THE KIYU DAYAK INDIGENOUS COMMUNITY
MERATUS, SOUTH KALIMANTAN

Strengthening alliances to campaign for forest protection

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I. INTRODUCTION

1. Location
Meratus is a mountainous area in South Kalimantan of approximately 600 km², most of which is covered by low montane forest². These mountains extend southeast from the north of the province bordering East Kalimantan, effectively dividing South Kalimantan into two parts. They spread across nine districts: Tabalong, Hulu Sungai Utara, Hulu Sungai Tengah, Hulu Sungai Selatan, Tapin, Banjar, Tanah Laut, Tanah Bumbu and Kotabaru.

The Kiyu Dayak customary lands lie along the Panghiki River at the foot of Mount Calang in the northern part of the Meratus mountains³. They cover an area of around 7,632 hectares within the River Alai watershed. In administrative terms, this is part of Hinas Kiri village in the Batang Alai Timur sub-district of Hulu Sungai Tengah in the province of South Kalimantan⁴. In terms of customary law, the Kiyu Dayak belong to the broader community of Hulu Alai.

The village of Hinas Kiri - Batu Kambar is accessible by car via an asphalt road from the district capital, Barabai, about 40 km away. From there it is a short ride by motorbike or half an hour’s walk along a track to Balai Kiyu.

2. Population
The settlement called Balai Kiyu is made up of two communities:

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² Much of the remaining forest in South Kalimantan is in the Meratus mountains. These mountains are not high (the highest peak, Mt Besar is 1,892 m), but the terrain is rugged and steep. There are few roads suitable for motor vehicles and villagers may walk up to twelve hours to get to market or to vote.
³ The Kiyu, like many other Dayak groups in the southern and eastern parts of Kalimantan, use the term balai for their customary lands. They also use the same word for the community itself and for the traditional building where many families live together or gather for important ceremonies. There are around 150 balai in the Meratus mountains.
⁴ The area officially called Hinas Kiri village (following the 1979 village governance law) actually comprises a number of communities living in separate valleys which share common ancestors and strong adat links. As the administrative centre of Hinas Kiri is located at the settlement of Batu Kambar, the village is locally called by both names.
Location of Batu Kambar Village in South Kalimantan
Balai Kiyu and Balai Haraan Hulu. The population is 217 people or 54 families\(^5\). The majority of Kiyu community members follow the Balian faith - an indigenous religion also called Kaharingan; only a minority has converted to Christianity (Protestant and Catholic) or Islam\(^6\).

According to data from the Regional Planning and Economic Development Agency and from the South Kalimantan Bureau of Statistics, the Dayak population in the Meratus area totalled 5,569 families in 1995 and 5,308 families in 1998 - a decrease of 260 families\(^7\).

The number of Meratus Dayak living in balai is in continuous decline\(^8\). Between 1996 and 1997 a significant number of families (438 out of 5,684) moved out and eventually ceased to be part of a ‘longhouse’ community\(^9\). There are two main reasons for this. Some families leave because their incomes increase and they see building their own house as a step towards adopting a more ‘modern’ lifestyle. In other cases, the opposite happens: people become poorer as access to natural resources is restricted. So they have to leave their birthplace and relocate or join other communities. Since state control over land tenure has tightened, indigenous communities have found it increasingly difficult to access natural resources. The following quote illustrates indigenous peoples’ attitude to intervention by the Indonesian state\(^10\):

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\(^5\) A family (umbun) in this context means 2-5 people.

\(^6\) More of the inhabitants of Batu Kambar are of Banjar origin or have converted to Islam. This has important implications for the traditional governance system. See Sections V and VI of this chapter.

\(^7\) According to the 2000 census, the population of ‘hill tribes’ (Suku Bukit) - which generally means the Meratus Dayaks - was 35,838 individuals or roughly 7,000 families (http://id.wikipedia.org/wiki/Kalimantan_Selatan#Suku_Bangsa).

\(^8\) These communal houses differ from the longhouses of northern Borneo. Balai are usually large rectangular buildings with family rooms on all four sides of a communal space. Families may also have simple, individual houses close to their fields and agro-forestry plots. These are often widely dispersed.

\(^9\) The original term (turun balai) literally means ‘to come down from the communal house’. This expression is also used for members of the community who officially convert to Christianity or Islam. People who become Muslims no longer call themselves Dayak – another reason for the apparent decline in the indigenous population.

\(^10\) The speaker was a member of the team who wrote this chapter. The terms suku terasing or suku terpencil literally mean ‘remote’ or ‘isolated’ but are generally understood in Bahasa Indonesia as meaning uncivilised or backward.
“From now on we refuse to be called ‘remote’ or ‘isolated’. It is the government itself that has marginalised us – we want to be treated as equals to other Indonesian citizens,” said one of the congress participants.

“We are called ‘backward’, but during election campaigns, political candidates are keen to talk to us and tell us that we have the same rights as other citizens,” says Pinan. However, as soon as the elections are over, indigenous people are forgotten and discriminated against.

Source: Kompas, 1/Jul/03

During the 1970s and 80s, the Department for Social Affairs launched a project called Welfare Development for Isolated Communities\(^\text{11}\). The sub-district of Hulu Batang Alai - including Batu Kambar village and the Kiyu community - was chosen as one of the target locations. The project consisted of building houses for resettlement\(^\text{12}\). During the years that followed, these houses also became the homes of Banjar Hulu migrants who had started trading and farming in the area. In 1978, the central government transferred responsibility for ‘welfare development’ to the regional authorities.

Most of the Dayak people targeted in the resettlement programme eventually returned to their original \textit{balai}. The main reasons were to avoid conflict with the Banjar Hulu population (who have different socio-cultural values) and to be close to the fields and forests that provide their livelihoods\(^\text{13}\). They also missed their relatives and their

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\(^{11}\) \textit{Pembinaan Kesejahteraan Masyarakat Terasing (PKMT)}

\(^{12}\) Resettlement projects usually move communities away from the mountains and closer to roads so they are more accessible to government administration. Instead of large communal buildings, new homes are small houses for individual families, arranged in lines like transmigration sites, which the government considers more modern and healthy – both physically and morally.

\(^{13}\) The Kiyu Dayak describe their agriculture system in terms of \textit{huma} (dryland farming of annual crops) and \textit{kebun} (perennial crops like rubber, cinnamon and fruit trees). The same words are used by other indigenous communities, but often with different meanings (e.g. the Kasepuhan in Chapter 3).
This ‘homesickness’ is related to the Kiyu Dayak belief system and reflects how the mountain, forest and water spirits call out to those who have left their village.

The basis of Kiyu Dayak livelihoods is farming and agroforestry. Some members of the community also engage in trade as an additional source of income. This may result from their interaction with the Banjar Hulu people who are renowned as traders, but the Kiyu’s traditional occupation is agriculture which is part of the adat system passed on from their ancestors.

3. Natural resources and their potential

The ecosystem of the Meratus mountains is characterised by a high degree of biodiversity. Prominent tree species include red and white meranti (Shorea spp), Agathis sp, kanari (Canarium sp), nyatoh (Palaquium sp), medang (Litsea sp), durian (Durio zibethinus), gerunggang (Crotoxylon arborescens), kempas (Koompassia malaccensis) and belatung (Quercus sp).

The Meratus mountains with their forest cover are the main water catchment area of South Kalimantan and are thus crucial for the province’s water supplies. At the same time, this is a very fragile ecosystem, due to the steep slopes and a soil type particularly vulnerable to erosion. As these forests provide environmental services for the lowland population of South Kalimantan, they must be protected from commercial development. It is therefore vitally important that the area remains classified as Protection Forest.

Government agencies recognise two land use zones: montane forest (approx 37,690 ha) and non-productive dry lands (approx 8,310 ha). However, even casual observation shows that most of the latter area is covered by crops, secondary forest, bush fallow and local agroforestry systems.

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14 Bubuhan - place of origin in the local language - is also used by the Kiyu to mean extended family (several dozen people descended from the same grandparents), community or village.

15 Hutan lindung (Protection Forest) is one of Indonesia’s major categories of state forest: see Chapter 1, p4.
Annual and perennial crops are grown in fields and agroforestry plots. Annual crops include local rice varieties, maize and vegetables, while perennial crops include rubber, cinnamon and fruit trees such as banana, candlenut (*Aleurities moluccana*), *cemedak* (*Artocarpus integer*), durian (*Durio sp*), rambutan (*Nephelium sp*) and *jengkol* (*Pithecellobium lobatum*) and various bamboos.

Overall, the forest which makes up the major part of the Kiyu Dayak customary domain is in good shape and has high biodiversity. Some areas are in the process of recovery, because the government had designated them as a logging concession. Commercial exploitation by PT Daya Sakti caused serious damage here. This timber company ceased operations in the Hulu Sungai Tengah district in 1987, after the community succeeded in driving it off their land.

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16 PT Daya Sakti controlled 8 logging concessions covering 742,000 ha in South and Central Kalimantan until the early 1990s. It now manufactures plywood, veneers, flooring and mouldings. The group is owned by Indonesian-Chinese businessman Windya Rachmat. (http://www.geocities.com/davidbrown_id/Atr_report.doc)
The Kiyu Dayak’s customary lands are important for water resource management since they include the source of the River Alai and act as a water catchment area. Due to the abundance of water, the Hinas Kiri - Batu Kambar area has considerable potential for fisheries and this is under development. However, the provincial authorities are planning to reclassify the Meratus mountains as Limited Production Forest.

In addition to timber from the forests, other natural resources in the Meratus mountains make the area attractive to domestic and foreign investors, such as large deposits of gold and coal. A considerable number of logging and mining companies is currently operating there. The regulation passed by the central government allowing mining in protected forests will definitely contribute to the further deterioration of forests in the Meratus area.

THE STATUS OF MERATUS’ FORESTS

The central government classifies 1,839,494 ha of South Kalimantan’s total area of 3.7 million ha as ‘state forest’, with 554,139 ha zoned as Protection Forest (hutan lindung) – most of which is in the Meratus mountains. (http://www.dephut.go.id/informasi/statistik/StatBaplan_03/IV1102.pdf)

Generally, indigenous people reject classification of their adat lands as state forest and are strongly opposed to Protection Forest status as no cultivation or settlement is allowed in this forest category. Meratus Dayak communities like the Kiyu have their own traditional concept of protected forest - katuan larangan. However, the fact that the Kiyu Dayak publicly support the official forest zoning reflects local concerns about the level of commercial pressures to exploit the Meratus area and the threats these present to traditional livelihoods.

The Meratus forests were zoned for watershed protection by the Dutch in 1928. South Kalimantan’s Provincial Land Use Plans (1984) also designated the Meratus mountains as Protection Forest and confirmed this in the 1998 revised integrated zoning. However, in 1999, South Kalimantan’s governor proposed some logging of this forest as part of a deal for an economic development zone near the coast. The minister of forestry approved a new logging concession for PT Kodeco. Despite strong, widespread protests, this change in official status of 42,000 ha of Protection Forest in the Meratus area
was included in the provincial planning regulation (*Perda Tata Ruang* 9/2000). The controversial decision about the logging concession was reversed after a change in forestry minister. Around 2002, the local parliament (*DPRD*) also confirmed that the Meratus mountains should remain as Protection Forest.

Nevertheless, community organisations and local NGOs remain concerned about the status of these forests as South Kalimantan’s governor has yet to authorise any change to the local planning regulation. Also there are tensions between central and local government over forest zoning: local forestry and conservation authorities have their own priorities. At least one district administrator (*bupati* Kotabaru) violated central government policy by issuing a number of local logging licences (*IPK*). Illegal logging, often controlled by urban elites and sometimes with the complicity of local authorities including the police, is a growing problem in the Meratus area. For more detail see *Analisa Konflik Sektor Kehutanan di Indonesia 1997 – 2003*, YC Wulan et al (2004), CIFOR, pp49- 54 and *Meratus – Permerkosaan Hutan Perawan*, January 2008, Forest Watch Indonesia, http://satudunia.net/referer.php?ref=http://www.fwi.or.id/?NewsID=39&buka=artikel.

Overlapping concession rights is another common problem in Indonesia due to lack of co-ordination between government departments. Mining companies — including those with interests in coal and gold in the Meratus mountains — put pressure on the government to reverse the 1999 Forestry Act that prohibited open pit mining in protected areas. (Then) President Megawati issued a decree in 2004 allowing 13 contracts which preceded the Forestry Law to go ahead. No further exemptions have been allowed to date, but the possibility of more mining in protected forests remains (see June 2006 joint statement by Indonesian CSOs at http://www.walhi.or.id/kampanye/hutan/shk/060602_dykmeratus_sp/ and DTE Newsletter 76-7, May 2008, for more information).

### II. PROFILE OF THE KIYU DAYAK INDIGENOUS COMMUNITY

1. **Early History**

   The Meratus Dayak are also known as *Orang Bukit*, the mountain people. There are two versions of how they got this name. The words *Orang Bukit* can be taken in a geographic sense, as a reference to the fact that these people live in a mountainous area. However, this term could reflect the prejudices of outsiders as, in the Banjar language, it
means ‘primitive people’. This negative stereotyping or stigmatisation by other ethnic groups is similar to the Indonesian government’s use of the words ‘remote’, ‘isolated’ or ‘underdeveloped’ to refer to indigenous people.

Ethnologically, according to the 19th century Dutch missionary W. Gabrowski, the Kiyu Dayak belong to the Ngaju Dayak group – the original inhabitants of much of South Kalimantan. According to Meratus Dayak oral history, their earliest ancestors came from the lowlands and the coast. As the number of migrants increased – mainly due to Banjarese traders, but also traders from other ethnic groups - the indigenous population gradually moved upriver into the mountains. This relocation was caused by long-standing social and economic tensions: the newcomers exerted pressure on the Meratus Dayak to convert to their religion and at the same time sought to take over the fertile agricultural lowlands.

Other signs that point towards the Meratus Dayak’s coastal origins are the ritual objects used in adat ceremonies which symbolise a coastal or
estuarine way of life\textsuperscript{17}. Terminology used in traditional ceremonies also indicates a nomadic culture\textsuperscript{18}.

Kiyu Dayak oral history tells that the origin of their community goes back many generations to a conflict between \textit{Datu} Kisai, the ruler of Hinas Kiri\textsuperscript{19}, and his grandson. One day, before leaving the hut to go to work his land, \textit{Datu} Kisai left a mango behind and asked his grandson to take care of it, making sure that nobody ate or even peeled or sliced the fruit. When \textit{Datu} Kisai returned from his fields, he wanted to eat the mango and became very angry when he discovered that the fruit had disappeared. As a punishment he decided to sell his grandson as a slave in Tabalong, but the grandson defended himself firmly.

The confrontation was reported to the king in Muara Kayu Tangi who decided to arrest \textit{Datu} Kisai for wanting to sell his own grandchild. When the king and his soldiers arrived in Hinas Kiri, \textit{Datu} Kisai fought back but lost the battle. When he was about to be beheaded, \textit{Datu} Kisai asked to be granted one last wish: he wanted to die at the estuary of the Hamputi River. The king agreed but, when they arrived, they found they had no swords sharp enough to behead \textit{Datu} Kisai. Eventually they succeeded by using a sharp bamboo blade. \textit{Datu} Kisai died and his body was cremated, but his bones would not turn to ashes. They threw his bones into a cave called Rajang Samatulang, close to Mount Peniti Rangang in Datar Alai. His grandson then founded a new community in Hinas Kiri who became the ancestors of the people who now live in Balai Kiyu.

\textbf{2. Customary institutions}

Traditionally, communities around the upper reaches of the Alai River were all led by one \textit{Tamanggung} (customary chief) - the highest position in the institutional structure under customary law. A \textit{Tamanggung} often had control over four or five communities (\textit{balai}) including the one where he lived. He was also the person responsible for maintaining and implementing customary law (\textit{Kepala Adat}) within all these \textit{balai} and was called on to settle land dispute cases between families (\textit{bubuhan}). So although the communities of Balai Kiyu, Balai Batu Kambar, Balai

\textsuperscript{17} For example, boat-shaped containers filled with sticky rice, palm sugar, bananas and coconut are presented as ceremonial offerings.

\textsuperscript{18} The term \textit{balai bajalan} literally means ‘shifting settlement’.

\textsuperscript{19} \textit{Datu} is an honorific title given to the leaders of many Dayak communities.
Juhu, Balai Datar Alai and Balai Datar Ajab are spread out over a wide area, they were all closely linked by adat as they shared a Tamanggung. Geographically, but also culturally, Batu Kambar is the centre of this broader community as it is where the Tamanggung lives. Each community had a communal building which the community used for occasions such as rituals and traditional ceremonies.

In the old days, the Tamanggung had two main aides: the Pangiwa and the Panganan. The Pangiwa was mostly concerned with issues related to conflict, disintegration and lack of harmony within the community. He was assisted by the Penangkal and Malang who maintained order and guarded the whole community. The Panganan was responsible for activities related to community welfare, including determining the timing of social, agricultural and ceremonial events (together with the community elders). He was often the community scribe too. His assistants, the Cangkingan and Penghantar, acted as community organisers who carried out the Tamanggung’s orders at the lowest level, such as mobilising people to work together on their collective land and to prepare for ceremonial events. These posts were not hereditary: the community chose the people best suited to the job.

**Adat Institutional Structure**

- **Customary chief** (Kepala Adat/Temanggung)
- **‘Left-hand aide’** (Pamangku Kiri) Conflict prevention manager (Pangiwa)
- **‘Right-hand aide’** (Pamangku Kanan) Community welfare manager (Panganan)
- **Land manager** (Kepala Padang)
- **Assists who guard the community and maintain peace** (Penangkal/Malang)
- **Assists who carry out the leader’s commands and organise people at ceremonies** (Penghantar/Cangkingan)
The *Kepala Padang* assisted the chief in all issues related to agriculture, such as determining which parts of the forest could be cleared for cultivation. He knew the history and boundaries of all the plots of land managed by the community, including which areas could and could not be cleared for farming. His advice was also sought in boundary disputes between neighbouring communities.

Decision-making was primarily through the customary chief and community elders (*Tetuha Adat*). The head of each *balai* would then inform all members of his community about decisions agreed in meetings in other *balai* under the same chief. Community elders also played a key role as the jury in land disputes because, like the agricultural manager, they knew most about tenure issues. Other significant figures in the community were the *Kepala Balian* who took the lead in traditional religious ceremonies such as *Aruh Adat*, and the *Pangulu/Penghulu* - responsible for organising weddings according to Dayak custom. Additional positions important in the *adat* institutional structure are shown in the diagram on p114.
## Hulu Alai Social Class System

<table>
<thead>
<tr>
<th>Rank</th>
<th>Religious role</th>
<th>Social role</th>
<th>Role within village governance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highest</td>
<td>Great spiritual leader (Guru Jaya)</td>
<td>Customary chief (Temanggung/Kepala Adat)</td>
<td>Senior village head (Pembekal Tuha)</td>
</tr>
<tr>
<td>High-Middle</td>
<td>Senior spiritual leader (Balian Tuha/Juru Patati)</td>
<td>Community elders (Tetuha Adat)</td>
<td>Junior village head (Pembekal Muda)</td>
</tr>
<tr>
<td>Middle</td>
<td>Intermediate spiritual leader (Balian Tanggal)</td>
<td>Aides to the customary chief: (Kepala Padang Panganan Pangiwa Malang Cangkingan)</td>
<td>Village secretary (Pangerak)</td>
</tr>
<tr>
<td></td>
<td>Junior spiritual leader (Balian Muda/Patati)</td>
<td></td>
<td>Scribe (Juru Tulis)</td>
</tr>
<tr>
<td>Lower</td>
<td>Spiritual novices (Calon Balian/Pemula)</td>
<td></td>
<td>community members</td>
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<td>community members</td>
<td>community members</td>
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Three decades ago, the government introduced a different administrative structure at village level\textsuperscript{20}. This was around the same time that the government set up indigenous community resettlement projects. As a result, many of the customary institutions no longer operate today. Most of the leadership functions of the Tamanggung/Kepala Balai are duplicated in the village administrative structure imposed by the government. The village head is now elected, not selected, so the customary chief’s role is restricted to ceremonial aspects of the *adat* system.

The main position in the customary structure that retains its importance is that of the land manager (*Kepala Padang*). He continues to determine where and when the different types of land can be used and still maintains information on the boundaries of the customary land and land use zones. Also, the *Pengulu Adat* still carries out weddings under customary law.

\textsuperscript{20} Primarily the Village Governance Act No. 5/1979 which created a standard system through Indonesia and did not recognise customary governance institutions. See similar comments by indigenous authors in Chapters 3, 4 and 7.
The (government) village head (Kepala Desa) is now responsible for making decisions regarding the community’s welfare and settling any conflicts arising within the community or with other villages. However, in practice, the former village head in the customary law system (Pembakal Tuha) still acts as an advisor on any issues concerning the village. Also the balai system still operates on a day-to-day basis with the head of each community combining the traditional functions of Kepala Balai and Kepala Adat.

3. Spiritual Leadership
Although some Meratus Dayak have converted to Christianity or Islam, the indigenous Kaharingan faith and associated customary practices and ceremonies are still very much alive in the Kiyu community. The spiritual leader is called a Balian. There are different levels of spiritual leadership, ranging from Balian Muda (junior), Balian Tangah (intermediate) and Balian Tuha (senior) to Guru Jaya (great

21 Members of the Balai Kiyu who have become Christians or Muslims generally still practise traditional land management, but do not take part in the balian ceremonies that are part of land clearance, planting and harvesting.
spiritual leader). Only a senior spiritual leader capable of conducting all customary and religious ceremonies from beginning to end, including their supernatural elements, can reach the highest level. He must also be able to officiate at a series of major *adat* and religious ceremonies for different communities one after the other. Frequently a great spiritual leader will also act as a healer or shaman to treat various illnesses.

Usually each community has several spiritual leaders including one at senior level and several at junior or intermediate levels. In small communities, the head of the extended family or clan fulfils all the *adat* roles as head of the community, customary leader and spiritual leader (*Tetuha Bubuhan*/*Tetua Adat*/*Tetuha Balai*). Communities linked through marriage ties tend to share a common *Guru Jaya* regardless of the geographical distance between them.

### 4. Land and forest management

The customary lands of the Kiyu Dayak have been handed down from the community’s ancestors for many generations - long before the Dutch were there. The tenure system includes both communal and individual ownership. Traditionally, Meratus Dayak societies only cleared as much forest as needed to support their livelihoods. Each family had the right to six *payah* (around 3 ha) although this could be extended if they needed and could cultivate more. The rest of the forest was held collectively and any use had to be agreed by the whole community. Men and women had the same inheritance rights over agricultural land: these passed to the oldest child on the parents’ death. These practices continue today.

The Meratus Dayak differentiate between two types of tenure and land-use:

- Permanent ownership and management rights that cover land used for agroforestry (*kebun*) where tree species such as rubber and fruit trees (rambutan, coconut, durian, etc) as well as bamboo are usually planted;
- Temporary ownership and management rights that cover land used for agricultural crops, such as upland rice and maize. This land can be bequeathed to or managed by non-family members who belong to the same community with the approval by the head of the community.
The land ownership system is based on trust and agreement within the adat framework. No written documents are used. So no member of the Kiyu community holds a land title certificate, even though these people have owned the land for generations. Boundaries are marked by natural features like rivers or by planting trees, such as rubber, cinnamon, betel nut palms (*Areca catechu*) and *Peronema canescense*,22 and clumps of bamboo. Owners of all neighbouring plots agree boundaries in order to avoid future conflicts. It is the task of the traditional land manager (*Kepala Padang*) to memorise all boundaries between individual properties and between settlements.

22 A distinctive hardwood tree, also known as *sungkai*, with a very straight trunk and no low branches.
In the Balai Kiyu community, land ownership generally depends on whether it has been inherited, acquired by marriage, bought or rented. When parents bequeath their property, the children’s capability to manage the land is more important than their sex, although the eldest child is favoured. Outsiders who marry into the Kiyu community and decide to live in Balai Kiyu may be given land and/or granted management rights within the customary domain.

Land may be bought or sold, but only within the Kiyu community. Land can also be rented with the consent of the community agricultural manager, but only for annual crops like seasonal vegetables. Usually the landowner receives a 25% share of the harvest as rent, agreed in advance.

Land ownership rights are lost only if the owner dies or if the owner has been absent from the community for a long time and did not plant any tree crops. Anyone who had been managing that land then gains tenure rights. To date, no Kiyu land has ever been sold to outsiders.

III. ATTITUDES TOWARDS NATURAL RESOURCES AND THEIR MANAGEMENT

For the Meratus Dayak in general and the Kiyu Dayak in particular, the customary forests and land are their life source. The forests are their pharmacy, food store, kitchen, classroom and bank. They regard forests as their mother who must be honoured because she gives and sustains life. The *adat* system of forest management is the basis of local livelihoods.

The Kiyu Dayak have always believed that their customary forests and agricultural land can provide for their families’ needs. This attitude still prevails today. Traditionally, the Kiyu Dayak have always followed *adat* rules for managing their customary forests and other natural resources. Only certain parts of the forest may be cleared for agriculture and no trees may be felled in areas considered sacred. The Kiyu Dayak believe that, if they lose their forest, they will lose their *adat* culture too. Anyone violating *adat* rules is still subject to *adat* penalties.
The Meratus Dayak have developed rotational land use over many generations as a means of overcoming natural limitations to cultivation and, at the same time, of protecting their forest resources\textsuperscript{23}. The Kiyu people, like other Meratus Dayak, divide their customary lands into a series of land use zones: bush fallow (balukar anum) - 1 to 7 years after clearing; young secondary forest (jurungan) - 7-12 years old; fields (pahumaan); plantations; forest (katuan) and areas for housing\textsuperscript{24}.

The forest covering the mountains at an altitude of 700 metres and above - an area close to 6,900 ha - is classified as protected forest (katuan larangan). This cannot be used for agriculture because it is believed that the spirits of the community’s ancestors (keriau) live there. Nobody can cut down trees on pain of punishment by the spirit world, but members of the Kiyu Dayak community are allowed to extract non-timber forest products. This zone serves to protect plant and animal species and the community’s water resources.

The other category of forest which the indigenous community is allowed to exploit is called adat forest (katuan adat), which covers some 290 ha. This

\textsuperscript{23} The Kiyu Dayak, like most indigenous peoples, reject the term ‘shifting cultivation’ (peladang berpindah) because – as used by the government – this has negative associations of uncontrolled ‘slash and burn’. They prefer to describe their land use as ‘rotational’ to emphasise customary practices which take environmental carrying capacity into consideration.

\textsuperscript{24} The total of customary land in this section (7,565 ha) differs slightly from the amount mentioned previously due to approximations of land uses.
is used on a rotational basis for agriculture and agroforestry\textsuperscript{25}. The Kiyu may also take timber from this zone for firewood or to build their houses. Some of this forest is cleared and cultivated (\textit{pahumaan})\textsuperscript{26}. Two to three annual crops of rice will usually be grown\textsuperscript{27}. Intermediary crops are used to preserve soil fertility and to reduce the risk of erosion. When a plot is no longer suitable for growing rice or vegetables, it can be planted with trees then left to regain its fertility and turn into secondary forest (\textit{jurungan}) before clearing for agriculture again some time in the future. Meanwhile, the family uses other plots for growing rice. Agroforestry is therefore an integral part of the cycle\textsuperscript{28}.

A zone of around 30 ha is considered sacred forest (\textit{katuan keramat}). This is where the community’s ancestors were buried and must not be used for any purpose other than burial. Sacred forest is usually located on the higher mountain slopes. In Balai Kiyu, the sacred forest and protected forest zones form the boundaries with neighbouring villages.

Other land use zones include rubber plantations (\textit{kebun gatah}, 278 ha) and fields (\textit{huma}, 156 ha). Rubber is planted as a cash crop while the agricultural plots are used for subsistence farming. Common subsistence crops include annual plants such as rice, chillies, yams, cucumbers, aubergines and other vegetables. These fields are usually located on lower land which is flatter and more fertile.

\textsuperscript{25} This whole zone is common property which may be used for rotational cultivation, following the \textit{adat} rules for assigning plots to individual families. Once the plots are allocated, ownership may be temporary or permanent as described in section II.4.

\textsuperscript{26} In common with most other Meratus Dayak groups, the Kiyu traditionally use fire to clear land for cultivation. They maintain that this does not contribute to forest fires as they only burn \textit{jurungan} and burning (primary) forests is prohibited under customary law. There are also strict \textit{adat} rules on how fire can be used to prepare fields for planting. In addition to clearing a firebreak around the edge of the plot, these include only burning at certain times of day and when the wind is in the right direction. However, with increasing population pressure, the Kiyu admit that not everyone follows these rules.

\textsuperscript{27} Usually a family goes together to their land - men, women, old and young - to plant, tend and harvest the crops and even to sell produce at the market.

\textsuperscript{28} In the past, cultivated land would be left to turn into secondary forest for 10-15 years before it was cleared for reuse as fields. Now the cycle is only 5-7 years, apparently due to population growth. It is likely that, rather than sacrifice their protected forest, rotational cultivation will soon be replaced by more settled practices. Rubber plantations are the favoured option in other parts of Kalimantan.
Only a tiny proportion of the Kiyu’s customary lands (less than 2 ha) is taken up by housing, including the community hall (balai adat). This settlement zone is usually located in the valley or on the lower hillsides.

For the Meratus Dayak, it is vital to know which parts of their customary lands can and cannot be used for cultivation - not only for food security, but to avoid being cursed by ancestral spirits. Areas for fields are selected according to calculations based in traditional knowledge, not just where people want to farm. These skills are highly valued because the annual rice and maize harvests are so important to the community’s subsistence and choosing the wrong locations may result in low crop yields.

Meetings to decide where to clear secondary forest for agriculture can last several months as many factors must be carefully considered, such as the slope of the land and soil fertility. The Meratus Dayak use a variety of signs to assess soil fertility, including its colour and indicator species which mark the stage of succession within the cultivation cycle. Usually the Kiyu choose plots for cultivation where the gradient is about 45 degrees to avoid damage by wild pigs. These factors are also closely linked to the agreements on land use zoning passed down through the generations (peranggan). For example, rice can only be planted up to around 700 metres above sea level - an area called munjal - as forest on the higher slopes is protected under customary law.

The different steps of the rice cultivation cycle are as follows:

- **Batunung**: choosing an appropriate plot. This is usually done by seeking guidance from the spirit world, interpreting dreams and other signs.
- **Manabas**: cutting down the vegetation. This is done collectively. A firebreak approximately 4 to 6 metres wide is cleared before burning to prevent the fire from spreading.
- **Menyelukut**: once the plant matter has dried out and a firebreak has been prepared, the land is cleared by burning any remaining plants.

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29 Within the Meratus Dayak, the details of agreements on land use by families (bubuhan) and communities (balai) may differ, but the basic rules and terms of land use zoning remain the same.
• *Manugal*: rice planting$^{30}$ - usually local upland varieties with a growth cycle of approximately six months.
• Protecting the crop from pests until harvest time.
• Harvesting, threshing and storing the rice.

Each stage is associated with special rituals or ceremonies (*Aruh*), see Section IV, 1.

### IV. THE ROLE OF *ADAT* IN MAINTAINING THE BALANCE BETWEEN HUMANS AND NATURE

The Meratus Dayak feel very closely attached to their natural environment and honour it as the source of their livelihoods in different *adat* ceremonies. These are indirect ways of reminding all community members to continue to take care of the balance between humans, nature and the guardian spirits.

$^{30}$ In the Meratus mountains, including the Kiyu community, upland rice is still planted traditionally by making a hole in the soil with a pointed stick to plant each rice seed.
Rice cultivation traditionally plays an important role in Dayak life because the rice plant is regarded as a gift from heaven which has sacred properties. Sticky rice, cooked inside a piece of bamboo, is an essential part of all adat ceremonies. This is why Dayak people have always grown rice, even where they live in places where its cultivation is difficult – such as hilly areas with low soil fertility. Rice farming still remains the main occupation of the Meratus Dayak because of its socio-cultural importance.

People use forest products to supplement their diet, especially as it was traditionally prohibited to buy or sell any rice stored in the rice barns\textsuperscript{31}. The Kiyu Dayak also sell various non-timber forest products to purchase goods and services that they cannot provide for themselves. These include damar resin (from the \textit{Agathis} tree), rattan, bamboo, rubber, sap from the \textit{jelutung} tree\textsuperscript{32}, candlenuts and honey.

\textsuperscript{31} Members of the extended family would share their stores if their relations ran short of rice or, in times of severe shortage, people resorted to yams as their staple food until the next harvest. Now that rice productivity is higher and it is possible to get to town by road to buy rice, such shortages rarely occur.

\textsuperscript{32} A rubber substitute can be made from the sap of this tree.
1. *Adat ceremonies (aruh)*

The Meratus Dayak celebrate nine different ceremonies throughout the agricultural year:

a) *Mamuja Tampa*: blessing the agricultural tools;

b) *Batunung*: choosing the right plot of land to clear;

c) *Patilah*: before cutting down any bamboo growing on the chosen plot;

d) *Katuan or Marandahka Balai Diyang Sanyawa*: honouring the spirits believed to live in the highest tree on the chosen plot of land before felling it. This ceremony is the last step in the land clearing process and is a way of asking the spirits guarding the land to release it for cultivation\(^{33}\);

e) *Bamula*: marking the beginning of rice planting;

f) *Aruh Basambu/Basambu Umang*: asking the spirits to protect the growing rice plants from disease and other disasters and to nurture the crop;

g) *Menyindat Padi*: young rice plants are tied together to protect the crop symbolically against wind and pests. Similarly, in the ceremony called *Manatapakan Tihang Babuah*, a ripening rice plant is tied to a stick to symbolise support in order to keep the plants healthy and upright until harvest;

h) *Bawanang*: asking the spirits’ permission to harvest and process the rice\(^{34}\);

i) *Mamisit Padi*: celebrating the rice harvest and storing it in the barn.

The first three ceremonies are celebrated by the family (*umbun*) who will cultivate the land, while the rest are held together with other families as a community. The peak of the agricultural year is the rice harvest and the *Bawanang* ceremony, often referred to as the great celebration (*Aruh Ganal*). This takes place in the centre of the settlement and is led by the community leader. The celebrations last from five to seven days, during which time it is taboo to carry out any form of work.

Many different offerings are needed during this ceremony, including cooked rice and the newly harvested rice. All the spiritual leaders join in

\(^{33}\) Additional information from the article *Religi Dalam Tradisi Bercocok Tanam Sederhana* by R Cecep Eka Permana, 23/May/03 (http://arkeologi.net/index1.php?id=view_news&ct_news=45)

\(^{34}\) ibid
prayer and then dance around the *adat* house shaking a kind of musical rattle (*hiang*), accompanied by four women playing small drums, one at each corner of the large room. As they move around they bless people with coins, strings of young coconut leaves, red and white flowers and fragrant leaves\(^{35}\). After the feast, the agricultural cycle starts all over again and this is how life continues.

2. *Adat* rules and sanctions

The Meratus Dayak view their forest as the source of their values, social fabric and livelihoods and are therefore very aware of the need to take care of it properly. They believe that God will curse those who harm the forest\(^{36}\). The Meratus Dayak and their forest belong together and they protect each other.

The management of the forest and its resources is regulated by *adat* rules which the community has agreed. It is the role of the customary chief to determine the penalties for any transgressors. Cutting down trees without permission or causing harm to someone else within the Kiyu’s customary domain are serious offences as the following examples of sanctions show.

- Felling a fruit tree – a fine must be paid to the tree’s owner or his/her descendents.
- Felling a tree bearing honeycombs – a fine of 10 - 15 antique plates or the equivalent in cash.
- Felling a sacred tree\(^{37}\) – the offender has to pay a fine to the head of the customary leader.
- Felling a *damar* resin tree (*Agathis sp*)\(^{38}\) – the family on whose land the tree was can fine the offender and the fine is handed over to the customary leader.
- Cutting down a fruit tree or causing the fruits to fall off a tree, whether one’s own or someone else’s - fine according to the damage caused.

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\(^{35}\) Outsiders are allowed to observe this ceremony, but their host must make a contribution of 2-5 litres of rice per visitor.

\(^{36}\) The highest spiritual power in the Kaharingan religion is called *Jubata* or *Dwata*.

\(^{37}\) A sacred tree is one growing at a burial site (usually in the water catchment zone).

\(^{38}\) *Agathis* trees may be 200-300 years old and are particularly valued for the fragrant resin they produce.
• If a person’s house or shelter is damaged by someone felling a tree, s/he must pay compensation to the owner of the building.
• If someone loses control of the fire when clearing land and the fire damages someone else’s crops, the owner of the field has to be compensated according to the value of the lost crop.

These *adat* fines can be imposed on anyone who breaks the community’s rules, regardless of social status. The community determines the cash equivalent collectively. Dayak culture is based on five basic principles: sustainability, solidarity, biodiversity, subsistence and compliance with *adat* law. Applied properly, these principles will bring about a form of sustainable development which is economically viable, environmentally friendly and culturally sensitive. They enable the Kiyu Dayak to protect their environment rather than destroying it, as they are often unjustly accused of doing.

Kiyu Dayak *adat* sanctions have also been applied without discrimination to anyone breaking customary law since time immemorial – including outsiders. Offences against *adat* law carried out by outsiders are regarded as an insult to the whole Kiyu community. These include offences such as theft, murder, rape and other actions considered crimes under *adat* and formal law.

Penalties for offenders have been adapted to modern times. For instance, theft used to be punished by cutting off the thief’s hand. Nowadays the offender is fined in money or in kind, depending on the value of what was stolen.

3. *Adat meetings*

Meetings are held as the need arises. They may be used to prepare for or to celebrate an *adat* or religious ceremony, such as a wedding or

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39 Formerly, it was common for fines to be in the form of antique porcelain plates, but now these are translated into a cash sum. One plate (*tahil*) was equivalent to Rp120,000 (approx US$12) at the time this chapter was written. These fines are more a show of community disapproval than financial compensation. However, much higher fines - based on the actual economic value - are imposed on outsiders who break *adat* rules.

40 See also footnotes 23 and 26 in this chapter.
to clear land for cultivation, or as a response to threats from outside the community, for example, plans to exploit local forest resources. Decisions are based on consensus and all community members may take part\textsuperscript{41}. In the past, Kiyu Dayak women were not involved in decision-making. Now they have the same rights to express their opinions and to vote in decision-making processes.

V. RELATIONSHIP BETWEEN \textit{ADAT} INSTITUTIONS AND THE VILLAGE GOVERNANCE STRUCTURE

In administrative terms, the customary lands of the Balai Kiyu community are now officially part of the village of Hinas Kiri - Batu Kambar. This change in governance structure has not had a great impact on the management of natural resources, since the indigenous community is given full rights to manage the resources within its customary area according to \textit{adat} rules\textsuperscript{42}.

Despite the significant differences between the two systems, the Hinas Kiri – Batu Kambar village administration supports the \textit{adat} regulations that prevail in the indigenous communities, including Balai Kiyu, and recognises the importance of \textit{adat} institutions\textsuperscript{43}. For instance, activities where the whole community cooperates, such as keeping the village roads clear or building bridges, may be coordinated by \textit{adat} or village governance institutions\textsuperscript{44}.

\begin{footnotesize}
\begin{enumerate}
\item People are considered adult at around 17 years old, or younger if they already have children.
\item In the official village structure, the village assembly (\textit{BPD}) acts in consultation with the village head. Usually, \textit{adat} leaders (such as the \textit{Kepala Balai} and \textit{Tetuha Adat}) are members of the village assembly. The village head will therefore have to take their views into account. If the customary leader is elected as village head, \textit{adat} rules will automatically be taken into account. This minimises conflict between the government and \textit{adat} systems of governance at village level.
\item Pre-1979, Batu Kambar and Balai Kiyu both had village status. Now Balai Kiyu is administratively part of Batu Kambar where more of the community is from the Banjar ethnic group which does not have the same beliefs and traditional land use system. However, the Hulu Sungai Tengah district authorities currently take a tolerant approach to traditional land clearance methods.
\item See Section VII on community support for the government’s reforestation programme through a tree nursery.
\end{enumerate}
\end{footnotesize}
Another example is the local by-law (Perdes) on natural resource management which the village has drafted.

In forest management at the village level, the two institutional structures act as partners looking jointly at different people’s interests and how land is being used. Both support each other automatically. Decisions about cooperation are generally reached by discussion and consensus. In the event of a difference of opinion, the two systems would seek a compromise. However, so far, there has never been any such conflict at the village level.

An example of such co-operation on forest related issues is the mediation in cases of land claim conflicts within Balai Kiyu or between neighbouring villages.
VI. CONFLICTS CONCERNING NATURAL RESOURCE MANAGEMENT

Relations between the indigenous community and the regional and national authorities have not been so close\textsuperscript{45}. That the government looks down on the indigenous Meratus Dayak communities is clear from various policy decisions. These include issuing large-scale logging permits (\textit{HPH}) which exploit customary forests without giving any information to the affected communities beforehand or seeking their consent.

The rights of the indigenous Meratus communities are often violated in other ways too. For example, funding intended for communities is siphoned off as it is passed down from the provincial to the district and sub-district authorities. While local government supports some communities by providing places of worship (usually small mosques), the Dayak’s Kaharingan religion is completely ignored. There is also a lack of justice in the courts. The police and legal system do little to prevent outsiders from stealing timber from Dayak customary lands, yet members of the indigenous community are accused of illegal logging for using their own timber.

When conflicts arise, the indigenous communities try to resolve them by engaging all stakeholders in a dialogue, including the local authorities, \textit{adat} leaders and the investors operating in the area. This has not always been possible. One example is the clash between the Kiyu and the logging company PT Daya Sakti. The community successfully resisted the destruction of their forest in various ways without casualties on either side.

\textsuperscript{45} Although technically the village administration of Desa Hinas Kiri - Batu Kambar is part of the regional governance system, the indigenous authors of this chapter draw a clear distinction between relations with the official system at village level and those with the higher echelons of the hierarchy. Few local government officials at the sub-district or district levels are Dayak, partly due to their lack of formal education. The Kiyu Dayak feel that ethnic groups such as the Banjar from the coastal region, Bugis (originally from Sulawesi) and Javanese do not fully understand their needs or value their culture.
THE DAYA SAKTI CASE

PT Daya Sakti started to log the Kiyu Dayak’s forests in the early 1980s, causing serious damage to their fields and agroforestry plots. Two local people died in a landslip which was believed to have been triggered by commercial logging.

The community initially asked the company to negotiate with them and proposed compensation for the use of their natural resources. PT Daya Sakti rejected any dialogue or consideration of compensation. This caused an increase in community resistance to commercial logging and led to a series of blockades of roads and logging camps. The community confiscated some heavy equipment. In addition, they used their traditional beliefs to protect the forest by calling on supernatural forces.

They also protested to the company, to local and central government and to (then) President Suharto by letter about the negative impact of the company’s operations on their livelihoods. Representatives of the community, supported by local NGOs and students, demonstrated at the local forestry office and provincial assembly in Banjarmasin. Eventually, PT Daya Sakti withdrew completely from the area in 1987.

Secondary forest which was part of the PT Daya Sakti logging concession
Customary law remains the reference system for preventing conflicts. For all Meratus Dayak, including the Kiyu community, adat rules are the basis of their lives. Wherever possible, problems are settled by adat rather than resorting to formal law. Anyone who interferes with the way the Meratus Dayak manage their forest resources or violates their right to manage their resources according to their customary rules is regarded as an intruder and a cause of conflict.

VII. INITIATIVES TO STRENGTHEN INDIGENOUS FOREST MANAGEMENT

The Balai Kiyu community has undertaken various initiatives to strengthen their traditional community-based forest management system. A tree nursery has been set up which produces hundreds of thousands of meranti seedlings for reforestation work. In 2002, the Kiyu also established a credit union as a source of micro credit to support economic activities that are not forest dependent. Through the credit

Tree nursery: *Peronema canescens* seedlings shaded under rubber trees

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union network, the community cooperates with groups in other parts of Kalimantan. Other initiatives include setting up a co-operative of rubber farmers, community mapping and a village regulation based on *adat* rules.

The Dayak Alai Co-operative (*Koperasi Dayak Alai, KDA*) was set up in February 2003 as part of moves to strengthen the local economy in indigenous communities in the Meratus mountains. Its office is in Batu Kambar. Within two years it had 58 members in communities (*balai*) in Hulu Sungai Tengah. Most of these are rubber farmers as rubber is a major product in this district. The co-operative is still a relatively new venture and faces problems of competition with middlemen and larger traders, but its membership continues to expand. It has helped its members to learn from rubber processing companies how to improve the quality of their product so they can increase their income.

The PT Daya Sakti case and the proposals to allow logging and mining in the Meratus area did much to increase awareness within indigenous communities about the importance of *adat* in maintaining control over their natural resources. They have also attracted various types of help from NGOs. Over 30 local organisations have joined forces as the Meratus Advocacy Alliance to support communities opposed to the destruction of this area of forests. In addition to lobbying the authorities, this group has provided capacity building and training in sustainable forest management techniques for local people.

The local NGO LPMA Kalsel has worked closely with the Kiyu Dayak over the past decade, encouraging the community to value its customary practices and beliefs. One part of its programme, supported by the national organisation HuMA which promotes indigenous rights, is to help develop local regulations (*Perdes*) on natural resource management in the Hulu Sungai Tengah district. Progress was slow in Kiyu and Batu Kampar due to a reluctant village head but, in 2003, neighbouring Hinas Kanan became the first village in South Kalimantan to introduce such a by-law. The hope is that other villages will follow suit, forcing the district authorities to pass a higher level regulation recognising *adat* institutions.
Local by-laws which protect the interests of indigenous communities and their forests have recently been enacted in several villages in the Meratus mountains in South Kalimantan. These lay down some very important rules which recognise the role of indigenous knowledge in exploiting and managing natural resources and provide greater opportunities for indigenous communities.

The three villages of Juhu and Hinas Kiri (in Batang Alai Timur sub-district) and Hinas passed the by-laws between July and August 2005. They include strict measures to protect sacred forest, (other) customary forest and protection forest. Only non-commercial uses of these forests by members of the local community are permitted which take conservation into account and then only with the approval of the customary leader. The Hinas Kiri by-law also regulates the exploitation of wildlife. For example, it is forbidden to catch certain species of bird considered sacred. Violations of the by-law, punishable by fines, are to be referred to the customary leader with the approval of the village head.

It is hoped that these by-laws will enable local communities to protect the natural resources of the Meratus mountains and promote their sustainable use so that future generations will also be able to enjoy them.


Another example is the participatory mapping done by communities with technical assistance and equipment from NGOs. This was seen as a way for indigenous communities such as the Kiyu and its neighbours to defend their customary lands from companies. These maps have also proved useful since the introduction of regional autonomy as communities need to be able to show the limits of their customary lands on paper in order to use the legislation to gain greater recognition of their land rights.

A final example was a gathering of 300 indigenous communities from all over South Kalimantan, including representatives of Balai Kiyu, held
in 2003 with support from local NGOs. The aim was to build solidarity between communities so that they can press the government at local and national levels to support their interests. One outcome was that a well-known Meratus Dayak figure, Zonson Masrie, stood as a candidate for the local assembly in the 2004 elections. He was not elected, but his achievement has encouraged members of indigenous communities in Hulu Sungai Tengah to see political action as a real possibility.

We shall continue to fight for the rights of indigenous communities!
KIYU DAYAK PROTECT THEIR RESOURCES

A barrier across the road prevents trucks from passing through while allowing access to private cars. It turns out that this is intended to stop trucks coming into the area which are often used to transport illegally felled timber out of the Meratus mountains.

Yasir Al-Fattah, director of local NGO Lembaga Pemberdayaan Masyarakat Adat (LPMA), said that the local community had constructed the barrier on their own initiative to prevent logging of the forests in the Meratus area.

The indigenous Meratus Dayak communities in the Alai Timur sub-district of Hulu Sungai Tengah in South Kalimantan are vigorously promoting forest conservation. The deteriorating condition of forests in the area has made them realise that forest destruction will have negative impacts on the local economy. “We now understand that destruction of the Meratus forests could also affect our livelihoods. Our lives depend on the forests,” said Andy Syahruiji, a young man from Batu Kambar who has become an environmental activist.

Andy’s comments are supported by evidence from the field. As a result of forest destruction in the Meratus mountains watershed, the Panghiki river - a tributary of the River Alai - often causes flooding and logging trucks are carried downstream in its muddy yellow-brown waters.

The critical state of the forests in the upper reaches of the R. Alai causes erosion of river banks and threatens communication by road. Several roads which connect communities have been blocked by landslides within the past year.

View of Kiyu customary land, with field house, cultivated land and agroforestry areas
INDIGENOUS PEOPLE DEMAND THEIR RIGHTS

The Association of South Kalimantan Indigenous Peoples is demanding that the provincial government and local assembly respects their rights to the land and natural resources where they live, particularly in relation to plans for commercial exploitation of the forest and transfer of powers over it. This is because indigenous communities have lived in these places for generations but are now being marginalised by the activities of companies who are exploiting the forests, explained the head of the association, Zonson Masrie. He made this point in discussion with H. Mansyah Add, head of the South Kalimantan Assembly, and other local politicians H.Sofwat Hadi, Addy Chairuddin and Agus Martadi, during the Congress of South Kalimantan Indigenous Peoples in Banjarmasin on Thursday.

Zonson Masrie was one of 750 indigenous participants at the meeting, representing 300 balai or communities who stated their position and declared 26th June as Indigenous Peoples’ Day in the province. These indigenous communities pressed the provincial and district authorities to recognise and respect them, including their belief system, culture, customary law and tenure rights.

“These local authorities still do not acknowledge our customary lands,” said Zonson, “so it is easy for the government to issue permits to companies to exploit our forests”.

He and the other indigenous representatives want a stop to the takeover of customary lands and the withdrawal of permits for land use, logging, plantations and mining plus the certification of customary lands and other projects as these activities are detrimental to indigenous communities and their environments.

Source: *Kalimantan Post*, 27/Jun/03
Honey tree in Batu Kambar
TWELVE KEY ISSUES FOR SOUTH KALIMANTAN’S INDIGENOUS COMMUNITIES

The twelve main topics discussed at the South Kalimantan Indigenous Peoples’ Congress (23-26 June 2003) were co-operation between communities (balai), religion and language, political participation, customary institutions, indigenous women, adat organisations and the younger generation, education, health, territory and natural resources, economy, infrastructure and development and adat regulations. Each district was represented by nine people in each discussion group.

The participants seemed to take part enthusiastically in each of the discussion groups, according to our reporter at the Congress. They were not shy about expressing their opinions and were quick to challenge statements which were not in line with their own views. Although the discussions were serious, they were often punctuated by laughter. The groups were facilitated by leading figures from the indigenous community, including Zonson Masrie, Mido Basmi, Bustami, Ali Udar, Noorsewan, Bahrudin, Ayal, Saleh and Ahdiyat.

Congress participants as a whole agreed that the autonomy of indigenous peoples was the main demand for their community leaders and the civil society organisations which supported them. This goal had become more attainable with the opportunities presented in the national law on regional autonomy (No 22/1999), particularly because this allows the change from the standard government concept of village governance to governance based on customary law. Moreover, the framework legislation on Agrarian Reform and Natural Resource Management (TAP MPR No IX/2001) provides more recognition for the principles of acknowledgment, respect and protection of indigenous rights.

One point that came out of the discussion was that, if indigenous communities are to attain more autonomy, indigenous people must brave the political arena. Engaging in politics provides opportunities for indigenous people to participate in the whole process of formulating and enacting change in government policies at local and
national levels. However, so far it has proved difficult for indigenous people living deep in the countryside far from the centres of power to engage in the political system. So it is hardly surprising that indigenous communities are disadvantaged by policy decisions taken by the authorities.