

## Box 1.16 Uprooting Communal Tenure in Indonesian Forests

Many communities on the outer islands of Indonesia, and elsewhere in the developing world, use traditional systems of community-based, group tenure rights to manage forest resources. Many of these management systems are generations old and meet local economic needs while maintaining vital ecosystem functions, including protection of biodiversity (Lynch and Alcorn 1994:374, 381). Unfortunately, most of these systems are threatened by legal and development pressures.

In Indonesia, traditional community-based property rights are called *adat* rights. Across the Indonesian archipelago, communities adapt *adat* rights to their specific economic and environmental needs. Agroforests in Sumatra and Kalimantan, for example, are managed for rubber, durian fruits, illepe nuts, resins, and rattan.

Between 12 and 60 million people depend on Indonesia's forests, with a substantial proportion practicing traditional agroforestry (Poffenberger et al. 1997:22). Detailed information is lacking, but research suggests much of this land is managed under *adat* rights.

### Threats to Group Tenure

*Adat* rights in Indonesia face four significant threats:

- *Adat* rights are not meaningfully recognized by the state, despite their widespread importance. The Indonesian Ministry of Forestry manages and claims exclusive ownership of 131 Mha of forest land—68 percent of Indonesia's land area, including 90 percent of the Outer Islands. Even though government planners admit knowledge of *adat* tracts is important in formulating sustainable resource management plans, the government does not know how much of this land is also claimed under traditional group tenure regimes (Fox and Atok 1997:32; Peluso 1995:390–391).
- State-sponsored development activities constantly override *adat* rights. Where 20-year timber concessions have been granted, forest-based communities find their traditional rights of use and access usurped (Lynch and Talbott 1995:52–54). Government-directed development plans—including mining, transmigration settlements, and conver-



sion of forests to timber or oil palm plantations—degrade or destroy these ecosystems (Michon and de Foresta 1995:103–104). In East Kalimantan province, 30 percent of Long Uli village land was lost to a government nature reserve, and 20 percent (including half of the village's cultivated land) was included in a timber concession, all without the consent of or consultation with the villagers (Sirait et al. 1994:416). Over the protests of villagers in eastern Maluku province, local government officials signed agreements with timber companies granting them access to the village's resin-producing agroforests, which were then destroyed without adequate compensation, thus undermining environmental sustainability and local economic stability (Zerner 1992:31–33).

- The imminent nature of state-sponsored development projects provokes communities to overexploit their resource base. Faced with irretrievably losing control of their lands and resources, some forest-dependent communities will incautiously reap maximum harvests and, in the process, destroy the resource base (Lynch and Talbott 1995:98; Sirait et al. 1994:416).
- Government policies that disproportionately reward agricultural production can also promote forest degradation. More favorable prices for agricultural commodities, relative to nontimber forest products, encourage farmers to pursue less sustainable forms of agriculture than those used by traditional agroforestry systems (Padoch and Pinedo-Vasquez 1996:113).

### New Approaches

Many conflicts would be mitigated if adat rights were legally recognized and granted political legitimacy. In 1998, before the fall of the Suharto government, the Indonesian Ministry of Forestry issued a decree that created a new land-use category, the *kawasan dengan tujuan istimewa*, or “area of special/extraordinary objective,” for 60 resin-producing agroforest villages in the vicinity of Krui, Sumatra. The decree established a process for granting official use and management rights to local villages covering 29,000 ha of forest. The regulation was the first ever to grant legally recognized management rights to community agroforesters.

Other important political and legal changes include President Habibie's emphasizing the importance of civil society and governmental accountability. The Basic Forest Law of 1999 acknowledges that local people have a key role in sustainable forest management; however, it fails to recognize adat rights. Within the Forestry Ministry, a new regulation currently being considered would authorize the demarcation of indigenous territories within areas designated as state forestland. The Min-

istry of Agrarian Affairs, in a related vein, has issued a decree providing for delineation and registration of community-based adat rights in some forested areas (Lynch 2000).

Wider legal recognition of traditional community rights of access to and management of forests in Indonesia could follow these important developments (Campbell 1998). Still needed, however, are clearer policies on adat rights that also define local and state rights and responsibilities (Bromley and Cernea 1989:52; Lynch and Alcorn 1994:376–377).

Current progress toward wider legal recognition of local tenure by the Indonesian government, however, is fragile in light of the country's recent economic and political turmoil. Similar efforts to promote legal recognition of group tenure in Thailand and the Philippines are also at precarious stages.

At current population growth rates, tensions between development and sustainability are sure to continue. An additional 15–33 Mha of forest in Indonesia is expected to suffer deforestation by 2020 (Lynch 2000). Plans are already under way to create more pulp, paper, and oil palm plantations, all of which replace natural forests (Barber 1997:74).

Logged-over areas of natural forest currently provide forest-dependent communities space for agriculture, grazing, and collection of forest products such as timber, rattan, and rubber. Converting these areas to intensively managed pulp and oil palm plantations will permanently exclude local populations; their claims to resources, which had tenuous legitimacy before, will be made irrelevant (Barber 1997:75). Securing the community-based property rights of Indonesia's forest-dependent communities would help to both protect the interests of Indonesia's rural inhabitants and promote environmental sustainability.