differs depending on who is providing the information, ranging from 67, as stated by the local mining department, to 76, according to a local NGO. While the mining department's documents indicate that the last concession was issued in 2010, there is information suggesting that several post-2010 concessions have been predated in order to fit the regulations.<sup>7</sup>

The negative impacts of coal mining in the municipality of Samarinda include environmental problems such as the contamination of water, air, and soil, as well as the destruction of landscapes through forest clearance, general clearing, and mining work (Susmiyati & Kotijah, 2007). These developments further erosion and thereby contribute to an increase in both the quantity and intensity of floods. As a result, Samarinda has been dubbed *Kota Banjir* (flood city) (Down to Earth, 2010). Furthermore, the consequences of mining activities are particularly harmful in the city's outskirts, where many people make a living from agriculture. People in these areas are suffering from severe reductions of their harvests. Many inhabitants of the sub-district Makroman reported that their rice, fruit, and fish harvest had been reduced by up to 50% due to the accumulation of mud in rice paddies and fish farms. Besides that, water that was formerly used for watering, drinking, and washing is so badly contaminated that fresh water has to be purchased. These problems exist in both active and inactive mining sites, as only a minority of the latter have been restored after extraction

---

7 Interview partners agreed on the fact that there was no opportunity for the legal issuance of concessions after 2010 but explanations differ. While some people argued that there was not enough free space to issue another mid-sized concession, which according to Mining Law No. 4/2009 needs to be at least 5,000 ha, others said that the new auction procedures still lacked concrete regulations because of the absent Perda.

stopped (Satriastanti, 2011). In theory, reclamation is supervised by local mining departments, but they lack funding and trained personnel (Faizal, 2011; Susmiyati & Kotijah, 2007). In Samarinda, only five trained and five untrained controllers are responsible for the supervision of more than 1,000 coal mines.<sup>8</sup> Moreover, insufficient funding of the department limits the objectivity of controllers as the companies not only provide transportation and accommodation for them, but also “little presents” (anonymous, 13 November 2011; Susmiyati & Kotijah, 2007).<sup>9</sup>

Despite several regulations stressing the right of local communities to access information about mining activities, it is rarely provided. Before commencing mining activities, companies are required to present a working and budget plan to the mining department, containing details of their intended commitment to community development. At the same time, they also have to present an environmental impact assessment (AMDAL) to the local community before mining activities begin. However, AMDAL usually lack context-specific evaluation, as one and the same AMDAL is used for multiple sites. Often, there is no presentation at all for the locals or it is held in technical language difficult for many to understand. In general, all of these processes are opaque and despite some promising articles in the mining law, many companies thoroughly neglect their responsibilities.

In response to these developments, local anti-mining groups have emerged in some parts of the city.<sup>10</sup> The largest and best publicized group of protesters in Samarinda has emerged in Makroman, a rural area located about 15 km from the city center. Makroman is predominantly inhabited by ethnic Javanese as it has been established as a transmigrant community since the 1950s. As most of the more than 7,000 inhabitants of the sub-district (*kelurahan*) make a living from farming and small-scale aquaculture, the immediate proximity of the mining sites to their residential and agricultural areas is a significant threat to their livelihoods. In order to stop the further worsening of their living conditions, about 50 people began anti-mining protests more than eight years ago, such as street blockades, demonstrations, and making inquiries to the local government. The group receives support from local NGOs, several local academics, and parliamentarians, and was able to gain nationwide recognition through media reports. Local protests against CV Arjuna, a company operating in Makroman with several sub-contractors since 2007, are thus embedded in nationwide and global campaigns primarily organized by the anti-mining NGO JATAM (*Jaringan Advokasi Tambang*).

Often, private or state security forces have inhibited protests such as demonstrations through threats of violence. Several cases have been reported in which the suppression of protests surpassed the level of threats and included physical violence. According to local activists, the involvement of local policemen and -women in these incidences was fostered as they were bribed by mining companies. The activists sug-

---

8 The controller certificate can only be acquired through participation in training in Bandung, which is why in addition to the five people who have this certificate, the department is also sending out five non-certified people. Despite the financing of the workshop, it also seems to be a problem that the training is only offered once a year for about 35 people (Susmiyati & Kotijah, 2007).

9 Further problems include the assumed involvement of mining department staff in mining activities.

10 The problems are not the same for all parts of Samarinda. Where people are employed by the mining company and where the share of farmers is minimal, there is usually less resistance to mining activities.

gest that this may have led to the violent suppression of protests as well as to further threats and detentions. However, the companies are reportedly increasing the employment of private forces in order to safeguard their mining operations. These private forces include thugs (*preman*) and paramilitary groups, which are often registered as civil society organizations. The appearance of the paramilitary forces visually resembles the state military; they use military camouflage clothes together with jeeps and modern weaponry. Furthermore, they are often trained by retired or still active army personnel.

Still, the anti-mining mobilization in Samarinda has been able to gain significant recognition in local and national media and has thereby been able to exercise pressure on government officials. In 2010 and 2011, locals and JATAM supporters were able to raise their concerns at hearings at the local parliament and meetings with the city mayor. As a result of the meetings, CV Arjuna agreed to invest in infrastructure projects, an obligation they presumably have not met. However, facing the ongoing destruction of their livelihoods, many of the people in Makroman have little hope for a bettering of their situation in the near future. Some people view themselves as marginalized not only in terms of their economic situation, but also in political terms, as expressed by one interlocutor in her self-description as one of the “small citizens,” who are commonly ignored by politicians and civil servants alike until they actively engage in protests and demand their right to be heard as Indonesian citizens.

Mining conflicts in Samarinda seem to share many problems with resource extraction as documented in political ecology research elsewhere, such as the destruction of nature and connected livelihoods, which leads to conflicts over the access to and distribution of natural resources that are especially characterized by the opposition between involved companies and the local population affected by the changes within their territory. Hence, I do not simply aim to provide an analysis of the constellations and power relations among the actors involved. Rather, I want to specifically look at the interplay between this mining conflict and the practices related to the associated forms of political organization in the local context. I will thereby show, that what is generally considered to be ‘the state’ does not appear as a unitary entity anymore when investigating local practices related to it. Moreover, the example illustrates how states are essentially embedded in their societies, which leads to a blurring of the common binary distinction between the state and the society. In doing so, I try to reveal the functioning of the state ‘on the ground’ in order to show the extent to which it is shaped by, and negotiated through, conflicts over nature.

## ON STATENESS

There exists a broad range of state theories that seek to explain how states evolved and why a state is needed for the bettering of people’s living conditions.<sup>11</sup> However, these theories neither account for the difference between formal regulations and practices on the ground, nor for the impact of conflicts over natural resources, spe-

---

11 In early modern times, for example, the evolution of states was viewed as a result of people voluntarily entering into a social contract, which would presumably weaken the negative impact of human nature (Thomas Hobbes), the introduction of money (John Locke), or private property (Jean-Jacques Rousseau), and thereby ensure more socially responsible behavior.

cifically the practices related to them, on the shaping of stateness on the local level. In order to theorize stateness from a political ecology perspective and to elaborate on a state conception applicable to ongoing struggles over nature and natural resources, I mainly rely on Migdal's (2001) state-in-society approach. Developed from the 1980s onwards, the approach has been applied to various fields within Southeast Asian studies (Gainsborough, 2010; Klinken & Barker, 2009). The state-in-society approach rests on the assumption that in order to understand what a state is in practice, it is important to look at the general representation of states (here termed their *image*) and likewise at the *practices* of state and non-state actors. The image of the state is understood as a universalized set of ideas about the modern state, which are challenged or reaffirmed by the practices of state and non-state actors on a daily basis. It can be described by notions of the state as the central rule-making authority and main body of representation of the people living in its territory, strengthened through the implicit and explicit threat of violence, which is challenged by actors' practices. Instead of weighing the influence of state and non-state actors against each other and viewing them as diametrically opposed, the approach rests on the assumption that states are fundamentally embedded in their societies. This means that in order to understand the functioning of a state, we have to look not only at government regulations and actions, but also at the practices of non-state actors. Therefore, it takes into account ongoing struggles continually occurring in every society over the arrangement of basic rules. From a micro-perspective, these practices can be found in daily practices and seemingly small actions such as passport controls, tax evasion, or the like (Migdal, 2001; Migdal & Schlichte, 2005).

In order to identify the universalized image of the state, Migdal draws mainly upon central characteristics developed in classical state definitions such as those formulated by Weber (1919/1992; 1921-2/2010) and Jellinek (1900/1966). The state image, therefore, mainly consists of the ideas of the monopoly of physical force, a defined territory (*Staatsgebiet*), a permanent population within this territory (*Staatsvolk*), and the bureaucracy. A defined state territory requires the existence of borders in order to delineate the state's domain internally as well as externally. Importantly, the state's rule applies to all people within its territory and not only to specific groups (Benz, 2001; Pierson, 1996). In contrast to pre-modern states (such as the Southeast Asian Mandala state), effective wielding of power is not limited to the center, but applies equally to the whole territory. The people within this territory are either viewed in terms of an (imagined) nation (Anderson, 1983/2006) or the definition is bound to the legal regulations of the respective state, which define who obtains citizenship of that state and who does not. Therefore, both the concept of state population and state territory are based on exclusion as they define who and what belongs to a state and who and what does not (Benz, 2001; Pierson, 1996).<sup>12</sup> According to Weber, the monopoly of the legitimate use of physical force is the pivotal characteristic of states. It is geared towards the protection of territory and people against external as well as internal threats and guarantees basic state competencies: the definition of binding

---

12 In contrast to the term 'citizenship,' 'nation' and 'nationality' do not rely on formal laws defining the membership, but are rather built on an imagination of 'belongingness'. A nation, according to Benedict Anderson, is therefore an "imagined political community- and imagined as both inherently limited and sovereign" (Anderson, 1983/2006, p. 6).



rules and their implementation (Pierson, 1996; Weber, 1921-2/2010). State authority is only considered legitimate if it serves the realization of law. The rule of law, which therefore can be considered another constituting element of states, implies the indissoluble link between state authority to established law (Benz, 2001). The main basis for the state's exercise of control is the effective administration of its people and territory. States therefore rely on their bureaucracies to implement universal codes, classification systems, and measurements, as well as mapping processes that serve the gathering of information (Anderson, 1983/2006; Scott, 1998). According to Weber (1921-2/2010), it is the core of state rule, as only the bureaucracy possesses the competences required to exercise the state's functions.

One of the shortcomings of Migdal's approach is that by identifying universal elements of the state in classical Western state theory, he ignores alternative notions of the state from other world regions. In Southeast Asia in general, and specifically in Indonesia, a broad range of concepts and ideas about the state exist that are remarkably different from those developed in the Western world (though they have also been partly developed by Western scholars). The Mandala concept, for example, describes how pre-colonial political formations in Southeast Asia were based on the understanding that political power descends in concentric circles depending on the distance from centers of power (Wolters, 1999). The most vibrant discussions about the specific form of the Indonesian state went on after independence (Feith & Castles, 1970). During this time, integralist state concepts, most prominently introduced by Supomo and Sukarno, dominated the debate. Later, Suharto built on many of these early ideas about the Indonesian state and partly reshaped them to support and legitimize his rule. In recent years, the promises of democratization and the decentralization reforms are probably the most important narratives to take into account in this respect. Therefore, extending Migdal's approach, I understand the image of the state as a set of specific characteristics ascribed to the state, deriving from scholarly and everyday understandings of the term.

When looking at universalized state characteristics, it is furthermore important to understand how these images constitute the idea of the state as a seemingly unitary actor. Independent of their different emphases in the appraisal of specific state elements, state theories generally frame the state as an "ideological thing" (Abrams, 1977/1988) – in the sense that these approaches themselves contribute to a belief about the state as a politically institutionalized and coherent entity. "Behind the appearance of thinking it [the state], most of the writings devoted to the state partake, more or less efficaciously and directly, of the construction of the state, i.e., of its very existence" (Bourdieu, 1994, pp. 2-3). It is not only scholarly work, but also the act of thinking about the state in everyday interaction that contributes to its representation as a unified entity seemingly oriented towards general morality and common interests (Abrams, 1977/1988; Bourdieu, 1994).

This constitutes the symbolic dimension of stateness. The idea of the state is such a powerful construction because of the functioning of its image elements as well as because of the overall symbolic power it bears. Applying his basic practice theory concept of different forms of capital to the state, Bourdieu (1994) calls the state "the *culmination of a process of concentration of different species of capital* [italics in original]" (p. 4). The construction of the state leads to the simultaneous construction of a *field*

of power, which is “the space of play within which the holders of capital . . . struggle *in particular* [italics in original] for power over the state, i.e., over the statist capital granting power over the different species of capital and over their reproduction” (p. 5). The different species of capital emphasized by Bourdieu are *capital of physical force*, *economic capital*, *informational capital*, and *symbolic capital* – albeit that they are interdependent and in sum constitute the *state capital (capital étatique)* (Bourdieu, 1994).

These forms of state capital can be related to the basic elements of states, as described above. The capital of physical force primarily rests on the image of the concentration of the means of coercion under one central unit. Furthermore, physical violence is only to be exercised by a specific group, which is clearly identifiable and disciplined. The monopoly of physical force has to be asserted internally as well as externally. This, in turn, is based on the economic as well as informational capital of the state, as both are needed for the exercise of state control. Informational capital, that is, the concentration, treatment, and redistribution of information through the state, is the basis for the functioning of the bureaucracy in general and for the establishment of a unified taxation system in particular. Economic capital, gained through the establishment of a centrally controlled fiscal system in combination with the creation of a common market, is, in turn, a prerequisite for the concentration of the capital of physical force (Bourdieu, 1994). The concentration of the means of coercion, the financial resources, and a large amount of information require and at the same time bring about the concentration of a *symbolic capital of recognized authority*. This means that the acknowledgment of the different forms of capital leads to their valorization. Thereby, they become *symbolic capital*. *Juridical capital*, which relies on the *symbolic capital* of the state and describes the assignment of rights to representatives of the state, is a sub-aspect of symbolic capital. It is fundamental to the authority of the state as it defines its power of nomination. It therefore enables the definition and implementation of laws. The state thus becomes a bank of symbolic capital, guaranteeing all acts of authority exercised by authorized personnel (Bourdieu, 1994).

Combining these assumptions, in the following I look at how the practices of state and non-state actors as identified before correspond with the described images of the state, and how stateness on the ground is shaped by these practices. Moreover, I show how the universalized images in turn influence these practices and what role the symbolic dimension of stateness plays in this respect.

### LOCAL STATENESS IN EAST KALIMANTAN

In accordance with the practice-oriented approach to local stateness, the first step of the analysis was to identify the various actors involved in the coal mining conflict and the practices they are carrying out within this policy field. In a second step, I now relate these practices to their impact on the ideal type state characteristics as identified in the previous section of the article. Hence, I explore how these practices possibly influence images of the state such as its monopoly of physical force, the functioning of the bureaucracy according to the rule of law, the idea of a *Staatsvolk*, and the promises of decentralization and democratization, which are especially important for the image of the contemporary Indonesian state. Furthermore, I ask how the actors make use of the symbolic forms of state capital described by Bourdieu when carrying out

practices. In doing so, it becomes clear that the state at the local level by no means appears to be as monolithic as prevalent state theories tend to suggest. Furthermore, it is evident that neither the confirmation nor the undermining of state characteristics necessarily depends on whether practices are carried out by state or non-state actors.

Various practices of private companies and state representatives in coal mining in Samarinda obviously challenge the state's monopoly of physical force. The inability of the state to implement its monopoly is most apparent in the companies' practices of bribing police officers in order to gain their support for the repression of anti-mining protests. However, some of the companies further employ paramilitary groups and thugs in order to safeguard mining sites and activities. These groups not only threaten the local community but also exercise violence against them. By making use of their visual similarity to the national army, and of the knowledge and information from the army generals training them, they draw upon state capital to legitimize these practices. Additionally, the formal registration of paramilitary groups as civil society organizations is an act of legitimization of their existence and actions as it evokes the idea of the rule of law and thereby rests on the juridical capital of the state.<sup>13</sup>

Within the power field of local stateness, where multiple actors are struggling over the arrangement of rules, the formal state is not always the central rule-setting agency. Rather, the state, as Bourdieu writes, in fact serves as a bank of symbolic capital. Yet it is not only state but also non-state actors who rely on this symbolic capital in order to enhance the legitimization of their practices. Paradoxically, state capital is thus used in order to undermine basic images (and the functioning) of the state. The state's security apparatus and its constitutional procedures are being exploited and actively used by the mining companies and their partners. By way of their visual appearance as state forces, paramilitary groups refer to state symbols and therefore represent some kind of legitimized rule, just as official police forces do. However, by their actions they interpret the symbolic elements – which eventually derive from the universalized idea of the state – in favor of the mining companies' interests. The universal idea of the state is thereby reversed as the symbolic elements are no longer employed in the name of the common good, but instead are used to protect and enact the individual interests of coal concession owners.

Quasi-institutionalized practices of corruption, reportedly ever-present from the allocation of mining concessions and the 'oversight' of mining activities to the (non-) recultivation of mining sites, are also closely related to state capital. Sometimes, they even influence lawmaking processes. State officials involved in these practices make use of the access they gain through their positions and thereby exploit the symbolic capital of the state, thus enabling themselves to contribute to a legitimization of these procedures. The subsequent mapping of illegally provided or predated concessions serves as a final symbolic enactment. Rule of law is thereby being reproduced symbolically, but it lacks substance.

---

13 This aspect was similarly stressed by Bakker (2015), who observed that paramilitary groups affiliated with the New Order regime continue to play an important role and are closely intertwined with local political forces. According to Bakker, when exercising their power they significantly draw on their formal registration as civil society organizations and the threat of violence, thereby placing themselves between the spheres of the state and society.

The transfer of competences from the national to the local level under the decentralization reforms has not only fostered the self-enrichment of local elites, but has also opened up new opportunities for citizen participation. As the state has become more present, personal, and accessible on the local level, it is not only easier for coal mining companies to access local politicians and state administrators, but also for local communities to engage with their representatives. This constellation enabled a community located on a so-called 'outer island' such as the anti-mining group in Makroman, to directly engage with the responsible institutions and people – the local people's representative council (*Dewan Perwakilan Rakyat Daerah*) and the mayor of Samarinda. While the results of these negotiations remain unclear, the locals were at least able to make their voices heard. Their worries and wishes regarding the mining activities in their area directly shaped a policy paper by local parliamentarians and state officials, which was delivered to the parliamentary committee responsible for drafting the new Perda. Yet, although many promises of greater accessibility to state institutions through regional autonomy have not been followed up by institutionalized procedures, the practices of the anti-mining group appear to be at least a partial realization of the promises of regional autonomy. In this respect, non-state actors have implicitly enacted participation procedures in accordance with the image of the Indonesian state as a state that takes into consideration local needs. Therefore, notions of regional autonomy can be referred to as a form of symbolic capital, as the promises connected to it – such as bringing the state closer to the people and enhancing its responsiveness to them – have been the basis for their enactment by the protesting community in Samarinda. This indicates that locals suffering from the impacts of coal mining in their area are not entirely paralyzed and disenfranchised, but have the opportunity to make use of the state's symbolic capital, at least in some respects.

However, despite the anti-mining group's successful engagement with state representatives, many people in Makroman feel detached from politics and view themselves as 'small citizens' without access to state representatives, and whose needs are generally disregarded in political decisions. They feel marginalized to a high degree and believe that basic citizens' rights do not apply to them in the same way they do to others. This perception obviously challenges the idea of citizenship as a set of responsibilities and rights equally ascribed to the people living in a state's territory. Furthermore, it is remarkable that when talking about their living conditions and their access to basic services such as health service provision and education, many interlocutors from Samarinda do not regard the Indonesian state as having primary responsibility for fulfilling their demands in this respect. They rather emphasize their own responsibility for safeguarding their families' living conditions. This aspect does not relate to any particular image of the state, but reflects the partial absence of the state's responsibilities in the perception of some of the locals in Samarinda.

These examples not only indicate the manifold manifestations of stateness that are deployed on an everyday basis at the local level, but also the blurring of a clear distinction between so-called state and non-state actors. This is exactly one of the core characteristics of stateness, which reflects the profound embeddedness of states within their societies and thereby points at one of the main challenges for understanding stateness in Indonesia today. In accordance with the state-in-society and

similar approaches, these examples reflect the “uncertain” (Mitchell, 1991) or “blurred” (Gupta, 1995) boundaries which ultimately call into question the binary construction of states vis-à-vis societies in western mainstream political philosophy. The close entanglements of state and non-state actors, such as the mining companies and civil servants, reveal how grounded the Indonesian state is within its society, which is fundamental to the understanding of current political processes in the field of coal mining in Indonesia. Furthermore, the different practices described are by no means balanced in the sense that they equally contribute to the appearance of the Indonesian state at the local level. Rather, they are embedded in and therefore dependent on societal power relations, which means that their potential to shape stateness at the local level highly depends on the actors’ positioning in society and their ability to make use of certain resources (or capital in Bourdieu’s sense), such as their financial resources and political networks. For example, while the coal mining companies rely on their close ties to the bureaucracy and the security sector, the activists’ success is highly dependent on support from local NGOs and other civil society actors. However, all of these practices, no matter how influential they may be in the long run, add to the shaping of stateness.

## CONCLUSION

The conflict over coal mining activities in Makroman, Samarinda, is essentially a conflict over access to and control of natural resources. However, mining conflicts are not limited to the negotiation of access to and distribution of resources, and the connected implications for living conditions. In equal measure, fundamental aspects of stateness are constantly negotiated and renegotiated amongst various actors involved in these conflicts. The case study reveals that perspectives on the state as a unitary and static entity with specific sets of characteristics cannot hold true. Rather, stateness has to be redefined as a concept shaped by constant negotiations, which can be accessed through actors’ practices as well as through the images of the state to which they refer and which they reproduce or challenge. Thereby, conflicts over natural resources may exert considerable influence on one of the basic political entities today: the state.

However, the fact that many local practices appear to undermine state images and the resulting patchiness of local stateness due to the sometimes contradictory practices of different actors does not mean that the concept of the state loses significance. Rather, the article has shown that state and non-state actors (e.g., mining companies and civil society groups) alike make active use of state images such as the monopoly of physical force, the rule of law, and Indonesia-specific images connected to decentralization promises. They likewise utilize the symbolic capital of the state, which often adds to the blurring of a clear distinction between them.

The micro-level policy analysis has shown how the concept of stateness can add to the understanding of conflicts over nature. The symbolic dimension of stateness in relation to actors’ practices within the policy field appears highly significant and contributes to the theoretical understanding of the term in political ecology on a general level. Finally, I argue for greater commitment to the practice-oriented analysis of stateness in political ecology research and beyond as the state is

“not the reality which stands behind the mask of political practice. It is itself the mask which prevents our seeing political practice as it is. It is, one could almost say, the mind of a mindless world, the purpose of purposeless conditions, the opium of the citizen” (Abrams, 1977/1988, p. 82).



## REFERENCES

- Abrams, P. (1977/1988). Notes on the difficulty of studying the state. *Journal of Historical Sociology*, 1(1), 58-89.
- Anderson, B. R. (1983/2006). *Imagined communities: Reflections on the origin and spread of nationalism* (revised ed.). London: Verso.
- Andrulleit, H., Babies, H. G., Meßner, J., Rehder, S., Schauer, M., & Schmidt, S. (2011). *Kurzstudie: Reserven, Ressourcen und Verfügbarkeit von Energierohstoffen 2011*. Hannover; Deutsche Rohstoffagentur (DERA) of the Bundesanstalt für Geowissenschaften und Rohstoffe (BGR). Retrieved from [http://www.bgr.bund.de/DE/Themen/Energie/Downloads/Energiestudie-Kurz-2011.pdf?\\_\\_blob=publicationFile&v=3](http://www.bgr.bund.de/DE/Themen/Energie/Downloads/Energiestudie-Kurz-2011.pdf?__blob=publicationFile&v=3)
- Bakker, L. (2015). Illegality for the general good? Vigilantism and social responsibility in contemporary Indonesia. *Critique of Anthropology* 35(1), 78-93.
- Benz, A. (2001). *Der moderne Staat. Grundlagen der politologischen Analyse*. München: Oldenbourg.
- Berenschot, W. (2015). Haze of democracy. *Inside Indonesia*, 122. Retrieved from <http://www.insideindonesia.org/haze-of-democracy>
- Bourdieu, P. (1994). Rethinking the state. Genesis and structure of the bureaucratic field. *Sociological Theory*, 12(1), 1-18.
- Bryant, R. L., & Bailey, S. (1997). *Third world political ecology*. London: Routledge.
- Cahyafitri, R. (2014, October 6). New law scraps local govts' power in mining. *Jakarta Post*. Retrieved from <http://www.thejakartapost.com/news/2014/10/06/new-law-scraps-local-govts-power-mining.html>
- Coordinating Ministry for Economic Affairs. (2011). *Masterplan or acceleration and expansion of Indonesia Economic Development*. Jakarta: Coordinating Ministry for Economic Affairs. Retrieved from [http://www.kemlu.go.id/rome/Documents/MP3EI\\_PDF.pdf](http://www.kemlu.go.id/rome/Documents/MP3EI_PDF.pdf)
- Down to Earth. (2010). *Indonesia's coal: Local impacts – global links*. Retrieved from <http://www.downtoearth-indonesia.org/old-site/85-86.pdf>
- Ehrhardt, R., Kelter, D., & Lenz, R. (1999). *Rohstoffwirtschaftliche Länderstudien XX. Indonesien Kohle*. Hannover: Bundesanstalt für Geowissenschaften und Rohstoffe.
- Energy Information Administration. (2014). *Indonesia. International Energy and Data Analysis*. Retrieved from [http://www.eia.gov/beta/international/analysis\\_includes/countries\\_long/Indonesia/indonesia.pdf](http://www.eia.gov/beta/international/analysis_includes/countries_long/Indonesia/indonesia.pdf)
- Faizal, E. B. (2011, June 4). 'Disgraceful' enforcement of clean-up laws. *Jakarta Post*. Retrieved from <http://www.thejakartapost.com/news/2011/06/04/%E2%80%98disgraceful%E2%80%99-enforcement-clean-laws.html>
- Feith, H., & Castles, L. (Eds.) (1970). *Indonesian political thinking 1945-1965*. Ithaca: Cornell University Press.
- Fünfgeld, A., Lücking, M., & Platte, F. (2012). How can standards contribute to social welfare through the improvement of public service delivery? An interdisciplinary assessment of the potentials of standard based public service delivery in Indonesia. *Occasional Paper No. 11, Southeast Asian Studies at Freiburg*. Retrieved from [http://www.southeastasianstudies.uni-freiburg.de/Content/files/occasional-paper-series/op11\\_funfgeldlueckingplatte\\_standard-based-public-service-delivery.pdf](http://www.southeastasianstudies.uni-freiburg.de/Content/files/occasional-paper-series/op11_funfgeldlueckingplatte_standard-based-public-service-delivery.pdf)
- Gainsborough, M. (2010). *Vietnam. Rethinking the state*. London: Zed Books.
- Gupta, A. (1995). Blurred boundaries: The discourse of corruption, the culture of politics, and the imagined state. *American Ethnologist*, 22(2), 375-402.



- Hamidi, J. (2015). Management of mining in Indonesia: Decentralization and corruption eradication. *Journal of Law, Policy and Globalization*, 44, 80-101.
- Jellinek, G. (1900/1966). *Allgemeine Staatslehre* (3rd ed.). Bad Homburg: Gehlen.
- Klinken, G. v., & Barker, J. (Eds.). (2009). *State of authority. State in society in Indonesia*. Ithaca: Southeast Asia Program Publications, Cornell University.
- Lucarelli, B. (2010). The history and the future of Indonesia's coal industry. *Working Paper*, 93. Stanford: Program on Energy and Sustainable Development.
- Migdal, J. S. (2001). *State in society. Studying how states and societies transform and constitute one another*. Cambridge: Cambridge University Press.
- Migdal, J. S., & Schlichte, K. (2005). Rethinking the state. In *The dynamics of states* (pp. 1-40). Burlington: Ashgate.
- Mitchell, T. (1991). The limits of the state: Beyond statist approaches and their critics. *American Political Science Review*, 85(1), 77-96.
- Pierson, C. (1996). *The modern state*. London: Routledge.
- Robbins, P. (2012). *Political ecology. A critical introduction* (2nd ed.). Chichester: J. Wiley & Sons.
- Satriastanti, F. E. (2011, June 1). Miners failing at cleanup efforts: Study. *Jakarta Globe*. Retrieved from <http://www.thejakartaglobe.com/nvironment/miners-failing-at-cleanup-efforts-study/444383>
- Scott, J. C. (1998). *Seeing like a state. How certain schemes to improve the human condition have failed*. New Haven: Yale University Press.
- Susmiyati, H. R., & Kotijah, S. (2007). *Implikasi Otonomi Daerah terhadap pemberian kuasa prtambangan batubara di kabupaten Kutai Kartanegara provinsi Kalimantan Timur*. Laporan Penelitian. Fakultas Hukum, Universitas Mulawarman, Samarinda, Indonesia.
- Weber, M. (1919/1992). *Politik als Beruf*. Stuttgart: Reclam.
- Weber, M. (1921-2/2010). *Wirtschaft und Gesellschaft. Grundriss der verstehenden Soziologie*. Frankfurt a. M.: Zweitausendeins.
- Wedig, M., & Battenschlag, W.-D. (2008). Steinkohle in Indonesien. Politische, wirtschaftliche und technologische Einflussgrößen. *Glückauf*, 144(3), 97-102.
- Wolters, O. W. (1999). *History, culture, and region in Southeast Asian perspectives* (revised ed.). Ithaca: Southeast Asian Program Publication, Cornell University.

## ABOUT THE AUTHOR

Anna Fünfgeld is a PhD student at the Department of International Politics, University of Freiburg, Germany. Her research interests include resource governance in Southeast Asia and South America, political ecology, state theory, and neo-Gramscian approaches.

► Contact: [anna.fuenfgeld@politik.uni-freiburg.de](mailto:anna.fuenfgeld@politik.uni-freiburg.de)



# Contested Frontiers: Indigenous Mobilization and Control over Land and Natural Resources in Myanmar's Upland Areas

Rainer Einzenberger

► Einzenberger, R. (2016). Contested frontiers: Indigenous mobilization and control over land and natural resources in Myanmar's upland areas. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 163-172.

Over the past two decades, Myanmar's upland areas have gradually turned into formally administered, legible, and governable state-territory. Following decades of armed conflict, a series of ceasefire agreements since the 1990s opened the door for the central state's expansion of territorial control in the upland areas through the exploitation of natural resources and land concessions. New civil society coalitions are being formed inside Myanmar to resist the state's strategy of accumulation by dispossession in conjunction with enclosures and the formation of state territory. This paper provides a brief outline of an ongoing research project which takes a socio-spatial perspective on state building processes and links the concept of the resource frontier with emerging discourses on indigenous rights in Myanmar.

**Keywords:** Frontier; Indigenous Movements; Land; Myanmar; State Building



## INTRODUCTION

This contribution provides an outline of an ongoing research project in its early stage. Against the backdrop of current political and economic transformation processes in Myanmar, the research takes a socio-spatial perspective on state building in the periphery or frontier areas, that is, the vast upland areas along its borders. The project aims to investigate the practices (technologies), strategies, and discourses of different actors to produce frontiers in ceasefire areas of Myanmar's uplands through the integration into state territory and the national (capitalist) economy. Furthermore, I seek to understand how actors on different scales respond to the extension and production of state space in the frontier areas and the corresponding processes of enclosures of land and natural resources. The first part of this article provides some (historical) background on the formation of Myanmar's resource frontiers. After a brief outline of the theoretical framework, some preliminary insights are discussed.

### STATE BUILDING AND THE RESOURCE FRONTIER IN MYANMAR

Myanmar's upland areas – inhabited by over 40% of the country's population and covering about 50 to 60% of its territory – are among the most ethnically diverse and resource-rich regions in Southeast Asia (Buchanan, Kramer, & Woods, 2013;

Food Security Working Group, 2011). With many armed ethnic groups still fighting the central government, these frontier areas became notorious for the world's longest running civil wars (South, 2008, 2011). In October 2015, a national ceasefire agreement was signed just before the general elections. Yet, it was neither a national agreement (since only a few armed groups signed it), nor did it end all hostilities (Ye Mon & Lung Min Mang, 2015).

According to Scott (2009), the upland areas – now officially part of Myanmar state territory – were part of a vast non-state space which he termed *Zomia*.<sup>1</sup> Encompassing the uplands of mainland Southeast Asia and Southwest China, *Zomia* provided a sanctuary for diverse groups of people who wanted to evade state building projects in the valleys. However, since the second half of the 20th century *Zomia* has experienced major transformations, described as the “last enclosure” (Scott, 2009, p. 10): “The sovereign nation-state is now busy projecting its power to its outermost territorial borders and mopping up zones of weak or no sovereignty” (Scott, 2009, p. xii). Under British colonial rule, Burma's uplands (then also called “frontier areas” or “excluded areas”) were politically divided from the lowlands (“Burma proper”) and put under different systems of administration (Seekins, 2006; Taylor, 2009; Thant Myint-U, 2001). After independence from the British Empire in 1948, large parts of these upland areas remained under the control of traditional rulers and headmen (Smith, 1991). A failed attempt to integrate the frontier areas into the Union of Burma during a brief democratic period resulted in the outbreak of several revolts by ethnic armed groups and communist insurgents. In 1962, General Ne Win staged a military coup and declared the country a Socialist State run by a military government and later the *Burma Socialist Program Party* (BSPP) (Seekins, 2006). What followed was a violent period of war-induced state building (Callahan, 2003).

The situation in the frontier areas changed profoundly following the nationwide pro-democracy uprising in 1988 and the collapse of the *Communist Party of Burma* and its armed resistance in 1989 (Seekins, 2006). After the violent oppression of the uprising, the new regime changed its name (*State Law and Order Restoration Council*, SLORC) and its strategies from the early 1990s onwards. Deals with major armed ethnic groups were brokered, offering legal concessions for the extraction of natural resources and other lucrative business in the frontier zones in return for ceasefire agreements (Jones, 2014; Schaffar, 2008; Woods, 2011). The ceasefires “weakened and co-opted much of the opposition” (Jones, 2014, p. 780) and allowed the military regime to re-focus on its major political reform in the center and layout a roadmap for a ‘disciplined democracy’ to safeguard its interests (Jones, 2014). This finally led to the adoption of the 2008 Constitution (introducing a nascent federal system) and the implementation of the 2010 general elections (and subsequent 2015 elections) which set the stage for a semi-democratic government under strong military control (Kyaw Yin Hlaing, 2012).

Alongside its ceasefire strategy, the junta abandoned its ‘Burmese Way to Socialism’ in favor of a ‘Burmese Way to Capitalism’ and adopted a market-oriented open-door policy to enlarge its economic base and maintain its power (Mya Maung, 1995).

1 The term *Zomia* was originally coined by Willem Van Schendel (2002) and refers to Zomi which is translated as highlander. The term is also used as an endonym by some groups in the Western uplands of Myanmar, however, the exact translation is contested (Vumson, 1986).

The valuable resources in Myanmar's frontier regions (e.g., timber, jade, rubies, minerals, water resources) as well as its 'maritime frontier' – rich in natural gas fields – played an important role in securing foreign exchange. According to official data, recent Foreign Direct Investment (FDI) in Myanmar has been concentrated in the oil/gas and hydropower sectors followed by the mining sector (Allan & Einzenberger, 2013). The military government began to export natural gas to Thailand in the late 1990s with the construction of the *Yadana* and *Yetagun* pipelines.

Another pipeline from Myanmar to China was completed in 2013, increasing the export revenues from oil and gas sales (Shwe Gas Movement, 2013). Recent reports suggest that the oil and gas sector payments contributed around 40% of the estimated government fiscal revenues in 2013/2014 (Bauer, Shortell, & Delesgues, 2016). However, unofficial reports place the value of mineral exports even higher than those of oil and gas. Officially reported at USD 1.5 billion (Moore Stephens LLP, 2015), an independent Global Witness report values the jade production in Myanmar up to USD 31 billion in 2014 alone (Global Witness, 2015, p. 5). This would amount to almost half of Myanmar's GDP in 2014 (World Bank, 2016). Jade is almost exclusively exported to China, most of it informally (Global Witness, 2015). Other major minerals produced and exported are copper, lead, silver, zinc tin, tin-wolfram, and coal (Moore Stephens LLP, 2015). Furthermore, the export of timber from the frontier areas still provides an important source of revenue which amounted up to an estimated USD 1.5 billion in 2013 (Woods, 2015, p. iii). According to Mya Maung (1995), the willingness of the neighboring countries to invest in Myanmar and exploit its rich resources was "the single most important factor that has helped the junta to rule against the will of the Burmese people" (pp. 678-679). The frontier regions provided these rich resources.

The political transition after the 2010 general elections and the inclusion of the main opposition party – the *National League for Democracy* (NLD) – in the political process paved the way for the further opening of Myanmar's economy following the lifting of international economic sanctions (Jones, 2013). Termed the "last frontier" by international business pundits (Kent, 2012), Myanmar has become a new investment opportunity for transnational capital. The "highly rapacious and coercive" (Jones, 2013, p. 167) mode of capitalist development continues to focus largely on resource extraction in the ethnic frontier areas with significant environmental and social impacts (Buchanan et al., 2013). Investor-friendly legislation adopted by the semi-civilian government since 2012 such as the FDI law and new land laws (Buchanan et al., 2013; Ferguson, 2014; Transnational Institute, 2014) facilitate a new regime of accumulation which is mainly based on enclosures and dispossession (De Angelis, 2001; Glassman, 2006; Sevilla-Buitrago, 2015). According to some critical voices, "indigenous people's practices of customary laws and use of local common natural assets are mostly disregarded. Indigenous peoples are increasingly driven off their common land and further marginalized" (Myo Ko Ko, 2014). Customary ways of land use and agriculture such as shifting cultivation and the use of natural commons (e.g., community forests, water resources, communal land) are mostly ignored in government policies. Current state policies prioritize formal land titles and private property in accordance with the policies of modern capitalist economies (Buchanan et al., 2013; Cairns, 2015; Transnational Institute, 2014).

## FRONTIER, STATE BUILDING, AND INDIGENEITY

The research project employs the concept of frontier as an analytical framework to capture the process of (capitalist) state expansion through territorial control and resultant contestations in the periphery. Originating from historical studies (Turner, 1921), the concept has been adjusted and applied in social sciences in recent years to explain conditions at the “fuzzy edges” (Geiger, 2009, p. 195) of states (Barbier, 2010; Fold & Hirsch, 2009; Kelly & Peluso, 2015). Peluso and Lund (2012) understand frontiers as spaces “where authorities, sovereignties, and hegemonies of the recent past have been or are currently being challenged by new enclosures, territorializations and property regimes” (p. 669). Geiger (2009) calls this process the “politics of nationalizing space” (p. 195). Yet, the frontier concept cannot sufficiently explain the underlying mechanisms of state building or the ‘nationalization of space’.

A pioneering work interrogating the relationship between states, (socially produced) space, and territory was laid out by Lefebvre (1991). According to him, space is socially produced, that is, space has a material as well as a social and discursive dimension that is linked to specific societies and modes of production. The capitalist nation state produces a very particular space that is different from non-capitalist spaces or non-state spaces. It is an abstract space that is homogenous and devoid of any difference. Abstract space enables the process of capital accumulation and privileges the exchange value over the use value. It is instituted by the state and is a political instrument towards territorial control (Lefebvre, 2009, p. 187). For Lefebvre, the production of social space is an inherently political and contested act.

Whereas the state and capital attempt to ‘pulverize’ space into a manageable, calculable and abstract grid, diverse social forces simultaneously attempt to create, defend or extend spaces of social reproduction, everyday life and grass-roots control (*autogestion*). (Brenner & Elden, 2009, p. 367)

Following the work of Lefebvre, Poulantzas (1978/2000) has examined in his state theory the interrelation of global and national capitalist expansion and the production of state frontiers. He considers the frontier as the very space where the state inscribes its “spatio-temporal matrix” in order to extend the reproduction of capital and the separation of labor and capital (p. 116). The nation state monopolizes the organization of state space and seeks to homogenize it and its inhabitants in order to unify the national market and economy (Poulantzas, 1978/2000, p. 107). However, the state is not a homogenous actor or institution but a social relation or a strategic terrain where social classes compete for power and control over resources (Poulantzas, 1978/2000, p. 73). These power relations between certain classes, class fractions, and power blocks are materialized amongst others within the state, its infrastructure, and its apparatus. Thus, by analyzing the conflicting spatial strategies and socio-spatial relations between different actors, it is also possible to unravel ongoing state building processes. The concept of *indigeneity* provides a useful analytical category in order to grasp these conflicting dynamics around state building processes at the



margins of states.<sup>2</sup> While looking onto a long political tradition in the Americas, the concept of indigeneity as a political and legal tool has slowly gained traction in Southeast Asia in recent years (Erni, 2008; Hall, Hirsch, & Li, 2011; Li, 2010). Since important elements of indigeneity are the attachment to ancestral territories as well as the idea of self-determination, the concept serves as a suitable collective resistance identity in the context of contested territories in the frontier areas (Baird, 2011; Castree, 2004; Erni, 2008). Despite its strong linkage to the local scale, the idea of indigeneity has also a strong transnational dimension. It is directly linked to UN institutions such as the *United Nations Permanent Forum on Indigenous Issues* (UNPFII) as well as international legal standards such as the *UN Declaration on the Rights of Indigenous Peoples* (UNDRIP) (MIPENN, 2015).

### PRELIMINARY RESULTS

The upland areas of Myanmar can be conceptualized as resource frontiers at the forefront of an ongoing process of state building. This process goes hand in hand with the formation of capitalist state spaces through the production of abstract space. The internationalization and economic transformation of the Myanmar state in recent years and its accumulation strategy based mainly on the enclosure of land and the extraction of resources are the main drivers for the creation of these frontiers. Initial explorative research has shown the growing importance of indigeneity as a new political discourse and platform for certain civil society actors in the current political and economic context of Myanmar.<sup>3</sup> This can be seen as a direct response to the enclosures of land in the frontier areas on the one hand and to the gradual opening of political space on various scales on the other hand. It also constitutes a change from the past, when “ethnic identity was generally not expressed in terms of broader international standards on indigenous peoples’ rights” (MCRB, IHRB, & DIHR, 2014, p. 132). Even though little direct reference to indigenous peoples is made in domestic legislation and the term is not yet widely used, ethnic civil society advocates increasingly identify themselves as ‘indigenous’. They do not identify as (national or ethnic) minorities but as indigenous peoples in order to reinforce their legitimate claim to the lands and their right for self-determination. This political struggle has been a key and continuous demand since the beginning of the state building project. Several indigenous organizations and coalitions have been formed in recent years such as the

---

2 There is no universal agreement on the definition of indigenous peoples. Jose R. Martinez Cobo, the former Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, outlined some elements relevant for identifying indigenous peoples: occupation of ancestral lands; common ancestry with the original occupants of these lands; culture; language; residence on certain parts of the country, or in certain regions of the world. On an individual basis, an indigenous person is one that belongs to these indigenous populations through self-identification as indigenous (group consciousness) and is recognized and accepted by these populations as one of its members (acceptance by the group) (Myanmar Indigenous Peoples/Ethnic Nationalities Network [MIPENN], 2015, p. 1)

3 While the term indigenous peoples (*tha-nay tain-yin-tha* in Burmese language) “is not widely understood or generally used in Myanmar . . . indigenous rights activists use the Burmese term *hta-nay tain-yin-tha* for indigenous peoples, and base themselves on the international concept of indigenous, using the criteria of non-dominance in the national context, historical continuity, ancestral territories, and self-identification” (Myanmar Centre for Responsible Business [MCRB], Institute for Human Rights and Business [IHRB], & The Danish Institute for Human Rights [DIHR], 2016, p. 13)

*Myanmar Indigenous Peoples/Ethnic Nationalities Network* (MIPENN, 2015), the *Coalition of Indigenous Peoples in Myanmar/Burma*, and others.

They comprise of a number of ethnic civil society organizations as well as cultural and environmental non-governmental organizations who see an advantage in organizing under the umbrella of indigeneity. The latter submitted a report to the 23rd session of the *Universal Periodic Review Working Group* at the UN in Geneva in November 2015, highlighting the major concerns for indigenous peoples in Myanmar. The most pressing concerns were related to access to land, territory, and resources as well as cultural rights (Coalition of Indigenous Peoples in Myanmar/Burma, 2015; Yen Snaing, 2015). While highlighting specific cases of land confiscation and extractive industry projects in frontier areas, the report asks for “domestic legislation to ensure that it incorporates the collective rights of indigenous peoples to their land, territories, and natural resources, including customary land use practices” (Coalition of Indigenous Peoples in Myanmar/Burma, 2015, p. 14). Ongoing advocacy and lobbying with the government has already achieved some initial results. The *2015 Protection of the Rights of National Races Law*<sup>4</sup> states that “prior to implementing development projects and . . . extracting of natural resources, local indigenous inhabitants are to be informed and be explained in detail about these plans and projects to achieve mutual cooperation” (Article 5, cited in MIPENN, 2015, p. 35). This relates to the concept of *Free Prior and Informed Consent* (FPIC) which is an important element of the UNDRIP. In several rounds of negotiations concerning the hotly debated *National Land Use Policy*, indigenous rights advocates also managed to integrate the recognition of “customary lands” and “customary land use tenure systems” into the latest draft (MIPENN, 2015, p. 41). Several civil society organizations are active in raising awareness on UNDRIP, FPIC, and the National Land Use Policy draft, and conduct participatory community mapping in order to maintain grassroots control over community territory, land, and resources. This clearly illustrates the agency of indigenous movements in Myanmar. It also resembles similar developments in other countries in the region, such as Cambodia and Indonesia (Baird, 2011; Hall et al., 2011). In order to gain further insights into struggles for control over land and natural resources more empirical research is needed, also focusing on selected cases studies on a local and regional scale.



## REFERENCES

- Allan, D., & Einzenberger, R. (2013). Myanmar's natural resources: Blessing or curse? *Perspectives Asia*, 1, 42-46.
- Baird, I. G. (2011). The construction of “indigenous peoples” in Cambodia. In L. Yey (Ed.), *Alterities in Asia: Reflections of identity and regionalism* (pp. 155-176). London: Routledge.
- Barbier, E. B. (2010). *Scarcity and frontiers: How economies have developed through natural resource exploitation*. New York: Cambridge University Press.

---

<sup>4</sup> The law is unofficially translated as “The Law Safeguarding the Rights of Indigenous People” (MIPENN, 2015, p. 33).

- Bauer, A., Shortell, P., & Delesgues, L. (2016). *Sharing the wealth: A roadmap for distributing Myanmar's natural resource revenues*. Natural Resource Governance Institute. Retrieved from [http://www.resourcegovernance.org/sites/default/files/documents/nrgi\\_sharing\\_myanmar\\_revenue-sharing.pdf](http://www.resourcegovernance.org/sites/default/files/documents/nrgi_sharing_myanmar_revenue-sharing.pdf)
- Brenner, N., & Elden, S. (2009). Henri Lefebvre on state, space, territory. *International Political Sociology*, 3(4), 353-377.
- Buchanan, J., Kramer, T., & Woods, K. (2013). *Developing disparity: Regional investment in Burma's borderlands*. Amsterdam: Transnational Institute.
- Cairns, M. F. (2015). *Shifting cultivation and environmental change: Indigenous people, agriculture and forest conservation*. London: Routledge.
- Callahan, M. P. (2003). *Making enemies: War and state building in Burma*. Ithaca: Cornell University Press.
- Castree, N. (2004). Differential geographies: Place, indigenous rights and "local" resources. *Political Geography*, 23(2), 133-167.
- Coalition of Indigenous Peoples in Myanmar/Burma. (2015). Joint submission to the UN Universal Periodic Review, March 2015; 23<sup>rd</sup> Session of the UPR Working Group of the Human Rights Council, November 2015.
- De Angelis, M. (2001). Marx and primitive accumulation: The continuous character of capital's "enclosures". *The Commoner*, 2. Retrieved from <http://www.commoner.org.uk/02deangelis.pdf>
- Erni, C. (2008). *The concept of indigenous peoples in Asia: A resource book*. Copenhagen & Chiang Mai: International Work Group for Indigenous Affairs (IWGIA) & Asia Indigenous Peoples Pact Foundation (AIPP).
- Ferguson, J. M. (2014). The scramble for the Waste Lands: Tracking colonial legacies, counterinsurgency and international investment through the lens of land laws in Burma/Myanmar. *Singapore Journal of Tropical Geography*, 35(3), 295-311.
- Fold, N., & Hirsch, P. (2009). Re-thinking frontiers in Southeast Asia. *Geographical Journal*, 175(2), 95-97.
- Food Security Working Group. (2011). *Upland land tenure security in Myanmar: An overview*. Retrieved from [http://www.burmalibrary.org/docs16/FSWG-Upland\\_Land\\_Tenure\\_Security-2011-02-ocr-en-red.pdf](http://www.burmalibrary.org/docs16/FSWG-Upland_Land_Tenure_Security-2011-02-ocr-en-red.pdf)
- Geiger, D. (2009). *Turner in the tropics. The frontier concept revisited*. PhD thesis, Faculty of Humanities and Social Sciences, University Lucerne.
- Glassman, J. (2006). Primitive accumulation, accumulation by dispossession, accumulation by "extra-economic" means. *Progress in Human Geography*, 30(5), 608-625.
- Global Witness. (2015). *Jade: Myanmar's "Big State Secret"*. London: Global Witness.
- Hall, D., Hirsch, P., & Li, T. M. (2011). *Powers of exclusion: Land dilemmas in Southeast Asia*. Honolulu: University of Hawaii Press.
- Jones, L. (2013). The political economy of Myanmar's transition. *Journal of Contemporary Asia*, 44(1), 144-170.
- Jones, L. (2014). Explaining Myanmar's regime transition: The periphery is central. *Democratization*, 21(5), 780-802.
- Kelly, A. B., & Peluso, N. L. (2015). Frontiers of commodification: State lands and their formalization. *Society & Natural Resources*, 28(5), 473-495.
- Kent, J. (2012, November 9). Myanmar, The last frontier? *Forbes*. Retrieved from <http://www.forbes.com/sites/connorconnect/2012/11/09/myanmar-the-last-frontier/>
- Kyaw Yin Hlaing. (2012). Understanding recent political changes in Myanmar. *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, 34(2), 197-216.
- Lefebvre, H. (1991). *The production of space*. Oxford: Wiley-Blackwell.
- Lefebvre, H. (2009). *State, space, world: Selected essays* (edited by S. Elden & N. Brenner). Minneapolis: University of Minnesota Press.
- Li, T. M. (2010). Indigeneity, capitalism, and the management of dispossession. *Current Anthropology*, 51(3), 385-414.
- Mya Maung. (1995). Facts versus fiction: Socio-political and economic development of Burma under military management since 1988. *The Pacific Review*, 8(4), 649-682.

- Myanmar Centre for Responsible Business, Institute for Human Rights and Business, & The Danish Institute for Human Rights. (2014). *Myanmar oil & gas sector wide impact assessment report*. Retrieved from <http://www.myanmar-responsiblebusiness.org/pdf/SW1A/Oil-Gas/00-Myanmar-Oil-and-Gas-Sector-Wide-Assessment.pdf>
- Myanmar Centre for Responsible Business, Institute for Human Rights and Business, & The Danish Institute for Human Rights. (2016). *Briefing paper: Indigenous peoples' rights and business in Myanmar*. Retrieved from [http://myanmar-responsiblebusiness.org/pdf/Indigenous-Peoples-and-Business\\_draft\\_en.pdf](http://myanmar-responsiblebusiness.org/pdf/Indigenous-Peoples-and-Business_draft_en.pdf)
- Moore Stephens LLP. (2015). *Myanmar extractive industries transparency initiative (MEITI), EITI report for the period April 2013-March 2014: Oil, gas and mining sector*. Retrieved from <http://myanmareiti.org/download/file/fid/276>
- Myanmar Indigenous Peoples/Ethnic Nationalities Network. (2015). *Indigenous Peoples/Ethnic Nationalities Rights*. MIPENN.
- Myo Ko Ko. (2014, July 21). Current situation of indigenous peoples and natural resources in Myanmar [blog entry]. Retrieved from <http://beahrself.berkeley.edu/blog/current-situation-of-indigenous-peoples-and-natural-resources-in-myanmar/>
- Peluso, N. L., & Lund, C. (Eds.). (2012). *New frontiers of land control*. London: Routledge.
- Poulantzas, N. (1978/2000). *State, power, socialism*. London: Verso.
- Schaffar, W. (2008). Birma: gescheiterter Staat oder (neue) Form peripherer Staatlichkeit? *Austrian Journal of Development Studies*, 24(2), 33-62.
- Scott, J. C. (2009). *The art of not being governed: An anarchist history of upland Southeast Asia*. New Haven: Yale University Press.
- Seekins, D. M. (2006). *Historical dictionary of Burma*. Lanham: Scarecrow Press.
- Sevilla-Buitrago, A. (2015). Capitalist formations of enclosure: Space and the extinction of the commons. *Antipode*, 47(4), 999-1020.
- Shwe Gas Movement. (2013). *Good governance and the extractive industry in Burma: Complications of Burma's regulatory framework*. Retrieved from <http://www.burmalibrary.org/docs15/SGM-Governance-2013-06-en-red.pdf>
- Smith, M. (1991). *Burma: Insurgency and the politics of ethnicity*. London: Zed Books.
- South, A. (2008). *Ethnic politics in Burma: States of conflict*. London: Routledge.
- South, A. (2011). *Burma's longest war: Anatomy of the Karen conflict*. Amsterdam: Transnational Institute.
- Taylor, R. H. (2009). *The state in Myanmar*. Honolulu: University of Hawaii Press.
- Thant Myint-U. (2001). *The making of modern Burma*. New York: Cambridge University Press.
- Transnational Institute. (2014). *Pro-business or pro-poor? Making sense of recently unveiled draft national land use policy*. Retrieved from <http://www.tni.org/briefing/pro-business-or-pro-poor?context=69566>
- Turner, F. J. (1921). *The frontier in American history*. New York: Holt.
- Van Schendel, W. (2002). Geographies of knowing, geographies of ignorance: Jumping scale in Southeast Asia. *Environment and Planning D: Society and Space*, 20(6), 647-668.
- Vumson. (1986). *Zo history: With an introduction to Zo culture, economy, religion and their status as an ethnic minority in India, Burma, and Bangladesh*. Aizawl: Vumson.
- Woods, K. (2011). Ceasefire capitalism: Military-private partnerships, resource concessions and military-state building in the Burma-China borderlands. *Journal of Peasant Studies*, 38(4), 747-770.
- Woods, K. (2015). *Commercial agriculture expansion in Myanmar: Links to deforestation, conversion timber, and land conflicts*. Retrieved from [http://forest-trends.org/releases/uploads/Conversion\\_Timber\\_in\\_Myanmar.pdf](http://forest-trends.org/releases/uploads/Conversion_Timber_in_Myanmar.pdf)
- World Bank. (2016). *Country data Myanmar*. Retrieved from <http://data.worldbank.org/country/myanmar>
- Ye Mon, & Lung Min Mang. (2015, October 16). Ceasefire pact is "historic gift": President. *Myanmar Times*. Retrieved from <http://www.mmtimes.com/index.php/national-news/17051-ceasefire-pact-is-historic-gift-president.html>

Yen Snaing. (2015, July 21). Indigenous rights coalition in Burma plans UPR submission. *The Irrawaddy*. Retrieved from <http://www.irrawaddy.org/burma/indigenous-rights-coalition-in-burma-plans-upr-submission.html>

### **ABOUT THE AUTHOR**

Rainer Einzenberger is a PhD candidate at the Department of Development Studies, University of Vienna. His research interests include political science (with a regional focus on Southeast Asia), land and resource politics, critical geography, and indigenous movements.

► Contact: [rainer.einzenberger@univie.ac.at](mailto:rainer.einzenberger@univie.ac.at)

### **ACKNOWLEDGEMENTS**

The author would like to thank ASEA-UNINET for partial financial support for the initial field research.





# Assembling the ‘Field’: Conducting Research in Indonesia’s Emerging Green Economy

Zachary R. Anderson

► Anderson, Z. R. (2016). Assembling the ‘field’: Conducting research in Indonesia’s emerging green economy. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 173-180.

New forms of environmental governance, such as the green economy, premise reconfigurations of social relations and rearticulations of scale, which raise myriad questions for field researchers, not least of all, what actually constitutes ‘the field’, and where it is to be found. These questions – practical, methodological, political, and personal – are integral to research itself and can tell us much about the dynamic forms that social organization and emerging governance structures take in practice. This contribution discusses the methodological challenges associated with ‘doing fieldwork’ in the amorphous networks of an emerging environmental governance assemblage – the green economy. Drawing on my fieldwork in East Kalimantan, Indonesia, I argue that by interrogating the positionality of different actors in relation to this assemblage, while remaining critically reflexive about one’s own role in this production, field researchers can capture something of the rich embodied practices through which knowledge is produced and exchanged. Moreover, this relational focus on networks of knowledge, actors, and policy can help us to explore the processes of translation and negotiation that underlie the implementation of new forms of environmental governance.

**Keywords:** Assemblage; Fieldwork; Green Economy; Indonesia; Methodology



## INTRODUCTION

I came to the district of Berau, East Kalimantan, Indonesia two years ago, intending to conduct ethnographic research on the experiences of local Dayak communities facing land enclosure from oil palm plantation expansion, while also negotiating new market-based forms of conservation, particularly REDD+<sup>1</sup>. However, after spending a month traveling around the district conducting interviews and trying to understand the forces shaping peoples’ lives, it became clear to me that the questions I really wanted to ask could not be answered by sitting in a village for a year, or *only* by sitting in a village.

The Province of East Kalimantan, and the district of Berau specifically, have been fore-runners of a discursive and material shift towards a ‘green economy’

1 REDD refers to a mechanism developed in international climate talks which is designed to reduce emission of greenhouse gases through enhanced forest management in developing countries, and is being implemented by the UN-REDD Programme and the Forest Carbon Partnership Facility (FCPF). REDD+ is a more recent evolution of the REDD program and includes considerations beyond emissions reduction, including environmental and socioeconomic benefits and enhancement of forest carbon stocks.

paradigm in Indonesia. ‘Green economy’ is meant to decouple continued economic growth from environmental destruction, while reducing emissions and poverty (UNEP, 2012); the much-lauded ‘triple-win’. I became interested in not only *what* this thing being called the ‘green economy’ actually is in practice – the heterogeneous policies, projects, concepts, metrics, forms of nature, values and valuations, and actors being brought together at a particular spatio-temporal conjuncture, but also *how* it is becoming – the processes through which the ‘green economy’ is being translated, negotiated, contested, and territorialized by both state and non-state actors, and the social relations and networks through which these processes are taking place.

### THE FIELD, SCALE, AND ASSEMBLAGE

These new questions required me to rethink what my field site would look like. The selection of a field site generally begins with spatial and discursive practices that bound a specific space as the ‘field’ of enquiry (Katz, 1994, p. 67). However, in order to take the ‘green economy’ on its own terms as an ostensible ‘thing’, it became necessary to develop a methodology that began with the project of the ‘green economy’, rather than a specific ‘site’, and took account of its emergent and diffuse nature. While I argue elsewhere (Anderson, Forthcoming) that the ‘green economy’ is the name for a particular set of social relations that requires active production to be rendered as a separate, apolitical, and rational space, in my fieldwork I have tried to take this ‘thing’ on its own terms – tracing the process and “following the policy” (Peck & Theodore, 2010) as it traveled between cities and villages, through the offices of government agencies, NGOs and donors, from policy and project documents to presentations and into the thoughts and actions of forest patrols and spatial planners. While I have maintained a focus on the specific conjunctural emergence of the ‘green economy’ in the district of Berau, I have attempted to trace the constitutive elements of this ‘green economy’, drawing from the methodological tradition of “multi-sited ethnography”, which “moves out from the single sites and local situations . . . to examine the circulation of cultural meanings, objects, and identities in diffuse time-space” (Marcus, 1995, p. 96). This focus has required a shift not only in how I think about ‘the field’, but also how I understand scale.

Anthropologists and other social scientists have traditionally used spatially nested levels of analysis to address links between macro and micro phenomena (Markowitz, 2001, p. 41), yet in my research I found that a hierarchal understanding of scale obscured the ways that different actors and organizations formed relationships, and presupposed a linearity of influence that did not resonate with my own observations. Instead, I chose to conceptualize Berau’s ‘green economy’ as an assemblage, tying together different actors, objects, ideas, places, metrics and forms of ‘nature’, across space into material and discursive relationships, at a particular moment in time. As Li (2007) notes, the analytic of assemblage emphasizes emergence, and thus is attentive to the appearance of new units of analysis and fresh linkages between them (Markowitz, 2001, p. 42). While the roll-out of the ‘green economy’ will have a unique and contingent form wherever this discourse gains traction, in Indonesia an assemblage analysis is particularly well-suited to describing the complex social relations and patronage networks documented by other scholars (e.g., Aspinall & van Klinken, 2011),

and the ways that these relations and networks complicate the distinctions between state and non-state actors, legality and illegality, and business versus public interests.

My first task was to define the field of my analysis. As mentioned above, I started by following the 'project' of the 'green economy'. However, the 'green economy' as it is emerging in Berau is not one clear project, like REDD+ or community-based forestry, but a collection of disparate policies, projects, and practices bundled together under the names 'green economy' or 'green growth'. The emergence of the 'green economy' in Berau is supported by government-driven efforts to 'mainstream' the 'green economy' to the district and city level in East Kalimantan undertaken by a diverse coalition of actors including the provincial planning agency (BAPPEDA), the provincial climate change board (DDPI), the *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ), the international NGOs *The Nature Conservancy* (TNC) and *World Wide Fund for Nature* (WWF), and the *Global Green Growth Institute* (GGGI), with assistance from a number of local NGOs and academics. This 'mainstreaming' is happening in tandem with the roll-out of a series of new donor-driven programs aimed at realizing the 'green economy' in East Kalimantan, through the support of projects that lower emissions while improving 'development' and/or supporting economic growth, for example through improved planning practices, technological improvements in resource extraction, or supporting rural electrification through the use of 'waste' biomass. These shifts are happening against the backdrop of a range of policies developed over the last decade to address sustainable development, environmental degradation, and climate change concerns, first in forest and peatland areas with the national REDD+ program, and more broadly through cross-sectoral emissions reduction programs at the national and provincial levels, in line with the concept of Nationally Appropriate Mitigation Actions (NAMAs)<sup>2</sup>.

As I have moved forward with my research it has been important to see these policies as forces that are dynamic, "productive, performative and continually contested" (Shore & Wright, 2011, p. 1). What I discuss as the 'green economy' in my research is not an ephemeral vision of social and environmental harmony to be reached at some point in the future, but the models, demonstrations, policies, and projects that constitute the 'green economy' at this moment, as it is discursively and materially being experienced in Berau. This includes both new projects and policies that have used the language of the 'green economy' from the outset, as well as existing projects and policies that have become enrolled into the 'green economy' in the course of their implementation.

## METHODS AND POSITIONALITY

My observations and understanding of Berau's 'green economy' have come from attending to the embodied practices that produce, and are produced by, this phenom-

---

2 Like REDD(+) NAMAs were developed in international climate negotiations, and are designed to reduce greenhouse gas emissions in developing countries and support sustainable development. NAMAs specifically refers to a set of measurable and verifiable mitigation actions developing countries can undertake with financial and technological support from developed countries. These policies and programs are generally more broad than those associated with REDD(+), which are limited to the forest sector, however REDD(+) is often considered to be a NAMA.

enon – situating myself as a researcher “within a nexus of fluid interpersonal and institutional relationships, while simultaneously linking these evolving relationships to variable flows of money and influence” (Markowitz, 2001, p. 41). One of the ways that I have accomplished this has been through my engagement with the practitioner world, both as a part-time research consultant with the *Center for International Forestry Research* (CIFOR) and as a volunteer and friend of TNC’s Berau Field Office – two organizations imbricated in the scientific and political discourses supporting REDD+ and the ‘green economy’.

Both directly and indirectly, I gained access to the networks of Berau’s emerging ‘green economy’, at least partially, as a result of my association with one or both of these ‘known’ actors within Berau’s ‘green economy’, and the sorts of interactions I had were often shaped by the perception that I was an ‘insider’ and already part of the networks underlying Berau’s ‘green economy’. This has required that I remain critically reflexive about my own positionality, and consequently questions of power have shaped my own access to different spaces and actors and my ability to obtain different types of information, as I entered different spaces carrying multiple layers of privilege and authority. Thus, while I have been able to maintain an independent and critical approach in my research I do not claim that it is objective in the sense of “standing above the fray or of suppressing subjectivity” (Mosse, 2004, p. 666). I view my fieldwork not as a matter of observing and describing Berau’s ‘green economy’ as a static phenomenon, but as a process of documenting the moments and practices of assemblage underlying its emergence, while recognizing my own role in this unfolding, and the ‘situatedness’ of knowledge that I am producing (Haraway, 1988).

To attend to these ‘embodied practices’, and my own role in them, I have employed a range of methods, mostly those associated with the ethnographic tradition: participant observation, semi-structured and open-ended interviews, and document analysis. The use of the analytic of assemblage suggests a disposition of engagement and methodological experimentation (Anderson & MacFarlane, 2011; Lorimer, 2010; Swanton, 2010), and thus I have also employed a broader set of methods associated with my shifting understanding of the ‘field’, such as the analysis of newspaper and media reports, meeting presentations, social media, and images, informal socializing, and Skype and email conversations. Utilizing these methods has enhanced my ability to understand the perspectives and social networks of key actors in an indirect way, and allowed me to triangulate the information received in more formal interviews and through direction observation and interaction (Markowitz, 2001).

Rather than privileging dominant national level and international actors, I have considered how the concerns and actions of a broad spectrum of actors are shaping the roll out of the ‘green economy’ within the landscape of Berau, while also attempting to develop relationships with key informants over time, allowing me to cross-check information and discuss significant issues over multiple occasions. The selection of informants began with the identification of primary actors in the main government and non-governmental organizations operating in Berau, and more broadly in East Kalimantan. These organizations included various government agencies related to resources and the environment, the governor’s office, the district regent’s office, the provincial climate change board, the provincial and district spatial planning agencies, the provincial and district REDD+ working groups, local and international NGOs,

various donor organizations, and local universities. Informants were asked to list their most frequent collaborators, the organizations that they actively support, and other important actors working in support of 'green growth' in Berau. These data were used to identify specific hubs of knowledge and power within East Kalimantan's environmental governance networks, as well as the geographic flows of knowledge, expertise, and funding within these networks.

Equally as important to these interviews and the various documents I have collected has been the 18-month period I have spent embedded in and acting as part of the communities, networks, and organizations I discuss in my research. The knowledge and social familiarity I have gained from this intense period of participant observation has been critical to my ability to figure out who to talk to, what meetings to attend, and what places to visit, but also what questions to ask, how to ask them, and how to interpret and situate the answers. As Mosse (2004) details, I have been "part of the world described" (p. 666), and thus my analysis is an attempt to add my own interpretations to those of the actors whose experiences I have shared.

#### EAST KALIMANTAN'S ENVIRONMENTAL GOVERNANCE NETWORK

One initial observation that this methodology has allowed me to uncover is the importance of institutional history in preparing the social and political landscape of East Kalimantan for the advent of the 'green economy', and the continuing impact of social networks that have developed over the last thirty years. While my research has made me skeptical about the environmental and social justice outcomes of the 'green economy' as it is developing in Berau, and East Kalimantan more generally, it is undeniable that both the province of East Kalimantan, and the district of Berau, are unique in their long-term engagement with 'green' initiatives, the openness of the government to environmental conservation, and the capacity and robustness of the local NGOs and activist communities. At the provincial level, the Forestry Faculty at Mulawarman University (Fakultas Kehutanan UNMUL), the largest university in East Kalimantan, has played a critical role in facilitating the rise of a strong civil society and activist community that has been extremely active in social justice and indigenous rights issues in East Kalimantan since the mid-1980s, particularly as they relate to natural resource management.

While many of the student activist organizations that emerged from Mulawarman University faced oppression under the Suharto regime, individual activists and organizations remained active. With the fall of the Suharto regime in May 1998, a number of these organizations banded together, with indigenous peoples, academics, and international donor staff to form the *Alliance of Natural Resources Policy Observers* (APKSA) as a place for civil society organizations and individuals concerned with environmental issues to share concerns and advocate for better natural resource management policies in East Kalimantan. For various reasons AKSPA is no longer active, however its legacy, and the influence of Fakultas Kehutanan UNMUL, lives on in the network of practitioners and activists active in climate change and environmental governance issues in East Kalimantan. At present, the majority of the managers of almost every international NGO and donor agency active in East Kalimantan were trained at the Fakultas Kehutanan UNMUL, as were a number of the government

actors working on resource management and environmental issues. The *Provincial Climate Change Board* (DDPI), which houses the provincial REDD+ and 'green economy' working groups, is led by professors from the Center for Social Forestry at Mularman University, a research center of the Fakultas Kehutanan UNMUL.

Thus while projects, organizations, and conservation 'fads' come and go, these individuals have maintained their networks and are able to mobilize support across organizational divides, linking in their colleagues as new funding becomes available, sharing knowledge, and collaboratively deciding how to best engage with new discourses and projects as they emerge. Any discussion of the 'green economy' which focuses on the technical and economic aspects of project implementation and policy design without taking into account these networks and the political and social relations of policy transfer will be destined for failure.

As my field work has progressed, I have become more attentive to the subtle ways in which actors align with or resist this thing called the 'green economy', and transform it to serve their own objectives and the goals of their existing social and political networks. While the 'green economy' is presented as a technical and apolitical approach to environmental governance based on ecological and economically rational planning and cost-benefit analysis, my research has shown that the rollout of this assemblage is inherently contingent and political, shaped as much by the unexpected and the personal as by the 'best laid plans' of those tasked with policy design. The research methodology and personal reflexivity with which I have approached my research has allowed me to capture something of this richness and complexity, while recognizing my own role in the unfolding of the events I have documented.



## REFERENCES

- Anderson, B., & McFarlane, C. (2011). Assemblage and geography. *Area*, 43(2), 124-127.
- Anderson, Z. R. (2015). *Pragmatism and politics: Translating the green economy in an Indonesian frontier*. Forthcoming.
- Aspinall, E., & van Klinken, G. (2011). *The state and illegality in Indonesia*. Leiden: KITLV Press.
- Haraway, D. (1988). Situated knowledges: The science question in feminism and the privilege of partial perspective. *Feminist Studies*, 14(3), 575-599.
- Katz, C. (1994). Playing the field: Questions of fieldwork in geography. *The Professional Geographer*, 46(1), 67-72.
- Li, T. M. (2007). Practices of assemblage and community forest management. *Economy and Society*, 36(2), 263-293.
- Lorimer, J. (2010). Moving image methodologies for more-than-human geographies. *Cultural Geographies*, 17(2), 237-58.
- Marcus, G. (1995). Ethnography in/of the world system: The emergence of multi-sited ethnography. *Annual Review of Anthropology*, 24, 95-117.
- Markowitz, L. (2001). Finding the field: Notes on the ethnography of NGOs. *Human Organization*, 60(1), 40-46.
- Mosse, D. (2004). Is good policy unimplementable? Reflections on the ethnography of aid policy and practice. *Development and Change* 35(4), 639-671.
- Peck, J., & Theodore, N. (2012). Follow the policy: A distended case approach. *Environment and Planning A* 44(1), 21.

- Shore, C., & Wright, S. (2003). *Anthropology of policy: Perspectives on governance and power*. London and New York: Routledge.
- Swanton, D. (2010). Flesh, metal, road: Tracing the machinic geographies of race. *Environment and Planning D: Society and Space*, 28(3), 447-466.
- UNEP. (2011). *Towards a green economy: Pathways to sustainable development and poverty eradication*. Retrieved from <http://www.unep.org/greeneconomy>

#### ABOUT THE AUTHOR

Zachary R. Anderson is a PhD candidate at the Department of Geography and Planning, University of Toronto, Canada.

► Contact: [z.anderson@utoronto.ca](mailto:z.anderson@utoronto.ca)





## “Some of the Best Movement People are Political Ecologists at Heart”: An Interview About Political Ecology With Nancy Peluso

Melanie Pichler

► Pichler, M. (2016). “Some of the best movement people are political ecologists at heart”: An interview about political ecology with Nancy Peluso. *ASEAS – Austrian Journal of South-East Asian Studies*, 9(1), 181-186.

Nancy Peluso pioneered political ecology research in Southeast Asia with her book on *Rich Forest, Poor People* (1992) that untangles peasant resistance and state control in Indonesian forest politics. Since then, the professor of political ecology at UC Berkeley, California, has done extensive ethnographic research on the effects of social difference (ethnic identity, class, gender) on resource access and control, dealing with forests, land, mining, and water conflicts in Indonesia and Malaysia. Her recent work investigates the relationships between migration and environmental change. Melanie Pichler spoke with her during the International Conference of the European Network of Political Ecology (ENTITLE) from 20 to 24 March in Stockholm where she delivered a keynote lecture on the unexpected impacts of women’s migration on the environment in a forest village in East Java. During the interview, Nancy reflected on current trends in political ecology research, the potential pitfalls of indigenous peoples’ rights, the contradictory role of NGOs in socio-ecological conflicts, and the potential of political ecology research beyond academia.

**Keywords:** Indigenous Peoples; Interview; Migration and Environment; Political Ecology; Political Forests

~

MELANIE PICHLER: *From your research experience in Southeast Asia, what are current challenges for political ecology in the region and what are you focusing on at the moment?*

NANCY PELUSO: If challenges means new research topics that are becoming important, I see big questions connected to migration, mobilities, and their role for the making of places. Migrations have multiple effects on resource holdings, forests, or pollution. Personally, I’m interested in the mobilities of people, capital, and resources into and out of forests and other environments. I think political ecology has brought foundational insights to understanding the struggles over making places, property, territory, or landscapes. But when you think about how much movement – mobilities – affects places and livelihoods everywhere in the world today, I think we have to admit that political ecologists have not done enough to integrate migration and mobility into their world views.

I also think that understanding the political ecological relations of mining and the spatial power of mining companies has become extremely important.

Mining corporations are taking up huge spaces on the planet, claiming the underground as Gavin Bridge puts it. So how have these corporations been able to get access to so much land? If you think about the mining law in Indonesia that was passed in 2009, it requires mining companies that wish to extract metals and rocks to develop smelters for first stage processing inside the country. But many companies refused to do that: They left – ran away from concessions and sought mineral sources in other countries. There are so many questions around mining, including whether multinational corporations should stay or go, the conflicts around land, and the struggles over access to jobs. And of course there are huge questions around how small-scale mining has also exploded all over the planet – in conjunction with and opposition to large-scale mining projects.

MELANIE: *Do you see any similarities between Indonesia and the current developments in Myanmar in the course of the liberalization process with regard to resource conflicts?*

NANCY: One thing that is actually a similarity between Myanmar and Indonesia, for example, is the role of the military, the power of the military, and what parts of the old regime are still in place as Myanmar undergoes massive changes. That is something that was and has been an issue in Indonesia since Suharto came to power; the connection between military concessions and logging, oil palm, or mining interests and the ways the government allocated concessions. Military connections seem to be critical in Myanmar's transition; I think military involvement in resource use is a pattern across Southeast Asia, though it takes different forms, of course. When looking at the particular historical moments in which liberalization becomes important – it's fascinating to think about comparisons and how specific histories make a difference. At some time or another all Southeast Asian countries have had authoritarian or military postcolonial governments, whether they were socialist, communist, capitalist, or state capitalist. As liberalization of these different political economies takes hold, it highlights these similarities as well as differences. We could learn much from the similarities and differences in the initial conditions – political, economic, and cultural – that 'host' neoliberal capitalisms.

MELANIE: *You pioneered research on “political forests” in Indonesia in the 1990s. How have forest politics and associated socio-ecological conflicts changed since then?*

NANCY: I did that work with Peter Vandergeest, now a professor at York University in Toronto. We tried to historicize and locate forest politics. What did the formation of political forests mean? We saw them as strategies for assuming state power, though different forest areas were made “political forests” at different historical moments. The idea came out of a period in which state-led development and state action was really strong and the Indonesian state, the Thai state, and the Malaysian state all had strong authoritarian characters; different from one another but still very strong. What kinds of colonial and postcolonial relationships did political forests come out of? Of course the answers were very different for the three countries that we took as our examples, and even for specific regions inside those countries circumstances varied; but we looked at the formation and impositions of the law, the politics of rule

within these historical spaces, and the effects of the political violence of the 1950s to the 1970s on forest formations. I think one of the things that is striking today is that it's taken as a given that many forests are state or national forests in Southeast Asia; the idea that the forest belongs to the government has been naturalized – except, still, among many indigenous and forest dependent groups. Governments, conservationists, and others often assume that if the forest doesn't belong to the state, it should. That was one of the things that we wanted to understand; how did that idea gain so much power in so many different sites? And, once the idea takes hold, what other factors affect the politics of maintaining that forest or extracting resources from that forest?

One big question today is what replaces the forest. Harold Brookfield, Lesley Potter, and Yvonne Byron wrote a book in 1995 called *In Place of the Forest*; they looked mainly at eastern Malaysia and western Indonesia. Michael Ross wrote about booms and busts in the forests of Malaysia, Indonesia, and the Philippines and Peter Dauvergne wrote on *Shadows in the Forest*, comparing three countries and the role that trade and other agreements with Japan played in the three different contexts. Tim Forsyth and Andrew Walker (*Forest Guardians, Forest Destroyers*) focused on productions of environmental knowledge. More recently, Michael Eilenberg (*At the Edges of States*) has written about the fate of Borneo forests in international borderlands. What nearly everybody is talking about is the replacement of the forest by industry, plantation development, or mining and resulting new politics of forests in the region. As I already mentioned, when I started to think about labor migration's effects on forest and agrarian landscapes – this new topic I'm working on – I was thinking about what was happening in the Amazon – in Peru and in Brazil – because of the work that other scientists such as Susanna Hecht and Christine Padoch have done. In Indonesia, Rebecca Elmhirst has done important work on gendered labor migration and its effects on forests and forest livelihoods. And new work is starting to come out as migration appears in many forms to be such an important component of our times, yet the variation in effects is also important. In Java, where labor migration has been common for a long time, international migration is having new and huge effects on some forests through remittances – uses of the understories, agroforestry configurations outside the political forest, many different effects. At the same time, remittances have less direct impacts on forests in Kalimantan because they are being so rapidly and extensively replaced by industrial oil palm plantations. Government and corporate desires to transform forests to some industrial use is an important – and expanding – dynamic. The huge quantities of biological, ecological, cultural, and social diversity that existed in those forests can't be maintained in the same way when they are replaced with plantation environments. In any case, my work on migration is focused largely on East Java, where plantations came in a century and a half ago to the uplands, mostly preceding the reservation and enclosure of forests. It's almost ironic that migrations are having some bigger effects on the forests which have been enclosed for the longest in Indonesia. Theoretically, enclosure is often seen as an end to the agency of smallholders and the creation of laboring classes. But this Java case demonstrates the importance of context; showing how those who were seemingly locked out (of the forest) can come back in and change it in new and unexpected ways.

MELANIE: *Have conservation policies like REDD had any impact on that?*

NANCY: Everybody was criticizing REDD or REDD+ when it first came out, but it sure looked pretty good next to using the land for oil palm plantations. REDD+ has greater potential – although not always realized – for community management and benefit. The good thing about REDD was – at least at a certain level – that the people that were involved in developing it were often committed to listening to some of the issues movement people brought up. Some tried to respond to indigenous rights issues and the whole ‘who owns the forest’ thing. To a certain extent there was some listening going on, at least the kind of listening that doesn’t usually go on with all these other kinds of activities. Contrast this with many mining companies, oil palm companies, and other large land using industries that just don’t care. This is not necessarily to endorse REDD+ but to understand it in a context of competing, less palatable options for transforming production relations and access to forests.

MELANIE: *You mentioned indigenous people’s rights which have gained importance in socio-ecological conflicts in recent years. What are the potentials and pitfalls of these instruments?*

NANCY: I think it’s important but I wonder if it’s not too late. I know, that’s a depressing thing to say. One of the really interesting things that just happened in Indonesia is that the Human Rights Commission did an inquiry into the rights of indigenous peoples in forest areas. They went to these different parts of the country, held hearings, and brought witnesses from different parties to conflicts over land, forest, and water. I was able to observe just a single day of the Kalimantan hearings in Pontianak in October 2014. It was heart-wrenching because so many of the people that took part in those hearings had already lost everything. One of the witnesses from a forest area said, in response to a question from a commissioner about what she would like done, that she would like the companies to “put their customary forest back”. But a company can’t recreate an ancestral forest, it’s physically impossible. It’s just too bad that this investigation wasn’t possible 10 or 15 years ago. Now people have to work with what they’ve got – which is a largely destroyed and stripped environment. But of course, indigenous rights are still important given the growing importance of land and land access. Indigenous and other local groups need to make their claims even though the complexities for both making and realizing those claims are growing.

The other thing is that the Indonesian government has a very narrow definition determining which indigenous communities can be recognized as such: they have to still have ties to the forest or other ancestral lands, and also be able to prove that their indigenous community ties are still in place and have meaning. In other words they are not supposed to have changed – the concept assumes a static state. Not only is this ridiculous – everything changes – but the indigenous communities are constrained in making claims to land that they have occupied and used long before the Indonesian state came into being. The static definition of indigeneity is a major part of this problem. Think about movements in Brazil, for example: The MST [movement of landless peasants] didn’t have a problem with saying, look, our ancestors were expropriated a long time ago and their children moved to the city, but that

history matters; we were dispossessed and now we want to reclaim the countryside. It's about being courageous enough to build a new definition of what it means to be indigenous, a peasant, a small farmer. The point is to understand varied notions of belonging. I read this great article by Philip Kelly a few years ago about agrarian change and migration. His point was basically that migration is normal, settlement is what's odd. In Indonesia, many mobile people(s) were stopped in their tracks, in their mobile trajectories, by the colonial guys: they were sedentarized; they had to stay in place. Maybe they would have stayed anyway in some places, who knows? The point is that we are so engaged in understanding claims in place that we don't really understand the trajectories, the mobile processes and people through which places have been made – past and present.

MELANIE: *How do you see the role of NGOs in all these socio-ecological conflicts?*

NANCY: Generally speaking, I think that local or domestic NGOs in Indonesia can sometimes help to translate and facilitate conversations between disparate groups. But we all know that NGOs are often in conflict or competition with each other in terms of approaches, philosophies, and objectives. That can be part of a 'problem' in trying to understand NGOs as a whole; many refuse to publically acknowledge that there are differences. I think this attitude is largely a legacy of the Suharto era when NGOs had a clear common point of opposition; the 'common enemy' is less clear under contemporary political economic conditions. The academic conversation is often about NGOs in general and – again, something left over from the Suharto era – you would try not to say negative things about NGOs just because of their 'alternative' status. Today, many small NGOs are dependent on national and international NGOs, on the government itself, or sometimes on companies for their funds, so it's very messy. They play a role, sure, but their roles are not always critical and oppositional; they may not necessarily support the kinds of positions that other activists or local people or other organized groups are hoping for.

MELANIE: *Many political ecology researchers still come from Western countries. What do you think about political ecology research from Southeast Asia?*

NANCY: You find political ecologists in Southeast Asia in many different places. Some of the best movement people are political ecologists at heart. There are a lot of people who are getting into political ecology from the region but they are not all academics. The pathway to becoming an academic – at least in Indonesia – is a winding one, with many potential distractions along the way. Yet, many people in their NGO work find that they need research or need to know how to do research. A lot of times, they have no idea how to gather the kind of evidence that is convincing about the origins of socio-environmental problems – an objective which is still at the heart of political ecology in my opinion. Activists are usually so committed to their campaigns and to their issues but don't have time to write. A promising thing is that a lot of them have managed to get overseas – to get away to writing or study programs. We all often need to get out of our immediate environments in order to find time to write – in this they are not so different. I guess, I don't think that there are just a few political

ecologists, there are certainly a lot more than when I first started working. They just don't appear in academia as frequently.

MELANIE: *You mentioned the interlinkage between research and activism that is very important for political ecology. Can you mention any current examples of this interlinkage?*

NANCY: I'm thinking of the *Assembly of the Poor* in Thailand. They were concerned when dams were being built on the Mekong and they raised questions that had to do with whether fish would be available to all the people who depend on fish for food and livelihood. That movement was dealing with one of the biggest challenges affecting the political ecologies of Southeast Asia: Dams are making a huge comeback in Asia, and all over the world. The *Assembly of the Poor* is an example of academics and activists getting together in a really positive way to oppose them. In East Malaysia, one of the dams that they were planning to build on the Baram river was stopped and this was the work of a small NGO and a few academics based in the US working with many contacts and connections in Sarawak that probably should not be mentioned by name. Yet academics and activists managed to get the Chief Minister to listen and to think about the dam and its potential damage in the submersion area and also to support micro-hydro development for local water use. That effort was a combination of academics, other professionals, activists, and local people. [So I am putting in a plug for the Borneo Project which is based in Berkeley, California, and has some super committed people involved with it!] In Indonesia, there is also a great, very committed NGO working out of Pontianak in West Kalimantan called the *Swandiri Institute* and their sister group *Gemawan*. They have been doing research and working on the ground with communities suffering from corporate impingements on their land. They do excellent research on the illegal takings of customary and forest land by oil palm interests in particular. *Swandiri* folks are using drones for a good purpose: to photograph and map sites where community members claim the companies are illegally exceeding their bounds. That's an amazing example of activist research.



#### ABOUT THE AUTHOR

Melanie Pichler is editor-in-chief of the Austrian Journal of South-East Asian Studies and a post-doc researcher at the Institute of Social Ecology in Vienna, Austria.

► Contact: [melanie.pichler@seas.at](mailto:melanie.pichler@seas.at)





# ASEAS

9(1) 2016



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

**FOCUS** POLITICAL ECOLOGY AND SOCIO-ECOLOGICAL CONFLICTS

