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CONCLUSIONS

Communities in transformation

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The accounts from indigenous communities collected in this book show a number of basic similarities and differences. These are evident in their stories of origins, customary institutions, conflicts experienced and land tenure systems. A common theme is the transformations that have taken place.

All six case studies highlight communities undergoing a transformation from a traditional to a modern mode of production. This process is still at a transitional stage. It can be seen in the physical aspects of their cultures – for example, in the architecture of village buildings and homes. It may also be accompanied by a transformation in attitudes: in the values people live by or in their views about living space (at the most material level, a community's customary domain), education, health and, most significantly, natural resources - especially with respect to forests and water.

The difference in meaning between 'transition' and 'transformation', as used here, requires some explanation. Transition refers to changes in stages in a continuing process: for example, the change from traditional patterns of production (using simple tools and a concept of time as cyclical) to modern forms (using modern equipment and a linear concept of time). Such transitions are not necessarily accompanied by changes in meaning or in the ways that the people concerned view reality.

Transformation, on the other hand, conveys the sense of fundamental change having occurred in all aspects of life – paradigms and values - both at individual and community level². Transformation is expressed, above all, in ways of thinking which are sometimes visible in the physical expressions of culture. Even so, a community which has experienced transformation may well not show any striking changes in their architectural style, while their way of viewing the meaning of architecture has undergone fundamental change.

² The term 'transformation' here refers to what is stated in '*La Resurrección del Maíz: Globalisation, Resistance and the Zapatistas*', an article by Adam David Morton in *Millennium: Journal of International Studies*, 2002. ISSN 0305-8298. Vol. 31, No. 1, pp. 27-54. The term 'transition' refers to its meaning in Bahasa Indonesia that is a shift from a certain position/situation or place to another.



Jopi [AMAN]

A shelter to watch over traditional upland rice crop, Jambi

I. Current transformations

The architecture of buildings and homes in indigenous communities is clearly shifting from traditional towards modern styles. Generally, modern designs predominate for people's homes, while traditional structures are only retained for buildings associated with customary (*adat*) rituals and ceremonies or customary leaders' homes. Villagers' houses in Hikong and Utang Wair, or Kasephuan, do not generally reflect any distinct architectural style. Similar modern houses can be found in Guguk and Meratus communities.

This change in style is not directly linked to the 'economic prosperity' of villagers or members of the broader community. Degrees of

affluence can be manifest in the quality of materials and construction of a house rather than in its architecture. A traditional house could easily be built using a concrete and a steel framework or top-quality timber without substantially altering the design. Rather it reflects an attitude widespread in villages throughout Indonesia: people who own permanent dwellings made of concrete are generally described as ‘well off’ by their neighbours. This could be an indication that villagers see changes in the way houses are built in their community in terms of a process of economic development. The question remains as to why so many traditional elements are disappearing from what could be called the local ‘customary’ architecture. Or should we ask the question in a different way? Why, in these villages, is ‘customary architecture’ only valid for buildings used for customary rituals or for customary leaders’ homes?

On the more abstract level of values relating to relationships between indigenous inhabitants, villagers report that there has been significant change over the last two or three decades. One example is the paraphernalia needed for ceremonies such as weddings, funeral or births. Not so long ago, chairs, tables, plates, cutlery and glasses were lent free of charge from the organisers. Now, these things must usually be hired. This kind of change is apparent even with customary ceremonies, like the Kasepuhan’s *Seren Taun* celebration. This is now organised by a committee set up by the elders (the *Abah* and *adat* leadership) whose task is to raise funds to cover all the associated costs.

It is the same for farming, house-building and other activities where the system of voluntary co-operation known as *gotong royong* has almost disappeared. In the past, this mutual assistance applied to everyone in the village. So, when A built his house and was helped voluntarily by all the other villagers, he felt morally obliged to return the favour when B was working in his paddy fields. The transformation that has taken place means that labour, time, advice and materials which people used to take turns to contribute are now replaced by wages, rent or direct payment in the form of goods. In short, there has been a transformation in the means of exchange. Now, money dominates patterns of transaction in these villages.

Even the concept of authority has shifted from being a supernatural quality that is bestowed on someone to something ordinary that can be contested. This is plain to see in the attitudes and behaviour of people towards customary leaders, and in their responses to opportunities for roles that are open to anyone. Amongst the six case studies here, it is only the Kasepuhan (Chapter 3) and some Meratus Dayak (Chapter 5) who have consistently maintained a system of leadership succession based on spirituality, not on democracy as this is understood today (democracy based on quantity of participation and quality of discourse).

However, for other indigenous communities, authority no longer has any special quality. This can be seen, for example, in the process of electing a village head or allocating jobs on a project being carried out in the community. Competition for such positions is no longer based on family line, mythical-magical abilities or spiritual forces. And applicants do not even ask the people described throughout this book as ‘customary leaders’ for their approval or blessing. Where there is some communication between candidates and customary leaders, this is aimed more at securing political support, rather than a supernatural blessing.



Yuyun Indrati [DTE]

Planting rice

Values relating to natural resources, especially forests and water as economic and cultural resources have also shifted. Kasepuhan communities not only adhere to the concept of the supernatural in their perception of the power and authority of their spiritual and political leader - currently *Abah Anom* in the case of the Ciptagelar - but also with respect to forests and water resources, where concepts relating to mystical forces guarding the forest and water are still prevalent. This does not mean there have been no changes in their views.

For example, an awareness of the need to reforest land is very strong in the Ciptagelar Kasepuhan community, triggered by a number of social, political and economic realities. Although they have a traditional forest zoning system, expressed in concepts such as *leuweung titipan* (sacred forest) and *leuweung tutupan* (closed forest), in practice these areas do not legally belong to them but are owned by the State - in this case the Forestry Department - via Law No.41/1999³. This means that the forests, as both an economic resource and the basis of their culture, cannot be freely accessed by the community. Yet they have pressing economic needs. Reforestation programmes have provided the community with new opportunities to plant trees on their customary lands⁴. The roles of *Abah* and other senior figures in the community have been pivotal in the way these programmes have been implemented. The commercial value of timber has been the main consideration when planting tree species. Thus, economics have taken over from culture or the supernatural as the primary consideration.

Similar situations can be seen in Flores, Lombok and other locations. Such indigenous communities still have strong memories of their customary land use system and of the forests and water sources, including their functions as economic and cultural resources. But this knowledge is not strong enough to keep them to the old ways and values when faced with a system that claims everything for the State and allocates all legal rights to others. The result is that the majority of the community becomes pragmatic in their view of natural resources.

³ The word 'legally' here refers to the products of laws and policies of the State as represented by the government in power, rather than customary (*adat*) law.

⁴ See Chapter 3 Section VI

Current efforts to re-map living space according to traditional concepts are being promoted by two factors. Firstly, the rapid takeover of natural resources by outsiders prompts communities to attempt to defend their rights and access to those resources. Secondly, the fact that some members of the indigenous community adopt a pragmatic attitude makes the rest concerned about the negative impacts caused by behaviour solely motivated by short-term economic interests.

There are a number of other indications of changes in cultural values. Indigenous communities have traditionally marked out their customary domains using natural markers and passing down information about them through the generations as part of their oral history. However, they have also started to use conventional maps with spatial co-ordinates to record their territorial boundaries. In education and science, there is a growing trend for the school curriculum to include some local content or traditional knowledge. But indigenous people also want their children and the younger generation to be able to attain the highest possible level of formal education⁵. In the sphere of health care, complaints about the lack of access to government services, for instance the shortage or total lack of inexpensive local clinics (*Puskesmas*), exemplify a shift towards ‘establishment’ medical treatment, alongside continuing traditional methods.

Forests are now a meeting place for two paradigms: the traditional or pre-modern and the modern or even post-modern. Nature, whose sanctity used to be respected and safeguarded as a part of cultural and spiritual life, is now considered more as an economic resource to be used to fulfil the needs of everyday life. There has been a general transformation in indigenous communities’ awareness of nature and natural wealth away from a cosmology of macrocosm and microcosm⁶ towards more material attitudes.

⁵ “Father is poor and has no education, so it’s best if the children go to school so they have a better chance in life”. People in these villages have expressed such views in numerous discussions. These conversations also make it clear that they see ‘father’ as the central figure in bringing about community change - a reflection of patriarchal cultures. And formal education in schools is still seen as the most effective method of transferring knowledge and technology.

⁶ The concepts of macrocosm and microcosm (*alam besar* and *alam kecil*) are very popular among the Javanese and Sundanese. Nature is seen as a concept which integrates human beings and the physical world – the spiritual and the material (see Chapter 3).

This is manifest in indigenous practices and understanding of ‘knowledge’. According to traditional beliefs, forests are places to seek spiritual discipline where one can cut oneself off from the world and be close to nature and the Almighty. In so doing, one might hope to find inspiration about new ways of tackling things that need to be done in the community. Today, the knowledge associated with forests is predominantly the application of skills developed in the scientific practices of forestry and modern management.

Another example of these changes in perspective is in the methods used to access the natural environment. In the past, a person had to consult with local customary and spiritual leaders before entering the forest; nowadays this is rare. Entering a forest is a matter of ‘permission linked to legality’: the person must have obtained permission from the relevant authority – the local Forestry Service, for example, or the Forestry Department.



Xuyun Indrati [DTE]

Vanilla is grown by many forest peoples

This transformation in indigenous and local communities' beliefs and attitudes is reflected in the types of production, and in the function and role of institutions which oversee the management of natural resources. Spiritual and magical functions are becoming less evident compared with modern economic management practices. The role of *Abah Anom* in Ciptagelar, in planting trees with commercial value in the timber trade, is one example of this change. Abdurahman Sembahulun's attempt to revive traditional Sembalun law to promote sustainable forest management in Lombok is another.

II. Change as a political response

These accounts from seven communities are obviously coloured by their political responses to the negative impact of colonialism (including *internal colonisation*⁷), village administration and the opportunities offered by regional autonomy. One response to colonialism is shown by the attempts to reconstruct customary institutions which were suppressed by the colonial regime. The indigenous Kasepuhan, Sasak and Meratus Dayak communities are reviving these institutions, each with their own variations. They seem convinced that these institutions will improve the management of natural resources and the community. However, this must be seen critically because, whenever people find themselves cornered by a difficult situation, they will try to find an alternative concept or strategy in order to get themselves out of it. And what they have closest to hand are their records of their communities' history.

Another factor prompting the revival of these institutions is an awareness that modern management models used - or rather imposed - on their customary domains have clearly defined management and organisational systems⁸. The indigenous response is that they need the same type of

⁷ Internal colonisation here means the subjugation of the people or a community by the structure that represents them. Put simply, this means the oppression of a village by the state government structure which represents it. The expression was popularised by activists in the indigenous movement in the United Nations arena.

⁸ The word 'imposed' is used intentionally as a reminder that most developments have been carried out on indigenous lands without applying the principle of free, prior and informed consent (FPIC).

model: a community must prove its existence as an indigenous people and this can only be done by reviving institutions for which they have historical records. The Toro case is particularly interesting as community efforts to revive customary management institutions have evolved into a new, more socially inclusive *adat* governance system.

The shift in values of how nature and natural resources are perceived is tied up with the development of critical attitudes among the younger generation (or even the community as a whole) about the effectiveness of customary law and institutions. Unemployment and poverty are the main issues raised in protests against lack of indigenous control over and management of forests. The word '*adat*' has more to do with the strategy of struggle than as a basic concept to be adhered to as a political alternative.

There is more evidence of this viewpoint in indigenous debates about the law, and the fact that state law is still used more frequently than *adat* law to try to secure indigenous claims over their land and resources. In discussions about alternative law, there is a preference for creating completely new legal instruments, generated from the grassroots, which include both *adat* values and modern universal values of human rights and democracy, and where there is an established procedure for getting drafts accepted onto the statutes at local level. The issues of leadership and equity in relation to rights are two further aspects of modern values which indigenous communities also often want to incorporate into their new regulations.

Increasing levels of mobility – economic, cultural and social - also indicate the openness of indigenous communities to the outside world. In the local economy, mobility is linked to the in flux and out flow of commodities; in culture, it relates to education, which is still concentrated in large towns; socially, it refers to way that members of communities are dispersing, so they have to travel to different places to visit their kinsfolk.

There are many different ways of representing 'indigenous peoples', even though all reflect the same aim: to gain access to their natural resources in general and forests in particular. Indigenous peoples may

be regarded as a clan unit in discussions about customary land. Some view them in terms of socio-political units which existed in the era of Islamic sultanates, with the corollary that reviving traditional structures means returning to the form of Islamic administration of that time. Others see indigenous peoples as communities which existed in pre-colonial times and were then rendered powerless. And there are those who consider them to be socio-political systems which existed even before the Islamic and Hindu eras. Strangely, there are very few records of the existence of indigenous communities before then.

The danger here is that a romantic view of the past as a glorious age can be a trap. Only very rarely within the communities in these case studies does one meet someone with a critical attitude, who sees that their community was created during a long history which is still continuing. That they, also, are changing, because the world is becoming more open and links with the outside world cannot be prevented.



Yayun Indrati [DTE]

Boladangko people, Central Sulawesi

The question is how they should respond to all this in the context of rights to the land, forests and other natural resources where they live. And one answer they are coming up with is to propose a system of land use planning and tenure which is recorded and, to some degree, still practised to the present day.

The previous sections have dealt with transformation, so the next will present a brief commentary on the subjects of origins, institutions, land tenure and conflict.

III. Histories and social structures

Accounts of community origins outlined in this book fall into two general types: coastal and mountain. Toro, Meratus, Guguk and Kasepuhan are representatives of mountain communities. Their origins have similarities in terms of the neighbouring communities that preceded them or the kingdoms or sultanates that existed in these regions. Guguk is the only case where the oral history clearly mentions the role of women in establishing the Batin community: the three women from a Javanese aristocratic family who married three customary leaders from Minangkabau.

On the other hand, Hikong and Utang Wair (Tana Ai) are coastal communities who derive their ancestry from 'over the sea'. The place identified as 'Tana Malaka' in the local oral tradition may actually represent mainland Southeast Asia. Sembalun is something of an exception. This community lives on the slopes of Mt Rinjani, but the story of their origin also has the 'over the sea' element, in this case, people who entered the interior via rivers and then settled in the mountains.

It is clear from these stories that all these communities were established by people originating from outside the area: none 'just existed there'. This fact generates debate in the context of land rights which centres on who arrived first (*indigenae*) and who came after (*advenae*). Evidently a mechanism is needed to determine precedence so both groups can accept

each other and establish a community with an unambiguous balance of rights and responsibilities. Social contracts, such as marriages, and fines paid by the losing party in tribal wars have contributed to the establishment of a structure of rights in these places.

The customary institutions in the case study communities generally show a separation of functions within the structure, with specific roles relating to health, recruitment and dismissal of officials, external relations, rituals associated with religion or beliefs, agriculture and land use. Differentiation within these structures may be quite complex, for example, in the Kasepuhan community, women and children's health is managed separately from adult men's. It is clear that what, in modern state administration, are called 'sectors' are already part of indigenous communities' traditional systems. Indigenous peoples have long been aware of the importance of separating out functions as method of working which increases effectiveness and which makes monitoring and accountability easier.

This separation of customary institutional functions becomes even more apparent when we investigate more closely the land tenure systems of these villages. Only in Toro has there been a transformation of institutional functions into a new form; and only here is the role of women a key element. Uniquely, this role is represented by the Organisation of Ngata Toro Indigenous Women (OPANT). Nevertheless, the investigation into Toro oral history which formed the basis of the new governance system showed that women had been an integral part of the community policy-making structure in the past. What needs more investigation is how far OPANT is consistent in representing Toro women's interests, given that its structure and function is more like that of an NGO than a traditional customary institution. Similarly, its processes and legitimacy need to be further examined in terms of the situation of all Toro women.

The arrangements for land use and management of the areas developed by the communities featured here have some unique features, but all share a similar division of space based on function. This is closely related to the structure and function of customary institutions, as is manifest in the use of forests. For example, the Kasepuhan's distinction

between forest areas where restricted use is allowed and those which are strictly protected (*hutan tutupan* and *hutan titipan*) is directly linked to elements of their institutional structure involved in managing forests: the forest patrols (*Kemit Leuweung*); community leader (*Sesepuh*) and religious leader (*Syara*). The same can be seen in the Tana Ai's governance structures. The Utang Wair or Hikong communities have an institution responsible for handling rituals for clearing forests to make fields-agroforestry plots which makes contact with the local natural spirits; there is another that deals with forest management, and so on.

The concept from organisational management theory that the higher the 'culture' of a group or organisation, the more complex its institutional structure, is relevant in this context. The various customary institutions presented here have developed in line with the communities' needs for internal as well as external management. As a result, all these communities can be regarded as complete social, political and legal units which fulfil the criteria for self-management. This raises the question of whether or not indigenous communities should be autonomous – an issue which has become necessary and important for the government to consider and to take a policy decision on as part of Indonesia's internal governance.

The case study communities all present similar accounts of conflicts they have faced. This is no coincidence. Indonesia's political history is one of major upheavals since colonial times. Parallels can be found in indigenous peoples' tales of the destruction of customary institutions during the Dutch period, due to the imposition of its village administration system, and especially in their experiences of development projects implemented by various large companies with the support of government policies.

Two aspects of 'state forest' management have become a particular focus for conflicts between indigenous communities and the state, and even other parties: both to do with conservation policy. Utang Wair and Hikong in Flores and Meratus in South Kalimantan have clashed with the Forestry Department over the issue of 'Protection Forest'. At the same time, there have been disputes with the national park authorities

in the cases of the Toro community with Lore Lindu national park; Kasepuhan with Gunung Halimun-Salak; and Sembalun with Rinjani. The root of these conflicts is the designation of conservation areas which fails to take into account the existence of these communities and their land tenure systems. A key question asked by activists who support indigenous peoples, and indeed human rights in general, is “Conservation for whom?” - highlighting the need for a fundamental review of this issue.

Land tenure systems of indigenous peoples described in this book show a capacity for land use and natural resources management that places a high importance on the principle of sustainability. But here, once again we come up against another important issue: there are many rules and systems that are good in principle and in their structure, but not in their implementation. The complaint that some people in these communities are also involved in logging is an issue of law enforcement, and not related to how good or bad the institutional structure and system is.



Illegal use of co-operatives logging permits by Malaysian companies in West Kalimantan

IV. Looking forward

The cases collected in this book and the process of compiling them have raised important questions about what it means to be indigenous and how indigenous natural resource management systems fit into decision-making at national and global level about those same natural resources.

There is a need to expand the scope of these studies. We need to cover cases where large development projects have caused conflict. This book only deals with two categories of conservation projects – protection forests and national parks. We also need to see communities' efforts at natural resources management in cases where there are large-scale developments such as oil palm mega-projects, mines and tree plantations for the timber of pulp industries (HTI). We need to see how communities overcome conflict and how they create alternatives to resist or cope with the immense external pressures on their economic, political and cultural development. We also need to see in further depth the context and situation of other communities who identify themselves as 'indigenous peoples'. Issues such as communal rights to land and other natural resources, always need to be examined. Has there been a continuous history of communalism in the community or has it been revived as a strategy to resist pressure?

Stories like the ones in this book need to reach the hands of different players, but especially those of government and international development decision-makers. Because these are the people who play a key role in planning, implementing and creating policies which support large-scale development projects. If, thus far, projects and policies have denied the existence of indigenous peoples, we hope that this book can supply new arguments to the advocates of indigenous rights, so they can say that indigenous people really are there and, as a logical consequence, they possess basic rights which must be upheld.



