

Inclusion, Exclusion and Agrarian Change:

Experiences of Forest Land Redistribution in Indonesia

Martua Thomas Sirait

This dissertation is part of the research programme of CERES, Research School for Resource Studies for Development

The research was funded by Ford Foundation, Evangelischer Entwicklungsdienst and World Agroforestry Centre.

© Martua Thomas Sirait 2015

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the author.

ISBN 978-90-6490-050-1

Inclusion, Exclusion and Agrarian Change: Experiences of Forest Land Redistribution in Indonesia

**Participatie, uitsluiting en veranderingen in de landbouw:
ervaringen met herverdeling van bosgrond in Indonesië**

Thesis

to obtain the degree of Doctor from the

Erasmus University Rotterdam

by command of the Rector Magnificus

Professor dr H.A.P. Pols

and in accordance with the decision of the Doctorate Board

The public defence shall be held on

2 November 2015 at 10.00 hrs

by

Martua Thomas Sirait

born in Braunschweig, Germany



Doctoral Committee

Promotores

Emeritus Prof.dr. B.N.F. White

Prof.dr. S.M. Borrás

Other members

Prof.dr. G.A. Persoon, Leiden University

Dr. R.A. Rutten, University of Amsterdam

Prof.dr. M.N. Spoor

Dedication

*To my wife Sandra Moniaga, my daughter Amelia Rugun Sirait and my son Benno Tumpak
Abimsa Sirait for their generous support for me to finish the book.*



Contents


<i>List of Tables, Figures, Maps and Appendices</i>	<i>vi</i>
<i>Acronyms</i>	<i>ix</i>
<i>Acknowledgements</i>	<i>xii</i>
<i>Abstract</i>	<i>xv</i>
<i>Samenvatting</i>	<i>xxi</i>
Inclusion, Exclusion and Agrarian Change in Land Redistribution	1
1.1 Introduction	1
1.2 Background of the Study	1
1.3 Statement of the Problem	5
1.4 Redistributive Land Reforms and Agrarian Change: Towards an Analytical Framework	16
1.5 Research Questions	26
1.6 Research Strategies and Methods	26
1.7 Organisation of the Study	34
Notes	37
The Emergence of Forest Land Reform in Indonesia	40
2.1 Introduction	40
2.2. Market Liberalisation in the Forestry Sector	42
2.3. Forest Land Redistribution Discourse and Policies	50
2.4. The Responses of Civil Society and Local Governments	56
2.5. Concluding Remarks	57
Notes	58

Land Redistribution and Agrarian Change: The Experience of Ciniti Hamlet (Garut)	60
3.1 The History of the Settlements	61
3.2 Conflict and Collaboration: Reaction to MoF's Claims	67
3.3 The Agrarian Structure and Agrarian Relations in Ciniti and Surrounding Areas prior to Land Redistribution	70
3.4 Patterns of Surplus Transfer prior to Land Redistribution	83
3.5 The Land Redistribution Process	91
3.6 Farming Practices and Processes of Differentiation under Individual Land Ownership (1999–2010)	104
3.7 Changes in the Agrarian Structure and Agrarian Relations after Land Redistribution	122
3.8 Concluding Remarks	133
Notes	140
Land Redistribution and Agrarian Change: The Experience of Simpang Duren Hamlet (Lampung)	144
4.1 History of the Settlements	145
4.2 Conflict and Collaboration: Reactions to MoF's Claims	150
4.3 The Agrarian Structure and Agrarian Relations in Simpang Duren Hamlet prior to Land Distribution	155
4.4 Patterns of Surplus Transfer prior to Land Redistribution	162
4.5 The Land Redistribution: 2001–2006	168
4.6 Farming Practices and Processes of Differentiation under Individual Land Ownership (2001–2010)	175
4.7 Changes in the Agrarian Structure and Relations after Land Redistribution in Simpang Duren Hamlet	179
4.8 Concluding Remarks	188
Notes	196
The Future of Forest Land Redistribution in Indonesia	199
5.1 Introduction	199
5.2 Contestation over forest areas in Ciniti (Garut) and Simpang Duren (Lampung) before the land redistribution	200

Contents

v

5.3 Changes in the Land-Based Agrarian Structure	201
5.4 Changes in Agrarian Relations	203
5.5 Questioning the Application of the Evolutionary Theory of Land Rights (ETLR)	207
5.6 A Trajectory of Indonesian Upland Communities	212
5.7 Implications and Reflections for State Policy and Civil Society Movements	216
Notes	219
<i>Appendices</i>	220
<i>References</i>	223



List of Tables, Figures, and Boxes

Tables

Table 1.1 Possible alternative outcomes of the land redistribution process	11
Table 1.2 Interview Process during the Study	32
Table 2.1 Forest classification in Indonesia in 1982, 2004 and the projected plan for 2030	44
Table 2.2 Tenure arrangements under several social forestry policy options	47
Table 2.3 Total land redistributed (1966–2005)	52
Table 3.1 Origins and class positions of households in Ciniti hamlet before the land redistribution	81
Table 3.2 Household classes based on land ownership, directly after the land redistribution in 1999	99
Table 3.3 Household classes based on land ownership, during the land redistribution in 1999 and in 2010	124
Table 4.1 The origins and class positions of households in Simpang Duren	171
Table 4.2 Household classes based on land ownership, directly after the land redistribution in 2002	173
Table 5.1 Change in the class structure of households in Ciniti and Simpang Duren, based on landholdings before and after land redistribution	202

Figures

Figure 1.1 Organisation of peasant households	25
Figure 1.2 Data Gathering Techniques	29
Figure 3.1 Map of the origins of Ciniti Households	82
Figure 3.2 Summary of the eight forms of surplus transfer in Ciniti before land redistribution	91
Figure 3.3 Recapitulation data of the land registration and a cadastral map of the redistributed land in Ciniti (1997 and 1999)	95
Figure 3.4 Land redistribution among all beneficiaries' household & class differentiations, 1999	98
Figure 3.5 Distribution of households by land area and number of adult members in Ciniti	101
Figure 3.6 Percentage of households by age group category of household heads Ciniti	102
Figure 3.7 Land distribution and agrarian class status among all beneficiaries, 2010 (10 years after land redistribution)	123
Figure 3.8 Form of surplus transfer in Ciniti after land redistribution (2010)	128
Figure 4.1 Map of the Bengkumat area in 1938	148
Figure 4.2 Map showing the origins of Simpang Duren households	160
Figure 4.3 Surplus transfer mechanisms operating in Simpang Duren, prior to land redistribution	168
Figure 4.4 Land redistribution among all beneficiaries & household class status, in Simpang Duren 2002	172
Figure 4.5 Land distribution among all beneficiaries and household class status in Simpang Duren 2010	183
Figure 4.6 Surplus transfer mechanisms in Simpang Duren, after land redistribution	188
Figure 5.1 Changes in agrarian relations in Ciniti and Simpang Duren	204
Figure 5.2 Transformation of land tenure form in Ciniti and Simpang Duren	209

Boxes

Box 3.1 Ten years of sharecropping: the experiences of Bapak Ibnu's household	86
--	----



Acronyms

A&D	Alienable and Disposable Land
AAC	Annual Allowable Cut
AMAN	Alliance of Indigenous Communities of Indonesia
BAL	Indonesian Basic Agrarian Law
BATB	Forest Area Delineation Legal Document
BPN	Indonesia National Land Agency
BRI	People's Bank of Indonesia
BTI	Indonesian Peasants' Front
BW	Boschwezen
CBFM	Community-Based Forest Management
CGI	Consultative Group on Indonesia
CGIAR	Consortium of International Agriculture Research Centers
CTL	Lampung Peasant Committee
DEPHUT	Indonesian Ministry of Forestry
DI/TII	Darul Islam/Indonesia Muslim Army
DKN	National Forestry Council
DR	Reforestation Funds
DTL	Lampung Peasant Board
ETLR	Evolution Theory of Land Rights
FECRC	Forestry and Estate Crops Reform Committee
FKKM	Communication Forum on Community Forestry
FLAP	Forest Land Allocation Project
FPKL	Forum for Lampung Forest Reform
FPPMG	Forum of Garut Youth and Student
FTLRP	Fast Track Land Reform Programme

GPI	Poverty Gap Index
HD	Village Forest Programme
HGU	Estate Crops Utilization Permit
HKm	Community Forestry Programme
HPK	Conversion Product Forest
HR	Private Forest
ICARRD	International Conference on Agrarian Reform and Rural Development
IDCF	Inter-Departmental Committee on Forestry
IMF	International Monetary Fund
JAKAD	Advocacy Network for Land Related Cases in West Nusa Tenggara
KD/II	Forest Areas for Special Purposes
KIRAB	Civil Society Support Group for Blangguan case, Central Java
KK	Family Registers
KSKPLGC	Civil Society Support for Cimacan case, West Java
KSKPKO	Civil Society Support for Kedung Ombo Dam case, Central Java
KSMJ	Civil Society Support for the Gresik case, West Java
KSMPK	Civil Society Support for the Klampok case, Bali
KSRB	Civil Society Support for the Support the Sendang Pasir Case, Central Java
KSRS	Civil Society Support for Sagara case, West Java
KSMURB	Student Solidarity Committee for the Badega case, West Java
KSUMP	Solidarity Committee for Pemekongan case, West Nusa Tenggara.
KTP	Identity Card
KUDETA	Coalition for the Democratization of Natural Resource Management
KUSAPA	Savings and Loan Cooperative
LBH	Legal Aid Foundation
LFAP	Lao Forest Allocation Programme
LMICs	Low and Middle Income Countries
LOI	Letter of Intent
MoF	Ministry of Forestry

MP3EI	Master Plan for Speeding Up and Expanding Indonesia's Economic Development
NGO	Non Government Organisation
NII	Indonesian Islamic State
NTFPs	Non-Timber Forest Products
OTL	Local Peasant Union
PBB	Land and Building Tax
PERMAGA	Marga Bengkukat Adat Community Union
PHBM	Community Based Forest Management
PLN	State Electricity Company
PMPRD	Peasant Union of Damar Agroforest User Group
PO	Peoples Organisation
PODES	Village Potential Data Statistics
PP	State-Owned Forest Estate in Java & Madura Island
PPAN	National Land Redistribution Program
PPN	State-Owned Plantation Estate (1952-1963)
PSI	The Poverty Severity Index
PTPN	State-Owned Plantation Estate (1952 up to now)
RT/RW	Neighborhood
SAL	Sectoral Adjustment Loan
SD	Primary School
SKEPPO	Sketsa Pojok Foundation
SMP	Junior High School
SOFO	State of the World's Forests
SPP	Pasundan Peasant Union
TAP MPR	Legislative Act
TGHK	Forest Allocation Consensus
TNI	Indonesian Military
UNDRIP	United Nations Declaration on the Right of Indigenous Peoples
VOC	Verenigde Oostindische Compagnie
YASPAP	Association of 16 Marga Leaders in the West Coast of West Lampung



Acknowledgements

This study has not been possible without the help of many people over many years.

My interest in doing social research in the agrarian sector emerged since I conducted research on land tenure in forest areas, while working with ICRAF-SEA. This PhD process allowed me to sharpen my understanding of the social aspect of agrarian issues, beyond the traditional issues of forest management.

First I would like to express my sincere thanks to my promotors, Professor Ben White and Professor Saturnino Borrás who made this thesis possible, and both guided me during the PhD journey. Their constructive guidance, thoughts, kindness and support throughout my PhD work were invaluable. Thanks also to Dr. Marlene Buchy and Dr. Anirban Dasgupta who were members of my supervision team while still working at ISS during the preparation of the research design as well as at the early stage of the field work, as well as to Dr. Ujjwal Pradhan/ICRAF-SEA as my local supervisor during my field work in Indonesia.

I want also to express my thanks to Professor Gerard Persoon from the Leiden University and to Professor Max Spoor who were my external and internal discussants during the post field work and full draft seminars. Their critical comments guided me in the data collection process and in formulating the recommendations in this thesis. Also to M. Shohibuddin, PhD student from Amsterdam University and Tsegaye Moreda Shegro, PhD student from ISS for their constructive questions during the seminars.

I am most thankful to the World Agroforestry Centre who allowed me to take study leave and arranged support for the first year of the study through the Ford Foundation, and also to the Faculty of Social and Politics of the Christian University of Indonesia (UKI) EED for the support to access scholarship funds from the Evangelischer Entwicklungsdienst Germany (EED), whose support is also gratefully acknowledged.

I would like to express my deep appreciations to the staff of the ISS student office, PhD secretariat, Dean's office, welfare office, ILIAD and facility department at ISS. I am specially thankful to Maureen Koster, Dita Dirks and Paula Endevelde of the PhD secretariat for their generous support. I also thank Ank van den Berg, the head of the student office for her quick response when needed.

Among my PhD colleagues, thanks to all our batch mates, for their humour and solidarity during our PhD process, as well as my Indonesian PhD student colleagues, Anggun Soesilo, Tamara Soukotta, Bayu Wijayanto and Romo Max Regus, and also the many Indonesian Masters students from batch to batch whom I met and shared knowledge with during my stays in Holland.

I am indebted to Dr. Noer Fauzi Rachman who introduced me to agrarian issues and also introduced me to the field site in Sagara Garut; Ibang Lukman from Pesantren Ath Thaarig Garut, Husni Thamrin and Ai Sumarni from Yapemas Garut who helped me with the household survey in Ciniti hamlet, and Syaifullah from Kawan Tani Lampung who helped me with the household survey in Simpang Duren.

I am thankful to all those in Ciniti and Simpang Duren hamlet who generously answered my questions during the interviews, and Pak Memen and Ma Erat at Ciniti, Pak Sayutik and Teh Ani at Simpang Duren who accommodated me in their house during field trips.

Thanks to several friends who helped me in the English editing of my drafts, Mae Ocampo, Radhika Johari and Slamet Trisila who helped me in adjusting the layout to the ISS standard format. And to my son Benno Tumpak Ahimsa Sirait, who helped in developing some graphs for the figures of the book.

I thank my beloved wife Sandra Moniaga (who is also engaged in her PhD study), and my children Amelia Rugun Sirait and Benno Tumpak Ahimsa Sirait for their encouraging support, and I apologise to them for often not realizing their rights as wife and children during the process of the PhD study. My late mother in law Anie Moniaga who stayed with us until she passed away in 2014, my mother Christel Sirait and my father Prof. Emeritus K.T Sirait whose value for the importance of education challenged me to complete my PhD study.



Abstract

Inclusion, Exclusion and Agrarian Change: Experiences of Forest Land Redistribution in Indonesia

In recent years (after Indonesia's 1998 reforms), through a long process of struggle between the Ministry of Forestry, the National Land Board, the private sector, local government, and peasant movements there have been some cases where upland peasant communities succeeded in being allocated individual land rights from the forest converted areas under the public land redistribution policy. For reasons of food security and bowing to pressure for land by the landless peasants, the MoF gave a 'green light' to implement land reform through land redistribution to the tillers on a small scale in several densely populated areas of Indonesia in Java and Sumatra. The state (forest) land redistribution here is a process of redistribution of so-called state (forest) land to the tillers that are already cultivating the land in traditional mixed farming. The 'state' lands redistributed to the peasants were not an empty space, but land which has already been subject to an informal tenure system and provides them with individual land 'ownership' (meaning: land may be bought and sold, and transferred from one generation to the next, even though it does not have formal private ownership status).

What kind of agrarian communities are emerging as a result of this process? What kind of processes and relationships are at work to promote or counter the emergence of inequality in access to and control over the land and resources? Who are excluded and who included in the process? The study aims to explore these questions through in depth research into two local cases of state (forest) land redistribution. The study analyzes the changing agrarian structure in two locations in Indonesia, eight to ten years after a land reform process redistributed forest land under individual land

title to peasants that had been cultivating the forest areas. It aims to question whether individual private ownership tenure is the appropriate form of tenure in land redistribution programmes, by analysing the emergence of inequality in access to and control over land and resources from the early stage of the land redistribution process until approximately eight to ten years after land classified as private lands at Indonesia context. The research was conducted in two sites of upland mixed farming (agroforest) communities in Java and Sumatra where so-called state forest areas were transferred to tillers after the 1998 political reforms.

The first site is in Garut district, West Java Province, specifically Sagara village where 1500 hectares of former forestland was devolved by the forestry agency (Dephut) to the land agency (BPN) to be redistributed to peasants for agriculture purposes through individual land titling in 1997 after a long struggle of the peasant movement. In depth interviews were carried out in Ciniti Hamlet (100s households). The process of land redistribution was declared finished by the land agency in 2003 and the lands were redistributed to the peasants who were farming the land in traditional mixed farming (*talun*) and currently developed to more intensive rubber monoculture farming.

The second site is in Bengkunt County, West Lampung District (currently Pesisir Selatan district), Lampung Province, specifically in the village of Tanjung Kemala (currently re-named Tanjung Rejo). In depth interviews were conducted in Simpang Duren Hamlet (76 households) where part of the former forest land was devolved by the MoF to the land agency (BPN) to be redistributed to migrants and local peasants for agriculture purposes through individual land titling in 2001 through a long bureaucratic process. The land was cultivated by tillers in traditional mixed farming, which after the land redistribution was replaced by coffee and pepper agroforestry.

In both the Ciniti and Simpang Duren cases, the land redistribution was able to provide access to land, which potentially could bring benefits, and security to all landless peasant households. But a few years after the land redistribution, significant numbers of landless peasant households had appeared, due to the effects of open competition and surplus appropriation by other classes. In both sites, there were also newcomer landless households that had migrated to the hamlet and increased the number of landless households. They provide their labor as sharecroppers to the middle peasant and rich peasant class or as paid labour to nearby plantations. Rich peasant households have also appeared in both sites both during and after land redistribution, which reflects the fact that the land was not distributed equally,

and those who controlled more land under informal tenure before the land redistribution received more formal individual land title. In both sites, the rich peasant households were predominantly those households that were rich before the land redistribution, they owned other land in their own village/hamlet outside the area of the land redistribution program, they were dominant actors in the struggle for land redistribution, and/or had a large number of household members. Some of them were able to accumulate more and become landlord households through involvement in trading (opening small shops/kiosks in the village or hamlet).

The premise of the evolutionary theory of land rights that individual land ownership would address the problems of tenure security, productive farm investment, access to credit etc., was only proved valid for some of the peasant households in both sites, especially the better off peasant households, those who belong to the landlord class and especially the absentee land owners from the cities. For those from the lower social economic class, the near landless and some of the middle class peasant household, they were dispossessed and became landless only a few years after the land was redistributed. Those who could maintain control of their land are those few peasant households who are extra diligent, hard working and thrifty and those that have other income from non farming activities, such as those who received remittances from household members in the cities and those who run small shops that extract surplus through usury and unequal terms of trade from the other peasant households in the hamlet.



Samenvatting

Participatie, uitsluiting en veranderingen in de landbouw: Ervaringen met herverdeling van bosgrond in Indonesië

De afgelopen tijd (na de hervormingen van 1998 in Indonesië) zijn boerengemeenschappen in berggebieden er in sommige gevallen in geslaagd om individuele rechten op grond te krijgen in bosgebieden die vallen onder het beleid inzake de herverdeling van openbare grond. Hieraan is een lange strijd tussen het ministerie van Bosbouw, de Nationale Dienst Grondbeheer, de private sector, de lokale overheid en organisaties van boeren voorafgegaan. Met het oog op voedselzekerheid en onder druk van boeren zonder land heeft het Ministerie van Bosbouw het groene licht gegeven voor de implementatie van landhervormingen door kleinschalige herverdeling van grond onder de boeren in een aantal dichtbevolkte gebieden op de Indonesische eilanden Java en Sumatra. Bij deze herverdeling wordt zogenaamde (bos)grond van de staat herverdeeld onder de pachters die al traditionele gemengde landbouw bedrijven op dit land. De ‘staats’grond die aan de boeren is toegewezen was geen braakliggend terrein, maar viel al onder een informele pachtregeling. Nu zijn de boeren individueel ‘grondeigenaar’ geworden (dit betekent dat de grond verhandeld mag worden en van de ene generatie op de andere mag worden overgedragen, hoewel er geen sprake is van formele privé-eigendom).

Welke typen agrarische gemeenschappen ontstaan er hierdoor? Wat voor processen en onderlinge relaties bevorderen of belemmeren het ontstaan van ongelijkheid in de toegang tot en controle over de grond en hulpbronnen? Wie worden er uitgesloten van het proces en wie participeren erin? Om deze vragen te beantwoorden zijn twee gevallen van herverdeling van (bos)grond van de staat diepgaand onderzocht. De veranderende landbouwstructuur wordt geanalyseerd op twee locaties in Indonesië, acht tot tien jaar na een proces van landhervormingen waarbij bosgrond werd

herverdeeld en boeren die bosgebieden cultiveerden individuele eigendomsrechten kregen. Het onderzoek werpt de vraag op of individueel particulier pachtrecht de juiste vorm van grondbezit is in programma's voor de herverdeling van grond. Om deze vraag te beantwoorden, wordt het ontstaan van ongelijkheid in de toegang tot en controle over grond en hulpbronnen in de Indonesische context geanalyseerd vanaf het begin van het herverdelingsproces tot ongeveer acht tot tien jaar nadat de grond als particulier bezit was aangemerkt. Het onderzoek is uitgevoerd in twee hoger gelegen gebieden met gemengde landbouw (agrobossen) op Java en Sumatra, waar zogenaamde staatsbosgebieden aan pachters zijn overgedragen na de politieke hervormingen van 1998.

Het eerste gebied ligt in het district Garut in de provincie West-Java. In het dorp Sagara is 1500 hectare voormalige bosgrond door het ministerie van Bosbouw (Dephut) overgedragen aan de dienst grondbeheer (BPN) om herverdeeld te worden onder boeren die in 1997 individuele eigendomsrechten op de grond kregen na een lange strijd van de boerenbeweging. Er zijn diepte-interviews gehouden in het dorp Ciniti (ruim 100 huishoudens). Het proces van herverdeling van de grond werd in 2003 afgerond door de dienst grondbeheer en de grond werd herverdeeld onder de boeren die op dit land al traditionele gemengde landbouw (*talun*) bedreven. Op dit moment vindt een omslag plaats naar een intensievere vorm van landbouw waarbij rubber als monocultuur wordt verbouwd.

Het tweede gebied ligt in het gewest Bengkuluat in het district West-Lampung (wat nu het district Zuid-Pesisir is) in de provincie Lampung. Het onderzoek is uitgevoerd in het dorp Tanjung Kemala (tegenwoordig Tanjung Rejo). Er zijn diepte-interviews gehouden in het gehucht Simpang Duren (76 huishoudens), waar een deel van de voormalige bosgrond door het ministerie van Bosbouw (Dephut) is overgedragen aan de dienst grondbeheer (BPN) om als landbouwgrond herverdeeld te worden onder migranten en lokale boeren die in 2001 individuele eigendomsrechten op de grond kregen na een lang bureaucratisch proces. Dit land werd door pachters (*penggarap*) al gebruikt voor traditionele gemengde landbouw. Na de herverdeling kwam hier boslandbouw met de teelt van koffie en peper voor in de plaats.

Zowel in Ciniti als in Simpang Duren had de herverdeling van grond tot gevolg dat er grond beschikbaar kwam voor boerenhuishoudens, waarvan alle huishoudens zonder land zouden kunnen profiteren en wat bestaanszekerheid zou kunnen bieden. Maar een paar jaar na de herverdeling van grond was het aantal boerenhuishoudens zonder land

aanzienlijk gestegen ten gevolge van vrije mededinging en toe-eigening van overschotten door andere klassen. In beide dorpen waren er ook nieuwkomers, waardoor het aantal huishoudens zonder land toenam. Zij boden hun diensten aan als deelpachter bij rijke boeren of boeren uit de middenklasse of als arbeidskracht op nabijgelegen plantages. Er zijn in beide dorpen zowel tijdens als na de herverdeling van grond ook rijke boerenhuishoudens bijgekomen, wat erop wijst dat de grond niet gelijk verdeeld is, en dat degenen die al meer grond hadden bij de informele pachtregeling die voor de herverdeling van kracht was, ook meer formele individuele eigendomsrechten op de grond kregen. In beide dorpen geldt dat rijke boerenhuishoudens meestal voor de herverdeling van grond al rijk waren. Ze bezaten al grond in hun eigen dorp/gehucht dat buiten het gebied van het herverdelingsprogramma lag; ze speelden een dominante rol in de strijd om tot herverdeling van grond te komen en/of hun huishouden bestond uit een groot aantal mensen. Sommige huishoudens slaagden erin om meer bezit te vergaren en pachtheer te worden door handel te drijven (kleine winkeltjes/kiosken te openen in het dorp of gehucht).

De vooronderstelling van de evolutietheorie van landeigendomsrechten dat individuele landeigendom een antwoord zou zijn op de problemen van pachtzekerheid, productieve landbouwinvesteringen, toegang tot kredieten etc., bleek alleen op te gaan voor sommige boerenhuishoudens in beide dorpen: vooral voor de rijkere boerenhuishoudens, huishoudens die tot de klasse van de pachtheren behoren en met name voor de afwezige grondbezitters uit de steden. Huishoudens uit de lagere klassen, huishoudens die vrijwel geen grond bezitten en sommige boerenhuishoudens uit de middenklasse werden onteigend en raakten hun land kwijt; dit gebeurde maar een paar jaar na de herverdeling van de grond. Slechts enkele boerenhuishoudens wisten hun land te behouden. Dit waren de boeren die extra toegewijd en spaarzaam zijn en het hardste werken, en de huishoudens die nog andere inkomsten hebben dan uit de landbouw, omdat ze toelagen krijgen van familieleden die in de stad wonen, of kleine winkeltjes hebben waarmee ze met woekerpraktijken en oneerlijke handelsvoorwaarden de andere boerenhuishoudens in het gehucht uitbuiten.

1

Inclusion, Exclusion and Agrarian Change in Land Redistribution

1.1 Introduction

This study analyzes changing agrarian structures in two locations in Indonesia, eight to ten years after a land reform process was implemented to redistribute forest land under individual land titles to peasants who had been cultivating these forest areas. It aims to address the question whether individual private land ownership is an appropriate form of tenure within land redistribution programmes. It does so by examining the emergence of inequality in access to and control over land and resources from an early stage of the land redistribution process, extending several years after the redistributed land was classified as private property. The research was conducted in two upland sites in Java and Sumatra, inhabited by mixed farming (agroforest) communities, where areas of 'state forest'¹ were transferred to tillers following the 1998 political reforms.

1.2 Background of the Study

The Indonesian National Land Agency, *Badan Pertanahan Nasional* (BPN) is mandated to administer the entire land base of Indonesia according to Agrarian Law no. 5/1960. This law serves as the basis for defining and classifying land as public (state) land or private land, and for allocating land for large-scale plantations such as rubber, coffee, and tobacco, with a more recent emphasis on converting forest areas into oil palm plantations.² The Ministry of Forestry (MoF) claims that the prevailing forestry legislation (Law no. 5/1967 and Law no. 41/1999) classifies two-thirds of Indonesia's total land area as state forest areas, and that this land is, therefore, under the Ministry's jurisdiction. Land tenure arrangements implemented under each of these two sets of legislation conflict with each other,³ resulting in the two concerned agencies being locked in competition over the control of vast areas of land⁴ in which 18,000 to

30,000 villages⁵ and *adat* communities⁶ and their land are located. In practice, BPN does not provide a land titling service to peasants located within areas classified as state forest areas, despite being mandated to do this by the Basic Agrarian Law 5/1960. Upland peasants living outside state forest areas are often too remotely located to be reached by land agency officials. Thus, vast areas of the rural uplands, including privately held lands, are located in areas classified as state forest areas or 'political forests' (Peluso & Lund, 2011), or have already been enclosed as corporate forests, as has happened in other parts of the world (Sikor, 2007). This land includes settlement areas, productive agricultural lands and some areas under shifting cultivation, none of which are actually forests.⁷ Almost 50 million Indonesian peasants live in and around these political forests and, therefore, cultivate land under conditions of unclear and insecure land tenure. Of these peasants, 10 million (25% of all poor Indonesian households) are living below the poverty line, according to Indonesian Statistics 2005 and MoF data (MoF, 2006:6).⁸ Access of local communities to land and natural resources is restricted through regulations that do not allow the cutting of trees, hunting, cultivating land or house construction. In several cases, a local community's access to land and natural resources has been completely terminated by leasing rights over the land and resources to private sector companies within production forests, or by classifying the area as protected forests (Fauzi, 1997).

There are few options in Indonesia for peasants to gain secure tenure for their settlements, and for farming and mixed farming (agroforests) within areas classified as forest areas. Since 1995, the MoF has experimented with *Hutan Kemasyarakatan* (HKm), a collective community forestry stewardship programme under state forest areas, to provide upland farmers with limited access to land and resources, and since 2007, *Hutan Desa* (HD), a village forest stewardship programme (under state forest areas), has also been in effect. However, these initiatives have resulted in very few pilot projects or forest stewardship contracts.⁹ While indigenous cultural community forests (*Hutan Adat*) are an alternative tenure option for communal forest ownership (non state forest areas), they entail complex administrative requirements which none of the intended beneficiaries are able to fulfil.¹⁰

Land tenure security through stewardship contracts, which is provided for under both of the above-mentioned programmes (*HKm* and *DF*), does not permit residential settlements in these areas. These programmes

were exclusively designed for timber-based farming or forest protection, and do not, therefore, include food-based agriculture and indigenous mixed farming (agroforestry).¹¹ Moreover, the MoF has rejected a proposal by the local government and BPN for re-designating state forest areas – which have been actively managed by peasants as forestry-agriculture mosaics – as non-state forest areas.

The 2013 agricultural census reveals that the Indonesia population has reached 259 million persons, out of which 104.5 million person are peasants (40 per cent of the total population). Of this number, 55.3 percent of peasants are almost or completely landless (controlling less than 0.25 ha of land), and most are living below the poverty line. Between 1998 and 2013, the percentage of the population living below the poverty line showed a significant decrease from 24.2 percent to 11.4 percent. However, the percentage of people living below the poverty line in rural areas remains quite high at 14.4 per cent (17.92 million people) compared with 8.5 per cent (10.63 million people) in urban areas (BPS, 2014 & 2011). These figures reflect the location of the poor within rural areas in Indonesia, where most are engaged in the agricultural sector. The poverty gap index (GPI) and the poverty severity index (PSI) in Indonesia's rural areas are quite high (a GPI of 2.4 and a PSI of 0.6 in September 2013) compared with corresponding values for urban areas (a GPI of 1.4 and a PSI of 0.4 in September 2013). The statistical data shows increases in these indexes from time to time, which reflect growing inequality of expenditure in rural areas. Parallel to this trend, large-scale agriculture and forestry-based industries have rapidly penetrated the uplands. There is serious competition and conflict over land allocated for large-scale, commercially oriented concessions and upland peasant farming. There are also serious issues of inequality within upland peasant societies that are engaged in multiple opportunities provided by large-scale agricultural and forestry concessions.¹² The manifestations of this inequality are clear: land conflicts between peasants and the state over large-scale forestry concessions, plantations and other allocations of state land for forest conservation and protection, mining and oil palm plantations; a high rate of land degradation;¹³ and a considerable proportion of households living below the poverty line, as indicated by the statistical data.

In recent years (subsequent to the 1998 reform), a long struggle between the forest agency, land agency, private sector, local governments and peasant movements has culminated in some cases where up-

land peasant communities have succeeded in obtaining individual land rights within converted forest areas under the public land redistribution policy.¹⁴ For reasons of food security and submission to pressure for land demands by landless peasants, the MoF gave the 'green light' for the implementation of a land reform through small scale state (forest) land redistribution to tillers in several densely populated areas in Java¹⁵ and Sumatra.¹⁶

Specific cases of public land redistribution have emerged in Indonesia in recent years that differ from those described in the literature on redistributive land reforms, which emphasise redistribution of private land holdings to small and landless farmers (Borras2006a: 123). By contrast, the land reform process in Indonesia has entailed redistribution of 'state' (forest) land to tillers who, prior to the reform were cultivating this land using traditional mixed farming methods. In these cases, 'state' lands were redistributed to peasants not as an empty space, but rather as land which was already subject to an informal tenure system, and already allocated for long term lease to forest concessions (state own logging concessions and timber plantation) or converted to other large scale concessions (palm oil plantation and mining concessions). As a part of the conflict resolution process, the land was taken from the state owned concessions without any compensation and provided to the tillers as individual property in the sense that land could be bought and sold, as well as transferred from one generation to the next.

The questions that consequently arise are: what kinds of agrarian communities are emerging as a result of this process? What kinds of processes and relationships are at work to promote or counter the emergence of inequality in access to and control over land and resources? Who is being excluded and who is being included in this process? This study aims to explore these questions through an in-depth examination of two cases of state (forest) land redistribution. Indonesia is at a crossroads in seeking a solution to the issue of land tenure relating to former state forest areas, which are being cultivated by peasants for forestry-agriculture activities. Without having a complete picture of past results of this kind of land redistribution process carried out in early 2007, the government subsequently announced a plan to redistribute eight million hectares of former forest areas to peasants under a land reform programme, the National Programme on Agrarian Reform (PPAN). This programme prioritises 33 districts in the southern regions of the island

of Java¹⁷ for land redistribution. However, in 2011 the pace of PPAN slowed down due to the shifting politics of land allocation, which resulted in priority being given to the granting of large-scale concessions, mainly outside Java, to support the National Master Plan for the Acceleration and Expansion of Indonesian Economic Development (*Masterplan Percepatan dan Perluasan Pembangunan Ekonomi Indonesia/MP3EI*), established through Presidential Decree no. 32/2011. The MP3EI has been revoked by the new cabinet which took office in October 2014, and the land reform agenda is put back on the table with a new target of 9 million hectares in 5 years, as promised by the elected president and vice president (Jokowi-Jusuf Kalla, 2014 & Sekans Jokowi 2014). Reformulation and reorientation of PPAN is, however, necessary.

1.3 Statement of the Problem

The World Bank report on forests and poverty prepared by Chomitz et al. (2006) showed that the majority of people in rural tropical areas — about 800 million — live in or around vulnerable forests or woodlands, and depend heavily on them for their survival. A study by Ellsworth and White (2004) indicated that about 80 percent of the world's extreme poor, that is, those living on less than one US dollar a day, depend on forest resources for their livelihoods. One billion people depend almost entirely on forests for their medicinal resources, and about the same number depend on forests for their fuel needs.

Chomitz et al. (2006) highlighted distinct priorities for individual forest types, each of which entails a different interplay of deforestation incentives, remoteness, forest rights and environments. In agricultural frontier areas and disputed areas, sorting out and guaranteeing forest rights is critical for mitigating deforestation, reducing conflicts, and improving rural livelihoods. In areas situated beyond agricultural frontiers, such as the Amazon and Congo Basins and the heartlands of Borneo, New Guinea and Sulawesi (Indonesia), prompt action is required to avoid future agricultural expansion.¹⁸

In recent years land reform, which had virtually disappeared from the agenda of the international development agencies in the 1980s, has regained a place in their agenda. But most agencies now promote the so called 'market oriented' land reform, which promotes the public/state communal lands as the object of land reform, increased productivity,

land tenure security, and community based management (Borras, Kay, Akram-Lodhi, 2008; 31). This situation could be further seen in the World Bank's 2006 forestry report and the recent World Bank review on the land sector in (Forest and Non-forest) Indonesia (2014, recommendation 7) which argue for the need to provide clear property rights such as ownership and conversion to small holdings with high agricultural returns¹⁹ in areas cultivated by peasants, or to transfer forest areas to local communities including adat communities, and increase the security of holders of land without trees.²⁰ Corriveau-Bourque (2014) reports the following:

Between 2002 and 2013, the proportion of forests owned or controlled by Indigenous Peoples and local communities increased from just over 11 percent of the global forest estate (at least 383 Mha) to 15.5 percent (at least 511 Mha). The proportion owned by individuals and firms only increased by 0.6 percent over this same time period. The bulk of the global forest tenure transition toward indigenous and local community control and ownership took place in low and middle-income countries (LMICs) from 2002 to 2013. In fact, almost all (97 percent) of the global change in the recognition of community rights over the 2002-2013 period took place in LMICs. More specifically, the proportion under community ownership or control in LMICs rose from just over 21 percent of forest area (at least 353 Mha) to 30 percent (at least 478 Mha) in 2013. *This equates to an increase of at least 125 Mha of forests in which communities' rights have been recognized.* More than 62 percent of these 125 Mha are owned by communities. However, there is considerable regional variation in statutory recognition of forest land rights, with most of the tenure transition taking place in Latin America, and the implementation of reforms in sub-Saharan Africa lagging far behind the other regions. On the other end of the spectrum, many of the countries with the world's remaining tropical forests have failed to implement meaningful tenure reforms in terms of recognizing local rights. Ninety-nine percent of the forests in the Congo Basin and peninsular Southeast Asia remain under government administration.²¹

The World Bank promotes clear property rights, which are seen as necessary not only for providing high agriculture returns but also for managing mixed farms (White and Martin, 2002). Similarly, in the context of the Indonesian uplands, Suyanto et al. (2007:743) have also advocated individualisation of property rights in the Sumatera uplands to respond to the evolution of farming systems from shifting cultivation towards more intensive tree-based agroforestry, such as rubber, coffee and cinnamon farming. However, the adoption of this tenure change by the Indonesian government in response to evolving farming systems has been very slow, as reported by Corriveau-Bourque (2014).

This kind of suggestion is not only coming from the World Bank foresters but also from the rural development lawyers such as Prosterman (2003: 1). He suggested that land reform in the 21st century should provide land tenure security but at the same time create a market for land, through land sale, lease, and mortgage. The beneficiaries of the land reform should be cultivators in rural areas who lack ownership of the land that they cultivate, those on state or collective farms, and those who occupy public lands. The beneficiaries should include as much as possible those who are pensioners, tenants, and agriculture labourers. But the object of the land reform should be limited to land that could be cultivated by the household (Prosterman, 2003; 17-22).

This argument for privatisation of individual holdings is supported de Soto's (2003) statement that while the poor in underdeveloped countries have assets, their real property is often informally owned and cannot, therefore, be used to generate capital. As a result, the crucial role of real property is simply absent in underdeveloped countries. De Soto (2003) proposes a 'trickle up economics'²² solution for formalising informal property rights so that both the rich and poor benefit economically. This analysis, however, assumes that 'the poor' are a homogeneous and undifferentiated mass (Home and Lim, 2004:145). It also ignores the possibility that ownership rights do not only open up opportunities for accessing capital, but may equally increase the possibility of rapid dispossession through the sale or mortgaging of holdings.

Micro level research is commonly neglected within mainstream discourses such as national policy and the international policy debate on forestry and agriculture.²³ Seven years before de Soto, Platteau (1996) already highlighted the problems in the policy trend of individualising

and formalising property land rights for upland communities in Sub-Saharan Africa by criticizing the theory of evolutionary transition of communal land property rights to private property rights, the so-called 'evolutionary theory of land rights' (ETLR). He unravelled four basic assumptions held by advocates of the ELTR. These were: 1) security of individual land tenure; 2) expansion of land markets; 3) increasing credit and investments; and 4) increasing demands for land titling.

Based on his intensive analysis of the post-land reform period in Sub-Saharan regions, Platteau (1996) questioned the relevance of the four assumptions on the ground. He argued that individual land tenure was not secure for those denied legal recognition of their customary rights to land during the registration process. Moreover, the insecurity of other contractual users, who could use the land only at the sufferance of the owners after the reform, was even greater. He further showed that the elites were able to adjudicate or manipulate the registration process to their advantage. Platteau (1996: 41–49) concluded that land registration created land disputes as people not in possession of land titles came under the threat of eviction from registered proprietors.

Platteau challenged the second assumption by providing evidence that the land market has not functioned effectively because the majority of land parcels continue to be transacted through customary channels (lending, gifts, inheritance or non-registered sales) and, therefore, markets for leaseholds appear to be relatively rare. Consequently, land sales tend to be the result of distress conditions due to the absence of insurance markets, imperfect credit markets, and declining self-insurance capacities on the part of rural dwellers. This situation tends to worsen the imbalance in factor proportions between larger and smaller holdings (Platteau, 1996:49–60, see also Boucher et al 2002, regarding the result of land reform in Nicaragua and Honduras).

Platteau further demonstrated the negative impact of the third assumption on credit and investment. He found no significant relationship between the percentage of households receiving credit and the proportion of land held with individual land rights. This situation mostly occurred as a result of administrative cost considerations that led many banks to set a minimum land area for obtaining credit, often exceeding the capital needs of smallholders (Platteau, 1996: 60–66). On the investment side, there have been various findings, including those of Suyanto

et al. (2007), that titling in Indonesia has increased capacities for investment but not willingness to invest inland improvements.

Lastly, Platteau challenged the fourth assumption, showing that demand and supply for land titling does not work since the main concern of poor peasants is clearly security of land tenure for their own use, and for transmission to their children. Most vulnerable populations, namely, women, pastoralists, former slaves, and other groups, have traditionally had weak tenure arrangements as a result of being granted only subsidiary or derived rights to land. They may, therefore, prefer to have individual land ownership granted through the state, if they can afford to pay for the land redistribution process to obtain the land through fair and just process. However, if they believe that the local chief is trustworthy, they may alternatively prefer to have collective rights rather than individual titles to ensure continuance of customary overlapping rights (Platteau, 1996: 66–72). In summary, land registration or titling of individual property rights in land is not a neutral process. It clearly favours more influential classes of cultivators and excludes others (including women). Ultimately, it may end up creating less and not more security of tenure (Platteau 1996:39–49 in White et al. 2012).

The kinds of policies and practices in the forestry sector described above, have largely ignored the highly differentiated and unequal structures that exist within rural communities (Hobley 2007: 56). Herring (2006: 58) reminds us that:

A generation ago, Myrdal (1971, 275) pointed out that policies for agricultural reform that ignore the problem of inequality are not likely to achieve major and, especially, lasting results. Promotion of social-economic equalities is a precondition for attaining substantial long-term increases of production, which will lead to poverty alleviation. Genuine agrarian reform, land reform or land redistribution sets the stage for [a] new social dynamic and opens possibilities for alternative trajectories.

Borras (2006b: 129) describes several alternative outcomes that can arise from public land redistribution policy (see Table 1). These can involve contestation of land, redistribution of public lands and the multiple interests of the state agency and its staff, which have been shown to co-opt the land redistribution programme. He describes five possible

existing conditions of land tenure conflict where the landed elite (non-poor) exert influence to maintain the land under their individual or family control. This may result in various possibilities (outcomes one to five). This study focuses on cases of forest land where the pre-existing conditions prior to land redistribution are marked by landed elites (forest concessions) imposing tenurial relations upon peasants, and peasants were paying a form of rent to the non-poor or the officials (existing type 1 & 2).

Individual property ownership rights were targeted in land redistribution to poor peasants. However, several years after redistribution had occurred, the land may have ended up in the hands of the landed elite (outcome one), the non-poor (outcome two), the poor peasants (outcome four and five), or a combination of these three options may have occurred, involving a change in the social structure.

The accumulation of land by landed elites, or other non-poor and non-peasants as an outcome of land redistribution might not only result from the type of individual private land tenure provided by the land redistribution program. Griffin, Khan & Ickowitz (2002: 285-289) highlight some other factors that affect the result of land redistribution. The fragmented market might exclude peasant households from large scale concession that operates in the area; this also could happen to labour due to discrimination by race and ethnicity, origin, age class, gender discrimination. These two factors are important elements that will change the tenancy system in the rural areas, which depend much on the political economic context of the land redistributions in each specific site.

*Table 1.1
Possible alternative outcomes of the land redistribution process*

No	Existing Conditions Type	Property rights prior to Land Distribution		Property Rights after the Land Distribution	
		Formal	Effective	Formal	Effective
1	Landed elite (forest concessions) imposing tenurial relations with peasants.	State Land	Private Landed Elite	Private	Outcome1 Landed Elite
2	Non-poor (but not major landed elite) imposing tenurial relations with peasants	State Land	Private Non Poor	Private	Outcome 2 Non Poor
3.	Poor Peasant control and working on the land	State Land	Private Poor peasants	Private	Outcome 3 Landed elite or non poor
4.	Poor Peasant control and working on the land	State Land	Private Poor Peasants	Private	Outcome 4 Poor peasant
5	Landed elite imposing tenurial relations with peasants	State Land	Landed Elite	Private	Outcome 5 Poor Peasant

Source: Borras (2006b: 129)

1.3.1 Experiences of Public Land Redistribution in Other Countries

There is a need to revisit problems encountered during past processes of public land redistribution in several countries, and to highlight under what conditions these land reform efforts occurred. This section elaborates on the findings of several studies on land redistribution and land certification under individual land titling in the Philippines, Laos, Vietnam, Zimbabwe, South Africa, Mexico and Indonesia. These findings may guide us in identifying inter-linkages of land tenure arrangements within macro policy contexts that have promoted individual land ownership through micro processes. These include agrarian classes and class dynamics, household reproduction and accumulation processes and sur-

plus land transfers that occur as consequences of these macro policy settings.

Previous studies have highlighted the fact that during the first stage of public land redistribution, much of the land could not be redistributed to the tillers due to technical problems in classifying the land (Franco, 2005).²⁴ Landed elites who have an interest in the land use various policies and tactics to counter or avoid the land redistribution process. The land has subsequently been redistributed only after strong collective action was organised by peasants and their supporters within the government. The process of implementing land redistribution programmes involves formal lists of beneficiaries prepared by local governments. However, these formal lists do not reflect actual membership of landless and near landless peasant groups within the community. When a bureaucratic land redistribution programme and registration process occurs, it mostly accommodates the formalisation and privatisation of the informal land tenure structure, thus further cementing existing inequalities (Sjaastad and Cousins, 2008:4).

The process of certifying and issuing individual titles for land that was formerly declared as forest land (or political forest, as explained above) creates winners and losers among the peasantry, and also leads to exclusion from land access through state and non-state regulations or the use of force. Peluso and Lund (2011:671) and Hall (2011:14) have summarised the three processes of exclusion underway in frontier land as follows: enclosure (conversion of common property to private property), primitive accumulation (the state's transformation of non-capitalist social formations into capitalist formations through its policies and practices) and accumulation by dispossession (through the transformation of non-capitalist social formations into capitalist formations from below, or by local communities and their elites).

De la Rosa (2005) has highlighted the gendered nature of the land redistribution process in a former banana estate in Davao del Norte, Mindanao, and the Philippines. In this area, married woman beneficiaries were excluded because of their marital status, and the land was registered by the Land Agency in the names of their husbands. Giusta (2008) and Burchardt, Le Grand and Piachaud (2002: 137) have described this phenomenon as an interlocking disadvantage where in the disadvantaged beneficiary group (women in this case) have strong ties with groups who

suffer from the same lack of resources and are, therefore, subjected to the three kinds of exclusion described above.

Most of the landless peasants in De La Rosa's (2005) study and elsewhere were too poor and were not able to allocate their time to participate in meetings and were further excluded from the programme. Studies of social exclusion have generally found that those who are excluded through discrimination, geographic location and cultural identification are trapped within a complex of interlocking disadvantages (Burchardt, Le Grand, and Piachaud, 2002). Several kinds of social exclusion have been observed during land redistribution in Negros Occidental, in the Philippines (Feranil, 2005), and in the redistribution of plantation land in Java, Indonesia (Chrisantiny, 2007). In these cases, following the redistribution of public land to the landless/near landless, landed elites effectively reacquired and consolidated their control of the land by purchasing or leasing it from the peasants and hiring them as waged labour in large-scale agriculture estates that they consequently created. Another study in Bac Lang, Vietnam showed that the process of forest land redistribution during the first Forest Land Allocation Project (FLAP) was similarly captured by a few locally influential individuals and their households, resulting in a concentration of land in the hands of a few, including former local officials. As a result, poor peasants faced the threat of being enclosed out of the land (Franco, 2008:38; Borrás, 2007: 5). Similar exclusionary processes have also occurred in Lao, accompanied by extensive displacement, during the Lao Forest Allocation Programme (LFAP) (Rigg, 2006:127).

The major issue here is whether individual private land ownership acquired through land redistribution is an appropriate form of tenure for creating relatively egalitarian, stable, smallholder-based farming communities. The case studies from the Philippines, Vietnam, Laos, Mexico and Indonesia, described above, draw attention to processes of exclusion and inclusion wherein lies the basis of inequality in agrarian structures.

There have been several critiques of individualisation of land ownership in Sub-Saharan Africa (see, e.g., Cliffe et al., 2011; Scoones et al. 2012; Moyo, 2011). Moyo undertook a detailed examination of the status of peasants who had received individual tenure under Zimbabwe's Fast Track Land Reform Programme (FTLRP), and found the emergence of a class dynamic a decade after the land reform had been implemented.

He categorised peasants into several classes: those who were ‘dropping out’ (chronically poor); those who were ‘hanging in’ (asset-poor farming); those who were ‘stepping out’ (survival through income diversification); and those who were ‘stepping up’ (rich farmers). These studies show that redistributive land reform resulted in the formation of several classes of households that emerged from class dynamics. The proportion of these groups were: 10 percent, 33.6 per cent, 21.4 per cent and 35 per cent for the *dropping out*, *hanging in*, *stepping out*, and *stepping up* categories, respectively (Cliffe et al. 2011; Scoones et al. 2012: 512).

Large sections of the *stepping out* farmers are peasant households that received relatively small plots and have no other income besides farming. The *stepping up* classes of households are mostly part-time farmers whose primary source of support was from off farm activities, including accumulation of wealth and assets from above through patronage and corrupt practices. A large section of the class of *hanging in* households, beside managing their farms, were selling their labour to the more successful middle farmer group, and some were able to practice accumulation from below. However, there were also *dropping out* households that were unable to benefit from acquisition of new land.

The programme did not facilitate farmer beneficiaries to acquire agricultural credit; nor could it provide secure tenure for individual land ownership through market penetration in rural areas. Scoones et al. (2012: 515) also found a highly complex pattern of livelihood differentiation in post-land reform regions of Zimbabwe. Here too, there were significant groups whose livelihoods remained vulnerable and whose prospects for accumulation were limited; middle farmer groups who were able to accumulate wealth and assets from below; and elites who practiced ‘accumulation from above’ through patronage and corrupt elite-capture practices (Scoones, 2012 e al: 524).

Thus, Zimbabwe’s land redistribution programme resulted in expanding numbers of small and middle level agriculture producers and reconfigured labour relations. Pressures of land transfer and perceptions of land as a commodity that could be sold and mortgaged have prevailed. Land transfers have increased because of informal land rentals and sales (Moyo, 2011). Both Cliffe et al. (2011) and Scoones et al. (2012) have aptly described the agrarian structure that existed before and after land redistribution in Zimbabwe after the land reforms. Cliffe et al. (2011:

928) have suggested that future research should be broadened to encompass empirical knowledge of this process in different geographical regions, such as Asia, as well as thematic issues that have remained largely unexplored to date.

These studies from various countries indicate the importance of a careful and thorough case-based examination of Indonesia's experiences of local land redistribution, specifically focusing on processes of inclusion and exclusion, and post-redistribution processes of agrarian change. The relevance of local contexts can also be better understood by choosing two contrasting sites: one in Java where the individual land ownership tenure system is better known and practiced, and the other located in a different island where the informal land tenure system is undergoing a process of evolution towards an individual land tenure system.

1.3.2 Relevance and Scope of the Study

There are many gaps in our knowledge regarding the outcomes of (state) forestland redistribution. The processes and relations that result in the formation of new agrarian structures need to be comprehensively understood to address inequalities in access to and control over land and resources. This is especially the case in an agrarian country like Indonesia where forests areas are dominated by the state, which makes continual promises to undertake extensive redistribution of land to peasants (BPN, 2008; MoF, 2008; SeknasJokowi, 2014).

The situation of state (forest) land redistribution in the uplands through the provision of individual land titles has not received much scholarly attention in the twenty-first century. Especially in the uplands, peasants do not have much experience of dealing with individual land titling systems involving their engagement in multilevel land contestations at intra-household and societal levels, and with the private sector and several state actors. In-depth study of local-level cases should provide a better understanding of how state forestland redistribution through individual land titling could affect the structure of upland agrarian society in Indonesia.

1.4 Redistributive Land Reforms and Agrarian Change: Towards an Analytical Framework

This section introduces several concepts, notably agrarian structure (encompassing the social, political and economic formation and agrarian relations), as well as the process of agrarian differentiation (and the competing theories that underlie them) as conceptual tools to analyse the growing inequality that has been evident in the years following land redistribution. This section also develops an analytical framework that combines some of these concepts. These are then related to the Indonesian context to guide the formulation of the research questions. Careful analysis of agrarian structures, pre- and post-land redistribution, and the process of agrarian differentiation is crucial for understanding processes of agrarian structural changes several years after the implementation of land redistribution

1.4.1 Agrarian Structure

According to modernisation theorists such as Tuma (1965:13), there are three basic elements that structure agrarian societies: the land tenure system, the pattern of cultivation and the tenancy system. In line with Tuma's view on the importance of the cultivation pattern, Hayami and Kikuchi (1980) argued that technological change brought impacts leading to changes of the agrarian structure. This view assumes that the engine of agrarian structural change is population growth and modernisation of the cultivation system. However, political economists such as Hart (1986: 9) have argued that the important element in understanding agrarian change is the connection between macro political-economic forces such as technology, and demography and labour processes at the local level. Hart's (1986) study of a local level rural labour market in lowland Java showed that each household and its members within different social classes had differential access to the various labour and remuneration opportunities available in and around the village as a result of 'imperfections' of the labour market. This differential access to the three basic elements of land, labour and capital created further unequal agrarian relations.

Li (1999) has described how unequal agrarian structures in Indonesia's upland communities are simultaneously shaped by three processes.

The first is a long process of political, social and economic marginalization of upland communities by the state, together with a perception of their backwardness by lowland communities. The second process entails the regeneration of power relations of patronage by maintaining the dependency of upland elites on lowland elites and tying upland peasants to those elites with access to state protection, authority and sources of capital. The third and final process entails changing the production mode in the uplands by opening up access to the market, and introducing high yielding crop varieties through state sponsored or local community initiatives that further strengthen ties of dependence between upland elites to the local government staffs and the local elites with the commoners.

To examine agrarian structures more closely, there is need to understand the inter-linkages of their two components in the formation of social, economic and political class/classes, and the relations between these classes, including non-agrarian actors/absentee land owners (agrarian relations).

1.4.1.1 Social, Economic and Political Formations

Access to and control of land, followed by labour and capital mobilisation, are the major factors shaping class formation in most upland societies. Wiradi (1985: 48) elaborated on the process of capital accumulation in Java's lowland communities where landlords who had more land extracted surpluses from their farms and had better opportunities for investing this surplus in farm or non-farm activities. By contrast, landless or near landless peasants lacked these privileges, and were compelled to continue working as labourers on farms or in non-farm activities.²⁵ The unequal distribution of access to and control of land has been the key element that shapes the social, economic and political formation of landlord, middle peasant and the near landless and landless peasant class within lowland communities, as described by Kano (1984: 249). This situation has also been found by Li (1996) in upland areas of Indonesia. It marks the process of generating and regenerating the dominant class within this society.

However, this process of evolving social, economic and political formations in upland communities in Java (Hefner, 1990) and in the Outer Islands (Li, 1996) also encompasses non-economic dimensions such as morality and identity. Ethnicity, religion and gender identity, as well as

class, become crucial factors in the local power relations in which certain ethnic groups, or religious and political factions in village institutions are dominant, and the division of labour is based on group identities. These units of identity can cut across a social economic class, thus revealing the complexity of social economic political formations in the upland communities examined in this research.

These components of social, economic and political formations (ethnicity, gender, class, age, education etc.) have enabled the classification, in this study, of those who were better or worse off in relation to land, labour and capital within this society during the pre- and post-land redistribution periods, based on social, economic and political classes (such as landless, near landless, middle class peasant, rich and land lords). This lens provides greater clarity for identifying who are the non-agrarian actors such military staff, civil servants, migrant labour and other extra rural actors who exert some influence over access to land and resources. However, to understand relations between different interconnected classes within the agrarian structure, it is necessary to examine agrarian relations, which constitute the second component of the agrarian structure.

1.4.1.2 Agrarian Relations

Agrarian relations were examined in this study to develop an understanding of relations between groups or classes in rural society such as the landless and near landless, middle and rich peasant as well as landlords; relations within these classes; as well as relations with non-agrarian actors within and outside of the village (absentee land owners, traders, civil servant etc). This conceptual frame allows for a better understanding of the types of relationships that exist among households belonging to certain classes located within and outside of this society. As discussed earlier, the land redistribution process has led to changes in class formation through greater class differentiation. Agrarian relations are evident from surplus extraction patterns, as described by Sinaga and White (1979), and more specifically by applying the conceptual framework developed by Deere and de Janvry (1979) to explain patterns of surplus extraction through a variety of possible mechanisms.

In their study of Javanese villages, Sinaga and White (1979) showed that the surpluses of landlords, which doubled in non-land based agriculture, were invested in non-agricultural sectors such as transportation,

buying real estate in the cities, as well as investing in political positions to maintain surplus accumulation. This resulted in the generation and reproduction of rural social differentiation processes. In this research, agrarian relations were determined through the flow of surplus transfer from upland households in the form of (in-kind) commodities, labour and cash. Deere and de Janvry (1979) identified eight potential flows of surplus transfer from peasant households to other agrarian groups as follows: rent in labour, rent in cash, rent in kind, wages in cash, wages in kind, extraction via terms of trade, usury and taxes. The changes observed in patterns and mechanisms of surplus extraction before and after land redistribution help to explain the kind of agrarian relations resulting from this kind of land redistribution. There is also a power dimension (political or economic) involved in some of these surplus transfer processes between direct producers and non-producers who claim a part of their produce. In the pre- and post-land redistribution phases, these changing relationships between peasants, and between peasants and non-peasants, need to be critically examined. To analyse these complex power relations, there is a need to incorporate the concept of agrarian differentiation.

1.4.2 Agrarian Polarisation and Differentiation

Before discussing agrarian differentiation, it is necessary to introduce the concept of agrarian polarisation. Studies on agrarian issues in the nineteenth century held that due to the penetration of capital or commoditisation of production factors (including land, labour and capital) in rural areas, a process of 'depeasantisation' was underway, resulting in polarisation between the two rural proletariat classes (the landless and near landless) and the agrarian bourgeoisie (the landlords), and the disappearance of the peasant class. This was seen as a gradual process that first passed through a differentiation phase before complete polarization occurred (Lenin 1899:133). Kautsky (1899) referred to this process as a polarisation towards proletariats and bourgeois, the creation of two opposing classes, the landless proletariat and the landlord or capitalist farmer class. However, Chayanov (1929, cited in Van der Ploeg, 2013) believed that for the most part, the situation was not so simple because of the continuing existence of a majority of small and middle peasants and near landless peasants. These groups were striving to maintain a balance be-

tween the use of commodities for production and reproduction, while utilizing internal and external resources, maintaining autonomy and dependence, and sustaining the scale and intensity of their farms.²⁶ Given that most upland agrarian structures—and indeed, most agrarian societies worldwide—are not completely polarised, there is a need to pay closer attention to the differentiation phase by applying the conceptual lens of agrarian differentiation.

1.4.2.1 Agrarian Differentiation

White (1989: 19-20) has described agrarian differentiation as follows:

Agrarian or rural ‘differentiation,’ as the term implies, is a dynamic process involving the emergence or sharpening of ‘differences’ within the rural population, but it does not itself consist of (and in some cases, at least in the short term, may not even involve) increasing income inequalities. It is not about whether some peasants became richer than others, but about the changing kind of relations between them (or between peasants and non-peasants, including extra rural groups), in the context of the development of commodity relations in the rural economy.

This concept can be used as an analytical tool, to analyse whether and how identifiable agrarian classes emerge and are differentiated within post-reform peasant communities; whether and how non-productive classes (i.e. absentee land owners) emerge or persist; and whether and in what ways they extract and accumulate surplus from the peasantry.

In this situation, there is no guarantee that equal access to land, as promised by the land redistribution process, can prevent the exacerbation of differences between advantaged and disadvantaged groups (peasants, non-peasants and extra rural groups). Nor is there any guarantee that accumulation of the means of production (land, labour and capital) by this advantaged class can be prevented, if the process of exclusion and inclusion continues to be generated and reproduced. Agrarian differentiation is also based on unequal access to other means of production such as labour, capital as well as political support.

1.4.3 Commercialisation in Rural Areas

This section explains commercialisation patterns in rural areas. Specifically, this involves the commercialisation of agriculture inputs, land, agricultural products and labour resulting from commoditisation of production in rural areas.

The process of commercialising land, labour and products in rural areas is driven by larger power structures and macro political-economic forces, such as government policies and institutional structures, as well as the penetration of private capital into rural markets. In situations of land commercialisation in countries such as Indonesia, Thailand and the Philippines, where the rationale of national policies that are oriented towards individual land ownership is security of land tenure, existing inequalities are further reinforced and opportunities for land grabbing are opened up (Hirsch, 2011). Further, as Hall et al. (2011: 14) explain, the process of individual land titling was not only part of a process of capital penetration from above (state primitive accumulation), but also a process of micro-enclosure that occurred from below through internal community processes.

As mentioned earlier, the success of a forest land redistribution project in providing equity and access to land through a particular regime of property rights may or may not be achieved in the long term. This depends on the structure's power relations and the capacities of individuals at the level of the household. Decisions to register redistributed land through individual land certificates, or, in the longer run, to sell or buy land, are formally issues of those individuals (men, women or children) who are named in the land title. However, this decision, which is supposedly made at the household level, may be influenced by (a) larger, supra household structural forces and (b) intra-household contestation based on power relations among household members (Li, 1996).

Land titling in the name of the 'head' of the household—usually a male in rural patriarchal culture—also impacts on relations between the members of the household, and their participation in decisions regarding the purchase or sale of land, and the intra-generational transfer of the land. This can also become a contested arena in which legally documented ownership of land is used to compel household members to acknowledge ownership or registration of the land in the name of the household head. Integrating the property within the household (in the

name of the household head) creates tension, especially when women (wives) inherit land from their families (Li, 1996).

Land policies based on individual titles may have aimed to open up equal opportunities for men and women to own land. However, a frequently observed consequence has been to limit women's possession of previously collective rights to land, while at the same time excluding them from effective individual land ownership.

In the case of redistribution of land formerly under sugar cane plantations in Indonesia (Chrysantini, 2007), poor peasants could not afford to access the individual land titling system. These lands were controlled by them, but were not registered formally as private property, and so they did not have long-term security of tenure. Consequently, these poor peasant households decided to rent their land back to the sugar cane plantation and seek employment as off-farm labour.

Actors at the micro-level of society use policies and institutional arrangements as well as private capital to address their own livelihood strategies collectively or individually (Hart, 1986:13). Hart and Peluso (2005) found that there was a dramatic shift in the commercialisation of rural areas in Java after the 1998 reform in terms of livelihood strategies. Before the reform, there was a trend towards enhancing incomes through men's off farm work in urban construction, and women's labour as urban domestic helpers. However, these patterns are currently shifting to men working as labourers in plantations or in the mining industry and women becoming domestic workers in the cities, or migrant workers in Malaysia and the Middle East. Occupational diversity, which was a household strategy in the past, has now become an individual survival strategy.

Land redistribution has broadened the scope for landless and near landless peasant households in upland settings to revitalise their mixed farming activities that have proven profitable,²⁷ as well as to expand sustainable ecological production, as suggested by Sangkoyo (2002). To understand these processes at the micro level, there is need to draw on another concept, applied in this study, which is the interaction of structural constraints and actors' initiatives.

1.4.4. Structures, Actors and Classes in Agrarian Change

Social structures (economic, political, and social/cultural) are restructured and reproduced by 'actors' or 'agency'. However, individuals are not 'free' actors in effecting social change, but are subject to structural forces and constraints. In this study, actors and structures are conceptualised not as being independent and opposed but as being interrelated through mutual social practices within a dynamic of 'constrained agency' (Giddens, 1986).

The peasant household is taken as the main unit of analysis in the sense that household members are seen as family labour; capital (earnings and savings) of household members is seen as family capital; and the land belonging to household members is seen as familyland (Van der Ploeg, 2013: 24). Peasant households may coexist within a differentiated rural community consisting of several classes, for example, the landless, near-landless, middle and rich peasants (Bernstein, 2010: 4). This unit of analysis has been used for the purpose of identifying: 1.) agrarian classes and class dynamics; 2) analysing household reproduction and accumulation processes; and 3) analysing surplus transfer among households. Bernstein (2010: 3-4), proposed the following concept of a household peasant unit and its peasant farming:

The term like 'peasant', 'small' or 'small-scale' farmer, and 'family' farmer often used interchangeably in ways that are easy confusing.... In my view, the terms 'peasant' and 'peasantry' are best restricted to analytical rather than normative uses and to two kinds of historical circumstances: pre-capitalist societies, populated by mostly small-scale family farmers and process of transition to capitalism.... Finally the, the term 'family farm' often conflates farms that are family owned, family managed or worked with family labour. Some 'family farms' combine all three characteristics, but others do not.

Broader use of this unit of analysis allows for an analysis of inter-household processes of surplus transfer from household members and

of intergenerational and gender relations with inhouseholds. This can further our understanding of household members' strategies for fulfilling their individual and common goals. To conduct an analysis at this level, the household unit of analysis was disaggregated in parts of this study to include individuals in the household, age class (generation) and gender differences.

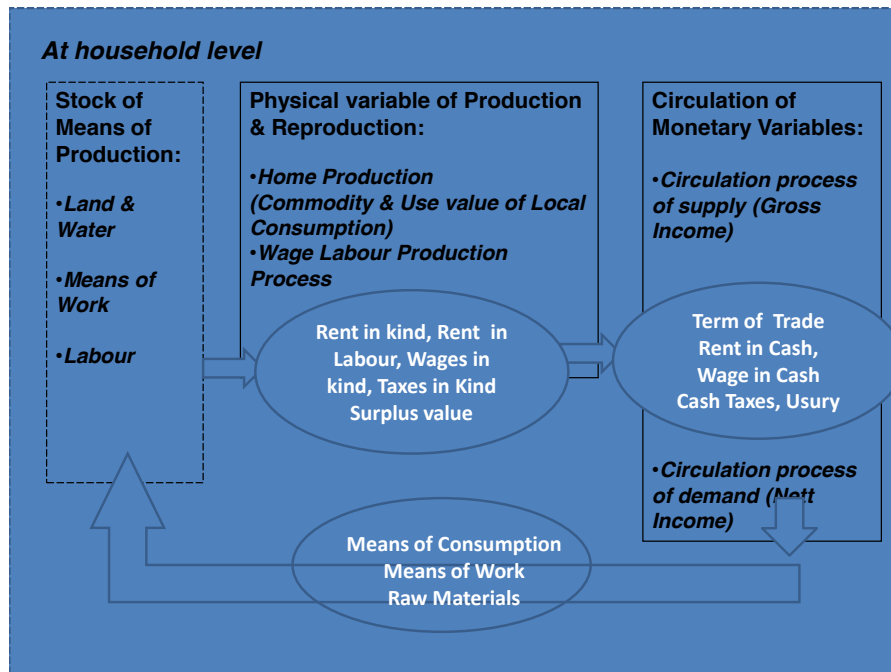
In this study, peasant households from different social political and economic formations were selected as units of direct production and reproduction of family labour power (Deere and de Janvry, 1979: 602). The land that was redistributed to the peasants was viewed as the production base of raw materials (land and water).

Examined in a broad context, the land redistribution process is not only based on the responses of beneficiaries (individual household members), but also depends on political structures such as regulations and their implementation and the land property structure. This is evident in land distribution experiences in the Philippines and Indonesia (as described in section 3.1). A clear political structure does not manifest on its own, but is based on negotiations between and among the beneficiaries and the government during the implementation process.

For the purpose of this research, the interrelationship of the three concepts described in this chapter: commercialisation in rural areas, the agrarian structure and agrarian differentiation formed the basis of the analysis in explaining how exclusion and inclusion processes were produced and reproduced in particular classes of households prior and subsequent to the land redistribution process.

The organisational framework of peasant households before and after land redistribution, used in this study, is a simplified version of the framework originally developed by Deere and de Janvry (1979). This helps to clarify the mechanisms of surplus extraction (shown in white circles in Figure 1.1) within the process of physical production and monetary circulation.

Figure 1.1
Organisation of peasant households



Source: simplified by the author from Deere and de Janvry (1979: 603)

There are three key processes at work within the organisation of a peasant household through which surplus extraction may occur. These are evident at the levels of the home production process, the wage labour production process and the monetary circulation process. These processes reveal how surplus is transferred from (or, in some cases, possibly to) a peasant household, and lead to further questions. These include, for example, how much surplus has been extracted, and to whom has the surplus been transferred (other peasant households or non-productive actors)? These processes, reproduced within society over time, may produce agrarian differentiation as an outcome.

The process of agrarian change, as described above, is analysed to assess how land redistribution, and its exclusions and inclusions, leads to agrarian differentiation in rural areas.

1.5 Research Questions

The primary research question that this study addresses is as follows:

How does (forest)land redistribution, based on individual land titling, contribute to processes of change in the agrarian structure of upland communities?

Several secondary and associated sub-research questions that elaborate on the main research question are presented below:

1. What patterns of exclusion and inclusion occurred in (forest) land redistribution in upland areas?
 - 1.1 How and for what purpose were the policy and institutional arrangements for forest land redistribution established?
 - 1.2 How far-reaching was forest land redistribution for landless peasants? What explains the patterns of exclusion and inclusion?
2. What kinds of agrarian structures and relations have been emerging in the years since (forest) land redistribution?
 - 2.1 How did agrarian classes and class dynamics emerge after land redistribution?
 - 2.2 How have patterns of surplus transfer, peasant household reproduction and accumulation changed as a result of land distribution?
 - 2.2 What kinds of agrarian structures and bases of inequality are emerging as a result of these processes?

1.6 Research Strategies and Methods

This section describes the methodological design of the study, including the selection of sites, methods, techniques, as well as the questions asked during the interviews. At the end of this section, some remarks are made regarding the scope and limitation of the field work. The field work took place in two sites in Indonesia (one in Java, one in the 'Outer Island,') in various phases between December 2008 and February 2011, with the help of two research assistants in both sites. During this period the author made a total of five visits of approximately two weeks to each site, i.e. a total of about two and half months in each site. The assistants

stayed for longer periods in the field, particularly for completion of the household surveys.

1.6.1 Selection of Sites

There is a tradition in forestry as well as agrarian studies in Indonesia of dividing the archipelago between Java and the Outer Islands. This may be based on colonial traditions where by the Dutch administration, where policy was made and implemented, was centralised in Java. The separation is based on the assumption that different patterns of agriculture and agrarian differentiation developed in Java and in the Outer Islands. The individual land tenure system was better known in the upland areas of Java, while in the Outer Islands, there was a shift from an informal tenure system towards household or individual tenure system. The situation, however, changed after the 1998 reforms, with the centre-periphery configuration spreading across lower scales and divisions of upland and lowland. The lowlands became the centre and the uplands became the periphery both in Java and in the Outer Islands.

Based on the above assumptions, research sites were chosen with the purpose of capturing the agrarian differentiation process in areas of upland Java and in the Outer Islands which have been experiencing forest land redistribution under individual land titling. There are few areas demonstrating these criteria, since the concerned MoF staff denies the existence of state forest area redistribution, which is consequently not recorded in forestry statistical data, though it happens on the ground.²⁸ Two sites were identified from some NGOs and Peasant Unions work on the ground and selected in Java and Sumatra after an initial visit to these areas in 2007 to check the availability of data and key informants from among several actors involved in the process, and their readiness to tell their stories.

The first site is Sagara village, in Garut district, West Java Province, where in 1997, after a long peasant struggle, 159 hectares of former forest land, was devolved by the forestry agency (MoF) to the land agency (BPN) to be redistributed to peasants for agricultural purposes through individual land titling. In-depth interviews with 16 households were carried out in Ciniti Hamlet (composed at the time of 105 households; during the household survey in 2010 the household total was 115).

The process of land redistribution was declared to be completed by the land agency, and the land was redistributed to the peasants who were tilling the land according to traditional mixed farming methods (*talun*). This area is currently being developed into more intensive rubber monoculture farming.²⁹

The second site is Tanjung Rejo village (formerly part of a village known as Tanjung Kemala, before sub-division in 2013) located in Bengkunt County, West Lampung District (currently in PesisirSelatan district) in Lampung Province. In-depth interviews with 14 households were conducted in Simpang Duren Hamlet (composed of 75 households) where part of the former forest land was devolved, through a long bureaucratic process, by the MoF to the land agency (BPN) to be redistributed to migrants and local peasants for agricultural purposes through individual land titling in 2003.³⁰ The land was cultivated by tillers (*penggarap*) using traditional mixed farming methods, which after the land redistribution, were replaced by coffee and pepper agroforestry.³¹

1.6.2. Types of Data

Primary and secondary data from the two sites were collected and analysed in relation to the study's three focal areas: the agrarian structure and agrarian relations prior and subsequent to forest land redistribution, and processes of forest land redistribution.

The data collection was done during various periods between 2008 and 2010-2011 in both sites, combining interviews and household survey. Semi-structured interviews were carried out in 2008, the household surveys in 2010, followed by another round of in depth interviews in 2011 to clarify some findings related to agrarian structure and agrarian relation. The data collection process, techniques, and groups covered at each step, are summarized in Figure 1.2.

Figure 1.2
Data Gathering Technique

Processes/Steps	2	3	2	2	1
Coverages: Landless (new comers)					
Landless (in the hamlet & those leave the hamlet)					
Near Landless					
Middle Peasant I					
Middle Peasant II					
Rich Peasant					
Land Lord (internal)					
Land Lord (absentee)					
Data Collection Techniques	Interviews	Interviews	Secondary data & HH survey	HH survey	Interviews
Source	10 Key informants from each Hamlet (Ciniti); 4 key informants from different ethnic groups	12 HH Ciniti & 9 HH Simpang Duren	1997-9 & 2003 Recapitulation of individual cadastral certificates & HH survey 115 HH (incl. 7 new HH & 3 absentee HH); Ciniti, 75 HH Simpang Duren	HH survey 129 HH Ciniti & 75 HH Simpang Duren	16 HH Ciniti & 14 HH Simpang Duren
Time collected	2008	2010	2010	2010	2008 & 2011
Presented	Fig 3.1. Tab .3.1.	Fig.3.2 &	Fig. 3.4 & Fig 4.4	Fig 3.7 & Fig	Fig. 3.8 & Fig 4.6

1.6.2.1. Secondary Data and Material

Five main types of secondary data and material were collected. These were: official statistical data, historical background research and published documents on the sites, government policy related to public (forest) land redistribution, public opinions gathered from the media, and the results of research and consultations on this topic. The data obtained were scattered across several institutions and in three languages: English, Indonesian and Dutch. The main secondary data used to anchor the study are the cadastral maps and recapitulation of the individual land ownership during the land redistribution that documented the location of each plots, size, name of the owners, and areas, as recorded by the District BPN offices (Figure. 3.3 & Figure 4.4).³²

1.6.2.2. Primary Data Compilation and Gathering Techniques

Primary data were collected from household members at hamlet and village level using two methods:

- a. A household survey was conducted in 2010 to gather information on the numbers and names of the households member, ethnicity or hamlet of origin, role during the land struggle, beneficiaries or non-beneficiaries of the land redistributions, main occupations and location of the settlements, total area of land and other assets during the early stage of land redistribution (1999 at Ciniti & 2001 at Simpang Duren). The household survey reconstructed the peasant household land-based classes at the time the land redistribution had happened, which includes the non beneficiaries of the land redistribution in the hamlet and the beneficiaries that were inside and outside the hamlet (presented in Figures 3.4 & 4.4). The household survey also captured the land-based classes in the hamlet eight to ten years after the land redistribution from the former beneficiaries of the land redistribution, currently located both in the hamlet and outside the hamlet, non beneficiaries from the hamlet, new comers to the hamlets, and new absentee land owners (presented in Figures 3.7 & 4.5). These data were collected for the purpose of capturing changes in the agrarian structure and also helped the researchers in identifying key informants for the interviews (semi-structured and in-depth interviews).

These household survey data were later compared with the cadastral recapitulation map and data from BPN to develop an understanding of the agrarian structure at the beginning of the process and subsequently after eight to ten years. These data were collected with the help of three assistants from local NGOs (Mr. Saifullah from Kawan Tani, Lampung, Mr. Husni and Mrs. Ayi from Yapemas, Garut) See Appendix 1. Table of household survey.

- b. Semi-structured interviews based on guiding questions were conducted in 2008 & 2010 with 14 key informants from 12

households from Ciniti hamlet and 11 key informants from 9 households from Simpang Duren hamlet. The informants represented different agrarian classes, such as non-rural farming households, land lords, rich peasant households, middle peasant households, and landless and near landless peasant households, including new landless comers to the hamlets, that was part of the of the 2010 household survey (identified from the 2010 household survey). Key informants also included beneficiaries, and non-beneficiaries of the forest land redistribution programme, as well as officials who were involved in the process of adjudication and land distribution. The aim of these interviews was to gather information on the changing mechanisms of surplus transfer that occurred among households (as illustrated in Figure 1.1) from the early stage of land redistribution up to a period of eight to ten years following its implementation. This research commenced with those who were involved in the struggle to get the land back as their names appear in several secondary data sources, in addition to being mentioned by several key informants. Subsequently, those who were not involved in the process were approached.

- c. In depth Interviews were carried out in 2011 with 5 additional households in Ciniti and 4 households in Simpang Duren, that were not among the beneficiaries of the land redistribution program (see Appendix 2. List of key informants). These households from different classes were taken as illustrative cases to be analysed, following relations of surplus extraction between productive and non-productive actors. In-depth interviews enabled a description of pre-land redistribution agrarian relations. Similarly, the same households were interviewed to obtain a description of agrarian relations eight to ten years after land redistribution had taken place. (see Summary of the interview process in Table 1.2)

Table 1.2
Interview Process during the Study

No	Landed Class	Ciniti						Simpang Duren					
		Before LR		During LR (1997-1999)		After LR		Before LR		During LR (2003-2004)		After LR	
		Interviews 2008	From total	Interviews 2010	From total	Interviews 2011	From total	Interviews 2008	From Total	Interviews 2010	From Total	Interviews 2011	From Total
1	Landless (dropping out)	0	0	2	0	0	11	0	0	2	0	0	8
2	Landless (origin & new comers)	4	98	0	0	2	1	1	69	0	0	2	12
3	Near Landless	1	1	2	6	1	17	1	3	1	1	1	1
4	Middle Peasant (II)	2	2	4	58	0	39	1	1	1	26	0	21
5	Middle Peasant (I)	2	2	4	35	0	36	1	1	1	31	0	24
6	Rich Peasant	1	2	4	16	0	21	1	1	2	11	0	6
7	Land Lord (internal & stepping up)	0	0	0	0	0	1	0	0	1	6	0	2
8	Land Lord (absentee landowners)	0	0	0	0	1	3	0	0	0	0	1	1
	Total HH	10	105	12	115	5	129	5	75	8	75	4 HH	75

To ensure that key informant interviews did not leave out any significant groups, especially those who had moved from the village due to their being excluded from the land redistribution process, or who lost land for other reasons, as well as extra rural actors who did not reside in the village, BPN cadastral maps and recapitulation during the land redistribution were used as references to triangulate the data before and after land redistribution. These cadastral maps and recapitulation show the size of the land plots, location of the plots and individual names who received the individual land titles. Combining these two sources of data made it possible to triangulate the data of each individual whose name appeared in the cadastral maps and recapitulation data, to and place them back in each of their households, and later position the household within the class formations. Those who left and new comers in the hamlet were included in the 2010 household survey, and represented in the 2008 and

2011 interviews. To protect the key informants the names appear in the study were presented in pseudonyms.

The language used by officials is Indonesian, but the interviews with peasants in Garut were held in the local Sundanese language. The interviews with peasants in Lampung were held in different languages depending on the interviewees' origins. Interviews with local residents of the West Lampung coast were conducted in the *Pesisir* language, facilitated by research assistants, to enable the discussions to be a more comfortable for respondents. The other language groups in Lampung are Sundanese and Javanese.

1.6.3 Data Analysis

The data were analysed in several steps. First, data from the 2008 interviews were analysed to elicit the agrarian structure prior to the announcement of land redistribution. Second, the 2010 interviews and secondary published data regarding the two cases were reviewed to show the agrarian relation before the land redistribution. Third, the 2010 household survey and the Cadastral BPN data were triangulated (as described above) and analysed to depict the agrarian structure during the land redistribution, and eight to ten years after the land redistribution using utilizing simple frequency distributions and percentages to present the 6 land based classes in both sites and their changes over time. Fourth, the 2010 and 2011 interview data were analysed to explore processes of change in agrarian structure and agrarian relation eight to ten years later. Having obtained a good picture of the agrarian structure before and after the land redistribution, and the change of agrarian relation within this specific context, the in-depth interviews in 2011 were used to cross-check the previous data and to fill in some gaps in understanding the process of change in agrarian relations.

1.6.4 Scope, Limitations and Field Work Obstacles

The study is not intended as an evaluation of the two land redistribution programs. There were obstacles regarding the data collections since some households had already moved out from the hamlet and new household coming in to the hamlet. A good data set is needed as a relia-

ble basis both for quantification of land ownership and for qualitative analysis of individual experiences and expression of feelings, as well as suitable methods for triangulating the interview results. There were also external considerations such as the rivalry between the two government agencies (the forestry and land agencies) that at the beginning were reluctant to release relevant secondary data to support the research. Later in 2009 the two District BPN offices (BPN Lampung Barat, and BPN Garut) released the cadastral map and recapitulation of the land that had been redistributed, which showed the object and subject of the land redistribution. Until the end of the data collection, the MoF did not release the latest data of the forest delineation process in the area, that might be used to over-triangulate the object of the land redistribution. In that situation, the cadastral maps and recapitulation of the land ownership released by BPN during the land redistribution became the anchor of the data in the research.

1.7 Organisation of the Study

This study has five chapters and two appendices.

Chapter 1 has introduced the research issues and located them within wider debates about redistributive land reform based on individual land titling. It provides an overview of the key concepts that have been used in land redistribution research, particularly forest land redistribution, and describes the research methodologies and data collection strategy.

Chapter 2, based on a literature review, describes the shifts in Indonesia's forestry and land policies, especially with regard to the evolution of state 'forest' land reform during the twentieth century. It discusses the three main options for addressing forest land conflict in Indonesia and giving local communities access to the land. These are:

- a. Stewardship contracts for state forest land under the Community-Based Forest Management (CBFM) programme (Safitry, 2010);
- b. Recognition of *adat* forests under the category of private forest land. However, as indicated by the Judicial Review of Forestry Law in 2013, this policy is not currently well developed.

- c. Conversion of forest land to non-forest areas and the land redistribution to tillers under individual land titling.

This chapter aims to address the following research question: How and for what purpose were policy and institutional arrangements for forest land redistribution established, and what were the underlying assumptions?

Chapter 3 first discusses the history of the hamlet of Ciniti in Garut, its people, and their conflict and collaboration with PerumPerhutani (PP, a state own timber plantation) and the Ministry of Forestry (MoF). The subsequent section utilises primary data to describe the agrarian structure and agrarian relations prior to land redistribution and its consequences ten years after land redistribution occurred at Ciniti Hamlet. The Chapter describes how far-reaching was forest land redistribution for landless peasants, the pattern of exclusion and inclusion in the forest land redistribution process in this egalitarian peasant upland community. The later parts of the chapter analyze the formation of new agrarian structures and agrarian relations in Ciniti, as reflected in the changing pattern of surplus extraction as a consequence of the acceleration of commodification in local economy following land redistribution.

Chapter 4: repeats the same format as Chapter 3 for the analysis of the second case, Simpang Duren Hamlet in Lampung.

Chapter 5 as the last chapter starts with a summary of findings from the two case studies. Based on these findings, it offers some reflections on the necessity and the future of forest land redistribution in Indonesia's upland areas, following land redistribution from former forest areas and their conversion to individual land ownership. It discusses the similarities and differences of both cases in terms of the dynamic of land tenure system from time to time due to the forestry policies and agrarian class formation after implementation of the land redistribution process. Changes in agrarian relations are analysed on the basis of several surplus transfer mechanisms. This leads to further critical reflections on the evolutionary theory of land rights and the future of upland communities in Indonesia that were prompted to register their farms under individual land ownership under the forest land redistribution program. At the conclusion of the chapter, recommendations based on the study are pre-

sented relating to several policy interventions and suggestions for civil society and peasant movements.

Notes

¹The term 'State' Forest were used here to describe the situation that the land which own informally by local community communally or own informally by household but claimed one sided by the MoF as State Forest, even though the MoF did not followed its own administrative procedures, ie. forest delineation and reach consensus with the local communities regarding the status f the land (Colchester, Sirait & Widjarjo, 2003).

²Colchester et al. 2006

³Moniaga(1993); Soemardjono (1998); Fay and Sirait (2004).

⁴Richards, J (2002: 18) states that: 'Foresters have however consistently fought for the territorial integrity of their bounded state-owned forest lands....'

⁵The MoF (2007 & 2009) publication based on statistical village data (Podes) that assesses the status of the villages located in and around forest areas, where complete villages or sections of them are located in areas designated as forest areas. A total of about 30.000 villages in Indonesia (40 per cent) were classified as being in forest areas; from total 75.000 villages in Indonesia. According to MoF statistics 2014, that 12.000 villages has been formally excised from forest area for its housing and settlements, which meant that their farm and forest land still under the classification of forest areas.

⁶There are no data on the overlap of the land of *adat* communities (*masyarakat hukum adat*) with forest areas. Aman (2013) stated that about 40 million hectares of *adat* communities' land overlapped with forest areas. A total of 7 million hectares was mapped in 2013 and a further 40 million hectares of *adat* land situated in forest areas will be mapped in 2020 (see <http://www.hijauku.com/2013/08/26/aman-targetkan-40-juta-hektar-wilayah-adat-terpetakan-pada-2020/>).

⁷It is evident from an analysis of satellite images taken in 2001 that 24 million hectares of the forest zone are not covered by forests (Santoso, 2002)

⁸This shows that even though the population living in and around forests is not considerable, as shown in MoF data, these inhabitants make up 25% of the Indonesian population living below the poverty line.

⁹Kemitraan (2014) and the National Forestry Council (DKN, 2013) have calculated that since the programmewas developed in 1995, only 0.5 million hectares were allocated under the CBFM scheme (0.51% of the forest area), and 99.5% of this area was allocated for large-scale concessions. Local communities registered their complaints with the Ombudsmen in 2013, regarding the MoF's mal-administration and discrimination in the allocation of forests for large-scale concessions compared with CBFM schemes (<http://seg.mitra.or.id/2013/04/laporan-kemitraan-2012/>).

¹⁰Bachriadi and Lucas (2002); Safitri(2007); Sirait et al.(2001).

¹¹Safitri, (2010). In practice, exceptions have occurred where mixed agroforestry was practiced in forest areas of Lampung under the HKM program.

¹²See White (1999) regarding inequality of access to land and resources as the consequences of the large-scale Nucleus Smallholder Estate Programme implemented in upland Java. Only 0.25 million hectares were allocated under the CBFM scheme compared with 35.8 million of hectares allocated to 531 large-scale private and state forest concessions under terms of long lease (Sirait et al. forthcoming: 45).

¹³Indonesia was ranked poorly at 102 out of 149 countries in the 2008 Environmental Performance Index published by Yale and Columbia universities. In FAO's State of the World's Forests (SOFO) Report for 2008, Indonesia was assessed as a global leader in land-based, or terrestrial carbon emissions, with approximately equal emission rates from above-ground carbon stock (mostly trees) and belowground carbon (mostly peat lands). See Ekadinata et al. (2010).

¹⁴Affif et al. (2005:27), who shows how the Indonesian state, as biggest and most powerful landlord, was challenged during this era of reform.

¹⁵Rachman (2003b).

¹⁶Fathullah et al. (2003) and Bachriadi and Sardjono (2006).

¹⁷Jakarta Post (2006) on PPAN (the National Programme on Agrarian Reform) as well as the BPN 5008–2009 RAJASELA programme (Southern Java Agrarian Reform).

¹⁸Chomitz et al. (2007: 212).

¹⁹White and Alejandra (2002); the study for the FAO by Romano and Reeb (2006); as well as Sunderlin, Hatcher and Liddle (2008) who argue for the need to provide clear land tenure security through private ownership in Southeast Asian forests.

²⁰Chomitz et al. (2007:7–8) provide definitions of forest-agriculture mosaic lands and frontier disputed areas. In the former, land ownership is usually better defined, population densities are higher, markets are nearer, and, from the landholder's perspective, natural forest management often cannot compete with agriculture or plantation forestry. Although forest is sparse in these areas, deforestation rates are high, and unique biodiversity is threatened. In frontier and disputed areas, pressures due to deforestation and degradation are high or increasing, control is often insecure, and conflict is common.

²¹Corriveau-Bourque (2014) 'Terra Nullius: What future for reform? Tracking changes in forest tenure since 2002. (See: <http://www.rightsandresources.org/news/terra-nullius-what-future-for-reform-tracking-changes-in-forest-tenure-since-2002/>).

²²This argument has also been made by other groups such as the Resource Right Group (2007: 11): 'Without secure rights to own and use their assets, indigenous and other local community groups lack long-term financial incentives for sustainable use of their forest resources for their own development'.

²³With the exceptions of Scoones et al. (2012); Cliffe et al. (2011); and Moyo (2011), who carried out micro level studies in Zimbabwe and compiled an edited book on the outcomes of post-2000 Fast Track Land Reform in Zimbabwe (Cliffe et al. 2013), most of the previous research and policy has neglected micro level analysis. See the Revitalization Agenda of Indonesian Agriculture (2005) (*Agenda Revitalisasi Pertanian 2005*), as well as the Indonesian Agricultural, Fishery and Forestry Revitalization (2005) (*Revitalisasi Pertanian, Perikanan dan Kehutanan, 2005*). See also Menkoekuin, (2005) and Jamal (2006) who emphasise the development of agro-industries and village-based industries. The Strategic Plan of the Indonesian Forestry Department (2005–2009) (*Rencana Strategis Kementerian Kehutanan, 2005–2009*) places emphasises on balancing the supply and demand of wood to support forest-based industries, and points to a lack of studies on peasant agro-foresters. However, the World Bank's Agriculture for Development Report (2008) did not place enough emphasis on describing the problems faced by peasant agro-foresters. For details, see <http://www.rimisp.org/consultwdr2008/>. This report has been commented on by several experts, who still believe that wealth is redistributed to the poor by virtue of the market. The ADB's (2006) report on Indonesia's Strategic Vision for Agriculture and Rural Development also emphasises the problem of land tenure security and recommends land redistribution through individual and communal land titling. The UNPF (2007) only makes minor references to problems faced by peasant

agroforesters (see Humphrey's 2006 critique). In contrast to these reports, the World Agroforestry Centre (a CGIAR research centre, formerly known as ICRAF) has published reports since the 1980s that aim to foster a better understanding of peasants who practise agroforestry in third world countries (see www.worldagroforestrycentre.org).

²⁴Franco (2005) has shown that in the Bontoc Peninsula in the Philippines, most of the area's land is classified not as Alienable and Disposable (A&D) land, but as Timber Land (public forest areas).

²⁵Sinaga and White (1979) presented a diagram of the relation between land control, source of income and distribution of income that has been widely used at several seminars to illustrate capital accumulation by landlords and income deficits of landless and near landless peasants.

²⁶Thoner et al. (1986) and Van der Ploeg (2013: 48–77).

²⁷Budidarsono et al. (1998); and Budidarsono et al. (2000a, 2000b) for profitability analyses of several mixed farming practices.

²⁸From several interviews with the directorate of planology MoF, in 20 October 2007, MoF denies declassified some part of the forest land and redistribute to the tillers after the 1998 political reform, this has happened to void further precedence to other areas.

²⁹Lukmanuddin (2002); and Aji (2005) for discussions of peasant struggles under the *Pasundan* Peasant Union (SPP) to regain their land

³⁰Fathullah et al, 2005 on the land redistribution in Bengkunt.

³¹Budidarsono et al. (1998, 2000a, 2000b) for a financial analysis of mixed farming; Ekonesia (1995) on the social values of Damar Agroforest for local peasants; Colchester et al. (2006) on private sector interests regarding former forest land.

³²The Cadastral Maps and Recapitulation of Individual Land Ownership data produced by district office of BPN in both districts has been triangulated with the key informants data certificates which showing the consistency and considered as a reliable data to conduct this research. Without access to this data, the research might not be possible.

2

The Emergence of Forest Land Reform in Indonesia

2.1 Introduction

This chapter describes shifts in forestry and land policies in Indonesia, especially with regard to the evolution of public forest land reforms since the mid-twentieth century. Part of this chapter has appeared as a World Agroforestry Centre working paper (Sirait, 2009).¹ Forest land reform has recently been accepted as a strategy by the MoF to avoid further conflict with local peasants, where by responsibility for redistributing disputed agriculture lands is devolved to another state agency, the BPN, for individual land titling. There has been no radical change in Indonesian forestry policy, but the forest land redistribution process creates a window of opportunity for the emergence of forest land reform that can potentially address inequalities within agrarian structures and relations. This chapter aims to answer the following question: How were policy and institutional arrangements for forest land redistribution established, and to what purpose?

National forest management in Indonesia commenced with large-scale forest exploitation during the *Verenigde Oostindische Compagnie* (Dutch East India Company/VOC) period of the eighteenth century. At this time, the export of timber products grew rapidly to replace non-timber forest products (NTFPs) as Indonesia's major export commodity. In particular, this included teak (*Tectona grandis*) from Java and other hardwoods such as iron wood (*Eusideroxylon zwageri*) from Kalimantan. Teak was used for building ships and iron wood was used for harbour construction. In the late eighteenth century Java experienced considerable environmental impacts due to the unsustainable exploitation of teak forests. This resulted in considerable forest loss and floods in Java, and forced the Dutch administration as the successor to the VOC, to take

serious action. In response, the wood harvest quota was cut by 50%, although belatedly.²

The Dutch administration transplanted 'modern' German forestry practice to Java through the introduction of teak planting and harvesting by German forestry scholars as well as German-trained Dutch scholars.³ These foresters were sent to Indonesia to tackle the problem of floods and the decline in teak wood production in Java in 1849.⁴ Several policies were based on the principles of the German forestry school, which entailed three key concepts described by Rajan (1999; 324-333) as:

Minimum diversity aimed at harvesting as much of the same timber product as possible from a limited land area. A consequence of this was the clearing of other trees of less commercial value.

Balance sheets aimed at converting the standing timber stock into a numerical value, and also calculating the optimum harvesting age of the trees.

Sustained yields aimed at maintaining a logging cycle rotation over several decades, which required a system of forest cut blocks and an annual allowable cut (AAC).

As a result, previously random exploitation of teak forests was restructured, forest districts were created, and more forest agency staff were trained in 'modern' forest management.⁵ This forestry system was mathematically predictive and prescriptive⁶ and had two main consequences: forestry activities were segregated from agricultural activities, and forest areas were relegated to the state domain. This separation was supported by a Dutch colonial policy, *Domeinverklaring*, in 1870 that claimed all land that could not be verified as private lands was state land. This principle was also applied outside of forest areas and large areas of land were allocated for export-oriented crops such as coffee, rubber, quinine and tea.

To enable the application of the prescribed and 'mathematically predictable' German forestry system, forests were further segregated and allocated for several purposes within the forestry domain: timber production, soil and water protection and biodiversity conservation. Forest blocks were created and forestry staff assigned to utilise, manage and guard forest areas. To be able to freely allocate huge areas of land, the new forestry system depended on a strong state to declare and defend forest areas as a state domain.

This system replaced local agroforestry management practices, which were also known as shifting cultivation (or locally as *huma*). It compelled peasants to either fully engage in work in the forestry sector or to become farmers, such as occurred within the lowland peasant society in Java.

At the same time the German ‘modern’ forestry system strengthened the monopoly of the state over forest lands and forest products, and its dominance over peasants in areas surrounding forests. This process also occurred in other parts of the world, and has come to be known as the state forest enclosure process (Sikor & Thanh, 2006: 647; Hall et al. 2011: 13). Vandergeest & Peluso 1995 and Tania Li (1999) describe this as a process of state territorialisation and peasant disciplining with the aim of being able to extract upland surpluses effectively.

Further consequences of this system were developments in state policy that separated the peasantry from the forest and as well as from the state forest domain. Hall et al. (2011) have described this process as ‘primitive accumulation’; a process that separates workers from direct access to the means of production. During the Dutch colonial period, peasants were obliged to participate in timber forest exploitation (*Blandong Dienst*) in teak forests, and could use this as payment in lieu of the head tax. They were only allowed to collect NTFPs from the forest. Teak and other varieties of economically valuable timber were monopolised by the state. The practice of shifting cultivation (*Huma*) was completely forbidden in Java in the 1930s.⁷

2.2. Market Liberalisation in the Forestry Sector

Due to the influence of Prof. Van Vollenhoven of Leiden University, who pointed out that the peasantry in Java was becoming progressively poorer,⁸ coupled with land conflicts over forest areas,⁹ an Agrarian Commission (*Agrarische Commissie*) was established in 1928 to review the concept and implementation of the domain of state lands in Indonesia. The Agrarian Commission examined the claims of the forestry agency over forest areas and advised the agency to revise its forestry regulation (*Boschordonantie*) in 1927. The Senior Foresters Staff Association (*Vabinoi*)¹⁰ held a special meeting to address this issue in 1932, but rejected the Commission’s proposal, responding that German (‘modern’) forest management could only be effective within a domain of state lands. The

Association claimed that if the theory of land domains was not applied to forest areas, this would lead to management of forest land by an incapable local peasantry (*petani*) and by indigenous cultural institutions such as *marga*, *buta*, *banjar*, *kampung* and *binua*. The forestry agency backed the position of Prof. Nolst Trenit (who opposed that of Prof. Van Volenhoven) to retain the forest domain. This meant that forest land should be expropriated from the possession of the owners.¹¹ Peluso (1992) states that the foresters thought that they were acting on the basis of scientific neutrality, but, in fact, their actions were based on their own interests and those of the MoF aimed at liberalising the forestry sector in the hands of private logging companies.

The state's claim over forest areas grew rapidly following its definition of planted teak forests and natural teak forests as state domains and its subsequent claim over all natural forests over 800 meters above sea level, including shifting cultivation land, as a state forest domain. According to Article 2 of the 1927 legislation for Java and Madura, known as *Boschordonantie*, the forest domain consisted of all lands that were: natural vegetative forests, including bushes and bamboo; forests planted by the MoF; forests planted by the state; forests planted under the instructions of the state and other non-forested and proposed areas to be forested (Soepardi, 1956: 205).

Discourse on policy changes relating to the concept of state domain emerged in 1960 with the establishment of the Indonesian Basic Agrarian Law (BAL), which rejected the concept of state land domain. BAL declared that the state controls and administers the land and other agrarian wealth, but does not own it. However, the forestry agency continued to act as if all forest areas constituted a state domain. This situation continues in the present despite the fact that Forestry Law No. 41/1999 explicitly states that forests are not owned by the state; rather, they are controlled and administered by it.¹²

Currently, the forestry agency claims that 63% of Indonesia's land area falls within the forest zone, which is classified in several forest functions (see Table 2.1). According to Lynch and Talbot (1995), around 40–60 million people live as members of forest communities. Most of these people are peasants who practise some form of mixed farming (agroforestry) within and around forest areas. These peasants access land and resources in all of the areas classified as forest: Production Forests (lim-

ited production forests and permanent production forests), Nature Reserves, Protected Forests and Conversion Production Forests.

Table 2.1
Forest classifications in Indonesia in 1982, 2004 and the projected plan for 2030

No.	Forest Function	Area (Ha), in 1982	Area (Ha), in 2004*	Projected Area (Ha), in 2030**
1	Nature Reserves	19,152,885	24,000,000	26,820,000
2	Protection Forests	29,649,231	30,000,000	27,670,000
3	Limited Production Forests	29,570,656	30,000,000	19,680,000
4	Permanent Production Forests	33,401,655	32,000,000	38,160,000
5	Conversion Production Forests	30,000,000	5,000,000	0
	T O T A L	141,774,427	121,000,000	112,340,000

Sources: Contreras & Fay 2005, Ministry of Forestry Statistics (2005)*, Long-term National Forestry Plan/RKTN (2011–2030)**

The process of claiming forest areas to be classified as state forest areas should be followed by processes of forest designation, forest delineation and recognition by villages and local communities who have claims over the land. The progress of these subsequent processes has, however, been slow. In 2001, administrative procedures had been completed for only 11 per cent of the land (Colchester et al., 2003) and by 2014, for only 14 per cent of the land (MoF, 2014). The land status of approximately 100 million hectares designated by the MoF as state forest areas, as well as the status of local community land inside and surrounding the forests remain unclear (Safitri, 2010).

2.2.1. A Window of Opportunity for Forest Policy Reform during the 1998 Reform Era

Several months before the fall of President Soeharto, under the direction of the MoF, a special decree recognising the indigenous agroforestry system of the community which managed the *damar* agroforest in Krui, Sumatra, was issued via Ministerial Decree No. 47/1998 pertaining to areas for special purposes (KDTI). This entailed a lengthy negotiation process between the former logging concession holder and the Farmers' Association (PMPRD), facilitated by ICRAF (International Centre Research in Agroforestry, an international research institution) and FORDA (Forestry Research and Development Agency, under the MoF). The ministerial decree allowed the community to continue managing an agroforest area of 25,000 hectares, and to extract timber and non-timber products, but on condition that the land was recognised as a state forest area. This policy was a breakthrough in Indonesian forest policy as it allowed a local community to continue managing their natural resources, as long as they did so sustainably.¹³ This regulation was issued during the last year of the weakening Soeharto regime, a populist move leading up to the 1998 election.¹⁴

Following the May 1998 reforms, several policies were changed in a very short time span, some of which involved days of intensive expert participation to formulate policies such as the revised community forestry policy and programme whereby communities became the main actors in managing forests and were able to access timber and non-timber products.¹⁵ Besides policy reformulation at the government level, rallies and demonstrations directed at the MoF were held almost daily outside the parliamentary offices. One of the participating groups was KUDETA (*Koalisi Untuk Demokratisasi Sumber Daya Alam*), or the Coalition for the Democratisation of Natural Resources, a network composed of 82 Indonesian NGOs and student organisations. This coalition urged the transitional government to ensure that the management of natural resources, and the benefits derived from them, should be returned to local communities (Fay & Sirait 2002). There were three main demands:

1. Redefine the boundaries of state forests, and return the lands to local communities through a land reform programme;
2. Restructure the Ministry of Forestry and merge it within a broader Ministry of Environment and Natural Resources; and

3. Redirect all development efforts and programmes towards community-based resource management.

The legality of the state's claim on forest areas was questioned by peasants' organisations, indigenous peoples, and academics, as well as NGOs.¹⁶ Civil society groups also organised their efforts through the FKMM (*Forum Kerja Kebutuhan Masyarakat* or Communication Forum on Community Forestry), which was established eight months before Soeharto's resignation. Its founders included several Indonesian NGOs, university professors and students and reform-minded forestry officials. During its first year of existence, the FKMM became an increasingly effective voice for local communities located within state forest areas, and an important counter balance to the 'modern' forestry mindset within the MoF. The forum had a broader base than KUDETA and its work centred more on developing detailed critiques of forestry policy and advocating a new paradigm for natural resource management. Its strategies focused on the use of media, meetings with high level forestry officials, including the Minister, and lobbying Parliament members. FKMM takes the position that genuine reform can only occur after the government recognises the failure of previous forest management practices. It calls for a new paradigm which is politically, socially, economically and environmentally sustainable to replace the focus on timber management, and which adopts a strategy for forest ecosystem management to counter the concept of the 'modern' forest management system.¹⁷ At the provincial level, civil society groups amplified similar issues relating to the return of forest to the people and the redefinition of state forest areas through community mapping.¹⁸

The period prior to the *Reformasi* and the early *Reformasi* era were seen as windows of opportunity for bringing the 'populist' agenda to the table of policy makers to effect policy changes. Parallel with the policy reforms, forest concession holders and forest industries collapsed due to mismanagement and debt (NRMP, 2001). Foresters started to look for alternative systems of forest management to replace modern forestry. At this time of turmoil, high-level decision makers were seeking ways to appear in a positive light. Community forestry options were explored through several pilot projects and a national program was initiated (see Table 2.2).

Table 2.2
Tenure arrangements under several social forestry policy options

No.	Programme	Policy	Areas	Target group	Tenure arrangements	Benefit sharing
1	CBFM (HKM)	Ministerial Decree no. 677/1998 jo 31/2001	All forest areas excluding conservation areas	Farmer Cooperatives	5 year temporary permit and 25 year stewardship agreements	Open for negotiation with the private sector
2	Private Forest (HR)	Ministerial Decree 1997	Private lands	Individual and Collective	Individual land ownership	Open for negotiation with the private sector.
3	Area with Special Purposes (KDTI)	Ministerial Decree no. 47/1998	All forest areas	Collective	No time limit; evaluations done every 5 years	Sharing benefits among the group
4	Co-Management (PHBM)	PP Director Decree 2001	Production Forest in Java	Farmers' Groups	10 years stewardship agreement with state-owned company (PP)	25% farmers, 75% company

Source: Sirait and Fay (2001)

The slogan 'Forests for the People' featured prominently in the early speeches of Nasution, the Forestry Minister, as he laid the groundwork for developing a populist image during the 1998 Reform Era. At the core of his reformist approach was a strategy of redistributing benefits derived from forest resources. Another important initiative by Minister Nasution was the creation, in June 1998, of the Forestry and Estate Crops Reform Committee (FECRC), an independent body tasked to make recommendations on the continuing process of forestry reform.¹⁹

One of the FECRC tasks was to undertake preparations for the revision of Forestry Law No. 5/1967. The process of preparing forestry law was limited and there were several stakeholders involved in this process. Kartodihardjo & Jamthani (2006), classify four main agendas of the FECRC;

- a.) policy reform to initiate solutions to the issue of who actually owns the forest and to accommodate local forest management. This group was supported by NGOs and academics,
- b.) redistribution of assets through smaller lease sizes and involvement of new forest actors such as cooperatives, religious groups and local communities. This group was supported by the Forestry Minister and the Ministry of Cooperatives,
- c.) policy reform for better and more efficient forest utilisation, and to regain control over the concessions. This group was supported by private concessions, and
- d.) nationalise forest management through state-owned companies, pushed by FECRC.

However, the Ministry of Forestry took a different view of redistributing small lease permits, and the FECRC was dissolved.²⁰

2.2.2. Forest Reform: Progress or Regression?

In January 1998, during the economic crisis, some months before President Soeharto stepped down, Indonesia signed a letter of intent (LoI) with the International Monetary Fund (IMF) as part of the loan programme, specifying ten main targets for forestry reform that had been developed without much consultation with broader stakeholders (IMF, 1998) These targets were:

1. To increase forest taxes, establish a resource rent tax and introduce a performance bond;
2. To uphold policy barriers for forest business;
3. To allow foreign investment in the forestry sector, especially entry into the forestry and estate crops (oil palm) sectors;
4. To create a performance bond for forest business; and
5. To limit forest conversion.
6. To channel reforestation funds (DR) into the state budget;
7. To decrease the timber export tax;
8. To cancel the timber export quota;

9. To issue a policy for enabling long leases of forest concessions (100 years) through auctions, and also to run the community forestry program; and
10. To allow transferability of forestry concessions and eliminate the requirement for concessionaires to own processing facilities

In 1999, the World Bank's Policy Reform Support Loans (Projects 1 and 2) agreements were signed, totalling US\$1.5 million as loans to Indonesia. While the conditions of the loans were similar to those of the IMF, the loans had a clearer agenda and were to be implemented within 6 months, 18 months, and over the long term. The IMF and World Bank prescriptions did not work well due to the lack of a sense of ownership by the Ministry of Forestry staff, ambiguity regarding the process of liberalising the oil palm estate sector, and the lack of permission to further convert forest areas (point 3 and 5).²¹ Further funds were released through a Sectoral Adjustment Loan (SAL) of US\$43 million.²² At that time, donor countries that were members of the Consultative Group on Indonesia (CGI) put forward forest policy reform as one of their terms for loan restructuring, and formed the Inter-Departmental Committee on Forestry (IDCF). They also prepared a 12-point programme, which included solving the problem of land tenure insecurity in forest areas (point 12) (IDCF, 1999).

At the same time, in 2001, the newly elected legislative council, with support from NGOs, academics, the indigenous people's alliance and peasant unions, issued the Legislative Act on Agrarian Reform and Natural Resource Management (TAP MPR No. IX, 2001), which set the agenda and principles for agrarian reform and the future of natural resource management. This legislative act mandated the government and the legislature to review and revise the law according to the principles of sustainable development, national integrity, human rights, legal supremacy, justice, democracy, participation and peoples' welfare, taking into consideration the social, economic and cultural conditions of communities and the ecological functions of natural resources.

The MoF responded by creating five priorities to be followed during the following five-year term (MoF 2001);

1. Eradication of illegal logging from forest areas and of the illegal timber trade through forest patrols and forest operations;
2. Revitalization of the forest sector, especially the forest industry, through the implementation of sustainable forest management certification;
3. Rehabilitation and conservation both inside and outside forest areas, reforestation and establishment of new conservation areas;
4. People's economic empowerment within and outside of forest areas through co-management in Java and CBFM in the Outer Islands; and
5. Determination of forest areas, making every effort to complete the process of forest delineation and formal gazettement of state forest areas, with the consequence that villages and peasant farming areas would be reclassified as non-forest areas.²³

At the global level the discourse on who owns the forest, and especially the future of areas cultivated by peasants, was addressed by the World Bank in its 2006 Forestry Report and the 2014 World Bank Land Review in Indonesia which recommended the provision of clear property rights such as ownership in these areas and their conversion to obtain high agriculture returns.²⁴ It recommended transfer of forest areas to the hands of the local communities using forest land (forest land redistribution) but at the same time to provide them with land tenure security, in the form of individual land titles, i.e. the titling policy that had been criticized by Platteau (1996) and others as described in Chapter 1.

2.3. Forest Land Redistribution Discourse and Policies

The priorities established by the MoF appear to accommodate all of the interests of the private sector, IMF-WB, regional trade, as well as NGOs. Indonesia is well known for its politics of accommodation whereby the government attempts to accommodate all interests. However, the problem was that the private sector agenda, reflected in priorities 1 to 3, clashed with the social agenda (priorities 4 and 5). This could be seen as 'Cannibalism Reform', entailing competition between reform agendas and their negotiation based on power.²⁵

Forest land redistribution was not a MoF priority. However, the Ministry responded to the movement for reclaiming forest areas initiated by local communities with regard to several forest areas (Bachriadi & Sardjono, 2005; Affif et al. 2005). Its inclusion in the agenda can be seen as an indication of the strength of the groups pushing for resolution of tenure conflicts between MoF and local communities. Following the fall of Soeharto, more and more forest concessions, nature reserves and protected forests have been re-occupied by peasants, who have been reclaiming lands that they were forced to abandon during previous decades. Community forestry could not address the massive issue of land reoccupation as most of the peasants who had struggled for land reform had bitter past experiences with the community forestry program, the forestry agency and timber concessions. The peasant movement for land reform was gaining strength and momentum with the support of NGOs as well as the BPN (Rachman 2003a). Thus, the forestry agency now found it difficult to deal with this social agenda in an unprecedented policy setting, while maintaining its overarching interest of gaining revenue.

Responding to these tensions, in September 2006, a special cabinet meeting was held and the government announced that a reform program for state land redistribution, known as the *Program Pembaruan Agraria Nasional* (National Agrarian Reform Programme or PAPAN), would soon be launched. The MoF followed this announcement with its own announcement that it would allocate and distribute up to eight million hectares of forest areas to peasants.²⁶ Because of the difficulty it experienced in implementing the community forestry program, MoF devolved the issue of land redistribution to BPN, adopting an approach which had been promoted by the World Bank to strengthen land tenure through individual land ownership. This sequence of events implies an assumption that social conflicts in state forest areas can be solved by providing peasants with tenure security through individual land titling.²⁷

During the International Conference on Agrarian Reform and Rural Development (ICARRD), held in Porto Alegre, Brazil 2006, the Indonesian delegation reported its achievement of redistributing around 1.5 million hectares of land between 1965 and 2005 (Delri, 2006). While this report did not provide many details, it confirmed that not only had land redistribution occurred during the Soekarno era (1945–1966), but that a similar quantity of land was redistributed during both the Soeharto post-

reform era (1966 up to now) without attracting much attention from scholars, the media and NGO activists (see Table 2.3 on the total land redistributed from 1966–2005).

*Table 2.3
Total land redistributed (1966-2005)*

No.	Province	Area Redistributed (Ha)	Number of House- holds	Area Received Per Household (Ha)
1.	Sumatra	255,392	<u>270,808</u>	0.943
2.	Java and Bali	546,849	<u>905,398</u>	0.604
3.	Kalimantan	104,031	<u>77,911</u>	1.335
4.	Sulawesi	172,562	<u>185,688</u>	0.929
5.	Nusa Tenggara and Ma- luku	77,833	<u>68,840</u>	1.131
6.	Papua	2,860	<u>2,117</u>	1.351
Total		1,159,527	<u>1,510,762</u>	0.768

Source: Delri 2006; ICCARD (2006) Indonesia Country Report

Significant conversion of ‘public’ forest land has taken place since 1998 when the MoF reclassified almost 20 million hectares of state forest land and devolved this to BPN to be used by non-forestry sectors. However, most of this land was used to develop new large-scale palm oil plantations (Sawit Watch, 2014), and to expand cities and industrial estates, with much smaller amounts allocated to transmigrants and as agricultural land (MoF 2014).

2.3.1 Forest Land Redistribution Policies

The land redistribution process involving forest areas is regulated by several policies. There are several procedures and requirements regulated by the MoF, as well as a procedure regulated by BPN.

2.3.1.1 Forest Conversion: the process in the MoF

To change the status of forest land, the MoF has three options. The first is under the regulation for conversion of forest areas to non-forest areas. Only forests classified as ‘conversion production forests’ (HPK) are allowed to be converted to non-forest areas. To change the forest classification of an area (Protected Forest, Production Forest, Nature Reserve etc.), an area must first be reclassified as a conversion production forest. After that, the MoF decides whether the area should be converted to a non-forest area and placed under the jurisdiction of the BPN. MoF Decree no. 74/ 2001 (now replaced by MoF Decree no. 27 & 28/2014) regarding the conversion of forest areas, which requires a multidisciplinary study by scientific authorities to recommend a change of land status. It is almost impossible, however, to follow this procedure to reclassify a forest area so that it can become an object for land redistribution.

The second procedure for converting a forest area to non-forest status is through re-designation of the entire forest area in a province through a MoF decree. This process does not involve reclassifying forest land as conversion production forests, but follows MoF decree no. 31/2001 for the re-designation of forest areas (currently replaced by MoF decree no. 44/2012 and MoF decree no. 25 & 26/2014). This process of forest reclassification must be integrated into the relevant provincial spatial plan. Most of the negotiation process excludes local communities as well as district governments. Instead, it involves direct negotiations between provincial governments and the MoF. Much of the forest area in Indonesia’s Outer Islands was reclassified between 1999 and 2001 through this process. However, this mostly took place without the involvement of local communities. The reclassification of forest areas as conversion production forests has been driven by the rapid expansion of oil palm plantations in Sumatra and Kalimantan.

In both of these processes the final decision and veto power rests with the MoF. The results of multidisciplinary research as well as provincial spatial plans become inputs for the ministry’s decision.

The third procedure for converting the status of a forest area is through a court ruling. Not many cases have happened wherein the legitimacy of a national forest area has been challenged through the courts. A court decision is followed up by a joint ministerial decree of BPN and MoF, which emphasises the transition process of devolving the authority

over non-forest lands from the MoF to BPN. Court rulings open another window of opportunity for local communities, together with BPN, to classify land as the focus of land redistribution and to avoid the veto power of the MoF.

2.3.1.2. The Land Redistribution Process at the National Land Bureau (BPN)

In 1980, through Presidential Decree no. 55/1980, several tasks were allocated between the government offices, the BPN national office, the provincial governor, and heads of the district, sub-district and county, as well as of the village, in operationalising the land redistribution programme. Those lands that were classified for redistribution by the BPN provincial office were eligible for redistribution under individual land titles. BPN national decree no. 224/1961 provides detailed regulations on the entire redistribution process. This decree regulates the objects, subjects and process of land redistribution. The object of land redistribution could be state land or private land, and the land is divided into a number of blocks consisting of several parcels to be prioritised during successive phases of distribution. The subjects of land redistribution should be tillers of the land, namely landless peasants and those whose land amounts to less than the maximum land ceiling (Sukanti, 1985:39–49).²⁸

There are two mechanisms for land redistribution: adjudication and redistribution of land. These guide the entire process and determine who will get land and the area of land they will get (Hermit, 2004: 102–109, 183–205).

During a land adjudication process, an adjudication team considers and decides on an application for land distribution submitted by a local community. The adjudication team consists of the village leader and his/her staff who are usually assisted by prominent persons or elders of the village who know the history of the land claims and controls. The adjudication team verifies the land reform application with each beneficiary and considers the existing land claims and actual control of the beneficiaries over the land. This process usually supports socio-historical claims or factual control over the land. As a consequence, this process

tends to legalise existing agrarian structures without changing any land-related inequalities in the agrarian structure.

During the land redistribution process, minimum and maximum land areas are strictly applied, as stipulated in the Basic Agrarian Law (No. 5/1960 Article 7), as well as in a government regulation to replace this law (Perpu 56/1960 Article 1.2, regarding maximum land ownership). Government Regulation no. 224/1961 on Land Redistribution also regulates absentee land ownership, which limits the beneficiaries to peasants who reside in the same sub-district, with the exception of government officials (civil servants, police, military) who are serving outside the sub-district. This exception is also valid for religious leaders who serve outside the sub-district. The regulation on land redistribution is quite explicit on preventing absentee land ownership, but, does not prevent the capture of the process by local elites, and is also weak in prioritizing the landless and near landless through the maximum land ceiling pertaining to land redistribution.²⁹

Both processes of land adjudication and redistribution are coordinated by the BPN district office, and are managed by a committee (*panitia persiapan land reform*) appointed by the provincial BPN office. The committee consists of staff of the BPN district office, village leaders and sub-district staff. Following the procedures, beneficiaries are excluded from this committee. This is quite different to the 1960–1965 land reform procedures, that were conducted by land reform committees (*panitia land reform*), whose members included active members of the peasant union representing the nationalist, communist, and also religious peasant unions at the village level (Presidential Decree no/ 263/1964).

Most of the land reform and land redistribution policies were issued in the 1960s during the Soekarno Presidency era. However, the next president (Soeharto) did not regard land reform as one of his priorities. After the 1998 reform, a legislative act (TAP MPR) no. IX/2001 regarding Agrarian Reform and Natural Resource Management was issued, urging the government to re-implement agrarian and natural resource management reforms in accordance with several overarching principles. The PPAN programme has been incorporated in the National Long Term Programme (2005–2025), regulated by law 17/2007. There are two kinds of land objects: 1.1 million hectares of state land that are directly controlled by BPN, and 8.15 million hectares of forest area which 7 million hectares were categorized as unproductive (Rachman, 2012: 102–104).

As reported by Rachman (2012), reluctance within state ministries to support the PPAN has hindered the redistribution of 474 areas in 17 provinces.

2.4. The Responses of Civil Society and Local Governments

Responses of local governments as well as of civil society towards the window of opportunity available for the re-implementation of land reform in Indonesia have varied. Several field-based peasant unions and NGOs are of the view that land reform processes should commence from the (local) village level. These groups promote village regulations (*peraturan desa*) that regulate the entire process of land redistribution from forming their own land reform committees to identifying the object and subject of land reform, redistribution, as well as the range of the production system.³⁰ NGOs are also concerned with the equity of land allocated to the private sector and local communities (DKN, 2013).

On the other hand, peasants view the land reform policy as an opportunity to gain legal rights over the land that they have reoccupied.³¹ But there are also peasant unions that have criticised the land reform agenda as a way of connecting peasant land to the market.³²

Some governments at the district and provincial levels have worked together with local communities to negotiate land redistribution with the MoF and BPN. Such cases include Ciniti in Garut, where the local community gained their land through land reform. This is discussed in detail in Chapter 3. A second case, discussed in Chapter 4, concerns Simpang Duren in West Lampung, where district governments negotiated with the MoF to reclassify forest areas established since time immemorial.³³

On the other hand, private oil palm plantations, forest estate, mining companies and industrial and housing projects are also seeking land that has been or could be excised from forest areas. Many local governments are facilitating the land allocation for large-scale concession, but only a few of them are supporting excision of forest areas to be redistributed to peasants.³⁴

2.5. Concluding Remarks

Over the last decade, forest land redistribution in Indonesia has not followed a clearly discernable pattern (e.g. market-led land reform or state-society-driven land reform), as has been described by Borras (2006). The forestry land reforms are designed to address land conflicts between forestry concessions and other forest allocations and local communities and provide them with individual land titling as a market friendly tenure security. The goal of addressing unequal agrarian structures within local communities is hardly ever discussed in public discourses, policies, and government statements; this issue seems discussed only among some critical NGOs, Academics and POs (Peoples Organization). There are a number of lengthy bureaucratic processes to follow in the land redistribution programme, that only few communities were able to get access to. The PPAN policy has developed with individual land ownership, targeting public lands and the tillers as subjects, in a bureaucratic procedure. Local communities have responded enthusiastically to the programme, hoping to solve land conflicts, and especially to prevent the take-over of productive agricultural lands by the State as forest areas.

It is important to bear in mind that there is no 'panacea' provided by any one national natural resource management policy or land tenure policy that can address the problem of agrarian differentiation among the peasant households. The next two chapters (3 and 4) reveal how limitations of the policy process are clearly apparent at the local level. These chapters capture processes of social inclusion and exclusion that have occurred from an early stage of the land distribution process up to eight to ten years after land redistribution has occurred.

Notes

¹See Working Paper no. 85/2009, published at World Agroforestry Centre-SEA <http://www.worldagroforestry.org/sea/Publications/files/workingpaper/WP0122-09.PDF>

Special note has been mentioned in page 3 of the 2009 working paper, acknowledging the work as chapter of the author's current PhD study at ISS.

²Soepardi (1956).

³Peluso (2006:65–69).

⁴The German foresters sent to Indonesia in 1849 were the geodetic experts, Bennich and Mollier and Balzar, followed by Van Roessler in 1855, and lastly, German-trained Dutch foresters, namely, Beijerinck, Noodt, Stuffken and de Sturler in 1857. This occurred about 50 years after Van Hogendrop reminded the government that professional foresters should be employed in Indonesia (see MoF, 1986a: 71).

⁵MoD (1986a: 72–73).

⁶Rajan (1999:333).

⁷Kools (1935).

⁸The poor condition of the peasantry in Java as a result of the previous policy on the cultivation system, and the implementation of the Lands Domain were presented in the *Mindervaart* Report

⁹Japing(1929) asserted that land conflicts had increased since a great number of forests were designated as state forest land. Riots occurred in West Sumatra after the Forest Service collected levies on all wood cut from forests by local people. Previously, the local people had been free to cut and collect the wood for their daily use.

¹⁰Vabinoi (*Vereniging van Ambtenaren bij het Boschwezen in Nedetlandsch Oost Indië*) was established in 1907 and published in the Journal, Tectona, from 1908 to 1955. The association changed their name several times: Vhabinoi (1907–1927), Vhabinoi (1927–1945) (*Vereniging van Hogere Ambtenaren bij het Boschwezen in Nedetlandsch Oost Indië*), Vhabi (1945–1957) (*Vereniging van Hogere Abtenaren bij het Boschwezen in Indonesia*). See MoF (1986a:118–120).

¹¹See Galudra and Sirait (2006).

¹²See Fay and Sirait (2004).

¹³See Fay, Hubert, Sirait and Tomich (1999).

¹⁴Similar steps were taken by the Marcos regime; at the end of his term, Marcos issued a populist CBFM policy (see Moniaga & Sirait, 2004).

¹⁵Kusumanto and Sirait(2002). MoF Decree no. 622/1995 only allowed local communities to manage non-timber forest products. This policy was replaced by MoF decree no. 677/1998 that allows local communities to manage both timber and non-timber forest products.

¹⁶See KMAN (1999).

¹⁷See FKKM(1999)*Memulai dari Dasar yang Benar Jaman Baru Kehutanan Indonesia*(‘The Right Starting Points towards the New Era of Indonesian Forestry’).

¹⁸Tim Reformasi Kehutanan Lampung(1999); Tim Reformasi Kehutanan Kaltim (1999).

¹⁹See Fay and Sirait (2002).

²⁰Suarga(2003).

²¹Kartodiharjo and Jhamtani (2006:33–35).

²²Gellert(2006).

²³MoF (2006). The target in2009 was to complete delineation of up to 30% of the forest areas. However, in 2014, only 14% of these areas have been completely delineated.

²⁴See the FAO study by Romano and Reeb (2006), which also makes similar arguments to provide clear land tenure security through private ownership in Southeast Asian forests.

²⁵Tankha (2006)describes Cannibal Reform as a process in which areas of a reform agenda contradict each other.

²⁶MoF(2006c).

²⁷See Gellert (2006) on the Word Bank's engagement in land titling, as well as Contreras and Fay (2005) on the subject of land reform.

²⁸The land ceiling differentiates between irrigated rice farm and uplands, as well as the population density of the area. It ranges from five hectares in the most populated density irrigated rice fields to 20 hectares of densely populated upland areas (see the Government Regulation to replace law no. 56/prp/1960).

²⁹Nirwana, Fidro, Fauzi, and Hendro (2002: 70–93).

³⁰See Nirwana, Fidro, Fauzi, Hendro (2002: 117).

³¹See Rachman (2003a) and Chrisantini (2007).

³²See Pembaruan (2004, March 2008:6).

³³See Fathullah et al.(2005).

³⁴See also related forest land court cases, handled by Anti Corruption Commission (KPK), which showed that Governor of East Kalimantan had bribed by a private company to facilitate reclassification of forest area and allocated for palm oil concession (Kompas, 2006), Governor of Riau bribed for facilitate reclassification of forest areas for large scale palm oil company (Kompas, 2014c), legislative member bribed to facilitate reclassification of forest land for mining concession (Kompas, 2008), Bogor chief district that bribed for facilitate reclassification of forest land for housing project (Kompas, 2014b). These cases presented the high demand for allocating forest lands for large scale concessions that were caught red handed by the KPK.

3 Land Redistribution and Agrarian Change: The Experience of Ciniti Hamlet (Garut)

This chapter analyses the gradual changes that occurred in the agrarian structure and agrarian relations in Ciniti Hamlet (West Java) from the 1990s to the period subsequent to land redistribution up to 2010. The first part of the chapter provides the historical context of the settlement and the changing landscape of land ownership influenced by the Dutch and the Japanese occupations. The second part describes the background of the agrarian conflict in West Java province based on secondary data, particularly around the issue of land claimed (occupied and cultivated) by Javanese landless peasants that has been systematically taken by the State ever since the Dutch occupation, and, until recently, and later classified as state forest land.

Based on both secondary and primary data, the third part of the chapter elaborates on conflict and collaboration between the local community, the state-owned timber plantation, Perum Perhutani Unit III (PP) and the state-owned rubber plantation Perseroan Terbatas Perkebunan Nusantara VIII (PTPN) in Garut district where Ciniti Hamlet is located. Subsequently, part four of this case study, based on primary data, presents the agrarian structure and agrarian relations before the 1999 land redistribution.

Part five describes the process of land redistribution under individual land ownership, while part six explores changes in farming practices and the process of differentiation under individual land ownership between 1999 and 2010. Part seven focuses on changes in the agrarian structure and agrarian relations that occurred after the land redistribution process until 2010. Finally, part eight offers conclusions on the case study, addressing the two research questions in this study. These are: first, how can patterns of exclusion and inclusion in the forest redistribution pro-

cesses that occurred at Ciniti Hamlet be explained, and to what extent has the programme reached landless peasants? The second research question asks how this process has contributed to the formation of a new agrarian structure and agrarian relations.

3.1 The History of the Settlements

Garut district is located in Priangan Residency (currently located administratively in West Java Province) in the southern upland area of West Java Island, and spreading out from the mountainous area to the southern sea. Most of the area is steeply sloped, making it a high-risk area for landslides. Currently, these areas are classified as protected forests, production forests and non-forest areas, all of which are considered as state lands. Two large-scale state-owned companies were given rights to manage these state lands, namely the Perum Perhutani (PP) in relation to forest areas and PTIPN in relation to non-forest areas.

Ciniti Hamlet belongs to Sagara village, which was previously merged with Maroko village in Cibalong sub-district, Garut district. The main villages of Sagara and Maroko are located along the Cibaluk River where wet rice is grown along the banks. These villages are surrounded by several small hamlets that are also located close to the stream, such as Lengkong, Citoe, Ciuda, Mancagahar, Cimerak and Bendungan, all of which have good irrigation systems for wet rice farming. Some hamlets such as Ciniti, Gunung Peer and Rancaherang, which are located on the ridge, have no access to irrigated rice farming. These hamlets mostly practise traditional Sudanese mixed farming (*talun*), which involves mixed plantation of upland rice with fruit and timber trees, banana, coffee and cocoa. The mixed farms were controlled under informal land tenureship by peasant households from the surrounding hamlets that did not have access to irrigated farming. Some of these households maintain temporary huts in Ciniti hamlet and have houses in the main village. The irrigated rice farms, on the other hand, were owned by several influential households in the hamlet. Access to and ownership of irrigated rice farms have been established since the Dutch and Japanese occupations, and were dominated by elders from the hamlets who claimed descent from the pioneer settlers.

During the Dutch occupation in the seventeenth century, Priangan Residency was allocated for estate plantations. Land for coffee, tea, qui-

nine and rubber plantations was given to European companies as concessions. Some of the densely populated areas in the lowlands were managed under a sharecropping system between local communities and the Dutch East Indies Company (VOC), while some of the land in the upland area was allocated to private European companies and was intensively planted with export-oriented crops. This system, known as *Preanger stelsel* (the Priangan system), was introduced by the VOC, and was adopted by the Dutch Government until 1916 (Breman, 2010 and Elson, 1994).

Members of Ciniti Hamlet reported that they were told by their grandparents that their village was originally named Maroko, and was established by a Dutch coffee company that opened a plantation in Sagara in the seventeenth century. The company recruited local Javanese workers, promising them jobs with good salaries in Morocco (North Africa), as well as a pilgrimage to Mecca. These Javanese workers were sent by ship to Morocco. However, their ship sank along the southern coast of West Java, near the coastal boundary of Sagara village where they settled and were instructed on how to cultivate coffee.¹ The Dutch superintendent further instructed the workers to look for good areas for opening coffee plantations along the ridge of the Cibaluk River. These areas were later named Maroko and most of the workers who stayed in these areas assimilated with the local Sundanese way of life and lived in the plantation area. However, the low elevation of Maroko village made it unsuitable for coffee plantation. The company, therefore, replaced the coffee crop with rubber and left some of the land to be managed by the local communities and workers as mixed farms (*buma*). It was assumed that this commodity change from coffee to rubber would happen during the early nineteenth century with the decline in the value and production of coffee. The surrounding areas were later developed as rubber plantations and were owned on the basis of *Particulier*² (leased right to private companies with certain level of autonomy) and *Erfpacht*³ (lease right to private companies for periods of 90 years) status by several European companies.

The large-scale plantations and sharecropper scheme during the *Preanger Stelsel* created certain class differences between landless peasants, who worked as paid labourers and middle class and near-landless peasants who worked as sharecroppers, superintendents (*mandor*), merchants, local aristocrats (*menak* and *sentana*) and plantation owners (Breman,

2010). Shigeru (1994:87) reported that due to foreign investments in plantations in Priangan Residency, landholding concentration rapidly arose and by 1905, 61 per cent of the peasants were landless and were in chronic debt to the merchants.

During the Japanese occupation in 1942, the Japanese army interned the European owners of plantations and the Dutch controllers. They then persuaded the peasants and plantation workers (mostly landless and near-landless) to open up *particulier*, *erfpacht* and forest lands for food production (Rachman, 2012:9). The local aristocrats were legitimised as village leaders (*pangreh-praja*) and were forced to create village administrative structures within the villages and hamlets, known as *Rukun Warga* and *Rukun Tangga* (RW and RT).⁴ Right after the occupation, the Japanese military government introduced the Rice Delivery Movement (*Gerakan Penyerahan Padi*), whereby local aristocrats were obliged to collect rice from the irrigated rice farms in the main villages as well as upland rice produced in the *particulier* and *erfpacht* lands. The Rice Delivery Movement imposed a collection quota of 5 percent of the rice produced in 1940, which was later increased to 7 per cent in 1943 and 9 per cent in 1945. Apart from this, it was mandatory for households to sell 15 percent of their surplus rice production to the Japanese military government at fixed prices. The rice collected this way was needed to feed the Japanese troops, the forced labourers (*rodi*) and the new Japanese paramilitary social organisation, the *Barisan Rakyat* to support the war, reflected in the slogan 'New Java Construction' (Shigeru, 1994:122).⁵

Famine and malnutrition occurred in Priangan Residency due to the Rice Delivery Movement, as reported from April–August 1943. The Priangan Residency had a deficit of 40,000 tonnes of rice and was only able to collect 10,105 tonnes of rice from other districts (Kurosawa 1973:131).

The Rice Delivery Movement gave rise to new emerging social classes. European landlords (represented by the *particulier* and *erfpacht* owners) during the Japanese occupation were replaced by local aristocrats (*pangreh praja*), who were given more power and authority to collect and control the rice delivery movement. Other emerging classes were merchants in the cities who bought agriculture commodities from the local elites and from the peasants who were formerly landless and near-landless peasants who were given access to the *particulier* and *erfpacht* lands (Shigeru, 1997: 84).

After the Japanese military left the country and Indonesia proclaimed its independence in 1945, the *Barisan Rakyat* in Garut was transformed into several local para-militia groups, one of which was called the *Laskar Hizbullah Fisabilillah*, headed by Kartosuwiryo, and focused on resisting Dutch re-occupation. The January 1948 Renville Agreement between Indonesia and the Netherlands partially recognised the Republic of Indonesia, which only included Central Java, Yogyakarta Province and Sumatra Island. The realisation that West Java was not included within the Indonesian administration resulted in a faction separating from the *Laskar Hizbullah Fisabilillah* and their declaration of an Indonesian Islamic State (NII). This faction evolved into the *Darul Islam/Tentara Islam Indonesia (DI/TII)*, which was led by Kartosuwiryo and based in the southern part of Garut District.⁶ The DI/TII movement was suppressed by the Indonesian military and by the locally mobilised anti-DI/TII para-militia from 1949 until 1962. This conflict created a huge split between Garut communities, including between Islamic religious leaders (*ulamas*) and the wider society (*pesantren*). It has been estimated that 10,000 to 15,000 people were killed during this conflict, which resulted in extensive displacement of people from the area. One million people were reported to have moved to the nearest cities and to the capital city of Jakarta during this period (Husken & de Jonge, 2003:90).

The conflict resulted in the dislocation of villages in the upland area of Garut, including Sagara village (where Ciniti is located). The inhabitants changed the names of their villages and hamlets after the rebel movement and military ended operations in 1962, thus, making it difficult to trace who was from which village and who were the descendants of former peasants who lived in the hamlets. However, several village leaders and key informants in this in-depth study were identified as leaders who fought the DI/TII from 1949 to 1962 and were supported by the Indonesian Army.⁷

In 1957, all former Dutch and other European plantations were nationalised under state plantation companies (PPN). All such estates in West Java (now sub-divided into West Java and Banten provinces) have been amalgamated under the umbrella state plantation company, PTPN. The *erfpacht* lands were consolidated by the PPN as assets of PTPN, while most of the *particulier* lands were supposedly redistributed to the peasants following Law no. 1/1958. The acquisition of the rubber plantation in Miramareu estate (part of the PTPN block at Sagara village),

which had been occupied and cultivated by the local community since the Japanese occupation, was not easily accomplished, ultimately compelling peasants to penetrate further into the 'forest' land. Up until 2010, disputes were ongoing between 131 households and PTPN Miramareu regarding the 125 hectares of the local communities' land incorporated within the 4,267 hectares of PTPN Miramareu's concession rights (HGU) (Rachman, 2012:280).

Also in 1957, twelve years after Indonesia's independence, the Ministry of Agrarian Affairs collected data on land ownership from several villages in Java and in other islands in preparation for the land reform programme. The situation in West Java showed that 87.7 per cent of the population were peasants, of which 60 per cent of them were near landless, owning less than one hectare (Slamet, 1963:29).⁸ These figures show that land was unevenly distributed and that land concentration was centred in rural West Java in the hands of landlords and rich peasants (Slamet, 1963:25).

Right after the DI/TII movement surrendered in 1962, the villages were occupied by those who claimed to be the owners of the land, including members of former para-militias (*laskar* members, who were either for or against DI/TII). The original owners started to reclaim and re-occupy their houses which were mostly located close to the rice fields and along the river banks. The formal local elites, who owned brick houses and irrigated rice farms, easily re-acquired their properties because their houses had withstood arson during the conflict with the DI/TII movement. Unfortunately, those who had semi-permanent wooden houses had to make an approximation of their land and rebuild their houses. New households also came in after the PTPN rubber plantation (at Miramareu) was re-activated in 1962.

In 1970, Maroko village was sub-divided into three administrative villages: Maroko, Karya Mukti and Sagara. This division was due to rapid population growth resulting from the reestablishment of peace and security in the area. Sagara village, where Ciniti is located, also expanded significantly when new houses were rebuilt along the Cibaluk River and the irrigated rice farms were resumed.

The West Java Governor, General Solihin GP (who served as Governor 1970-1974), convinced the inhabitants to return to their villages or to their hamlets in the upland area of Garut district. The Governor did

this through the initiation of the *Rakgantang* movement, which was aimed at persuading peasants to plant teak trees in their productive farms to avoid landslides. At that time, this was not intended as an environmental programme per se, but rather as a way for the local government to access and control both the upland area of Garut and former DI/TII members. The Ciniti villagers, on the other hand, farmed their land using mixed farming methods (*huma*) that combined teak with food crops and upland rice.

As a consequence of the enactment of Forestry Law no. 5/1967, which delegates authority to MoF to claim state forest areas, during the term of the next Governor (Aang Kunaefi, military general who served as governor 1975-1985) MoF claimed the area of teak plantation through the *Rakgantang* programme in 1978 (Rachman, 2012). Local communities were neither consulted to discuss any form of compensation; nor were their consent sought by MoF to release their farmlands as state forest areas. MoF used force to claim the areas as Pasir Malang II (a forest block of 6000 hectares), and through forced evictions that denied local communities the use of their farmlands. Most of the upland cultivated lands were claimed as forest areas while some parts of the settlements and rice fields, located at the river banks, were left as non-state areas. MoF granted the forest block of Pasir Malang II to the state-owned timber company, Perum Perhutani unit III (PP), which consequently classified the land as state forest land.

The legitimacy claims over Pasir Malang II block in West Java, which were based on the colonial regulation *besluit van de regering Oost Indie* no. 28/1927, issued on July 7, 1928, were deliberately ignored during the Japanese occupation. The local communities were pushed by the Japanese military government to delegitimize the regulation in return for supporting the rice delivery movement. Reminiscent of the Dutch colonial foresters, the *Orde Baru's* technical foresters under the new regime of General Soeharto (1966), with the backing of the PP para-militia, exercised their power to control the forest (land) through the rationale of preventive measures and through force. As a consequence, this excluded upland peasants from acquiring formal land ownership through the land agency *Badan Pertanahan Nasional* (BPN), and further excluded them from farming the land. This situation resulted in conflict with the foresters, who were hated both by local communities and by the local government.

Violent conflicts occurred right after the PP started working in the area in 1978 and built a post around the allocated forest block, prohibiting local communities from cultivating the land in Ciniti hamlet. The PP used its force and legitimacy to evict local communities from the 'state forest' land. Most of the villagers left their upland farms, moving to nearby hamlets within Sagara village and working as sharecroppers to the PP under the *tumpang sari* scheme, as a result of which they became paid labourers or sharecroppers for the wet rice farm owners, or worked as paid labourers for the PTPN.

3.2 Conflict and Collaboration: Reaction to MoF's Claims

This exclusion through eviction, however, did not happen to all of the peasants residing in Ciniti hamlet. In order to gain access to and cultivate the land, some peasants had to pay two kinds of payments in 1978: (1) a payment of around Rp. 2,500 (around US\$ 6 equivalent to 20 kilogrammes of rice) to acquire access to a forest plot under the *tumpang sari* scheme; and (2) unofficial tax paid to the PP staff in the farming areas (per hut, usually consisting of one family) or the so-called *pajak ko-long*⁹ payment of around Rp. 1,000 (around US\$ 2.40, which was equivalent to 8 kilogrammes of rice) after every harvesting season for approximately 0.5 ha. Although the peasants paid the PP staff, there was no guarantee that they could use the land for certain periods of time. This unofficial tax or bribery of the PP staff has been in practice since 1978 when the PP unit III was established and claimed the land as part of the Pasir Salam II Forest Block.¹⁰

This unofficial tax or bribe was continued as a common practice by the officials and local communities at the same values until 1982. The result was that poor peasants were excluded from accessing the land, and so many either became paid labourers or sharecroppers in the neighbouring hamlet, or worked as paid labourers at the nearby state rubber plantation. By contrast, an opportunity was opened up for the middle-class peasants, through this unofficial tax, to access land for upland farming.

The situation gradually changed after the Mount Galunggung volcanic eruption in May 1982, which affected a lot of villages in Garut and in the neighbouring districts of Tasikmalaya and Ciamis. The volcanic activity lasted until January 1983, causing crop failure followed by a long

drought.¹¹ This resulted in severe food shortages in the hamlet and in the village. It also resulted in more landless peasants from neighbouring hamlets, who refused to pay the unofficial tax, moving to Ciniti to cultivate upland rice in this land without obtaining any permit from the PP.

Bandung NGOs, notably *Yayasan Sketsa Pojok* (SKEPPO) and the Legal Aid Foundation (LBH), Bandung, offered support in 1990, as did organised student organisations from Garut *Forum Pelajar Pemuda dan Mahasiswa Garut* (FPPMG), as well as the bigger coalition, *Komite Solidaritas Rakyat Sagara* (KSRS) in 1992. As a result, the local community of Sagara was able to raise their voices at the district, provincial and national levels (Aji, 2005:13).

With a variety of NGOs to support them, such as the Bandung-based SKEPO (working on labour issues), *Yayasan Lembaga Bantuan Hukum Indonesia* (LBH) (public interest lawyers), and *Forum Pelajar, Pemuda dan Mahasiswa Garut* (FPPMG) (a Garut-based youth movement originating from rural areas), communities felt empowered to organise their own peasant movement.¹² A landless peasants' movement, *Organisasi Tani Lokal Sagara* (OTL-Sagara) was organised in Sagara against the state landlords represented by the PP and PTPN (Aji, 2006:52). This provided the seed of inspiration for a peasant union that was later established in the area in 2000, known as the *Serikat Petani Pasundan* (Pasundan Peasant Union) and led by Bapak Gunadi, a national pro-democratic activist from Garut with a legal advocacy background. While the members were landless peasants from the legal point of view (absence of formal land ownership), they came from different socio-economic class strata within peasant society.

With their new consciousness as having rights over land, and their strengthened solidarity, these peasants refused to pay the unofficial tax (bribe) to the PP staff. This resulted in the increased frequency of PP forest operations and evictions from the area backed by the police and the military. The PP confiscated agricultural tools from local community members and later asked for money to return tools that they had confiscated from the rightful owners.

Under instruction from the PP, the police, with the support of the military, destroyed huts and some permanent wooden houses, and forced the communities to leave their land. The nexus of the PP, police and military stigmatised the communities as being communist peasants

who had organised unilateral actions (*aksi sepihak*) by taking over the landlords lands similar to what happened in the 1960s. They also stigmatized the peasants as Muslim rebels as belonging to the DI/TII, who had been active in the area in the 1950s.

These forms of intimidation and aggression continued against the peasants, with three peasant leaders being arrested and accused of forest looting and illegal logging. Court processes took place in Garut and were published in the local and national newspapers. The case attracted the attention of the general public, academics, NGOs and the student movement, as well as NGO advocates who later represented the communities at court in Garut city. The case, as reported in the media, presented the MoF and PP as the enemy who claimed the land and evicted the peasants, whereas the land agency, the Garut government and the local communities were claiming land that was not state forest land, and in which the community had planted teak trees during the 1962 *Rakegan-tang* programme (Lukmanuddin 2002).

However, in 1996, two years before the May 1998 political reform took place, the police and the military changed their position. Instead of backing the PP and the state forest policy, they supported the peasants in reclaiming their land, and encouraged them to cut down the remaining teak trees and sell these trees to them. This business was organised by the military and police officials and ran smoothly until all the teak forest was depleted between 1996 and 1998. The communities then cut down the trees on their farms, transporting them to the main road, where they were paid per cubic meter. The police through the *Bhayangkari* (a spouse organisation to the police)¹³ measured the wood in the hamlet, while the military took the lead in supervising the process of cutting the wood, transporting it and dropping it off at the Cibalong police station. As discussed earlier, poor and disenfranchised peasant groups were excluded from the benefits of this teak wood business. Strong young men came into the area to access the teak forests. More men came from nearby hamlets and villages to fell the teak timber and even more people came to seek land in Ciniti.

Several months before the 1998 reform, the court case was decided. The Garut court handed down a guilty verdict for the three local actors regarding the first accusation of trespassing and clearing land which was proven not to be owned by them. However, the second accusation of illegal logging could not be proven since no PP staff dared to speak up

as witnesses against the military and the police officials who were engaged in illegal logging activities.¹⁴ Surprisingly, however, the third verdict stated that the land could not be proved to be state forest land, particularly as the Pasir Salam II Forest Block had never been delineated and was, therefore, considered as state land.¹⁵ The three accused individuals from the local Ciniti community, along with others from neighbouring hamlets within the Pasir Salam II 'Forest Block', discussed the case with lawyers after the 1998 reform. They agreed not to bring the case to the Court of Appeals in Bandung and used the loophole in the verdict to apply for redistribution of the disputed state land.

The legal consequence of the court decision was that the land could no longer be claimed as a state forest area, which ended the role of the PP and MoF in these areas. As a result, jurisdiction over the land shifted from MoF and PP (forestry) to the land agency, BPN, which acquired legitimacy through the court verdict to administer the state land. This opened up a path for redistributing land to landless peasants under individual land ownership.

3.3 The Agrarian Structure and Agrarian Relations in Ciniti and Surrounding Areas prior to Land Redistribution

As discussed in the previous section, Ciniti is located in an area influenced by the large-scale state-owned rubber plantation, PTPN, Miramareu, and the state-owned forest estate, PP, with its historical claim to the area. Even before the court case was decided, in 1996, PP relinquished control over the area, which subsequently came under the control of the police and the military, as well as local peasants. The military and the police, however, departed from the area towards the middle of 1999 after all the mature teak trees were cut down and transported out of the area. Ciniti Hamlet was re-established as a formal hamlet belonging to Sagara village. The peasants who were residents of Ciniti Hamlet were from the Sundanese ethnic group, the dominant ethnic group in West Java, and spoke the Sundanese language. The existing social cohesion amongst the hamlet's residents was based on their hamlet of origin. Those who came from Lengkong Hamlet (northwest of Ciniti) maintained their settlements and cultivation in the surrounding north-western areas. Plantation labourers and workers from Rancaherang culti-

vated and settled in the middle of the hamlet. Those from the hamlets of Karees, Cioa, Ciuda and Mancagahar cultivated and settled in the eastern part of Ciniti Hamlet (see Figure 3.1).

Apart from identification forged through hamlets of origin, the social cohesion of residents is also reflected in their labour relations. A system of reciprocal shared labour exists among neighbours who originate from the same hamlet. This reciprocal shared labour is evident when upland rice farms are opened up, as well as during the harvesting of upland rice, and when semi-permanent houses are being constructed. Social cohesion stemming from origins was also reflected in offers of paid labour which prioritised labour from the same hamlet of origin. Examples of this work included carpentry, felling and cutting of trees and transporting wood to the main road. However, paid labour related to harvesting teak trees ended towards mid-1999. Mobilisation of labour and allocation of plots for each household is organized by several patrons or informal leader within each hamlet. These patrons are socio-economically better off compared with peasants in their own villages or hamlets. Furthermore, they also have leadership capacities, based on which they can be divided into four sub-groups, as described below.

Before being introduced to the teak tree business, peasant households planted traditional Sundanese mixed agroforests (*talun*). This process starts with the plantation of upland rice (*buma*) through a slash and burn process. Together with upland rice, farmers plant corn, cassava, *parkia*, jackfruit and other fruit and timber trees. This ensures sufficient production for their household consumption as well as for sale at the nearest market located at the Miramareu plantation (rice, corn cassava, *parkia*, jack fruit and other fruits as well as the timber). However, after peasants began to plant teak trees in their own farms, they could no longer practise slash and burn shifting cultivation. Instead, they cultivated upland rice, together with corn and cassava, in the spaces between trees under the canopy for local consumption. They were rarely able to produce more than what they required for a year. When the canopy closed (approximately three years after teak planting) the households had to find other plots in which they could cultivate the land in the spaces between trees. Cutting down teak trees, or their branches, was a common household strategy for continuing to access land for cultivation.

3.3.1 Lengkong Hamlet Group

Lengkong Hamlet is located at the edge of the semi-permanent road, along a 30-minute walk northwest, passing through Ciniti. It is located on a flat plain of the upper watershed of the Cimerak River. In contrast to Ciniti Hamlet, which is located along the ridge between the two rivers, Cimerak and Cibaluk, the settlements are at a distance from the rivers. Lengkong Hamlet is located in a small valley that has a lot of irrigated rice fields and ponds emanating from the Cimerak River. These old settlements were established during Dutch Colonial period, and were continuously inhabited during the Japanese occupation. The residents of this hamlet were evacuated during the DI/TII insurgency between 1949 and 1962 when this area became a battle ground between the DI/TII and the Indonesian military (TNI) supported by *laskars*. By the time the villagers returned to the village in 1962, local leaders from Lengkong such as Bapak Mahmud and his parents needed to renovate their houses, irrigate their farms and fix their ponds. Bapak Mahmud's family was among the first families to return to Lengkong Hamlet. The hamlets in the area were redeveloped and grew quite fast in terms of rice productivity, fish-ponds, houses, number of households and the area of cultivated land. The agrarian structure at that time was constituted by the following groups: (a) those who owned rice fields and ponds such as Bapak Mahmud family; (b) those who had no access to irrigated rice farms but who did have access to the upland area; and (c) those who had access to neither type of land and became paid labourers to the rich peasants. In 1978, the upland areas beyond the valley were claimed by MoF as state forests, and management rights were given to *Perum Perhutani* (PP), the state-owned timber estate. There were a lot of landless and near-landless peasants in the hamlet who could not acquire access to land in Lengkong Hamlet, and who were, therefore, occupying the land in the lowland areas in Ciniti Hamlet claimed by MoF as state forests.

There were three patrons from Lengkong Hamlet, who led the landless and near-landless peasants of this hamlet to occupy land in Ciniti. These patrons were: (1) Bapak Mahmud, a rich peasant/ who was 54 years old during the land redistribution implementation (1999) and 65 years old in 2010 when the household survey was conducted; (2) Kakek Oyok, an ex-militiaman who was 68 years old during the land redistribu-

tion implementation process and was 79 years old in 2010; and (3) Bapak Oding, who started as a vendor of basins and other plastic utensils, and later married a rich woman from Lengkong hamlet. He was 50 years old when land redistribution was implemented and 61 years old in 2010.

Bapak Mahmud was the leader (*Kepala Dusun*) of Lengkong Hamlet. He owned approximately 1,000 *bata* (equivalent to 1.5 hectares) of irrigated rice fields as well as a rice mill.¹⁶ As the owner of 1.5 hectares of irrigated rice fields in the hamlet, he is considered the richest peasant. He cultivates 0.5 hectares of rice fields with his own family labour, together with one additional labourer who helps him as a utility person and is paid a share of crops taken from the rice mill earnings and rent. He rented out a rice field of one hectare to three landless households based on the shared cropping system (50 per cent for the land owner and 50 per cent for the worker). Through these earnings, he was able to buy and operate the first and only rice mill in the hamlet, charging a 1/11 share for each hulling that is, 10 parts for the paddy owner and 1 part for the mill owner. Owning and operating a rice mill is one of the most profitable and popular methods of extracting surplus in rural rice farming communities. One part of rice is given for the costs of the hulling run by a multi-purpose machine, which is a fixed cost that can last for a long time, and, if needed, can be used to generate electricity for several houses. Later, he used the abundant water supply from the Cimerak River for his fishpond and to feed the fish with mixed leaves from the surrounding farms, supplemented with rice husks from the mill. He consumed a small portion of the rice and fish and sold most of it to the PTPN rubber plantation staff at Miramareu during market day. As the owner of 1.5 hectares of irrigated rice fields, fishponds and an operational rice mill, he was able to go on a pilgrimage to Mecca and became the only Haji in the area who was able to send two of his sons to study in Garut city.

During the drought from 1982 to 1983, rice yields, not just in Bapak Mahmud's rice fields, but also in neighbouring farms were low. His earnings dropped, as he did not receive much surplus from the rice mill. While he relied on income from the fishpond, this too dropped slightly due to the effect of ash from the Mount Galunggung eruption. At the same time, he needed to send money to his two sons who were studying in Garut. His produce from his rice fields was consumed by the household, and on certain occasions, it was loaned to their hungry landless neighbours, however, these loans were not repaid. The three sharecrop-

ping households that had rented the one-hectare rice field were unable to pay their share. This situation led Bapak Mahmud to convince near landless and landless peasants to reclaim and improve their access to the land for their own benefit and that of the younger generation. The motivation for reclaiming the land was to enable landless and near-landless households to acquire access to upland farms that would solve the problem of hunger that had hit the area. Apart from this motivation, there are also other positive implications. For example, the semi-permanent road passing through Lengkong village to join the main road would be maintained, electrical connectivity would be developed, rice production would increase, and Bapak Mahmud's earnings would also increase through his mill and fishpond business.¹⁷

Kakek Oyok was 68 years old when the land redistribution process occurred, and 79 years old in 2010. He and his family are not rich and are classified as near landless peasants. Kakek Oyok is one of Bapak Mahmud's youngest uncles. He was a former member of the militia during the insurgency of the DI/TII in 1955 and was known for his 'magical powers' to win battles in the area. He lives with his wife in Gunung Peer Hamlet, which is a 20-minute walk from Lengkong Hamlet. He is still, however, regarded as a resident of Lengkong Hamlet because his relatives live here, and this is where he spent his childhood. While he does not own any land in Lengkong village, he does, however, own two plots of upland rice and mixed farming in Gunung Peer and his family cultivates the land on their own. Kakek Oyok has a small and simple family with no children of his own. He owns a small house in Gunung Peer and the family consumes all of their produce with minimal earnings of rice every season. As a veteran of the revolutionary war, Kakek Oyok receives government subsidies every six months, which he uses to purchase basic items that the family does not produce. The subsidies are collected from the post office at the town of Pameungpeuk, which gives him an opportunity to interact with his former colleagues from the militia and government.

This commuting also enabled him to become acquainted with Bapak Sarjono from the National Land Agency (BPN) office, who showed him an old Dutch document that he could comprehend, with the land status of Sagara Village (where the hamlets of Ciniti, Lengkong and Gunung Peer are located). Although he is not economically wealthy and does not own vast lands, he is considered to be socially and politically influential.

He is from an elite class within society, and is well respected not only in his hamlet in Gunung Peer, but also in the whole of the Cibalong sub-district.

There was also one vendor trader, Bapak Oding, originating from Cisompet. He was 50 at the time of land redistribution and is 61 years old during the household survey in 2010. He married a rich woman, Ibu Oding, who was 45 years old at that time and is 56 years old (in 2010) and resides in Lengkong. Ibu Oding owns an irrigated rice farm of 0.5 hectares, which she inherited from her parents, and which they cultivate with their own family labour. Bapak Oding used to be a vendor selling basins and other plastic utensils, and occasionally sold cloth during *Ramadhan*. He then decided to live in Lengkong and subsequently joined the land reclamation movement in order to acquire his own piece of land. With his own financial capital accumulated as a trader, and that of his wife, they were the first to open a kiosk (small shop) in Ciniti, selling all kinds of daily products such as batteries, soap, cigarettes, cooking oil etc.

These three community leaders, described above, organised 28 formerly landless and near landless households from Lengkong Hamlet to join the land reclaiming movement. These households were very dependent on their formal leader, Bapak Mahmud, for several reasons. These included their need to rent his rice mill during the harvesting season, to buy or borrow rice during the dry season, or to work as sharecroppers on his land. They were also dependent on Bapak Oding for selling their agricultural products and borrowing money. The peasants also depended on the informal leader, Kakek Oyok, for his leadership and bravery in dealing with police and military intimidation during the process of reclaiming land. After reclaiming land in 1983, these 28 landless and near landless households (or 31, including the three leaders) acquired access to the Ciniti uplands based on their family size and the area of land that they cultivated.

3.3.2 Rancaherang Hamlet Group

Rancaherang is made up of barracks (*bedeng*) housing the PTPN rubber plantation workers. The hamlet consists of 40 households totalling around 100 people. These are workers related to the plantation; monthly PTPN workers, such as superintendents and clerks; rubber tappers; and daily paid labourers, notably young men, women and children working as

weeders and crop sprayers. The workers are not just from Sagara village, but also from several areas surrounding the Miramareu plantation.

Rancaherang has a primary school and a football field developed by the PTPN. The demolition of the barracks and replanting in Rancaherang occurred in 1999. These barracks were demolished after the superintendents, clerks and most of the monthly workers retired. Demolition is a common practice of the PTPN and is designed to prevent these workers from claiming the barracks and the land, which was replanted as a new rubber plantation block. At the beginning of the land claiming movement in the Ciniti uplands, a lot of landless rubber tappers and labourers (mostly men) filed claims. However, because of intimidation by PTPN officials from the Miramareu office, 30 households abandoned their claims and never got their parcel of land during land redistribution; only 12 continued the reclaiming process until the land was redistributed.¹⁸

There were two patrons from Rancaherang: Bapak Nano, the Superintendent who was 52 years old at the time of land redistribution in 1999 and is 63 during the household survey in 2010, and Bapak Momon, a clerk from the PTPN plantation, who was 55 years old then and currently 66 (2010). Both were approaching their retirement age at PTPN,¹⁹ and were financially better off compared to the other 10 rubber-tapping households in the hamlet. These 10 rubber tappers, who were under the direct supervision of Bapak Nano, were landless and decided to leave their work as rubber tappers to gain access to new land in the Ciniti uplands.²⁰

As a superintendent, Bapak Nano was experienced in dividing and allocating land amongst households in Ciniti. In the PTPN, this task of land allocation was the superintendent's. However, Bapak Nano did not leave his permanent job at PTPN until his retirement was extended to 62 years in 2010. He went through a difficult time when he was suspected by the PTPN of supporting and leading the land claimants. On the other hand, as a respected and influential local leader in Cibalong and Pameungpeuk sub-district, the PTPN management counted on him to maintain peace and order at the PTPN VII Miramareu plantation area. Bapak Nano had a reputation for maintaining peace in his block and was respected for his influence in handling labour unrest in the Miramareu plantation. As a superintendent, Bapak Nano received his monthly salary and had access to non-irrigated wet rice fields (*tanah serang*) in the PTPN

area. Bapak Nano share-cropped one hectare of *tanah serang* with four households. Due to his work with the PTPN, he decided not to move with the land claimants to the Ciniti uplands (which had not been classified as a hamlet in 1999) when the Rancaherang hamlet was demolished in 1999. Instead, he moved to Leuwipari Hamlet in Sagara village, which was closer to the Miramareu PTPN office complex.

Bapak Momon used to be a clerk at PTPN. He and his wife, Ibu Momon, decided to pursue a new life after he retired from PTPN and left the *bedeng* in Rancaherang. He also left 500 *bata* (0.7 hectares) of *tanah serang*, to which he had access and from which he shared the rice produce with two sharecropping households. The rice produce that he thus acquired could feed the household for the entire season. His household, which consisted of his wife, two daughters and one son, decided to join the land reclaiming movement to pursue a better life in Ciniti Hamlet in 1996. Leaving aside all of the PTPN privileges that he and his family had enjoyed during his service was difficult for him, but there was no other option for him and his family. With his retirement fund of 10 million rupiah (equivalent to US\$ 1,000) which he received as a severance fund with some loans deducted from this amount, he cleared the reclaimed land and cultivated it with upland rice, cassava, corn and banana. Ibu Momon, the wife of Bapak Momon who is 5 years younger than him, was able to earn some money as a traditional midwife (*paraji*), ready to be fetched to help during deliveries in the hamlets and in surrounding villages. The payment she received was not always in cash; sometimes her services were paid for with chickens, rice or bananas. Bapak Momon is not a peasant. He is a clerk who has never previously cultivated land. Therefore, with his clerical skills, he kept records of the land that was reclaimed, while Ibu Momon and the children cultivated the one-hectare upland plots.

Bapak Polo, who was 40 at that time of land redistribution (51 years old when the household survey was conducted) is a former rubber tapper from Rancaherang. He left his job before reaching the retirement age. He is considered to be a good rubber tapper, and was classified as 'A' grade. Rubber tappers with this grade received higher monthly salaries than those with other grades. They were responsible for tapping new plantations and also for training the daily paid labourers on how to maintain rubber trees and properly carry out rubber tapping. He decided to leave the *bedeng* and *tanah serang* in Rancaherang and start a new life in

Ciniti, 10 years before his retirement. With five members, this household cultivated land in Ciniti and received 5 plots of land (2.5 hectares). They cultivated rice, cassava, corn and banana on this land.

Bapak Toto (39 at that time of land redistribution, 50 years old when the household survey was conducted), together with his daughter and his wife also joined the land reclaiming movement in 1996, 11 years before his retirement. His family used to live in Rancaherang, and prior to his retirement, he also thought of owning plots of land for his family's future. He was also an 'A' grade rubber tapper and was able to claim two plots. The family cultivated rice, cassava, corn and banana on this land, and at the same time, they collected fire wood from their farmland and sold it at the nearest market.

3.3.3 The Karees Hamlet Group

Karees Hamlet is at the centre of Sagara village, where the village offices are located. This hamlet is located on the left side of the Cibaluk River, together with several other hamlets such as Cioa, Ciuda and Mancagahar. All of these hamlets have paved roads through which they are connected to each other along the river and up to the main road. The hamlets situated along the road have access to electricity and are considered as non-forest areas. Those situated along the river valley, consisting of rice fields and settlements, are also considered as non-forest areas. However, the area further up from the valley towards the ridge is considered as state forest area. The upland land cultivated by the Karees peasants, located along the ridge, was considered a state forest area.

The main patron from Karees, Bapak Imdad, (who was 45 years old at the time of land redistribution, and 56 years old in 2010) was elected as the village head of Sagara. However, due to accusations against him of criminal activities while he was leading the land reclaiming process, he was never officially designated as the head of Sagara by the sub-district head. However, he was socially, economically and politically better off compared with other peasants from Karees. He owned an irrigated rice farm of one hectare in his hamlet of origin in Lengkong, and had a permanent house at Karees. This rice field was shared with three sharecropping households in Lengkong and the produce was more than enough for his family's consumption. He was also better off compared to peasants from Cioa, Ciuda and Mancagahar, who were mostly landless or

near-landless. As an elected hamlet leader, he convinced landless and near-landless peasants, not only from the Karees, Cioa, Ciuda and Mancagahar hamlets, but also from other hamlets in Sagara such as Cimerak, to join in reclaiming land up to the Karees valley ridge, entering the Ciniti uplands. There were 17 near-landless and landless households that joined the land reclaiming movement from Karees. 15 from Cioa, 7 from Ciuda, 3 from Mancagahar and 2 from Cimerak were able to gain access to land.

Bapak Suaep (55 at the time of land redistribution, 66 years old in 2010) is a landless peasant from Karees who joined the land reclamation process in 1996. He was a sharecropper in Karees hamlet and so reclaiming land was the only way for him to own a plot. Bapak Suaep has 4 members in his family and he acquired access to, and later formal ownership of, more than 5 plots of land in Ciniti. He cultivated rice, cassava and banana in this land, which helped to improve his family's livelihood. Bapak Suaep has been the right hand of Bapak Imdad in the process of coordinating the land claims of beneficiaries from Karees, Cioa, Ciuda and Mancagahar.

3.3.4 The Bendungan Hamlet Group

Bendungan Hamlet is located on the right side of Cibaluk River in Sancang village, which has huge irrigated rice farms and fishponds. This hamlet is considered the richest hamlet in Cibalong sub-district. However, while the hamlet has plenty of rice fields, there are also plenty of landless and near-landless peasants in this hamlet who are selling their labour as paid labourers and sharecroppers.

Bapak Surade (45 at the time of land redistribution, 56 years old in 2010) is a trader from Bendungan who invited landless and near-landless peasants to work with him to cut teak wood from the Ciniti area and encouraged them to cultivate the lands in 1996–1997. By doing so, he was able to buy cheap teak wood, make doors and sell them at the nearest town, Pameungpeuk. Although he never resided in Ciniti, his influence attracted quite a number of landless peasants to Ciniti, including one household from Cibalong and one from Pameungpeuk (both landless). Two young men from these households sometimes came to the village to sell their labour for his teak business as well as during harvest time. They later decided to join the land reclamation movement and brought

their families with them. Bapak Surade himself was not interested in joining the movement, but was interested in obtaining teak wood as raw material for making furniture. Due to this, a criminal case was brought against him and he was accused of illegal logging in 1997–1999.

3.3.5 The Citoe Hamlet Group

Citoe is located outside Sagara village but is still considered to be part of Cibalong sub-district. Distance-wise, its location is quite far compared with the other hamlets. Two brothers, who originally came from landless peasant households in Citoe, joined the land reclaiming movement because of the insurgency in Aceh.

Bapak Daryo (35 years old at the time of land redistribution, 46 years old in 2010) and his elder brother, Bapak Daryi (40 years old at that time, 51 years old in 2010) went to Aceh to join the transmigration program. However, they were expelled by the para-militia during the civil conflict in 1996. These two landless brothers were well trained in rubber cultivation at the transmigration areas and were eager to own land for rubber cultivation. In Aceh, they had seen how transmigration could improve the livelihoods of their families through harvesting rubber latex, before they were expelled. Despite not having any money or assets, these brothers were able to reclaim land on which they cultivated rice, bananas and corn, and slowly introduced rubber seeds, which they received from Bapak Nano.

This hamlet was established based on differences in the social, economic and political situations of its residents, who nevertheless interacted with each other. Most of the elites of each hamlet, who were involved in the land redistribution process, did not reside in their hamlet, with the exception of those from Rancaherang (due to the demolition of the hamlet).

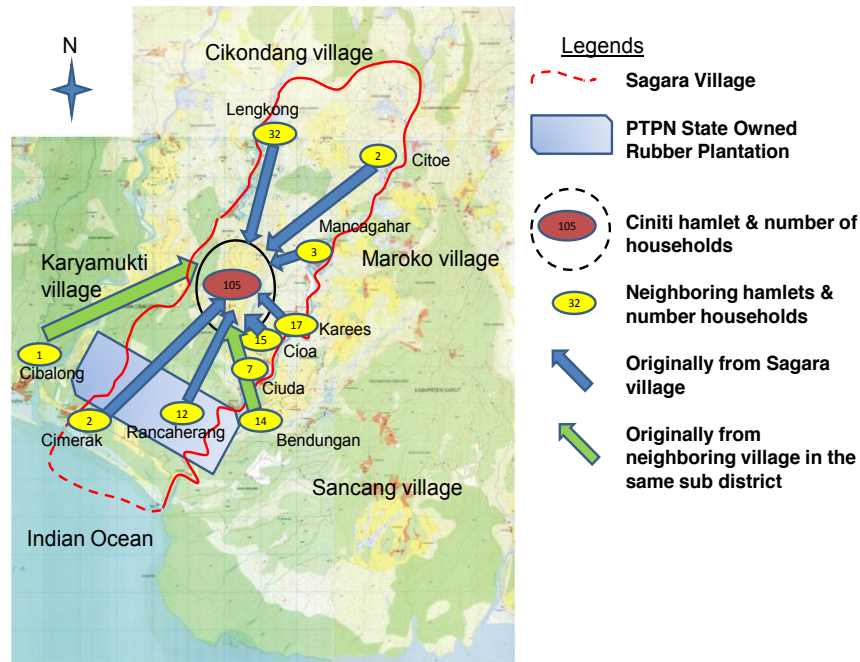
Table 3.1
Origins and class positions of households in Ciniti hamlet before the land redistribution

No	Origin	Number of HHs	Class	Ethnicity
1	Sagara Village			
	Lengkong	32	1 rich peasant, 1 middle class peasant and trader, 30 landless peasants	Sundanese
	Karees	17	1 rich peasant, 16 landless peasants	Sundanese
	Rancaherang	12	Plantation workers: 1 superintendent and middle class peasant, 1 former clerk and 10 plantation wage labourers	11 Sundanese, 1 Javanese
	Cioa	15	15 landless peasants	Sundanese
	Ciuda	7	7 landless peasants	Sundanese
	Mancagahar	3	3 landless peasants	Sundanese
	Cimerak	2	2 landless peasants	Sundanese
2	Neighbouring villages in Cibalong sub-district			
	Bendungan	14	1 trader and middle class peasant, 11 landless peasants	Sundanese
	Citoe	2	2 landless peasants	Sundanese
3	From the sub-district city Cibalong			
	Cibalong	1	1 landless peasant	Sundanese
	<i>Total Number</i>	105		

Source; interviews with 10 key informants from different hamlets in between 10-20 July 2008

The residents of Ciniti Hamlet came from different hamlets and villages in the vicinity, as illustrated in Figure 3.1. The households came from several hamlets inside Sagara village (dominated by Lengkong, Karees and Rancaherang), as well as from neighbouring villages (dominated by Bendungan village), and one person came from Cibalong sub-district.

Figure 3.1
Map of the origins of Ciniti Households



Source: Bakosurtanal 1999 & household survey 2010²¹

The social structure of the local community of 105 households that accessed land in Ciniti prior to land redistribution in 1999 can be summarised as comprising the following four social economic classes:

1. One rich peasant, Bapak Mahmud, who lived in Lengkong but had established a farm in Ciniti.
2. Three middle class households that farmed but did not reside in the hamlet. These were headed by Bapak Nano, who was still an active superintendent at PTPN; Bapak Imdad, a resident and the elected head of Sagara village, based in Karees; and Bapak Surade, a trader residing in Bendungan.
3. One trader, Bapak Oding, and one former PTPN clerk, Bapak Momon, who also farmed land and resided in Ciniti.
4. Two landless peasants skilled in rubber cultivation, who cultivated land but resided in Citoe; and 98 landless households

who resided in Ciniti. This group could be further sub-divided as follows:

- a. 12 households, skilled in rubber cultivation, who were originally from Rancaherang but resided in Ciniti
- b. 87 households from, Bendungan, Cimerak, Mancagahar, Ciuda, Cioa Rancaherang, Karees and Lengkong hamlets

3.4 Patterns of Surplus Transfer prior to Land Redistribution

As previously discussed in Chapter 1, a pattern of transfer of surplus from peasant households to extra rural actors was identified in Ciniti before land was redistributed under individual land ownership. This entailed the eight forms described by Deere and de Janvry (1979:607). The eight forms, involving private appropriation, were: rent (in labour, cash and kind); the labour market (wages in cash and kind); market produce (terms of trade); money lending (usury) and through the state (tax).

3.4.1 Rent in labour

Several patterns of rent in labour prevailed in Ciniti. This main mode of transferring surplus occurred between extra rural actors and peasants in Ciniti, during the period of PP's existence (1982–1996). Peasants planted banana, maize and corn, intercropped with the primary product, teak trees. Every peasant was required to maintain the teak trees in order for PP to be able to acquire access to the area claimed as state forest land. Maintaining teak trees included planting, weeding and taking care of the new saplings. Surplus transfer through rent in labour was carried out officially by PP through an intercropping scheme (*tumpang-sari*), as discussed in Chapter 2. In this scheme, intercropping could only be practised for four years, after which time the canopy became too dense to cultivate food crops. After this period peasants had to gain access to another plot for another rotation of intercropping.²² The trees that were previously planted under the *rakgantang* programme become the primary trees for PP, and one of the main sources of surplus extraction, in the form of rent in labour transacted with PP, from the peasant households

that farmed in Ciniti. This mode of transferring surplus from peasants to PP that entailed extra time invested in labour to maintain teak trees, free of charge for the company, could be classified as surplus extraction.

3.4.2 Rent in Cash

To get access to the nearest plot for *tumpang-sari* cultivation, and to build a hut on the farm, peasant farmers in Ciniti each paid PP officials (the superintendent or *mandor*) an amount of Rp. 2,500 (equivalent to approximately 20 kg of rice) to acquire access to the land. They paid a further Rp. 1,000 per year for each hut (approximately equivalent to 8 kg of rice, for *uang kolong*). This practice of providing rent in cash has been in effect since 1982, and the total sum was collected by the hamlet coordinator. For some of the households that did not have the required cash, rent in kind in the form of rice was extracted at a value of 20 kg of rice per plot annually, and 8 kg of rice per hut, annually. Besides rent in labour through the *tumpang-sari* scheme for surplus extraction, peasants were also subjected to rent-in-cash or rent-in-kind modes of surplus extraction.

This practice was curtailed when local communities refused to continue complying with the *tumpang-sari* scheme and stopped bribery practices (*uang kolong* and *uang plot tumpang-sari*) with regard to PP officials. This occurred after they were reported by the PP as forest encroachers in 1996. In the same year, with the support of FPPMG, and LBH Bandung, the peasants acquired new evidence regarding the legal status of their claims to the land, as well as an understanding of the official role of PP and the practices of misconduct (bribery and corruption) of its officials as a form of state exploitation of citizens. In Ciniti and other areas where land was being reclaimed in forest areas, peasant communities refused to pay rent in labour, cash or kind to any extra rural actors.

3.4.3 Rent in Kind

During the heat of the *reformasi* movement between 1996 and 1998, the police and military encouraged local communities to engage in illegal logging. The wood from the trees that were planted by peasants under the *rakgantang* programme were taken by the military and police officials, who, in return, gave the peasants security to cultivate the land with food

and perennial crops. The practice of surplus extraction from peasants in Ciniti (*tumpang-sari* or rent in labour) and by PP officers (rent in cash or kind) provided an avenue for peasants to acquire full control over the forest land, which they called re-claiming

Extra rural actors (the military and police) availed of this opportunity to extract surplus from peasants in Ciniti through rent in kind by using their power to provide peasants with secure access to the land for farming. The teak timber they cultivated became the share of the police and military, while the land was for the peasants. Further, each household member was obliged to practise *terresing*²³ and felling teak trees within their own plot. The military and police would hire tree cutters to chop the timber in bulk and transport it to the police post at Cibalong. The *terresing* was done as surplus extraction in the form of rent in labour by women or children in the household without receiving payment. Two or three months after this had been done, the trees would dry up and were then ready for felling by the men without payment (additional surplus extraction in the form of rent in labour).

An internal practice of rent in kind also occurred among owners of wet rice fields in Lengkong and Bendungan and landless peasants in Ciniti through sharecropping of paddy according to pre-determined equal shares of 50 percent to the land owner (*bagi hasil*) and 50 percent to the sharecropper. Bapak Mahmud, a rich peasant in Lengkong and the owner of the rice field, assumed part of the responsibility for the farm's failure during the 1982–1983 droughts, together with the sharecropper. The produce barely met the basic consumption of the landless sharecropper. This situation was a great loss for Bapak Mahmud, who assumed the main responsibility by foregoing his expected share and allowing the sharecropper to consume the rice. Since 1984, the sharecropping system between Bapak Mahmud and the three landless peasant households has been resumed. Bapak Ibnu (52 years old in 2010) from Ciniti refused to join the *tumpang-sari* scheme, and for 10 years (1986–1996) was a sharecropper, applying rent as a form of surplus extraction (see Box 3.1).

Box 3.1: Ten years of sharecropping; the experiences of Bapak Ibnu's household

Box 3.1: Ten years of sharecropping; the experiences of Bapak Ibnu's household

Bapak Ibnu, who is originally from Lengkong, has a house in Ciniti and used to cultivate land in Ciniti. He was forced to join the *tumpang-sari* scheme in 1982 and participated in only one four-year cycle. He paid PP officials to allow him to maintain his house, but was asked to pay more to obtain access to the new *tumpang-sari* plot. He refused to do so and chose to work as a sharecropper for Bapak Mahmud, rather than continuing as a sharecropper with PP and making an extra payment to the PP official to get access to the next *tumpang-sari* plot.

He and his family of four worked as sharecroppers from 1986 to 1996 and received 50 percent of the rice product. He said: "*Working as sharecroppers to the rice farm owner, utilizing 355 bata (equal to 0.5 hectare) rather than working as tumpang-sari beneficiaries, was our decision. After we shared the harvest with the owner, we had enough rice for our food and sold the rest to Bapak Mahmud. We also received a guarantee that we could continue sharecropping during the next harvesting season with relatively predictable yields. During the 1982–1983 famine, Bapak Mahmud did not ask for his share that we could not fulfil due to the failure of the harvest. In the tumpang-sari scheme, our yield fluctuated, and we needed to pay extra to the PP official to get access to a good plot for the next cycle. If this official left Ciniti, how would we pay to the new official? I would rather serve people whom I trust, rather than someone from Lengkong hamlet*".

Another mode of rent in kind was practised in Ciniti after the teak tree business folded up in 1999. It was not easy to start upland cultivation in the land while waiting for the planting season. The peasants, therefore, utilised the root bark of the teak trees underneath the ground in their own plots to produce charcoal. Charcoal making requires some expertise that is not acquired overnight. This kind of work was also done on a product sharing basis involving a team of two to three young men, assisted by one elder with experience in charcoal production. The product-sharing ratio was one part of charcoal for the land 'owner' and two parts for the workers. The charcoal was bought by traders who would go to Ciniti in a pick-up car, and purchase charcoal by the sack (*karung*). The practice of charcoal production stopped after the teak wood was removed from the farms.

3.4.4 Wages in cash

Cash was paid for wage labour at PTPN VIII and this practice prevailed among peasants in Ciniti from the 1960s up to 2010, as they sought cash for their domestic needs, such as paying school fees, buying clothes and utensils, cooking oil, cigarettes, and other requirements. To obtain cash, Ciniti residents sold their labour to the neighbouring PTPN rubber plantation as daily paid labourers who carried out spraying (young men and women), weeding (young men and women) and rubber tapping (a few men). This kind of wage labour became the easiest household strategy, especially for young men and women, while waiting for yields of their farm produce. Youth and women received less than the standard payment (Rp. 25,000 for half a day's work in 2010, equivalent to 3 kg of rice).²⁴ Men from Ciniti faced difficulties in competing for this wage labour because of the higher rates paid to men who worked as daily paid workers at PTPN VIII (Rp. 30,000 for half a day in 2010, equivalent to 3.5 kg rice). Moreover, most of the work classified as men's work (rubber tapping) was being done by PTPN's monthly paid workers, who were trained and graded (A–C) as rubber tappers. Only occasionally were men accepted to work at the PTPN plantation.

The *terresing* and felling of the teak trees that occurred between 1996 and 1999 provided an opportunity for men in the village to form a group to fell timber trees in blocks with personal chain saws and to transport the timber manually to the village main road. This was arranged by the police and military officials through paid labour, paid on the basis of the total wood in cubic metres received at the main road (Rp. 200,000/m³ or US\$ 16.6) for the transporter and Rp. 500,000/m³ or US\$ 41 for the cutter). This was not the price of the teak paid by military and police officials, but only the price of labour for cutting and transporting the trees to the main road. The price of teak at the local market was Rp. 5,000,000 (US\$ 416 in 1998) per cubic metre and demand was increasing for the furniture industry (Widyaningrum et al, 2003: 21). Thus the surplus extracted by the military and police from the peasants was very high.

Because of this profit margin, Bapak Surade, a local trader from Bendungan, looked at this as an opportunity and hired Bapak Agus a peasant from Bendungan with carpentry skills to process the timber into teak doors. These teak doors were sold in Cibalong for Rp. 200,000 each,

while Bapak Surade paid Bapak Agus Rp. 100,000 per door. Buying teak directly from the peasants would have threatened the monopoly in timber of the military and police.

To operate his business smoothly, Bapak Surade bribed the police or military officials by making them wooden teak doors. This was not a form of wage labour, but rather a transfer of rent in kind between Bapak Surade and the military and police officials. Bapak Surade regularly sent teak doors to the agreed place and according to the agreed number negotiated with the military and police commanders. The total number of doors far exceeded the number for a single house (approximately four doors are required for a permanent house in the sub-district) at a total of 15 teak doors. This indicated that the doors were not used for local consumption by the military or police officials, but were instead sold in the market. To produce almost 100 doors, Bapak Surade hired 4 local carpenters, and he gave away 20 doors as rent in kind: 15 to the police and 5 to the sub-district head, to guarantee being able to buy wood directly from the peasants and secure the transportation of his products to the town.²⁵

Wage labour opportunities paid in cash were also available in the hamlet for those who had particular skills, such as carpenters like Bapak Agus. As a carpenter, Bapak Agus not only made doors for Bapak Surade; he also made furniture as well as houses for people in the hamlet. He was usually helped by a junior carpenter or assistant to construct a house. His skills were valued at the same standard amount that daily male workers at PTPN VIII received. This PTPN VIII standard became the benchmark for the labour market in the surrounding village, which was hard for peasants in Ciniti to follow. A carpenter was paid Rp. 35,000 a day working from 07.00 to 14.00 and with food (a breakfast of coffee and steamed banana or cassava and lunch provided by the house owner).

3.4.5 Wages in Kind

In the irrigated rice farms surrounding Ciniti, it was common for the land owner to pay the labourer wages in products through the *gacong* system during the harvesting time. The *gacong* labour harvested the rice as a group in one to three days, and as their wages received 1 part of the rice

harvest, while the land owner received 11 parts for the land owners (11:1) (wages in kind). The prescribed share changed frequently based on the availability of *gacong* workers. Before land was reclaimed in 1996, landless and near landless peasant households relied on this system involving rich and middle class peasants who owned rice farms for their basic requirements of rice. However, during the rush to move to the Ciniti uplands between 1996 and 1999, the *gacong* share changed in favour of labour, from 11:1 to 9:1 because of the difficulty in obtaining labour. Subsequently in 2000, labour from nearby villages was also utilised by irrigated rice farm owners in Lengkong and Bendungan and the owner's share returned to 11:1.

There were also other skilled labourers who received wages in kind, for example, Ibu Momon, a traditional mid-wife. She was well known and served not only in Ciniti Hamlet, but also in the surrounding areas of Sagara village. Her expertise was appreciated in kind rather than in cash. She received payment in kind equivalent to two live chickens for facilitating normal deliveries. She never charged a specified price, but the standard payment (wage in kind) was two live chickens.

3.4.6 Extraction via Terms of Trade

Extraction via terms of trade was practiced in Ciniti by Bapak Oding, the trader, in exchange for industrial products required by local communities, such as cigarettes, soap, cooking oil and cloth and agriculture products produced by the peasants, such as rice, corn, and bananas. At the beginning of the reclaiming process, there was only one trader, Bapak Oding, in the village, who opened a small kiosk in Ciniti where he purchased agricultural products, such as charcoal, rice and bananas. Transfers of surplus also occurred with pick-up traders, who came regularly to the village with a pick-up truck, usually during Ramadhan, to sell cloth.

Besides selling agricultural products such as rice, coffee, fruits and vegetables, women and children from Ciniti and from neighbouring hamlets also collected branches from the *terressing* teak wood for firewood and sold this to the kiosks in the villages/hamlets between 1996 and 1998. Firewood from timber teak is a good quality wood to use for small-scale fish drying operations and palm sugar processing in the

coastal areas. Walking inside the plots to collecting fallen branches of teak wood was quite dangerous work as old branches could fall from the trees at any time. This practice was stopped altogether with the diminished supply of teak timber trees. Till the present, fire wood was being collected by each household from its own farm for local consumption.

3.4.7 Usury

Usury happens when peasants need some cash but do not have the agricultural produce to sell to traders (kiosk owners such as Bapak Oding). They, therefore, borrow money subject to a guarantee that they will subsequently sell their products to the traders at a certain price. This practice is known as '*uang tancep*' (money for deal). A deal is made regarding the price of an agricultural product, which is lower compared with the price it would fetch if it were to be sold in cash. There is no record of any outside money lenders coming to the area besides Bapak Oding and his kiosk.

3.4.8 Taxes

There are two kinds of internal community taxes: taxes in cash payment and in kind. Since the land is considered as state land, local communities supposedly do not pay any land tax to the state. However, land tax is still charged to all peasants who hold identity cards and are registered as households in their villages. Previously, land tax was not based on the land that they cultivated, but was divided among all households, assuming that each household had a house on a particular land plot for farming. The tax was paid annually in cash (Rp. 1,000 equivalent in 1982 to 2 Kg of rice in 1982 and increased to Rp. 10,000 (1999 equivalent to 1.5 kg of rice in 1999). The tax was collected by the village head and officially submitted to the district government.

Figure 3.2
 Summary of the eight forms of surplus transfer in Ciniti
 before land redistribution

No	Form of Surplus Extraction	HHs from the Hamlet	Intra Hamlet	To Village Actors	To Extra Rural Actors	Notes
1	Rent in Labour	Peasant HHs			PP officials	IPP intercropping scheme (Tumpang-sari: 1982-1995)
		Women and Children			Military and Police	Teressing teak trees (1996-1998)
2	Rent in Cash	Peasant HHs			PP personnel	Rp. 2,500 + Rp. 1,000
3	Rent in Kind	Peasant HHs			PP personnel	20 +8 kg rice
		Peasant HHs			Military and Police	Teak Trees (1996-1998)
		Peasant HHs	→	Landlords		Irrigated rice sharecropping (maro)
		Peasant HHs	→	Traders (Bp. Surade)	Military, Police and Sub-District Officials	Bribes with teak doors
		Peasant HHs	→			Charcoal-making
4*	Wages in Cash	Peasant HHs and Carpenters	→	Traders (Bp. Surade)		Produced teak doors
		Peasant HHs			PTPN	Daily paid labour (buruh harian)
5*	Wages in Kind	Peasant HHs	→	Landlords (Bp. Mahmud)		Seasonal paid labour (gacong)
		Peasant HHs to Skilled Peasants	→			Carpenters, mid-wife etc.
6	Terms of Trade	Peasant HHs	→	Traders (Bp. Oding)		Exchange of agricultural and industrial products
7	Usury	Peasant HHs	→	Traders (Bp. Oding)		Borrowing cash and returning agricultural product (uang tancep)
8	Tax	Peasant HHs			State	Village development tax (Ipeda/treda)

→ Surplus transfer from landless/near landless HHs to medium and rich peasant HHs
→ Surplus transfer from peasant HHs to village traders and landlords
→ Surplus transfer from peasant HHs to extra rural actors
→ Surplus transfer from village traders to extra rural actors

s* Extraction of surplus value in capitalist production relations; labour power sold for wages

Source: Interviews 2008 & 2010

All of the peasant households were engaged in the practices of rent in labour, rent in kind and rent in cash, to gain access to forest land. To be able to meet rent in labour payments, peasant households used their internal labour to plant and produce rice. To be able to fulfil rent in cash payments, peasant household members also needed to sell their labour at the nearest state rubber plantation.

3.5 The Land Redistribution Process

The process of converting land from state forests to non-state forests entailed a lengthy struggle between the local communities, the local government, BPN and MoF. In the case of Ciniti Hamlet, the peasants' land

reclaiming action required a legal basis to acquire clear land tenure security. As explained earlier, this process began with a court case initiated in the district court in Garut, which resulted in the imprisonment of three peasants: Bapak Mahmud, the hamlet leader from Lengkong; Bapak Surade, a trader from Bendungan; and Bapak Imdad, the elected village head from Karees. They were reported by the PP for forest looting, and subsequently arrested by the police.

The case was brought to court with the accusation against the three peasants that they had encroached on state forest areas. It was proven that the peasants represented by these three leaders had occupied and cleared land in an area that they did not own.

The judge's verdict stated clearly that the peasants (represented by these three leaders) had occupied and cleared (encroached) land that was not theirs. However, the second verdict stated that the land was not proven to be state forest areas, but was rather free state land.²⁶ The legal consequence of the first verdict was that the three individuals were sentenced to serve four months at Garut prison.²⁷ The second verdict, however, transferred jurisdiction over the land from MoF and the PP to BPN and the local government. This situation changed the constellation of power relations, which were previously seen as being bipolar entailing MoF and PP against the local community who were viewed as participating as a single entity in the land reclamation movement,²⁸ towards a more tri-polar contestation with BPN on one side, the local government on another and the local community on the third side.

After the court case was settled, the peasants, with support of FPPMG and LBH Bandung, organised an application for land redistribution by presenting data on the tillers' names, origins and the size of each plot in Ciniti and other neighbouring hamlets and villages to BPN.²⁹ Following the MoF decree, the demands of the tillers, as well as the highly publicised case in the media, BPN Garut supported the peasants' proposal and forwarded this to the BPN provincial office in Bandung. As a result, the provincial office of BPN in Bandung allocated a small area of eight hectares for land redistribution (redistributed to 20 beneficiaries in 1997), which was later followed by the allocation of 211.5 ha (55.5 ha in Gunung Peer and 160 ha in Ciniti) among 551 beneficiaries.³⁰

To enable redistribution of the land, the BPN central office in Jakarta declared certain areas as subject to land redistribution through a gradual

process, and also regulated how and to whom the land would be redistributed. First, BPN declared the area located in two Hamlets in Sagara (including 160 hectares at Ciniti and Karya Mukti), and encompassing a total of approximately 600 hectares and 1,455 individual land tillers³¹ as being subject to land redistribution.³²The 600 hectares of land allocated for land redistribution was only 42 percent of the entire area of 1,400 hectares of land cultivated by the local communities in the two villages (Karya Mukti and Sagara). At the same time, MoF took back the area that had not been declared by BPN as a target of the land redistribution programme through the re-designation of West Java's forest areas in 1999 (MoF Decree no. 419/1999, issued on June 15, 1999).

The new forest designation was followed by delineation on the ground, but this operation was not successfully completed due to rejection by the local communities of the omission of the rest of the area to become state forests. Tillers who were not included in the BPN's declaration of land redistribution maps and name lists, and who in fact comprised more than half of the tillers, could not join the land redistribution programme. This meant that although they could still access the land, they were excluded from acquiring formal land ownership and were left with no security of land tenure in areas classified as state forest areas. This kind of procedural regulation within a rigid spatial location led to the exclusion of a significant proportion of tillers from the programme. At this stage, BPN did not acquiesce to the demand of the peasants to accommodate the whole of the former Pasir Salam II forest block, which had been opened up and tilled by the peasants. BPN staff assured them that they first needed to save the 600 hectares for redistribution to landless peasants, and would subsequently declare the rest of Pasir Salam II forest block and redistribute this land to landless peasants. However, until March 2011, there were no plans to continue the land redistribution programme in the rest of the area claimed at Pasir Salam II Forest Block.

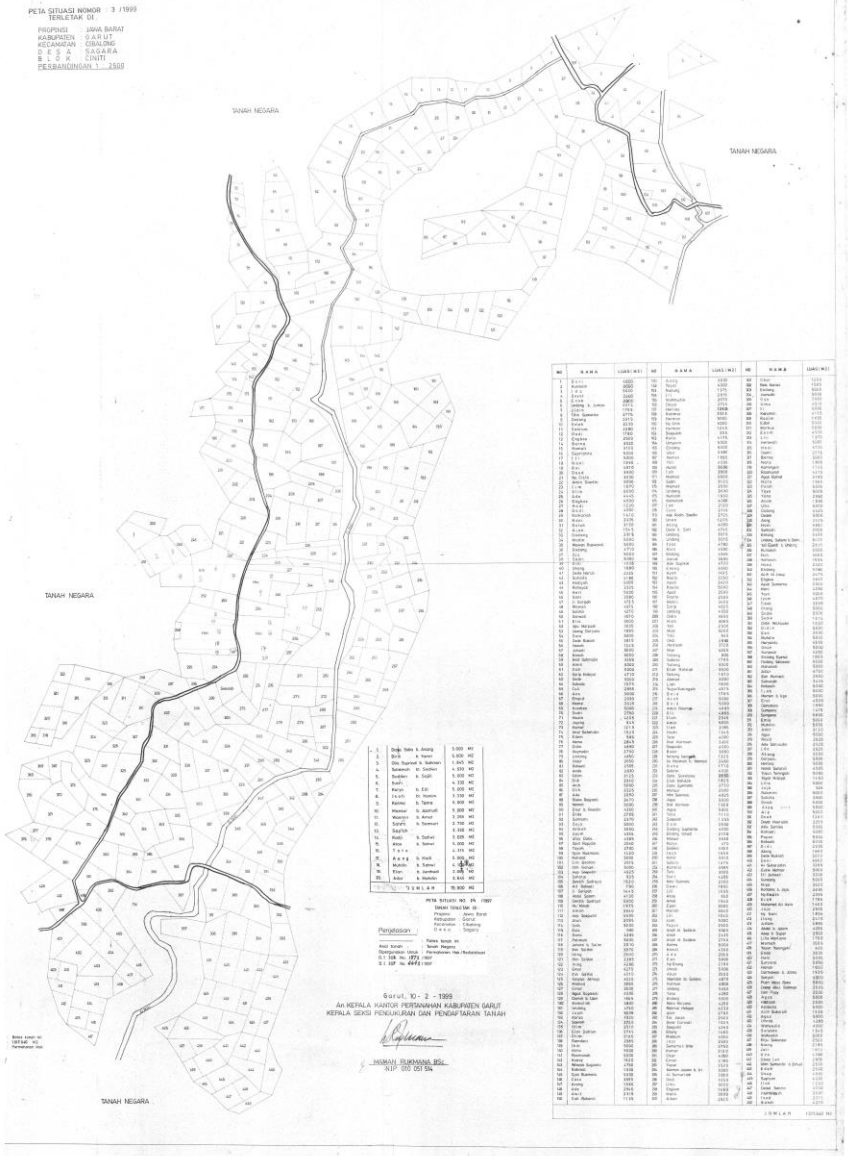
At the village level, the government was represented by the BPN staff and sub-district administration staff, backed up by military and police personnel for security reasons. The sub-district devolved the task to the village head, and due to the solid and strong peasant demands in Ciniti, the village head of Sagara devolved the process of land redistribution to the hamlet leader of Ciniti following the land redistribution regulation discussed in Chapter 2. At the same time, Bapak Momon, the hamlet leader (a retired clerk from PTPN VIII Miramareu), who was also the

secretary of the OTL Sagara (*Organisasi Tani Lokal Sagara*), the new peasant organisation based in Ciniti Hamlet, became involved in the process of land reclamation.³³ Bapak Momon became the central support person, preparing all the data and information for the entire process of land redistribution and cadastral mapping undertaken by the BPN in 1997 and 1999. Bapak Momon, with the support of FPPMG and LBH Bandung, also succeeded in lobbying the BPN to cover the costs for the registration, cadastral mapping and issuing the certificates of land ownership.

The first phase of the land redistribution began with the successful redistribution of 7.9 hectares (20 land plots) in December 1997, and followed with 151.7 hectares (436 land plots) in 1999. These lands were registered and cadastrally mapped and presented as recapitulation data and in a map presented in Figure 3.3. This first batch of land distributed in 1997 of 20 plots belonging to 12 households. This first batch of plots was located in the middle of the hamlet in the most accessible area. This happened five months before the May 1998 political reform. A special ceremony for handing over the certificates of ownership to the 20 tillers was organised at the Ciniti hamlet by BPN, together with the local government of Garut, and was covered by national and local media during a time when peasants, students and NGOs were rallying against the Soeharto dictatorship in Jakarta. This action and the media profiling was meant to de-radicalise the peasant movement, which had significantly expanded at that time, and was linked to the national peasant movement, as well as to the pro-democratic movement to compel the Soeharto dictatorship to step down.³⁴ At that time, Bapak Gunadi, the main advocacy leader who brought FPPMG and LBH Bandung into Sagara, was arrested and sentenced to eight years of jail due to a riot case in Tasikmalaya that occurred on December 26, 1996 in which he was not involved.³⁵

This first batch of land redistribution was unable to de-radicalise the peasant movement, and instead came to signify the winning spirit of the peasant movement. The second stage of land redistribution occurred in February 1999. As a result, land-totalling 161.76 ha was redistributed to 458 tillers (individual names). See Figure 3.3.

Figure 3.3 Recapitulation data of the land registration and a cadastral map of the re-distributed land in Cinti (1997 and 1999)



Source: BPN Cadastral Map (1997 and 1999)

3.5.1 Results of the Land Redistribution

The BPN recapitulation data of the land registration and cadastral map presented the individual names of the tillers and the sizes and locations of the plots. However, they do not reveal from which households the tillers came, and whether they were landless, middle class, peasants, rich peasants or landlords, or extra rural actors. Nor do they reveal which households received the biggest plots, and which households received the smallest plots.

Interviews with key informants who were involved in the process of land redistribution (conducted in 2008) and through household surveys targeting those who were in the hamlet (in 2010) facilitated the analysis of the cadastral data and maps. They also revealed several issues that emerged as a result of the land redistribution as follows:

1. The household origins of beneficiaries;
2. The area of the land and plots received by each household;
3. The social economic social class based on the size of the land per household; and
4. The number of household members and their age.

The land redistribution programme was aimed at redistributing the land equally to all of the landless (*tuna kisma*). However, instead of using the term 'landless' that was rarely used within local communities, the hamlet committee and the BPN staff used the term *penggarap* or tillers (individual persons or households that occupied and cultivated the land). This term was commonly used within the local communities, with the assumption that those who tilled the land did not own land in other areas. This term helped to ensure that all peasant households that accessed the land became the beneficiaries of the land redistribution, with the result that no landless peasant households existed after the land redistribution but did not help to differentiate those who were near landless and those who owned land in other areas, even though the local peasant leader knew who owned what land in Ciniti and the surrounding hamlets. Admittedly, it was difficult for him to exclude the local elite (such as Bapak Mahmud, Bapak Oding and Bapak Imdad) who owned land in their own hamlets, tilled the land in Ciniti and were also patrons in the land reclaiming movement. A clear differentiation was made between

those who joined the movement and those who did not. Those who joined the movement were termed tillers, while outsiders were termed non-tillers. The data reported by OTL Sagara to BPN during the process of identifying tillers showed that the redistributed land was allocated among the tillers in the names of 450 individual beneficiaries, who each got less than 0.5 hectares per individual, following the national regulation (OTL Sagara, 1999).

However, when the BPN data and data from the household survey 2010 (conducted in the research) were analysed, it showed that the land was distributed among 450 beneficiaries belonging to 115 households and consisting of 456 plots.³⁶ These individual names were grouped and were assigned to households in Ciniti, except for four names that were not those of the tillers. The origins of the households that got the land included several areas: (a) Ciniti hamlet (36%); (b) outside Ciniti hamlet but inside the village of Sagara (55.14%); (c) the village of Sagara (4.68%); (d) outside the district but from the sub-district Cibalong (2.26%); (e) the nearest city Pameungpeuk (1.15%); and finally (f) the capital city of Bandung (0.77%).

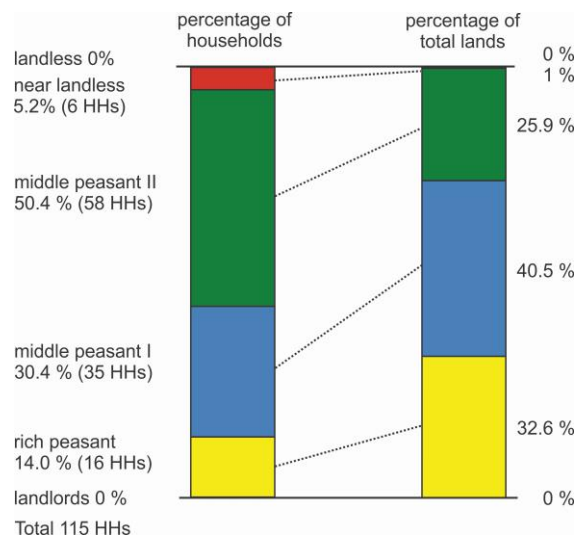
The largest area of land was distributed to the couple composed of Bapak Oding and Ibu Oding. They received a total of 2.3 hectares divided into eight plots under the names of their son and daughter who were residing in Bendungan (neighbouring Sagara village). On the other hand, the smallest area of land (1,135 metres or 0.11 ha) was given to Ibu Eutin, an old widow from Cioa who resides in Ciniti. Besides the tillers who were landless, near landless, middle class, and rich peasants, there were also non-tillers who benefitted from their influence and thereby acquired land. There were four extra rural actors (one policeman from Cibalong, one military personnel from Pameungpeuk and two BPN staff from Bandung) who acquired land ownership as gifts from the local communities. As a gift of gratitude in return for their support of the redistribution process, the four of them were allocated a total of 1.45 hectares.

Even though these staff never asked for land, the hamlet elders discussed the matter and agreed that every tiller should shift a little bit in order to give a piece of land to these four individuals. The tillers agreed but with certain conditions: that the land would not be consolidated in one block, but should be scattered in four different places, and that the land would not be on the main road. Apparently, the land was located in

remote areas that were not easy to access. This created *in absentia* land ownership in the area and these land areas have never been cultivated further. They were among the first areas of land to be sold to extra rural actors (Bapak Nanang) from the nearest town, Pameungpeuk.

The land was distributed to households within the range of a maximum area of 2.3 hectares and a minimum area of 0.11 hectares per household, resulting in the pattern of land distribution shown in Figure 3.4 below.

Figure 3.4
Landredistribution among all beneficiaries' household & class differentiations, 1999



Source: BPN Cadastral data (1997-1999) & retrospective data from the household survey (2010)³⁷

Combining the BPN's cadastral map with data collected from the household survey conducted in 2010 and interviews with key informants held between 2008 and 2011, and taking into account the four extra rural actors, enabled a classification of peasant households into seven classes based on their land ownership in Ciniti and their status as extra rural actors. There were no landless households as all of the tillers received land. Six households (5.2 per cent) received less than 0.2 hectares, and were

classified as near landless peasants. Almost half of the households in Ciniti (58 households constituting 50.4 per cent of the total) received larger than 0.2 to 0.75 hectares, and were classified as middle peasant (category II) households. A total of 30.4 per cent of households (35 in total) belonging to the middle peasant (category I) received between 0.75 and 1.5 hectares of land, and 13.6 per cent of the households, classified as rich peasant households, received between 1.5 and 3 hectares. No household (in the landlord class) received more than three hectares. However, 3.5 per cent of the beneficiaries that received land were classified as absentee land owners. There is, however, another way of interpreting the data, namely that 40.5 per cent of the land was distributed to middle peasants I (30.4 per cent of the households); 32.6 per cent of the land was distributed to 14 per cent of the households; 25.9 per cent of the land was distributed to 50.4 per cent of the households; 1 per cent of the land was distributed to six near landless peasants (5.4 per cent of the household), and 1.5 per cent of the land was distributed to four extra rural actors (see Table 3.2).

Table 3.2
Household classes based on land ownership, directly after the land redistribution in 1999

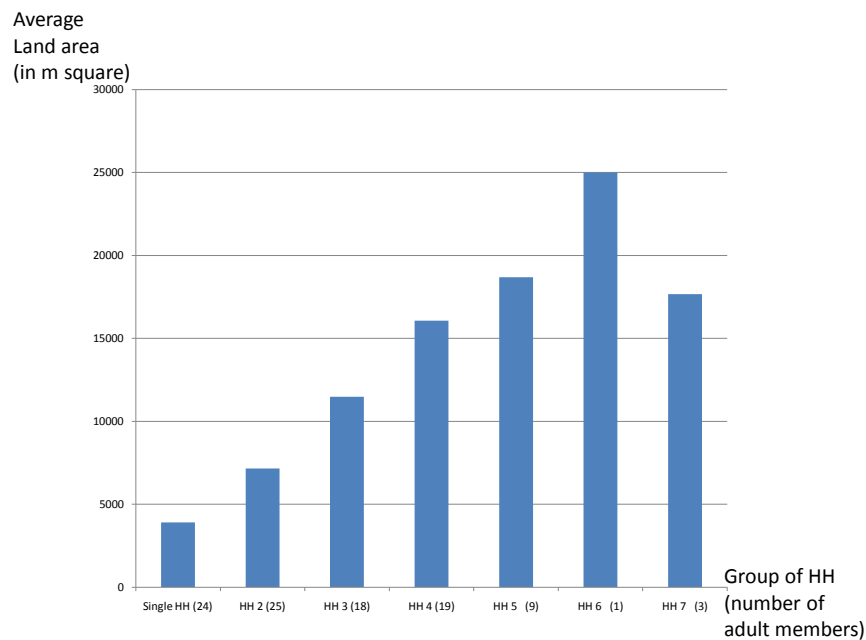
Household Class	Class range of land ownership in hectares	HH	Percentage of total land
Landless	0	0	0
Near Landless	0.01 up to 0.2	6	1
Middle Peasant II	0-21 up to 0.75	58	25.9
Middle Peasant I	0-76 up to 1.5	35	40.5
Rich Peasant	1.51 up to 3	16	32.6
Landlords	More than 3.01	0	0
Total number of HH		115	100

Source: Household survey 2010

The criterion for land distribution to the peasants was that the land should have been tilled and cultivated by individual peasants belonging to certain households. This led to a situation in which households with larger numbers of adult household members got larger total areas of household land. Conversely, households with smaller numbers of adult household members got smaller areas of land. Figure 3.5 presents the

situation with a majority of households in Ciniti having two adult members.³⁸ The definition of adults in Ciniti used as the lower age range teenagers above 13 years old who had a junior high school ID card as a land administration requirement, proving that they were 'adult' tillers. Households that had six adult members received a larger share of the land (2.5 hectares) compared with other households with smaller or larger numbers of household members. The rush to reclaim land by peasant households, including junior high school children, after the withdrawal of PP between 1996 and 1999 resulted in this structure. Chayanov's (Van der Ploeg 2013) dynamic relationship between household demographic growth and land cultivated was evident in the Ciniti context both during and after land reclamation. More hands (adult household labour) were needed to work on the farm, which consistently increased the total area of the household's land (Van der Ploeg, 2013:87). After the PP withdrawal, land in Sagara was considered as unlimited for tillers to access. The OTL Sagara leaders convinced SMP students, originally from Ciniti, to join the land reclamation movement even though they were not living with their parents in Ciniti due to the distance they had to walk to school (approximately 1.5 hours back and forth).³⁹ The new classification of adult household members as those who needed land, and occupied and cultivated land, implied that households with larger numbers of adult members received larger parcels of land, while households with smaller numbers of adult members received smaller parcels. These were accommodated by the land redistribution committee and reflected in the results of the 2010 household survey.

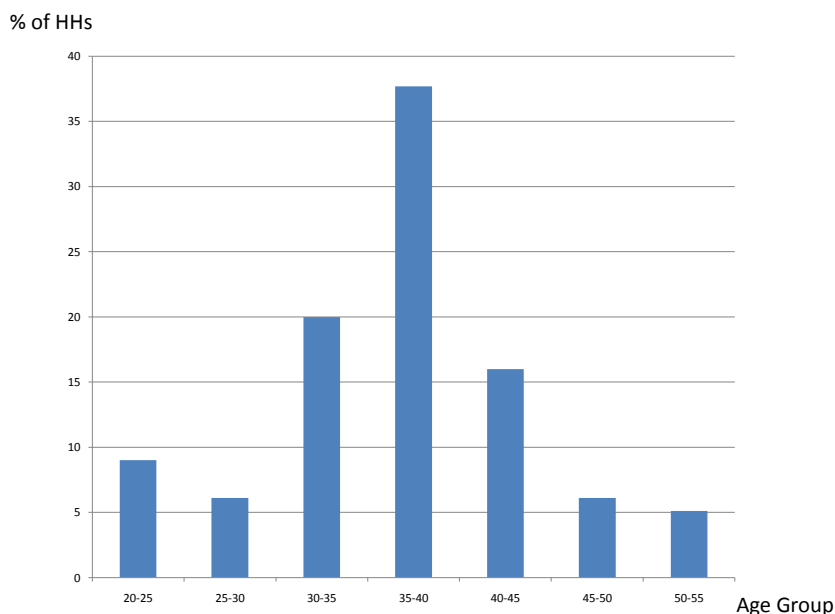
Figure 3.5
Distribution of households by land area and number of adult members in Ciniti



Source: household survey 2010

An analysis of the results of the household survey, comparing the age group of the household heads and the average land area that they received in 1997-1999, revealed the following. A total of 37 percent of the households in the 35–40 years age group acquired land ownership. A further 35 percent of households were below 35 years old, and 30 percent of them were between 40 and 55 years (see Figure 3.6). Peasant households have endured a long struggle of 16 to 17 years from 1982, when the land was taken from them, up to 1997 and 1999 when they finally obtained ownership of the land. During this long period of struggle, they lost the opportunity to cultivate the land and make a better life for their households.

Figure 3.6
Percentage of households by age group category of household heads Ciniti



Source: household survey 2010

A consequence of this was the domination of the middle age group (35–40 years and 40–45 years), with a medium number (3–4) of adult household members having got the opportunity to acquire wider lands. Looking more closely at the actors involved in Ciniti, and at the household level data reveals that the 35–40 year age group was dominated by 12 households that were formerly part of the PTPN labour force from Rancaherang. They were led by Bapak Momon and Bapak Nano, who were anxious about entering into their retirement without possessing any land for constructing a house or for cultivation. This group constituted the new land owning class (owning between 0.75–3 hectares), the middle class (category I), and rich peasants (see Figure 3.4). This situation reflected the conflict that occurred in 1996–1997 between the PP and the local community, especially the phase when the PP became weaker, and the tillers more dominant. Groups with stronger capabilities to lead, and mobilise their household members received a larger share.

In contrast to the peasants from Rancaherang, who were ensured a certain level of intra-group equality based on the criteria of household size in the land distribution process, land among the 29 landless households from Lengkong was unevenly distributed. Three households, including that of Ibu Eutin, who got the smallest plot (0.11 hectares), were considered as near landless households (owning between 0.01 and 0.2 hectares); 16 households were entering the middle peasant category II (owning between 0.21–0.75 hectares); 10 households were entering the middle peasant category I (owning between 0.76–1.5 hectares); and two households headed by Bapak Mahmud, the Lengkong hamlet leader and Bapak Oding, the trader, became rich peasants (owning between 1.51 to 3 hectares), see Table 3.2.

Unfortunately, there is no comprehensive official data base of land ownership available that could be used to trace land owned by an individual outside a hamlet or village, as mentioned in the Basic Agrarian Law (BAL) to avoid land concentration by absentee land owners or accumulated to several persons. The local land redistribution committees lacked such data to exclude rich peasants from getting a share in the land redistribution programme. There was also no available database for identifying the landless and near landless households that needed to be prioritized for land redistribution. The committees from each participating hamlet were well aware of who were the landless and near landless peasants in their hamlet, but never spoke up in this regard. Feelings of indebtedness to the local elite from Lengkong hamlet during the famine in 1982, and of gratitude for being recipients of land through land redistribution in 1998/1999, led them to avoid raising the question of how land redistribution was formalising the (unequal) agrarian structure. At the same time, there was no available mechanism to prevent non-tillers (extra rural actors) from acquiring access to land. This was adversely experienced mostly by small landless and near landless households that only received a small number of plots when competing with large middle class peasant households had to share a part of their land collectively with the other households to be given to the extra rural actors as gifts (four extra rural actors).

Having analyzed the distributions of land plots and titles in this case and the inequalities involved in the process, the question could be raised whether this could be considered a case of a land redistribution rather

than simply a case of land titling, which perpetuates the pre-existing pattern of access to land. Technically it is correct that not much redistribution happened on the ground, but I have continued to use the term 'redistribution', because this term has been used by both the government and the peasants.

3.6 Farming Practices and Processes of Differentiation under Individual Land Ownership (1999-2010)

After the land was redistributed and cadastrally mapped by BPN, peasants felt that their land tenure was secure from appropriation by MoF, even though they had not yet received their individual certificates of ownership over the land. The local peasant union was strongly motivated to prove that they could manage the land more sustainably than PP and MoF (*leuwih bejo* in the Sundanese language, means more green), and more productively than the neighbouring PTPN (*leuwih ngejo*, means more rice), and guarantee sufficient rice for peasant households from upland cultivation (*patuangan pinuh kukejo*, means stomach full of rice). They aimed to prove that land tenure security through the provision of individual land titles to households would be much better (more productive, sustainable and promoting food security) than giving them access to large-scale forests or estate plantations which would contribute to poverty and famine for peasant households. Cultivating the land and intensifying its productivity started with local initiatives to plant the land with a combination of food and cash crops in upland rice farms (*buma*), including banana, corn, cassava, and later after the rice harvest, planting a variety of fruit trees in the form of a multilayer canopy known as *talun* (in Sundanese language). This constituted an agroforestry system (the scientific term).

In this mixed garden system (*talun*), rice and banana were the main products. Rice was produced in five months for local consumption, and the rest was sold in the market. Besides rice, each household produced corn, cassava and vegetables for local consumption. Cash earnings were obtained from the bananas that were harvested from the sixth month onwards at fortnightly intervals. Bananas were sold to the small shops in the village, and collected by the middlemen or outside traders who came with their trucks every two weeks to the village. However, bananas need-

ed inputs such as fertilisers for good growth, and this was an extra cost for the peasants. The *talun* system was combined with fruit trees, mostly parkia (*petai*), the fruits of which were harvested throughout the year and consumed as well as sold in the market. The local Garut government introduced mango trees within monoculture farms that could potentially increase incomes within the local community, be less labour-intensive and protect the land from landslides. However, while the trees grew well, and also produced fruit, these did not fetch a good market price and were only harvested once a year. Rubber monoculture became the preferred farming system, replacing *talun* rice farming. The techniques involved in rubber tree farming were familiar to the peasants in Ciniti, who lived in proximity to the PTPN.

After the rice was planted, and in anticipation of a good harvest, Ciniti residents built a primary school (SD) in their hamlet, which they ran as a private school. Establishing this school enabled households with school-going children to reside permanently in Ciniti and reduced their school transportation costs. Previously, most of these children had to walk for an hour to reach the school at Karees. Alternatively, they were taken by 'motor cycle taxis' (*ojeg*) to and from the school. The school also reduced the household costs of having to maintain two houses, one at the hamlet with the school (Karees, Lengkong and Bendungan) and one at the hamlet where they owned land (Ciniti) as happened before the school established. Post-1999, there were still several households that maintained two houses because of the problem of the school's distance and owing to their transition from being landless sharecroppers to households that cultivated their own farms at Ciniti.

3.6.1 Processes of Class Differentiation among Peasant Households

In this section, examples are provided of contrasting post-land redistribution trajectories of individual households.

Bapak Suaep, with his wife Ibu Suaep and their two daughters, represent a successful peasant household that acquired two plots of land during the land redistribution process. Their house in Karees has been constructed on land belonging to someone else, and they do not have land for cultivation in Karees. Prior to land redistribution, this household

was able to survive and make a living through a sharecropping arrangement with Bapak Imdad (the village head) involving 250 *bata* of irrigated rice cultivation. Due to the increase in land prices outside forest areas, and the population growth in Karees, landless peasants like Bapak Suaep were hardly able to make a living in Karees. The owner of the land on which Bapak Suaep had built his house asked him to vacate the land or else pay rent for the land he occupied. Through the land redistribution programme, he received two plots; one plot in his name and the other plot in his wife's name. To be able to cultivate the two plots, he needed to simultaneously maintain two houses: a semi-permanent house in Karees and a small hut in Ciniti. He worked by himself at the farm in Ciniti and his wife continued their sharecropping arrangement with Bapak Imdad, helped by their two children after school. It was hard work for them to maintain two houses and cultivate lands in two different places.

This household followed the traditional *talun* system of upland rice cultivation, combined with cultivation of bananas and fruit and rubber trees. After land redistribution, rubber trees were the most preferred species planted by the peasants in the area since the local government provided support in the form of free rubber seedlings and some fertilisers for intensification of farming within local communities. Combining *huma* (intercropping of rice, corn and banana) with intensive rubber farming similar to the neighbouring PTPN, was a trend followed by a lot of households in Ciniti, to achieve the main goal of *patuangan kejo*, *lembur ngejo* and *leuweung ngejo*.

Bapak Suaep's household found that during the three or four years following closure of the canopy of rubber trees, the yield of the banana trees declined and ended, before the sixth year, which was when the rubber latex was ready for the first harvest. These two to three years (years 5 and 6) were thus a critical time for households, especially for those who only had one plot of land. Bapak Suaep's plots were used for *huma* and intercropped with rubber trees. The household transitioned very effectively from being partial share croppers to becoming land owners who cultivate their own land and were able to stay together as a family in Ciniti. When they saw that there was a continual banana crop to harvest every two weeks, and that the rubber trees were growing well, in 2002, after receiving their last 50 per cent share of the rice farm produce from Bapak Suaep, Ibu Suaep and the two daughters (aged 13 and

14 years old) moved to Karees. They dismantled the house in Karees and recycled materials that could be used again to build a semi-permanent house in Ciniti. With the savings they had accumulated as labourers, they planted rubber in the second plot. This household survived the difficult transition period to become managers of their own land. They cultivated the land, and in 2006 were among the first households to harvest rubber latex from their first plot, followed in 2008 by a rubber latex harvest in their second plot. In 2007, both of the children left the village, following their father to Sumatera, where they assisted him as street peddlers in Lampung.

Only a few households were able to develop their own farms and intensify the productivity of their land through banana and rubber farms, using their own earnings and savings within the agrarian economy without support from the non-agrarian economy. This can be seen in the case of Bapak Suaep's household, who were able to intensify the productivity of their land without paid labour, helped by their own household members during the eight years of transition (1999–2007). Since 2006, Bapak Suaep and Ibu Suaep have relied for their livelihoods on the rubber latex they harvest every day through a rotational system. The product increased from time to time, especially in 2008 when the second plot began to produce rubber latex. Rubber latex sapping is not a difficult job for Bapak Suaep and Ibu Suaep, who are in their sixties. They commence rubber latex sapping early in the early morning from 06.00 am until 10.00 am. After that, Bapak Suaep collects branches for firewood from the rubber farm for preparing their brunch (combined breakfast and lunch). He prepares the rubber latex, mixing it with acid, and rolls it into sheets. At noon, they have already returned home and can enjoy their own time there or doing something else. They sell rubber sheets every week to the nearest small shop, and every three weeks Kang Ija (son of Bapak Nano, the superintendent from Rancaherang) organises trucks to collect the rubber sheets sold in Lampung.

In 2008, this household received money (remittance) from their children, and Bapak Suaep used this, together with their accumulated savings, to invest in buying two more plots from the Karees peasants who sold their land, Ibu Aam (2007) and Kakek Maulana (2008). He gradually developed his third and fourth plots, combining *huma* and rubber farming, and working as a *gacong* labourer during harvesting time in Bapak

Imdad's rice field. This household could afford to buy rice from the nearest shop, but working as *gacong* labour in the nearby hamlets is a means of acquiring rice through labour relationships that could reduce their production costs.

Bapak Suaep was known as a diligent farmer who worked on his farm together with his wife, without the help of paid labour. The household succeeded in making the transition from being landless and working as sharecroppers to becoming a middle class category II peasant household during land redistribution, and eventually rising to the middle class category I in 2010. This household owned and cultivated the land productively, and moved away from feudal agrarian relations with the state (rent in labour) and with landlords (rent in cash) that prevailed in the past. At a certain point, in light of his age, and supported by his earnings and remittances from his two daughters who worked in Sumatera, he was able to accumulate more land, which he cultivated with export-oriented plants (rubber), which is less labour intensive compared with *huma* cultivation.

However, if necessary when rice is in short supply, they can work as *gacong* workers (wages in kind) for the rice field owner in the neighbouring hamlet. This household's welfare will be affected by the dynamics of rubber prices, and will also change and require the formulation of a transition strategy for coping with the second cycle of the first rubber farm plot in 2025. This has not been taken into consideration by Bapak Suaep and Ibu Suaep.

There are also households, such as that of Bapak Suraji, which have been able to maintain and intensify their farms into monoculture rubber farms by using their savings, selling their property in other areas and consolidating their land in Ciniti. Bapak Suraji (aged 57 years old) and his wife Ibu Suraji (aged 53 years old) are originally from Central Java. He worked as carpenter as well as a rubber tapper for PTPN and lived in Rancaherang. The family joined in the Ciniti land reclaimed movement in 1989, and subsequently acquired two parcels of land (one hectare) during the land redistribution process. This household used its own labour of two members to develop a farm. After introducing rubber monoculture in both plots, they sold their inherited wet rice fields in Central Java and invested their earnings in six plots of land in Ciniti purchased from residents of Cioa and Lengkong (Bapak Engkus, Bapak Dadang,

Bapak Uju, Bapak Sudin, Bapak Didin and Bapak Bana), resulting in a total of eight plots (three hectares), which placed them in the category of rich peasants. Using their family labour (two persons), and two daily paid labourers (Bapak Dadang and Bapak Uju), this household established a rubber monoculture farm on a stepwise basis. In 2010, four out of the eight plots had been planted with rubber, and the remaining four plots had not yet been cultivated. This household is considering selling these four plots due to their constraints in further developing it. The children, who live in the city, are not interested in cultivating the land.

Other households, such as Bapak Daryo's family, did not participate in the local government's mango fruit programme. Instead, Bapak Daryo intensified rubber farming in his land and that of his brother (Bapak Daryi) six years after land redistribution. A special ceremony took place in July 2007 to celebrate the successful impacts of the land redistribution programme in Ciniti. In 2007, the programme was renamed as the National Programme on Agrarian Reform (PPAN; see Chapter 2). Ciniti Hamlet is profiled as a PPAN success story, especially in terms of outcomes such as making the hamlet greener and increasing rubber latex, banana and rice production. Bapak Daryo and Mr. Joyo Winoto, the Head of BPN from 2009–2012, symbolically tapped the rubber latex during the ceremony. This celebration motivated more peasants, as well as extra rural actors, to invest in land with rubber trees which rapidly changed the Ciniti landscape from one of traditional agroforests to one of rubber farms. Bapak Daryo, together with his brother, invested in a rubber monoculture farm of four hectares. However, Bapak Daryo did not have any earnings during the process of developing the farm. His second wife, Ibu Yoyoh, whom he married in 2004, is a trader from Cibalong, and provided the capital to develop the rubber farms. Once the latex production started to appear promising in 2007, and he had met his obligation to pay back his debt to Ibu Yoyoh, from whom he separated in 2007, he decided to sell the whole farm. In 2008, he sold his entire farm at a good price to Bapak Nanang, a trader from Pameungpeuk. His relationship with Ibu Yoyoh, can be appropriately categorized as one of usury, given that Ibu Yoyoh provided a loan to Bapak Daryo for developing the four hectare rubber monoculture farm. Bapak Daryo repaid the loan to Ibu Yoyoh with one fourth of the money that came from the land sale. Of the remaining amount, he gave one fourth to his brother, Bapak Daryi, and half to Ibu Daryo (his first wife).

Bapak Daryo started a new life in the sub-district town of Cibalong with his first wife (Ibu Daryo) and his two sons. He left his occupation as a farmer, hoping to become a worker with a monthly salary. With the rest of his earnings from selling the rubber farm, he built a permanent stone house in Cibalong, bought two motorcycles and cellular-phones for all members of the household, that is, his wife and two sons who were studying at the Senior High School. He used his well-known expertise to work as an agriculture extension worker. So far, he has been hired by the district government and occasionally renders services to peasants outside Cibalong sub-district, training them on how to develop a rubber monoculture farm. The rest of his time, he works as a motorcycle taxi driver (*ojek*) ferrying customers around the district. However, the combination of these two jobs is still not sufficient for him and his family to enjoy a decent life in Cibalong town.

The relative success of Bapak Suaep and Bapak Suraji contrasts with the fluctuating trajectory of Bapak Daryo, who was first able to develop his farm by borrowing money outside the village, but suddenly 'dropped off' due to his miscalculation regarding the required capital for developing a monoculture farm, especially at the crucial stage between the fourth and sixth years. But Bapak Daryo found a new opportunity to sell his skills to create a decent life. The trajectories of these two households (Bapak Suaep and Bapak Suraji) can be explained by referring to the point made by Bernstein (2010:104), as discussed in Chapter 1. That is, households are able to accumulate productive assets and reproduce themselves as capital on a larger scale, engaging in expanded reproduction and stepping up from their poor or middle class peasant status (Cliffe et al. 2011).

Bapak Daryo lost his land (becoming a landless peasant), but found a new career as a part-time extension worker within the local community, as well as to the local government. Bapak Daryo is still acknowledged as the teacher (*guru*) by local communities that he taught how to cultivate rubber as monoculture and more efficiently compared with the PTPN method. Bapak Daryo is not representative of what Lenin (1899) and Kautsky (1899) describe as a complete proletarian household. Rather, he is representative of the Chayanovian peasant, who found new job opportunities related to farming activities taken up by peasant households or other off farming activities (van der Ploeg, 2013).

But there are also households that did not succeed in passing the difficult transition period from near landless to middle class peasants, or in maintaining their land assets.

Those who do not have capital (in cash) and family labour, cannot follow the success story of households that have been able to accumulate capital using their agrarian and non-agrarian savings. One example is Ibu Aam (42 years old in 2010), a widow from Karees with three children. Ibu Aam's household acquired three plots of land during land redistribution, and managed these as upland rice fields. Her husband, who used to be a local Quran teacher (*guru ngaji*) at the Ciniti mosque, passed away in 2001. He used to earn enough rice locally from his students to whom he taught the Quran, and sometimes received help from the students on the farm. After Ibu Aam's husband passed away, she needed a strategy to ensure that her household had enough food and cash to raise their three children. She sold her time as a paid labourer to their neighbour, PTPN, doing spraying work as a daily labourer (Rp. 25,000 or roughly US\$ 2.5/half day). While working as a paid labourer, she also cultivated her own farm.

In 2004, Ibu Aam decided to sell one of her plots to Bapak Nanang, who paid for it in cash (Rp. 3 million, which was equivalent to US\$600). Ibu Aam used the money to mortgage a wet rice field in Karees village (Rp. 3 million equivalents to US\$300). By mortgaging a wet rice field and sharecropping it with a landless household at Karees, she earned enough rice for the whole year. In 2006, she decided to send her eldest son to SPP boarding school in Garut, where she only needed to provide him with 5 kg of rice per month from the village. However, she needed extra money for his transportation and preparations for admission to the school. She sold another plot for Rp. 3.5 million to Bapak Suaep and bought three goats for Rp. 2.5 million (equivalent to US\$ 250). While her children took care of the goats, she invested part of her time in cultivating her sole remaining plot with rubber trees. Unfortunately, her son had an accident in 2009 and later passed away after being hospitalized in Garut. She en-cashed the mortgage money and sold the three goats (which had already given birth to two more kids) to pay the hospital cost. In 2009, she sent her two surviving sons to an Islamic boarding school in Purwakarta, which is quite far away but free of cost. She now lives alone in Ciniti and in order to maintain her remaining plot, she continues

to work as a paid labourer and has taken over her husband's role in teaching the Quran. She was hoping that the rubber trees could be tapped in 2012, and to survive by doing this kind of work for the next three-year period when no produce would come from her rubber farm. If there was any urgent need of cash, she would sell her two goats, which could enable her to survive until the latex could be tapped. Once latex began to be produced, she would get a reasonably stable income until 2030 (for 25 years) that might improve her socio-economic condition in her old age. But it is hard for her to regain her land due to the rapidly increasing land prices.

There are also families such as those of Kakek Maulana and Bapak Toto that have not been able to accumulate capital and lost all their farmlands only five years after land redistribution.

Kakek Maulana (60 years old) has a wife and two daughters. He was active during the land struggle in the 1990s, and controlled quite a large amount of land. However, he felt that the struggle would never end and, therefore, decided to work illegally at a plantation in Malaysia. He was deported back to Indonesia in 1996 and lost his earnings paying off his debts and paying bribes to the Malaysian police and immigration. He returned to Ciniti in 1997 and acquired 1.5 hectares of land as a result of the land redistribution programme. He planted cassava, maize and bananas on the land and was also able to devote one plot (0.5 hectares) to rubber. Unfortunately, he could not make a living from the rubber farm after the third year, when the rubber could no longer be intercropped with banana and maize because the canopy had already closed. He sold his plots, one by one, to Bapak Nanang. Now, he and his family (wife, two daughters and two grandchildren) only have 400 square metres of land for their house and he makes a living working as a paid labourer on the rubber plantation. His wife and daughters are farming the rest of the 400 m² plot of land, and sometimes work as paid labourers at the PTPN rubber plantation.

Then, there is the story of Bapak Toto, a 52-year old rubber tapper from Rancaherang. After a long struggle, together with his wife and his daughter Ibu Momon, he acquired two plots of land as a result of land redistribution on which he cultivated upland rice and bananas. Bapak Toto borrowed quite a lot of money from the local kiosk owner (Bapak Polo) to start a banana trading business. However, this did not succeed

and he had to sell one plot to repay his debt. When his daughter got married in 2003, they sold the last piece of land to Bapak Nanang, hoping that the money could be used by their daughter to open a small rice mill in Cikajang. He returned to being a monthly labourer at the state rubber plantation and stayed at the nearby village of Bedeng. After his second grandchild was born, his daughter (Ibu Momon) and her family returned to the village. The rice mill was sold, and they live together in the partly ruined house in Bedeng (the house on the rubber plantation was hit by the earthquake that occurred in November 2008 and will not be renovated by the plantation company until Bapak Toto retires in 2013). Bapak Toto and five members of his household took out a loan with a monthly interest rate of 5 per cent from the PTPN in order to open a small kiosk in January 2008 and to fulfil their basic needs. Given this scenario, Bapak Toto's life after retirement will be difficult. With no land, no house and no farm of his own, and with the deduction of his debt from his retirement funds, his life will be precarious within two years.

Several households with only one plot of land have not been able to follow the trend of intensifying their farming through rubber monoculture so far. They include those of Bapak Engkus, Bapak Dadang, Bapak Uju, Bapak Sudin, Bapak Didin, Bapak Bana, Bapak Kusdi and Ibu Eutin. They cultivated their farm through the *huma* system, and produced rice and corn during the first year and banana from the second year. They also adopted rubber monoculture farming, and obtained free seeds through a government programme, as well as technical support from their neighbour Bapak Daryo, and some peasants originally from Rancaherang, who are rubber cultivators. However, they were unaware of the trap that commenced in the fourth year when they could not obtain any product until the sixth year when the rubber trees could be tapped. Bapak Engkus, Bapak Dadang, Bapak Uju, Bapak Sudin, Bapak Didin and Bapak Bana sold their land and once again became landless. To make a living, Bapak Engkus and Bapak Dadang work as paid labour for Kang Rudi, and the rest of the landless peasants working as paid labour for Bapak Nanang, and occasionally for the PTPN. Ibu Eutin and Bapak Kusdi have cut down their rubber trees that are already three years old, one by one, and have returned to practicing the *huma* system involving intensive labour in the cultivation of upland rice. They survive, feeding

their families without so far losing their land, but they are at risk of being in a near landless situation.

A Leninist definition of poor peasants could be applied to Ibu Aam, Kakek Maulana, Bapak Toto, Bapak Engkus, Bapak Dadang, Bapak Uju, Bapak Sudin and Bapak Didin. Alternatively, Bernstein's term of simple reproduction (2010: 104) applies, entailing their being squeezed in between 1999 and 2006. Ibu Eutin and Bapak Kusdi were able to transition from this reproduction squeeze by returning to the *huma* traditional agriculture system, and letting go of the dream of having monoculture rubber farms. These two households are representative of Marx's description of simple reproduction (Bernstein, 2010: 104) even though they lost some of their capital in the process of developing rubber monoculture farms.

Some of the better off households who were already in a better condition before land redistribution have savings and available lands in their hamlets of origin, and have also gained from the trend of rubber monoculture farming in Ciniti. The cases of Bapak Oding and Ibu Oding are illustrative of this. They are considered as rich peasants, who succeeded in converting all of their *huma* plots to tree-based farming.

Bapak Oding, a trader from Singajaya, and his wife Ibu Oding, participated in the land reclaiming process and acquired two plots of land through the programme. Initially, they cultivated upland rice, cassava, corn and banana on the land. Following the introduction of the government's fruit tree programme, they converted their banana and mixed agroforest farms to mango trees, which they thought might be better and easier to maintain. However, they only earned an income from this once a year following the season. The income from the mango trees could not compete with the income from bananas. They abandoned their mango orchards and step-by-step reconverted the land to upland rice and bananas. They achieved this conversion by cutting down the mango trees and making charcoal from them. Bapak Oding lost some of his investment, but this was not a huge loss for someone like him who also had an income from a small shop (kiosk) in the hamlet. His kiosk was the first to be established in the hamlet, and he has a lucrative banana and charcoal business with peasant producers in Ciniti.

Bapak Oding and Ibu Oding, who have three children working in other cities, were worried about the cost of labour for cultivating their banana farm, and were looking for other types of cultivation which would be less labour intensive and required fewer inputs. From the income from the kiosk, Bapak Oding and Ibu Oding were able to buy land from their poor neighbours in Lengkong, Cioa and Karees, who sold their lands because they did not have sufficient savings to survive the fourth to the sixth year when they replace their indigenous agroforests with rubber monoculture farms. In 2010, they bought 15 plots and are hopeful that they have enough capital to invest in a rubber farm. Bapak Oding hired two persons, Bapak Doni and Bapak Oling (landless farmers from Lengkong, who sold their sole plots of land to Bapak Oding), on a daily basis to work on his farm. Bapak Doni and Bapak Oling lost their land, due to their being heavily indebted to Bapak Oding. They sold the two plots to Bapak Oding to repay their debts. Bapak Oding relies on paid labour for his farm activities, which include land clearing, planting rubber and tapping rubber. He supervises his two workers in farming the land himself. By hiring paid labour, he has been able to plant half of his land with rubber trees. The trees have already produced latex and, over time, the total volume of the harvest will increase. He does the rubber tapping himself with the help of one relative, Bapak Soleh, from Lengkong. Bapak Soleh acquired one plot during land redistribution. During the period between the fourth and sixth years in the development of his rubber farm, he worked as a rubber tapper on a wages in kind basis. A quarter of the rubber latex tapped per day was paid to the rubber tappers. A wages in kind relationship with rubber tapping labour was an innovation in Ciniti, which was quite different from the wages in cash mode that was applied at PTPN. Similar to PTPN, which was very choosy in hiring rubber tappers (based on skill grades and hired as monthly permanent staff), the rubber tappers in Ciniti were only selected from among relatives, whom the land owners trusted. Rubber trees need to be carefully tapped to achieve a balance between the quantity of latex tapped daily, while ensuring that the trees will last a long time and produce latex.

Other cases highlight the trajectories of rich peasants who were able to maintain and acquire more land to cultivate. These households, with the support of remittances from family members, were able to hire paid labour to do all the farm work. Kang Rudi (30 years old), and the son of

a rich peasant from Lengkong, Bapak Mahmud, obtained three plots of land in the names of his father, his brother and himself. He planted banana and rubber in his family's land in Ciniti and did not use it for upland rice cultivation. He was supported financially by his brother, a photo model in Jakarta, who paid for all the costs, including labour. He also bought two plots of land from poorer households in Lengkong (Bapak Engkus and Bapak Dadang), and hired them as paid labour in his farm. Currently, the family owns five parcels of land in Ciniti bought from peasants in Lengkong.

There is also a second generation of peasants from the hamlet who do not have any land, and who were too young to receive land during the land redistribution programme in 1999. These include Radin (18 years old in 2010) and his friends who wait around for any paid jobs in front of the kiosks in the middle of the hamlet. Early in the morning, they would be ready with their tools, waiting for someone to hire them to do some work. While waiting, they chat, buy coffee and cigarettes at the kiosk, and sometimes text their friends on their cellular phones. However, since 2009, Bapak Nanang and his assistant Bapak Dayat have been bringing in their own workers from the neighbouring sub-district, paying them a lower half a day rate (Rp. 20,000) than the rate in Ciniti (Rp. 25,000). This puts the new generation of peasants in a precarious position, faced with options that do not necessarily work in their favour. These young men cannot be hired to work at the state plantation because they are too young and inexperienced in rubber tapping, and might destroy the rubber trees. They may be accepted to work at the rubber plantation as daily labourers for high-risk jobs, such as spraying chemicals, and get paid at the rate of Rp. 25,000. Another option, which they may not necessarily like, is working as paid labourers in their neighbouring farms at a much lower rate than the standard rate (Rp. 15,000–20,000), but lunch is included. Most of them have experienced working in the farms of their parents and relatives as unpaid household labour, and have made the sacrifice of self-exploitation, described by Chayanov, particularly regarding the intensity and duration of work required to replace *huma* with rubber monoculture farms (van der Ploeg, 2013:45). Working in neighbouring farms for a payment rate below the standard reminds them of this experience. They, therefore, prefer to be treated as professional paid labour at PTPN. If there is no demand for them as

paid labourers in the hamlet, they return home close to lunch time (mid-day) with a debt for the coffee and cigarettes they consumed at the kiosk.

Besides the new generation of landless peasants, there are also young couples newly arrived from Jakarta who decided to move to the village to start a simple life. These include Kang Atim (25 years old in 2010), a food vendor in Jakarta and Ibu Atim, a former domestic helper in Jakarta, who have two sons. Using their earnings from Jakarta, they built a small house in Ciniti village in 2004. Ibu Atim borrowed money from a local sponsor to finance her migration to work in Malaysia. Besides taking care of their two sons aged four and six years, Kang Atim takes up any labour opportunity (paid in cash or in kind) in the hamlet. As a former food vendor, he has not yet acquired sufficient skills in farm work. However, he is skilled at preparing food for the ceremonial feasts (*slametan*) in the hamlet, and is mostly hired as a cook.

With a small house in the hamlet, the household believes that they can afford a simple way of life compared with life in Jakarta. With their combined incomes, they have been able to pay back their loan, raise their children to go to the primary school that had already become a state subsidised school in 2006, and save some money to buy a piece of land where they have constructed a house. They also hope to own a rubber farm in the future. However, the price of farm land has increased tenfold within a few years of land certification. Even after five years of Ibu Atim's foreign employment, the household still cannot buy a plot of farm land, though they continue to hope that some day they will have built up enough savings to purchase cultivatable land. Such households are locally perceived as the poorest due to their landless status and necessity of sending a family member overseas as a contract worker to Malaysia. In reality, this family is saving their capital to be able to farm from quite a young age, availing of an opportunity that the previous generation did not have. They predict that they can start their own farm at the age of 28 years, and if they can save enough, they might be able to harvest rubber by the age of 34, and then perhaps begin to accumulate capital at an early stage of their family life.

Nevertheless, the local community views the families of Ibu Aam, Ibu Atim and Kang Atim, Ibu Eutin, Bapak Toto and Kakek Maulana as the poorest in the village in view of the fact that they do not have enough land for farming, and some do not even have land for a house. This local

perception does not take into account the potential of Ibu Atim and Kang Atim as newcomers to the village, nor the potential of utilising the young generation to work in their farms. They also do not take into account the potential of young people such as Radin, who did not acquire any land due to their age, but who have strong and productive years ahead of them as daily paid labourers. At this stage in the hamlet, there is no system or effort underway to distribute or allocate land to those who are young and of a productive age, beside reliance on land inherited from parents.

3.6.2 Intensification of Land Productivity under Individual Ownership by Absentee Land Owners

After the land redistribution process, there was a clear sign of emerging markets for land investments. Four plots of land were distributed to three absentee land owners (belonging to BPN staff, the military and the police), who acquired the land as gifts of appreciation for their support in the land redistribution process, and who eventually sold the land to Bapak Nanang (a hotel, shop and travel car owner residing in Pameungpeuk town), only few years after the land was redistributed. Bapak Nanang continuously bought land from those who succeeded in planting rubber, such as Bapak Daryo from those who sold their land due to indebtedness, such as Bapak Toto; and from those who desperately needed money for emergencies, such as Ibu Aam. So far, Bapak Nanang has accumulated 10 hectares in Ciniti Hamlet. He used to work with a local assistant, Bapak Awan (37 years old), originally from Ciniti Hamlet, who works in the office of Cibalong sub-district in order to have access to the data on land certification. He did not pay the assistant on a monthly basis in cash, but instead shared the agricultural produce from the land that was converted from indigenous agroforests to a banana and rubber farm. The rice and banana, which are the products from the first to the fourth year, belong to the assistant, and the rubber produce from the sixth year belongs to Bapak Nanang. With this share cropping system, Bapak Nanang only had to hire daily paid labour for land clearing, planting and harvesting of the bananas. The costs for the fertilisers and herbicides were also provided by Bapak Nanang. Bapak Awan arranged daily paid labour at the same payment terms as applied at PTPN, and young peasants such as Bapak Suraji and his friends use to work here

until 2009. This sharecropping system forced Bapak Awan to be a land broker for Bapak Nanang to find new land for sale. Otherwise the assistant's share of the produce (banana) would end due to the closing of the rubber canopy within three to four years. This system enabled Bapak Nanang to own a total of 10 hectares of land in Ciniti in 2009.

In 2009, Bapak Nanang replaced Bapak Awan with Bapak Dayat (41 years old), who was a newcomer to the hamlet and is the superintendent at the state rubber plantation at Cikelet. Bapak Nanang hired Bapak Dayat in order to speed up the rubber planting process with lower paid labour. Bapak Awan is good at accessing data on the status of land certificates, and knew all of the individual households that desperately needed money and would sell their land. However, Bapak Awan is not good at mobilising labour for planting, and only relies on labour from his hamlet. On the other hand, Bapak Dayat is not good at accessing data on land certificates and the situation of each household, but he is good at finding cheap labour from all around the district. Bapak Nanang's strategy has changed after eight years of accumulating lands from individuals. Owning sufficient land to invest in a rubber farm, he is focussing on land intensification through rubber farming, so Bapak Nanang employs a superintendent to mobilize labour for land clearing, planting, weeding and spraying.

Two other absentee land owners in Ciniti had adopted a similar *modus operandi* in 2010, but at a lower scale in terms of land ownership. One is Bapak Nanang, an entrepreneur from Pameungpeuk, and the other, Bapak Johan, is a car rental owner from Bandung. There is competition among the peasants to be affiliated with these two absentee land owners, as their assistants or to acquire a product share, become a broker selling land, or as daily paid labour, such as Bapak Awan was in the past with Bapak Nanang. Since 2009, Bapak Awan has worked for Bapak Johan and is paid according to a similar system for cultivating four hectares of land. However, Bapak Johan does not appear to be interested in expanding into more land, but is willing to intensify production through a monoculture rubber farm.

Bapak Dayat became the common enemy of the hamlet when he brought in his own outside labour to work on Bapak Nanang's land. Later the local communities realized that extra rural land owners excluded the local community from accessing the land.

3.6.3 Emergence of New Non-Farming Activities in the Process of Differentiation and Accumulation

There are also some households that rely on their earnings from non-farming activities, such as opening a kiosk (small shop), which did not happen prior to land redistribution. These kiosks buy and sell agricultural products, such as rubber, banana, and rice, as well as factory products such as soap, kerosene, batteries, pesticides and herbicides. The number of kiosks has significantly increased from one kiosk at the beginning of the land redistribution process in 1998 to 13 kiosks in 2008–2010.

One kiosk is located at the school in the middle of the hamlet. This is run by Bapak Momon and Radin. They do not buy or sell agricultural products, but instead specialise in catering to the needs of the school children. Almost all of the school students have some daily pocket money of Rp. 500 (six days a week), and they spend their pocket money on candy at the school kiosk. The kiosk also serves coffee to those waiting around for casual daily paid labour jobs, enjoying the terms of trade from cash from the peasant household with industrial product.

The eight kiosk owners buy agricultural products, such as bananas and rubber from the peasants, and simultaneously sell rice for local consumption. With this system, the owner of the kiosk extracts the surplus of the peasants in two ways:

1. Exchange of agricultural products with industrial products: agricultural products obtained from peasants are valued at a certain amount below the market price, while factory products are valued above the market price. These double terms of trade surplus extraction were enjoyed by the owner of the kiosk, who extracted the price from buying and selling deducted the transportation cost to carry industrial products.
2. Exchange of agricultural products with agricultural products: agricultural products obtained from peasants (banana or rubber sheets) are valued at a certain amount below the market price. At the same time, agricultural products originating in the hamlet (such as rice) are sold at a value that is higher than the market price. The Kiosk owners buy the rice from the nearest hamlet from the local peasant households that own irrigated rice farm (such as from peasants at Bendungan and Lengkong), and sell it

with higher price. By buying banana or rubber latex and selling rice, the kiosk owners enjoy another type of double terms of trade advantage from buying and selling agricultural products, with only paying the transportation costs to buy rice from the nearest hamlets. As a lot of households did not plant upland rice, but instead produced banana and rubber sheets, kiosk owners were able to enjoy surplus extraction based on these extra double terms of trade.

Most of the peasants were tied to certain kiosks through interest-free loans (*uang tancep*) of various amounts. From the point of view of the kiosk owner, this debt was designed to make sure that the debtor's agricultural produce would be sold to that particular kiosk. At the same time, the income obtained from the sale of the agriculture produce would be used for debt repayment and for purchasing industrial and agricultural products.

The kiosks operated by Bapak Pepen and Bapak Oding have the strongest financial capacity, and took advantage of the opportunity provided by installation costs for the state electricity programme implemented in 2010, providing loans to their peasant customers (those who were given *uang tancep*). To obtain access to the state electricity programme, each house was required to pay Rp. 1.2 million (equivalent to US\$ 120) for the installation and Rp. 40,000 (US\$ 4) as a monthly charge for using 450 Kwh. This kind of *uang tancep* was developed to gain the certainty of a product and the benefit from the trading terms for agriculture products. Bapak Pepen gave loans to 10 households, while Bapak Oding gave loans to 12 households that produced bananas and rubber. The three other kiosks were short-lived because of liquidity problems. The *uang tancep* system in effect trapped some small kiosks into liquidity problems, especially if the borrowing household could not return the loan on time due to crop failures.

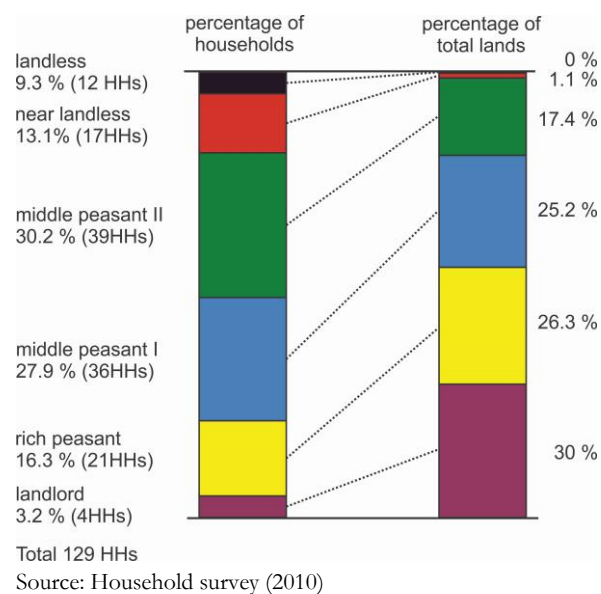
After the land reform, a motorcycle repair shop, owned by Kang Holim from Karees, was established in the hamlet. Kang Holim bought a house and land in Ciniti. Apart from providing a motorcycle repair service, he also sells spare parts for motorcycles, and gasoline. The motorcycle repair shop serves not only Ciniti Hamlet but all of the villages located along the semi-permanent road from Lengkong to Ciniti.

After the land reform, especially with peasants producing good quantities of banana, money lenders frequently came to the hamlet under the guise of cooperatives (known as KUSAPA). These cooperatives are registered in Tasikmalaya, a neighbouring district of Garut with Bandung city as its headquarters, and they operate at the hamlet level through collectors. These money lenders are known as *bank keliling*, which means circulating bank. The interest rates they charge are quite high and they usually target households outside Ciniti Hamlet that operate small food stalls and paid their dues weekly. In Ciniti, money is loaned on certain occasions at a monthly interest of 20 per cent interest without collateral, and is used for non-productive purposes such as wedding and circumcision ceremonies, and to send children to high school outside the hamlet. These are designed to be short-term loans for ceremonies such as weddings and circumcision, in the anticipation that a portion of the money will be available from the ceremony to repay the loan and the rest will be paid weekly following banana and rubber collection from the kiosk. Most collectors know which households own rubber and banana farms, and have produce available every two weeks.

3.7 Changes in the Agrarian Structure and Agrarian Relations after Land Redistribution

The agrarian structure and agrarian relations in Ciniti changed significantly and became more complex after land redistribution. Comparison of land ownership in 1999 and 2010, based on data obtained from the household survey, shows a significant change across all six classes of peasants based on their ownership of land in the hamlet (see Figures 3.4 and 3.7 for a comparison).

Figure 3.7
Land distribution and agrarian class status among all beneficiaries, 2010 (10 years after land redistribution)



A further change has been population growth in the hamlet from 115 households to 129 households living in Ciniti.

3.7.1 The Agrarian Structure and Dynamics in Ciniti ca. 2008-2010

Within about 10 years after the completion of land redistribution, twelve landless households (9.3 per cent of all households) had emerged in the community, compared with no landless households existing in 1999. These landless households included not only beneficiaries of land redistribution who had lost all of their land, but also newcomers to the hamlet. The percentage of near landless peasant households also grew from 5.2 percent to 13.1 per cent. Middle peasant households (owning 0.21–1.5 hectares of land) declined from 80.8 per cent to 58.1 per cent, while rich farming households (owning 1.51–3.0 hectares) increased slightly from 14 per cent to 16.3 per cent, and a new class of landlord households emerged. Although the latter consisted of only four households,

they collectively controlled 30 per cent of all the land in Ciniti. Among these households were two extra rural landowners who accumulated 15 per cent of the total land in Ciniti Hamlet. The process of class differentiation based on household land area has been evident with an increase in landless and near landless peasant households being apparent in 2006. This group was dominated by those who were near landless because of limited land availability for them to make the shift from *huma* cultivation to export-oriented farming, which was the prevailing trend at the time. Some households were able to revert to the *huma* system to avoid entering into a simple reproduction squeeze. The number of landless and near landless peasants increased from 5.2 per cent in 1999 to 22.4 percent. The middle class (categories I and II) was reduced by 22.7 percent during this 10-year period (from 80.8 per cent in 1999 to 58.1 per cent in 2010), but still dominated the overall population. However, land ownership by these classes dropped from 76.4 per cent to 43.6 per cent of the entire land area. Correspondingly, the land appears to have been appropriated by the rich and landlord classes, which increased from 14 percent to 19.5 percent. These two classes collectively owned 56.3 per cent of the land (an increase of 23.7 per cent compared from 1999 to 2010 when the household survey were taken), see Table 3.3 & Figure 3.7,

Table 3.3
Household classes based on land ownership, during the land redistribution in 1999 and in 2010

Household Class	Class range of land ownership in hectares (1999)	HH (1999)	Percentage of total land (1999)	HH (2010)	Percentage of total land (2010)
Landless	0	0	0	12	9.3
Near Landless	0.01 up to 0.2	6	1	17	13.1
Middle Peasant II	0-21 up to 0.75	58	25.9	39	30.2
Middle Peasant I	0-76 up to 1.5	35	40.5	36	27.9
Rich Peasant	1.51 up to 3	16	32.6	21	16.3
Landlords	More than 3.01	0	0	4	3.2
Total number of HH		115	100	129	100

Source: Household survey 2010

One cause for concern is the emergence of absentee land owners who acquired access to land through the land market system. In 2010, 15 percent of the land in Ciniti was owned by two absentee land owners, who bought the land from peasants and cultivated rubber monoculture farms. Only one of them employed members of the local community; the other absentee land owner hired a professional assistant and cheap labour from outside the district.

Among the peasant households, there are also more paid labourers in the village, represented by the young generation (15–18 years old), who were not able to acquire land at an early stage of their productive age. The land of their parents is still in the process of becoming productive monoculture rubber farms, and does not, therefore, entail much work and earning. There is a need to provide land for this future peasant generation; otherwise they will leave the village in the footsteps of their elder siblings. Most of the household heads who received land were in the 35–40 year age group when they acquired formal ownership of the land after struggling for more than 10 years. Some of their children are working outside the village and send money as remittances to their parents to cultivate the land.

There are also new non-farming occupations in the hamlet that have evolved over time. These include kiosks and selling and trading occupations, such as motorcycle and catering services. The key to success of peasants who have enough land, that is, more than two plots, is monoculture rubber farming. However, those who with less than two plots are squeezed by rubber monoculture cultivation, attracting other actors such as money lenders to the hamlet, as well as absentee land owners, who accumulate land in the hamlet that they use for monoculture rubber farming.

To summarise this section, we can conclude that during a period of approximately ten years post-land redistribution, the agrarian structure has undergone rapid changes, influenced by extra rural actors, the arrival of new landless peasants from other areas, and the expansion of a new generation of land owning peasants. These changes in the agrarian structure have also been accelerated by the mobilisation of capital by local peasants through waged labour, as well as by the sale of their land or properties in other areas. The population is now constituted by the fol-

lowing categories of households, each with a different position in the agrarian structure:

1. Households that have accumulated and concentrated their landownership:
 - a. Households that were not originally beneficiaries of land redistribution bought land from the beneficiaries. Some invested in rubber plantations (in Ciniti) Some reside in the village, while others like Bapak Nanang, who resides in the main town of Pameungpeuk, hire managers to run farming activities. There are also some households that have just invested their capital in land and left the land abandoned.
 - b. Households that were considered rich before land redistribution gained more land as beneficiaries, and used their savings to buy land from other beneficiaries of land redistribution. This group consists of old as well as new households in the hamlet, as well as some from outside the hamlet.
 - c. Households that acquired more land through trading bananas and rubber in the village.
 - d. Households that acquired more land from selling land such as rice fields in other areas at higher prices and buying lower-priced land for planting rubber.
 - e. Households that combine strategies a, b and c.

This broad category is represented by a few households that control significant areas of land. However, not all of them have been able to invest in the land so as to obtain productive agricultural outputs because of high labour costs.

2. Households that used their savings from selling their labour outside, and their surplus to invest in land and develop rubber farms. There are several instances of large households that were able to sell their labour in the village or outside the village, as well as to send household members to the Middle East or Malaysia as migrant workers.

There are also instances of households selling some of their plots to their neighbours to develop their remaining plots. Most of the households were facing this situation and had to sell their labour in the neighbouring hamlet, as well as provide paid labour in the hamlet.

3. Households that do not have any agricultural land, but still have houses and sold their labour as a result of a variety of labour opportunities.
 - a. This group consists of households that previously had agricultural land, but have now lost it. It is sub-divided into two types of households: (a) those, like Bapak Toto, who lost everything and moved from the village, returning as labourers to the company; and (b) those, like Bapak Daryo, who sold their land at a good price, moved to the cities, and are enjoying city life, looking for city jobs that offer monthly salaries.
 - b. This group is composed of households that moved from the city, using their capital to buy houses to be able to reside in the hamlet in the hopes of having a lower-cost environment to raise their children, find some jobs and, in some cases, also own rubber farms. It also includes young families that send the wives to work in Saudi Arabia and hope that after three years (paying off their debts during the first year, and receiving net earnings within two years) they could save enough to buy land.
4. The fourth group is composed of individuals who do not have any farm land or house, live in the hamlet and sell their skills. An example is Kang Holim's motor service.

3.7.2 Changes in Agrarian Relations Reflected in Changing Patterns of Surplus Extraction

As outlined above, the post-redistribution community in Ciniti now includes a spectrum of households from those who cannot compete and have lost their land, to those who are struggling to maintain and intensify their land with rubber agroforests and finally those who have gained more land (see Figure 3.8). Several post-land redistribution forms of sur-

plus transfer were evident in Ciniti in 2010. However, this process of change of the agrarian structure did not happen overnight; it was gradual but consistent with changes in land tenure and labour relations. The process has led to the decline of some forms of surplus transfer and the emergence or development of other relations and mechanisms of surplus extraction, which are summarised briefly below.

Figure 3.8
Form of surplus transfer in Ciniti after land redistribution (2010)

No.	Surplus Extraction Mechanism	From Hamlet HHs	To Village Actors	To Extra Rural Actors	Notes
1	Rent in Labour	Peasant HHs	✗		No longer exist
2	Rent in Cash	Peasant HHs	✗		No longer exist
3	Rent in Kind	Peasant HHs	Landlord (Bp. Mahmud)	Landlord (Bp. Nanang)	Banana intercropping /sharecropping Wet rice sharecropping
4*	Wages in Cash	Peasant HHs	Landlord (Bp. Mahmud)	PTPN	Daily paid Labour (<i>buruh harian</i>) for rubber planting and weeding
		Peasant HHs	Landlord (Bp. Mahmud)	Landlord (Bp. Nanang)	
		Landless and near landless peasants	Landlord (Bp. Mahmud)		
5*	Wages in Kind	Peasant HHs	Landlord (Bp. Mahmud)		Seasonal paid labour for rice harvesting (<i>gacong</i>)
		Landless and near landless to rich and middle class peasant HHs			Rubber tapping, paid through crop sharing
		Peasant HHs			
6	Terms of Trade	Peasant HHs to the 12 local traders	Village traders (Kang Ija)	Traders	Exchange of agricultural products (bananas and rubber latex) with industrial products (soap, cooking oil) or other agricultural products (rice) at kiosks
		Peasant HHs		Traders	Traders who come occasionally to the village exchange cash for industrial (cloth and utensils) or agricultural products (bananas and rubber)
		Peasant HHs to middle class and rich peasants			Sale their land, to the richer peasant and to the new comers
		Peasant HHs	Landlord (Bp. Mahmud)		Sale of land by peasants to village landlord
7	Usury	Peasant HHs		Landlord (Bp. Nanang)	Sale of land by peasants to land lords
		Peasant HHs to Traders (B & B36)			Borrowing cash and returning agricultural products (<i>uang tancep</i>)
		Peasant HHs			Two money lender under the name of

Source : interview 2008, 2010 & 2011

3.7.2.1 Rent in Labour

After land redistribution, the rent-in-labour mode of surplus extraction at Ciniti hamlet also ended. This kind of relationship was terminated when there was clarity of land tenure status as non-state forest land that

was converted into individually owned land. However, it persisted in the neighbouring state rubber plantation, PTPN VIII, where it occurred between the superintendent and the monthly rubber tapping labourers, enabling them to acquire access to wet rice fields (*tanah serang*) inside the rubber plantation estate, outside Ciniti hamlet.

3.7.2.2 Rent in Cash

The practice of rent in cash stopped in 1996, when the position of the PP weakened and they subsequently lost their legitimacy through the court decision that declared that the land was not forest land. The rent in cash pattern of surplus extraction was never resumed in Ciniti.

3.7.2.3 Rent in kind

In the past, when land rights were uncertain, every household wanted to have land in tenure secured areas, usually non-state forest areas where peasants could utilise the land without feeling insecure. When the Ciniti households received land from the state, they felt obliged to express gratitude to the field level individuals who facilitated the process of registering and mapped their land. They, therefore, put aside a total of 1.5 hectares of their own land to be divided between four staff (two from BPN, one from the military and one from the police). The increase in land prices as a consequence of the change in land status from state forest areas to privately owned land also changed relationships between landowners and the sharecroppers, placing landowners (as non-productive actors) in a better position in relation to the share-croppers. Share-cropping of irrigated ricefarms (which do not exist at Ciniti) occurs in Lengkong and Karees hamlets, but involves Ciniti peasants. These households are competing with share-croppers from other villages. This did not change the 50:50 sharing of crop quantities, but it did impact on the quality of sharecroppers, since they now had to perform well that is, be diligent in cultivating the land. Payment in rice is very necessary for peasants in Ciniti because of the deficit of rice resulting from the conversion from *huma* cultivation to rubber monoculture farms.

3.7.2.4 Wages in Cash

Wages in cash are the easiest source of earning for peasant households, and a mechanism for transferring surplus. Whereas PTPN was the nearest source of paid labour in the past, currently wages in cash are also applied by the new landlords in Ciniti (Bapak Nanang and Bapak Johan) to peasant households. Labour costs have also changed as most households wish to have their own rubber farms as soon as possible. In this situation, wage payments are differentiated according to: (a) the type of work (land clearing, planting, spraying, weeding etc.); (b) age; (c) gender; and (d) the employer-employee relationship (for example, whether this involves a company, local landlord, ordinary household farm, or family relatives of the household farm). Young men like R and women labourers like Ibu Aam are in the weakest position in the new relations of paid labour. They will receive the lowest wages and be allocated the most risky work, such as spraying the weeds with chemicals. Payments also vary depending on whether they are from PTPN, landlords, or ordinary household farms. PTPN and landlords pay higher rates than ordinary working households. However, besides getting daily payments (though at lower rates than those of the state plantation), labourers working on household farms are also provided with food (lunch), snacks, coffee and cigarettes which might add up to more than the rubber plantation rate for daily paid labour.

3.7.2.5 Wages in Kind

The *gacong* system, practised by households in Ciniti with landlords who own the irrigated rice farm surrounding Ciniti Hamlet continues, and has become the main source of rice for the peasants, besides share cropping (see 7.2.3, rent in kind). This system has been extended to the rubber tapping labourers, who received one-fourth of the latex, while the remaining three-fourths are retained by the rubber farm owner. But this system is not yet widely practised, and is only applied to those who are relatives or trusted by the rubber farm owner. It is predicted that this system will be further developed and become widely used, which could provide more opportunities to those who are landless to get a share.

3.7.2.6 Extraction via Terms of Trade

Those who could control rice production through ownership of wet rice farms (for example, Bapak Mahmud from Lengkong) were in a better position, especially when upland agriculture in Ciniti underwent a rapid change from food crops to rubber. Surplus extraction in the form of terms of trade applied to peasants who sold their rubber valued at Rp. 7,000/kg in 2010 (the rate for middlemen was Rp. 7,500–8,500/kg depending on the season) and rice from the nearest hamlet sold by the kiosk at the rate of Rp. 7,500/kg at harvesting time and 8,000/kg at famine time (the market rate was Rp. 7,000/kg), and for the industrial goods the kiosk owners take also some benefit allowed by the distributors. Surplus extraction through terms of trade (double terms of trade for selling industrial goods and buying agriculture products, and extra double terms of trade for selling and buying agriculture products) has been the dominant mode of surplus extraction in Ciniti by the kiosk owners. This is also reflected by the fact that kiosk owners extract the most surplus from peasant households. There has also been a rapid increase in the number of kiosks from one in 1999 to twelve in 2010. This mode of surplus extraction applies to several products produced by households, namely, rice, bananas and rubber, as well as exchanges with industrial products for which standard prices are better known compared with agricultural products.

Buying and selling land has also become a new way of transferring the surplus of peasant households. Figure 3.7 shows that 15 percent of the total land area has been bought by extra rural actors, and all the benefits of the previous owners have already been transferred permanently to the new owners. Land has become a commodity that is transferable, and its price has increased significantly since the change in status to individual land ownership. The price of this new commodity also depends on the increase together with the farming system that is practiced on it. Rubber monoculture is valued the highest, followed by banana farming, with *buma* traditional farming being valued the lowest.

3.7.2.7 Usury

Money lending is commonly practiced in the hamlet, by kiosk traders, who normally charge interest indirectly rather than directly through the guarantee, provided by peasants that they will sell the product to the traders (*uang tancep*). Money lending by the kiosks according to the *uang tancep* method is only carried out with those who have productive assets such as banana or rubber farms that are continuously productive. This is practised by eight out of twelve kiosk owners in Ciniti. Two of the kiosks have developed further money lending schemes for electricity instalments with several trusted households. The payments were made directly to the state electricity company (PLN). Beside this, there are also money lenders who come to Ciniti Hamlet from Tasikmalaya and Bandung, offering credit at high interest rates (up to 20 per cent per month) using credit cooperative associations as a legal body (*Bank Keliling*). Better rates for money lending can be accessed from Sagara village (2 per cent monthly interest), or at the nearest bank (BMT or BRI) in Pameungpeuk town at 8 per cent interest. However, for these loans, a lengthy procedure has to be followed to prove that the owner of the land certificate has paid all the land taxes since the land certificate is used as collateral. *Bank Keliling* has, therefore, become the easiest way for peasants to borrow money over short terms, for example, wedding or circumcision ceremonies, when it is expected that a large proportion of the loan can be repaid after the ceremony through the cash gifts (*sumbangan*) provided by the guests.

There were also some households in Ciniti that mortgage irrigated rice farms. Mortgaging irrigated rice farms is common in the lowland society as a means of borrowing money. Both parties will agree on the terms of the mortgage and invite witnesses to their agreement. Rubber farms are not yet being mortgaged, but mortgaging terms may be established soon after the fourth year after the first harvest (usually ten years after planting), when the rubber farm product becomes stable.

3.7.2.8 Taxes

As the land is now categorised under individual land ownership, the land tax (PBB) is much higher at approximately Rp. 10,000/plot (approximately 0.25 ha/plot) for agriculture activities. However, this

state land tax is considered low by people from the cities (compared to the tax in the cities for housing) who accumulate land in the rural areas.

3.8 Concluding Remarks

Two basic research questions have been the focus of this chapter. The first relates to patterns of exclusion and inclusion that occurred in the forest land redistribution process in Ciniti Hamlet, and the extent to which the programme reached landless peasants. The second question relates to how this process has contributed to the formation of a new agrarian structure and agrarian relations. But before addressing these questions further, there is a need to identify whether the land redistribution process in Ciniti Hamlet constituted a redistributive or a non-redistributive land reform, as discussed by Borras (2007). A redistributive land reform is characterised by redistributed power, land (including state land) and no compensation (Borras, 2007: 22). The historical context of this land redistribution case highlights the appropriation of state forest land from PP control by the state, which then redistributed this land to the beneficiaries (tillers and four absentee land owners). This was done without any compensation being paid by the state or by the beneficiaries to the PP. Thus, this may be characterised as a land 'redistribution' process in one sense, but with the qualification that most of the beneficiaries already had informal access to the land, and the allocation of plots to beneficiaries partly replicated the existing inequalities in land control. This leads us to the next stage of addressing the two research questions.

a. Exclusion and Inclusion

Exclusion and inclusion based on policy regulation

Patterns of exclusion and inclusion based on policies or regulations, as discussed by Hill et al. (2010) were evident in Ciniti. The area defined and targeted for land redistribution by BPN (SK BPN no. 35/1997) and by MoF decree through the new designation of West Java forest area (MoF Decree no. 419/1999) was delineated by a boundary, within which land was to be appropriated from PP and included in the areas to be redistributed to the tillers. Conversely, the land located outside of the BPN boundary that defined the target of land reform was excluded

from the land redistribution programme and continued to be under the control of PP. Consequently, the tillers who cultivated the land targeted for land redistribution were included as beneficiaries of land allocation. However, those tillers who cultivated the land located outside of the boundary were excluded as beneficiaries of land redistribution.

Tillers versus landless and near-landless peasants

For the land redistribution process the term 'tillers' (*penggarap*) was used to define the beneficiaries based on the assumption that all the tillers were landless or near landless peasants. In the process of land redistribution in Ciniti, it emerged that there were several patrons from Lengkong, Karees and Bendungan hamlets who were neither landless nor near landless, but were actually rich peasants or traders who had led the land reclamation process. Besides the land that they tilled at Ciniti, they also owned land, including irrigated rice farms in their hamlets of origin. However, due to their categorisation as tillers under the prescribed definition, they were eligible beneficiaries of the land redistribution programme. While all landless and near-landless peasants did receive one or more plots of land, they were excluded from receiving bigger plots of land, due to accommodation of the rich peasants. This process of land redistribution, therefore, formalised existing land inequality, which in turn had consequences for the emerging agrarian structure..

Landless and near landless peasant versus absentee land owners

There were four absentee land owners who each received 0.25 hectares of land during the redistribution process. They included one police officer from Cibalong sub-district, one military official from Pameungpeuk and two BPN staff members from Bandung, who were involved in the land redistribution process, and collectively controlled 1.5 per cent of the land in the hamlet through this allocation. Even though they received land with the consent of the tillers, they should have been precluded from receiving it.

Their receipt of land was a violation of the process and could be considered as a form of corruption. This again prevented landless and near landless peasants from receiving bigger plots of land from the one hectare of land (1.5%) that was allocated to them. These absentee land owners were among the first land owners to sell their land to other absentee land owners, namely, traders from Pameungpeuk.

Individual versus household property

Prior to land redistribution in Ciniti Hamlet, the land was controlled, managed and cultivated by household units in the local land use tenure system. During the redistribution process, land was distributed to adult individuals (in this case, above 13 years old) under individual land ownership, as long as they possessed ID cards and had been tilling the land during the massive land reclaiming movement from 1996–1998. However the individual names that have been registered are mostly those of men, who were assumed to be the household heads. Women have been systematically excluded from land ownership and their names are rarely registered. The only women's names that appear are those of widows and women belonging to the middle and rich classes, whose fathers cannot have land registered in their own names due to the maximum ceiling of land ownership. The land that was received from land redistribution was not permitted to be sold without a permit from BPN. In reality, however, land was bought and sold without any permit from the BPN, and not always with the consent of the household members. For some households this happened through an agreement reached between the individual buyer and seller whose names were recorded on the land certificate. This affected the local tenure system, loosening the intra-household cohesion, and strengthening the individualism of household members.

Due to the registration of individual ownership, more households with larger numbers of adult members were able to register their lands than households with smaller numbers of members.

Those households with six adult members were the largest land owners.

Tension between the old and young peasant generations over land

The land struggle to gain legal access over forest land through the land redistribution process was sustained over a long period (17 years) until the tillers obtained ownership of the land between 1997–1999. One consequence of this process was that the tillers involved in the reclaiming process were already approaching middle age when they finally received the land ownership (37 per cent of the beneficiaries were between 35–40 years old in 1997–1999). Only a few of these beneficiaries, for example, Bapak Mahmud and Bapak Nano, passed the land on to their sons and daughters (the second generation). Most retained their control and cultivated the land, or sold a portion of the plots, providing their children with money to pursue their studies or work outside of farming. This tension over the land was felt more strongly in relation to the third generation (grandsons and granddaughters) who were entering the productive age (18 years). The experience of R (18 years old) represents that of this third generation with no land given to them by their parents or grandparents, who are struggling to find work opportunities to make a living. Their grandparents either sold the land and gave the money to their parents, or still retained the land and have planted monoculture rubber that is not yet ready to be tapped. This generation feels excluded from the land redistribution programme due to the age barrier and their exclusion from work opportunities in the hamlet.

- b. The second research question relates to how this process has contributed to the formation of a new agrarian structure and agrarian relations.

Agrarian Structure

There has been a change in the agrarian structure both before and after land redistribution in Ciniti Hamlet. As previously discussed, the land redistribution process could not prevent the rich peasants, traders and

middle peasant households from acquiring access to land. At the same time, all the landless households received plots of land, and there were consequently no landless peasant households left in the hamlet. As a result of the land redistribution process, there were five classes of household in the hamlet; near landless peasants (5.2 per cent), middle class (category II) peasants (50.4 per cent), middle class (category I) peasants (30.4 per cent), rich peasants (13.9 per cent) and extra rural actors (3.5%) see Table 3.3. During the subsequent 10 years, new classes emerged: landless, landlord and various skilled labour households. Landless peasant households (9.3 per cent) remerged in 2010, not only because of the dropping out of the near landless and middle class peasant households (Scoones et al. 2012 and Cliffe et al. 2011), but also because of a third generation of new landless couples and migration of new landless peasant households to the hamlet. This class of landless peasants worked as paid labour in neighbouring farms or used the various skills that they had acquired to sell products or services in the hamlet or outside.

A new class of landlords also emerged gradually through a process of land accumulation in the area by four households (3.2 percent) that can be differentiated by how they accumulate their lands. One household accumulates land through surplus gained from the shops; one household accumulated land through a process of consolidating their property outside the hamlet and investing this in the hamlet; and the other two households are headed by extra rural traders who gradually bought land from the peasants using their capital. This dynamic process of change has also impacted on the near landless, middle class (categories I and II) and rich peasant households over a period of 10 years. Aside from that, two landlords (traders from the city) who control 15 per cent of the hamlet's land, changes in the class structure have mostly entailed an internal process of differentiation among peasant households in the hamlet. This internal process has occurred through the accumulation of capital by peasant households as a result of remittances sent by their children in the cities. This capital has played an important role in enabling them to invest in more land in the hamlet. Other factors, such as sickness, crop failure, and entrapment in monoculture rubber plantations have also been major factors compelling peasant households to sell their land or step down in class. The changes of agrarian structure can be seen to be the result of changing agrarian relations.

Agrarian Relations

Agrarian relations also changed drastically after the redistribution of land and its conversion from public state land to individual land ownership. There were eight forms of surplus transfer (rent in labour, rent in cash, rent in kind, wages in cash, wages in kind, terms of trade, usury and taxes) before land redistribution. These have been changed to six forms of surplus extraction following the weakening positions of the state and PP in 1996. The surpluses of landless peasants were transferred in the form of cash to the PP officers, and in labour to the PP institution, in order to acquire temporary access to the land to cultivate spaces in between the rubber trees when the PP and MoF controlled the land. Rent in kind was practised for a short period when the military and police controlled the land. This form of surplus transfer was practised by traders who wanted to acquire access to the teak wood and pay rent in kind to the military and police officers between 1996–1998. These forms of surplus transfer ended after land ownership was transformed from state land to individually held land in 1998. In the past, before land redistribution, the dominant patterns of surplus transfer were rent in labour, rent in cash and rent in kind for peasants to gain access to the land.

Agrarian relations changed drastically from feudalistic relations to market transactional relations. The terms of trade form of surplus transfer became the dominant mode of agrarian relations between peasant households producing agricultural products and shop owners selling industrial products and staple foods (rice) bought from lowland irrigated rice cultivators. Land became the new commodity with a value that increased tenfold after it was classified as individual land.

Surplus transfers through wages in cash and kind in the past depended on PTPN, the neighbouring rubber state plantation. Currently, these forms of surplus transfer occur within peasant households. Other market relations include money lending by shop owners, credit unions and banks to peasant households according to various terms and conditions (collateral, interest rate etc.) These kinds of agrarian relations position those with capital as the higher class that can buy more land, mobilise labour and invest their capital in money lending, small shops or agricultural production. There are also other kinds of market relation-based forms of surplus transfer through selling skilled labour, such as motor cycle services and catering for ceremonies. One of the consequences of

this widening of opportunities for surplus transfer from peasants to several actors in the hamlet has been to attract migration from other areas to the hamlet to partake in the transfer of surplus.

Notes

¹Interview Bapak Nano & Bapak Momon, 19 Juli 2008, at Ciniti Hamlet.

²*Particulier* land (*particuliere landerijen* or 'private lands') was land leased by the state to private companies, allowing them to develop their own regulations and taxation systems for regulating local communities in surrounding areas. To avoid exploitation, this system was abandoned in 1958 through Law no. 1/ 1958, 13 years after Indonesia attained independence. These *particulier* lands were later declared as state lands and were subjected to the 1960s land reform.

³*Erfpacht* land was land leased by the state to private companies for a period of 90 years, whereby private companies followed all the Dutch Indie laws and regulations. This system was replaced by *Hak Guna Usaba* (HGU) through Law no. 5/1960, enacted 15 years after Indonesia's independence, which declared that leased land were only to be given to the private sector from state lands (Government Regulation no. 40/1996). However, most of the land leased from local communities during the Dutch Indie administration was never returned to the local communities.

⁴The Rukun Warga and the Rukun Tangga (RW and RT) were introduced by the Japanese as a neighbourhood block known as *tonarigumi* in Japan. The RT consisted of approximately 10 households, while the RW (previously RK) consisted of approximately 5 RTs.

⁵During the Japanese occupation (1942–1945), commodities (i.e. rice, cotton, jathropa, coffee, sugar and other agricultural products) were concentrated under the control of the central agency. This encouraged village leaders, Japanese military officials and merchants to engage in black markets. This corrupt practice created conflict in several areas of rice production in Java (Shigeru, 1997:72).

⁶The DI/TII movement was widely followed in several parts of Indonesia such as Central Java (1949), South Kalimantan (1950), and in Aceh and South Sulawesi (1953), which was declared as part of the NII under Kartosuwiryo's leadership (Crib, 2000:162).

⁷Based on an interview conducted for this research, none of the peasants in the village of Sagara and in Ciniti hamlet identified themselves as DI/TII members. This issue is still sensitive, leading to difficulties in collecting information at the local level.

⁸The first Indonesian national census in 1963 showed that 43.6 per cent of peasants in West Java owned less than 0.5 hectares of land, 44.7 per cent owned 0.5–2 hectares, 9.2 per cent owned 2–5 hectares and 2.5% owned more than 5 hectares and the Gini ratio was 0.5 (Bachriadi and Wiradi, 2011:37).

⁹*Pajak Kolong* is a common practice among PP staff, which involves paying some money to acquire access to land in order to build a hut (*pondok*). *Pajak* literally means tax and *kolong* means space below the house/hut. The payment is based on how much space is occupied under the hut, which is usually allocated as one per family, interview, Bapak Nano, 19 July 2008, Ciniti.

¹⁰Personal communication with key informants: Bapak Momon at the hamlet, and Bapak Ahmad, one of the peasant union deputy leaders, on September 21, 2008.

¹¹The El Nino in 1982 was reported as the first and longest El Nino to hit Indonesia (BMKG, 2013). It resulted in forest fires that impacted on 3.2 million hectares in Sumatera and Kalimantan (MenLH, 2003).

¹²Responding to the increased agrarian conflicts, several solidarity coalitions to support peasant movements were formed by NGOs and the student movement before the 1998 political reform in Indonesia. These included KSKPKO (*Komite Solidaritas Korban Pembangunan Kedung Ombo*) in Central Java, KSMURB (provided solidarity support in the Badega case), KSKPLGC (provided support for the Cimacan case in West Java), KIRAB (provided solidarity in the Blangguan case), KSMJ (sup-

ported the Gresik case in East Java), KSMPK (supported the Klampok case), KSRB (supported the Sendang Pasir case), KSUMP in Bali, and JAKAD in West Nusa Tenggara. See also Borrás (2005) on the Bachriadi case; and chapter four on Tim Krui and the Krui case in Lampung; Manalu (2009) on SRB and the TPL case in North Sumatera; and Elsam (1999) on Solidaritas Bentian and the Bentian case in East Kalimantan.

¹³*Bhayangkari* is a police sister organisation founded in 1949. From 1964 until 1999 *Bhayangkari* was one of the members of the *Dharma Pertivi*, the umbrella organisation for the wives of the police and military (armed forces). One of the outcomes of the 1998 Political Reform, enacted through Legislative Act no. VI/2000 was the separation of the police from the military structure. This meant that the command was no longer considered as armed forces. This was also followed by the separation of the *Bayangkari* from *Dharma Pertivi*.

¹⁴Court Verdict, Garut no. 20/Pid.S/1998.

¹⁵The land could not be endorsed through the documentation of the verbal forest delineation process (BATB) either by PP or by MoF. The Pasir Salam II Forest Block was only gazetted by the Governor General of the Dutch Indie 27/1927, but was never delineated in the field. On the other hand, BPN proved that this land was recorded in the Land Book as state land (Noer Fauzi Rachman in a personal interview with Soejarwo Soeromihardjo, Jakarta, November 9, 2007; see also Soedarwo Soeromihardjo (2007:125). In 1997, the Land Agency classified the 578 hectares at Sagara village as a target for land redistribution (Adji, 2005:159).

¹⁶*Bata* is a square unit used in West Java, especially to measure the area of rice field. This unit is known under different names in other areas such as *Ru* and *Tumbak*, and has been used since the Dutch colonial times. The size of one *Bata* is equivalent to 14.0625 square meters (3.75×3.75). Before the nineteenth century, a wide variety of different weights and measures were used by the various Dutch towns and provinces, as well as in the colonial empire, including South Africa, New Amsterdam and the Dutch East Indies (Indonesia). A *Bata* (or its other names) is equivalent to a *Roede* (or *roe*). The most common *roede* used in the Netherlands was the Rijnland rod (a *Rijnlandse roede* = 14.19 m²).

¹⁷Interview, 20 July 2008, Lengkong Hamlet.

¹⁸For peasants from *Rancaberang* Hamlet, who did not originate from *Sagara* village, the term land reclaiming is not the correct term. They never owned the land and the land was never taken from them by the state. The correct term should, therefore, be land claiming. However, in this thesis, the terms are used interchangeably.

¹⁹The retirement age at PTPN for a superintendent is 55 years, and for a clerk it is 60 years.

The superintendent or *Mandor* is the direct supervisor of the monthly paid labourers. Monthly paid labourers were usually recruited on a daily basis to do a particular job under the supervision of the superintendent with a certain commission pertaining to the recruiting process. Superintendents are dependent on monthly paid labourers to acquire access to daily paid labourers and ensure that the job target is reached. At the same time, monthly paid labourers are dependent on the superintendent's evaluation of individual targets. Superintendents also divide the rubber plantation block under the responsibility of certain labourers. They further allocate wet lands (*tanah serang*) for non-rubber plantations to the monthly labourers, while assigning the rice field to themselves. As a result of this practice, the superintendent will ask the labourer to work on his farm. This patron and client relationship is a common practice, which generates and regenerates over time, and creates a kind of self-exploitation as well as solidarity.

²⁰Based on the interviews in 2008 with 10 leaders that involved in the land reclaiming, there were 105 households in Ciniti, but during the household survey in 2010, the number of households had

been grown to 111 not including the 4 households of absentee land owner that received the land from the 1999 land redistribution.

²¹The spacing of the teak trees under the *rakgantang* programmes did not allow for utilisation of the land for intercropping after 4 years. The common *tumpang-sari* scheme prescribed 4 meter by 4 meter spaces between teak trees that could only be used for 2 years for intercropping.

²²*Terresing* is a common practice in teak plantation to ensure good quality teak for planks. It involves cutting the cambium of teak trees in a ring. After two months the teak trees will die and dry up, ready for felling. Between the second and the third months after the *terresing*, the branches fall down, and it became dangerous for workers to cultivate the farm. Several accidents have been reported during this period involving minor injuries. The women used to collect these branches for fire wood, both for local consumption and for sale at the small shop in Ciniti.

²³PTPN daily wage labourers work from 7.00 am to 13.00pm. They are home by 14.00, bringing some fire wood from the rubber branches. Each worker should bring his or her own tools, boots and lunch. Payment is disbursed every two weeks, on Saturdays, at the Miramare PTPN office.

²⁴Interview on 16 July 2008, Bendungan.

²⁵Free State Land (*Tanah Negara Bebas*) is a legal term for land that is controlled directly by the State and has never been allocated, leased or given to somebody else, either a person or any legal body. Other evidence revealed that the land had never been allocated by BPN as a state forest area, or to PP.

²⁶The court case started in 1996 and the sentence was given right after the 1998 reform. The Legal Aid Foundation, Bandung (Dindin Maulani SH) was one of the public interest law groups, which represented the case. There was also support from the student movement from Bandung and Garut (FPPMG) and from NGOs and POs (SPP) from surrounding villages who were similarly struggling for land ownership (from Sagara-Cibalong sub-district, Karyamukti-Pameungpeuk sub-district, and Badega Bayongbong sub-district).

²⁷The status and occupations of the three actors were described as *petani penggarap* (peasant tillers), used as representative labels for the whole community, viewed as homogeneous small peasants. However, this research shows that the three actors were elites in the village, as described on page 76.

²⁸Analysis of this data showed that there were more land tillers (555 individuals) and that the land was well distributed among peasant individuals, with a Gini Coefficient of land equality of only 0.14, as calculated by the researcher.

²⁹See BPN Provincial West Java Decree no. 4230.3-SK 21-KWBPN, 1999.

³⁰In this part, the term is used differently. In some cases, the term 'tillers' is used and in other cases peasants or landless peasants are used. Here the local communities in their movement used the terms interchangeably, so they assumed that there was an exact match between the 'tillers' (*penggarap*) and the 'landless peasants' (*tunakisma*). Through in-depth research in the area, it was discovered that the majority of tillers are landless and near landless peasants. There are some middle class and rich peasants who played a significant role in the reclaiming process and in land redistribution. The term 'tillers' here is used to cover all those involved in reclaiming the land; the term 'peasants' is used to describe the whole aggregation of peasants who cultivate the land, and consists of landless, near landless and middle class peasants, excluding the rich peasants and non-farming household (i.e. traders) and extra rural actors.

³¹See BPN Decree no. 35/1996

³²A Sagara local peasant organization (OTL Sagara) was formed in 1999 and joined the SPP declaration in 2000. SPP, which was considered among the biggest local peasant unions after BTI in the

1960s, SPP was headed by Mr. A as the General Secretary and claimed to have 300,000 to 700,000 peasant members (Aji, 2003:41; Rachman, 2012: 302).

³³Interview, Gatot Rianto SH, head of LBH Bandung on September 5, 2010. Rianto was involved in the advocacy of the case between 1995–1999, as well as in the national democratic movement. See also Chapter 4 on how peasant demands in Krui Lampung were accommodated by KDTI in 1998.

³⁴See also Chapter 4 on how peasant demands in Krui Lampung were accommodated by KDTI in 1998.

³⁵Bapak Gunadi was caught on January 8, 1997 and arrested. He was subsequently brought to court on August 20, 1997 in connection with the Tasikmalaya riot case in which he was never engaged. He was sentenced to 1.5 years and released in 1999 after President Soeharto stepped down (Aji, 2003:15).

³⁶With the help of an enumerators, during the household survey in 2010 the researcher was able to capture data of 115 households that were beneficiaries of land redistribution in and outside Ciniti Hamlet.

³⁷The household survey data were triangulated with a cadastral map, but this could not take into account the land possessed by tillers outside Ciniti Hamlet. Data on actual land possession by absentee land owners was gathered through in-depth interviews.

³⁸The household has only one member, consists of a single old and young family, those who have children below 13 years of age.

³⁹In 1996, Ciniti did not have a basic school (SD) and junior high school (SMP), so the children walked to Cibalong (an hour's walk) back and forth to get to the school. A private SD was established in 1999 and followed much later by a private SMP in 2008.

4

Land Redistribution and Agrarian Change: The Experience of Simpang Duren Hamlet (Lampung)

Similar to Chapter 3, this chapter describes the gradual change in the agrarian structure and agrarian relations in Simpang Duren hamlet (Lampung Province) from the 1990s to the period following land redistribution in 2001. The second section of the chapter describes the background of the land conflict in Lampung province based on secondary data. A particular issue focused on is that of land claimed by *adat* communities in Lampung, which is occupied and shared with migrants, while simultaneously being systematically co-opted by the state since the time of the Dutch occupation, and till recently, classified as state forest land. The third section of the chapter, based on secondary data, elaborates on conflict and collaboration over forest land that has occurred over a period of time in West Lampung district, where Simpang Duren hamlet located. Based on primary data, the fourth section of the chapter presents a profile of the agrarian structure and agrarian relations prior to land redistribution in 2001, and the fifth section describes the pattern of surplus transfer during this period. Part six describes the process of land redistribution under individual land ownership that occurred between 2001 and 2006. Part seven describes changes in farming practices and the process of differentiation under individual land ownership that occurred between 2001 and 2010. Finally, the eighth section concludes the case study by summarising the changes in the agrarian structure and agrarian relations that occurred after the land redistribution process and up to 2010.

4.1 History of the Settlements

Simpang Duren Hamlet is currently administered under Sumber Rejo village (its jurisdiction between Sukamarga and Tanjung Kemala villages was previously unclear). The hamlet and village are located in Bengkuntat sub-district and Pesisir Barat District (which diverged from Lampung Barat District on October 25, 2012) in Lampung Province. Both Sukamarga and Tanjung Kemala are long established villages of the *Peminggir Lampung* ethnic group, one of three ethnic groups (*Peminggir*, *Abung* and *Pubian*) of Lampung, located on its southwestern coast (Kusworo, 2014: 29). It is believed that this ethnic group originated from the egalitarian Bengkulu upland communities (*Belalai*) that moved to the coast and gradually, over a long period of time, evolved into a stratified society under the influence of the three kingdoms. These were the Sriwijaya and Pagaruyung kingdoms during the thirteenth century, the Majapahit kingdom during the fourteenth century and the Banten kingdom during the fifteenth century (Hadikusuma, 1989: 2; Kingston, 1987; Bangsawan, 2001).

During the early colonial period in the eighteenth century, these villages were part of Kroe district, with Kroe being an important harbour of the former British colony during the Bengkoelen Regency. The Dutch exchanged Singapore Island for the whole of Bengkoelen Regency, obtained from the British, during the early nineteenth century. In 1857, the Dutch colonial government in Lampung and Bengkoelen Regency replaced the military officials with civil servants, and disbanded the *marga* leaders as official components of government administration (Kingston, 1987:28; Djalins, 2011:10). The social structure of the Lampungese was originally based on strong genealogical ties. The primary kinship-based community was known as an original clan (*suku*), whose territory was called a *marga*. Marga Bengkuntat, a conglomeration of genealogically-linked villages that has existed for 17 generations, is one such territory. It was created by Batin Pemoeka Pesirah Alam, originally from the Pagaruyung Kingdom, West Sumatera (Bangsawan, 2001). These villages (Sukamarga and Tanjung Kemala) were known as *pekon*, *tiuh*, *anek*, *kampung*, *talang* and *umbul*. The *marga* leaders (*kepala/saibatin*) were responsible for maintaining and applying *adat* norms within their territories (Utomo, 1975:51; Safitri, 2010: 142; Bangsawan, 2001). The *marga* administration was used by the colonial authorities to collect taxes from local communities, either through forest clearance activities or agricultural prod-

ucts (such as coffee and pepper), collected from *margaas* well as non-*marga* members. The taxes were used to finance the *marga* elites and partially for making payments to the colonial rulers (Elmhirst, 2001: 299)

The authority of the local *margas* declined in 1874 as a result of the implementation of the Domain Declaration of Sumatera. Under this system, the government only recognized land claims up to 6 km from villages (*pekon*) and 3 km from temporary settlements (*umbul or talang*). The land situated in between the *marga* claimed areas became state land (Kingston 1987: 29; Djalins, 2011; Safitri, 2010: 156). This opened up the way for the plantation era, during which several private plantation (*erfpacht* and *particulier*) licenses were given to European companies in Sumatera, prominent among these being the Belimbing I to V concessions regarding *marga* Bengkumat land in 1912. These concessions pertained to an area totalling 16,996 hectares that extended across a 4–6 km width from Way Baroe in the north to Way Bambang in the south (Van Diessen & Ormeling, 2004: 196; Bangsawan, 2001). However, there is a lack of clarity regarding the recipients of the Belimbing I to V concessions and the commodities for which they were given. However, the expansion of plantations was reported to have caused considerable environmental damage to the Lampung forests (Safitri, 2010: 156).

In 1916, the colonial forestry agency began to demarcate state forest areas and negotiated with each *marga* to classify a portion of the *marga* lands within this category. The state forest area became the Wilhemina Nature Reserve, the first nature reserve in Sumatera Island (currently known as Bukit Barisan Selatan National Park). Moreover, the colonial forestry agency implemented a reforestation programme in sloping hill areas (Boomgaard et al, eds, 1997: 22–23). At the same time, the enactment of local forestry ordinance for Lampung included some portions of Bengkulen Regency. This provision prohibited timber felling and other forms of exploitation in forest areas. Delineation, official designation and registration of state forests were subsequently conducted (Safitri, 2010: 157).

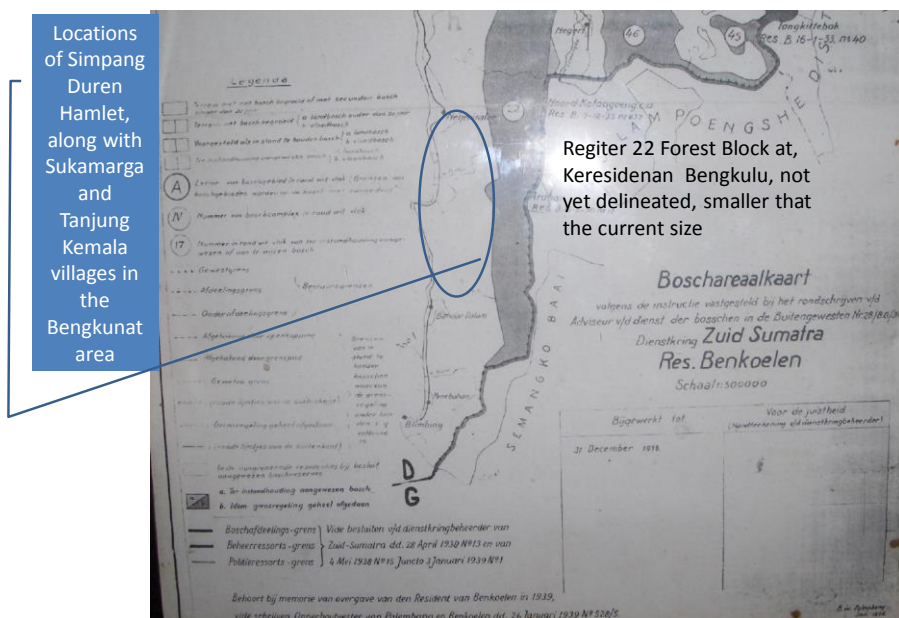
During the uprising of the nationalist communist movement in the 1920s, anti-*marga* movements were pioneered by the leftist Komite Tani Lampung (CTL). CTL held that the *marga* system would be regressive and place people under an autocratic and exploitative system that primarily served the interests of the government and the elite at the expense of the people (Kingston, 1987: 29; Djalins, 2011: 11). A new system for

marga administration, known as the *Pasirah* system (*pasirahstelsel*) was instituted in 1928, as a result of which the *marga* was again recognised as a self-governing administration unit (Safitri, 2010:144). This system strengthened the *margas* in contrast to the CTL's reformist anti-*marga* movement. CTL mostly consisted of young Lampungese, who did not intend to abolish the *Pasirah* system, but rather to withdraw the *marga's* authority in collecting taxes. However, the *pasirah* system continued until the end of Dutch colonialisation (Safitri, 2010: 145).

The Kubu Nitjik forest area known as 'Register 22 Bengkulen' was established and delineated in 1938, taking up almost half of the Bengkuntat *marga* territory, as agreed by the Pesirah¹ Kroe and the local communities. State forest boundaries were demarcated in the field with permanent poles (with registration numbers). The local communities recognised the boundary as a clear demarcation between the state forest area (formerly *marga* land given to the state as forest area) and their remaining *marga* lands. This boundary was known by the local communities as *Boschwezen (BW)*, or forest areas. Sukamarga and Tanjung Kemala villages, as well as Simpang Duren Hamlet were located outside the Koeboe Nitjik forest areas, but inside the Belimbing I plantation concession land (see Figure 1 for a map of the Bengkuntat area in 1938).

Due to the inactivity of the plantation, local communities were utilising the land located outside the forest area. It was reported that irrigated rice farms were developed in the five old villages (including Sukamarga and Tanjung Kemala) under the orders of Batin Pemoeka Pesirah Alam. It was also reported that irrigated rice fields were developed during this period. Almost all villages had established rice fields in the village centres by drawing on good river flow from the forest 17 generations ago, most probably 450 years ago during the sixteenth century (Bangsawan, 2001). Torquebiau, (1984) also notes the commencement of intensified tapping of *shorea javanica* latex, known as *repong damar*, from the forest. During the early twentieth century, this species was domesticated and brought closer to the villages. The *marga* landscape thus consisted of five old villages with settlements and irrigated rice farms within the village, surrounded by *repong damar* agroforests. This old landscape has endured up to the present. Shifting cultivation lands are located outside of the villages, and secondary forests are in upland areas adjacent to the state forest in the Nature Reserve.

Figure 4.1
Map of the Bengkunt area in 1938



Source: Westenenk, L.C., 1938; Memory van Overgave Bengkoelen 1938, Register 22, Koeboe Nitjik

During the Japanese occupation between 1942 and 1945, Bengkunt, which is located approximately 200 km from the Residency's capital city of Bengkulu, and about 200 km from the Residency's city of Lampung, was under relative self-government. Few secondary reports mention the situation of Bengkunt during the Japanese occupation. Interviews conducted for this study revealed that the local communities continued to occupy and cultivate land, and to extend their farms into what the Dutch administration defined as state forest areas (BW).

After the declaration of Independence in 1945, political disorder resulted in an unstable government (Safitri, 2010: 159). The situation was worsened by extreme drought and famine throughout Lampung. In 1947, large numbers of people, both local and migrants, came to the area to clear forest (Utomo, 1975:23). Also in the same year, the Lampung Resident released *Maklumat Resident* no.15/1947, which legalised people's access to state forests in Lampung. Moreover, in 1950, the Maklumat

Resident and the local government (*kepala negeri*), through the provision of what were known as *ladang* permits, allowed people to clear and cultivate land in forest areas.

This practice continued until the 1960s when the Resident of Lampung instructed civil servants to prohibit people from opening up the forest, and to guide applicants for *ladang* permits in seeking approval from the district head or forestry service. Due to the high pressure resulting from demands by local communities to cultivate forest areas, in 1964 the Lampung Forestry Service (through T.M.L. Tobing, the head of the Forestry office), issued instruction no. 4/1964 welcoming people to cultivate land in forest areas, and legalising previously established clearings. These permits for cultivation (*surat idzin usaba tani*), could be used in forests and nature reserves for the practice of shifting cultivation associated with an agroforestry system (coffee, pepper etc.). The permit enabled the status of the land to be upgraded from stewardship of state forest land to individual land ownership, as long as the agroforest was managed well. This situation reveals that a number of landless peasants from Java were seeking cultivation land. However, after the 1965 coup, all *idzin usaba tani* permits were cancelled and confiscated, and the peasants, as well as T.M.L. Tobing, were all labelled as communists, accused of being PKI members, and some of them were sent to prison without trial.

After the enactment of the 1967 Forestry Law during the early years of Suharto's 'New Order' regime, MoF made exclusive claims to further forest areas, as reflected in the 1982 Forest Allocation Consensus (THGK), expanding its control from 60 million hectares in 1960 to 143 million hectares in 1982.² Significantly, MoF made its claim to more state forests by using the term 'consensus', even though in reality, consent was never reached amongst the concerned parties. In fact, MoF exercised this land claim by force, backed by the central government and against the will of the local government and communities. This process excluded any participation by local communities, especially those that had accessed and controlled the land from the time of their ancestors, as well as those who arrived later and tilled the lands. In Bengkuntat and other parts of West Lampung district, however, this was not felt until 1996 when the forest was once again delineated. This expansion of forest area disregarded the 1938 BW forest delineation, and included the former *erfacht Belimbing* I to V, which was considered as marga Bengkuntat lands.

Further, this forest land which included village land, was coercively taken and allocated as a private logging concession to the company, PT. Bina Lestari, in 1970. This company did not succeed in getting access for cutting the dammar-cultivated agroforests from the local communities, and encroached outside of their concession area. The concession given to PT Bina Lestari was cancelled in 1992 and the land targeted for rehabilitation was transferred to the state-owned logging company, PT Inhutani V (Int), until 2002.³

Therefore, the new forest delineation plan entailed a significant change from the forest boundaries in 1938 during the Dutch colonial period, which had been previously agreed to by the old villages.⁴ Exclusion through regulation and force were carried out as part of the Orde Baru regime during General Soeharto's dictatorship from 1965 to 1998. Old Lampungese village settlements and their productive farms were incorporated into the forest areas without their consent. This led to the formation of movements by local communities against the MoF's claims over their lands as state forests.

4.2 Conflict and Collaboration: Reactions to MoF's Claims

In 1995 a group called Team Krui, consisting of several organisations - Latin (a Bogor-based NGO), Watala (a Lampung-based NGO), several universities (including the Universities of Indonesia and Lampung), and two Bogor-based international research institutions (ICRAF and CIFOR) provided assistance to the local communities. Specifically, this team was involved in discussing and mapping their problems, as well as discussing several possible solutions and negotiating their agenda with the government. Two local community organisations with different identities were formed in response to the problems that were occurring along the western coast of Lampung.

1. **Yayasan Penyeimbang Adat 16 Marga Pesisir (YASPAP), an indigenous people's group:** YASPAP was composed of 16 *marga* leaders located along the west coast of West Lampung. This *marga* was an old territory-based village with a stratified and hierarchical lineage. As previously discussed, the *marga* was recognised as a village administrative unit during the colonial period. In Bengkulu sub-district, YASPAP had an ally. This

was the *Persatuan Marga Adat Bengkumat*, or *Marga Bengkumat* Union (PERMAGA), headed by the Bengkumat *Marga* Chief, one of the 16 *marga* chiefs in Bengkumat sub-district.⁵ PERMAGA and YASPAP together constituted the local resistance group representing the interests of the *adat* communities regarding the expansion of the forest areas (TGHK, 1982).

2. ***Persatuan Masyarakat Petani Repong Damar (PMPRD) constituted by indigenous peasant agro-forester groups:*** The PMPRD represented peasants who traditionally owned and managed the *repong damar* agroforestry system, which was dominated by damar trees (*shorea javanica*).⁶ This agroforestry system was implemented through a shift in the cultivation system, whereby after 45 years, the produce would be ready to be tapped by the users and the latex sold to local merchants and then exported for use in the cosmetics industry.⁷ Peasants traditionally owned agroforestry plots either through directly cultivating the plots (*atar*) or through inheriting them from their ancestors (*atar pusaka*). The *Peminggir*, who evolved a more egalitarian, modern organisational structure, were the dominant ethnic group among the peasants, spreading from northern Krui to southern Krui (and practising agroforestry in the 16 *marga* territories).

YASPAP and PMPRD voiced their anger towards MoF during field operations when forest delimitation started in 1996. They also sent an objection letter to MoF in Jakarta, as well as to the state-owned logging concession company, Int, in the field, which obtained a permit to log the 'forest' in the 16th *marga* territories. Several violent field-based conflicts occurred due to the competition over land and trees. Int planned to log mature damar trees, while the local communities tried to stop this in order to protect their productive agroforests, and continue tapping the trees for resin. During the repressive Orde Baru regime, some households from the non-*Peminggir* ethnic group who had planted coffee agroforests, and had no mixed damar agroforest farms, had no other options and were, therefore, trapped into a 'partnership' scheme with Int, compelled to work as labour to cut the productive damar trees in their neighbours' farms, and to plant trees in their own coffee farms. But

PMPRD members who possessed damar agroforest farms refused to surrender their lands and fought back in the field, raising their grievances with the local government together with YASPAP and PERMAGA members. There were reports of some clashes between those who were collaborators and those who rejected Int in the Krui area.

Most YASPAP members were *adat* chiefs who were appointed based on their genealogy. Most of them were not farmers, and lived in the cities, relying on paid labour to manage their mixed agroforest farms and rice fields. YASPAP members were better off in terms of their access to land that they had inherited from their ancestors, as well as in terms of their education, and access to the local bureaucrats and politicians, compared with PERMAGA members, who were the local village elites, and PMPRD members who were peasants who traditionally owned and cultivated the agroforests. Collaborations between non-Peminggir peasants, and members of PMPRD, PERMAGA and YASPAP occurred towards the end of 1996. Despite their different backgrounds and interests, they joined together to voice their concerns to the district, provincial and central governments to prevent their damar agroforests from being logged by the state-owned logging company. Following a long process of collaboration with the academy, research institutions, NGOs and people's organizations, in 1997, the Ministry of Environment gave its recognition to the repong damar agroforest by awarding the prestigious environmental award, *Kalpataru*, to the local community for their sustainable management of the damar agroforest (Campbell,2001:15).⁸

Because of its extensive local and national media coverage, this award changed public opinion about the potential of locally managed indigenous agroforestry systems such as damar agroforests in contrast to logging concessions. This momentum also resulted in instructions of the Minister of Forestry (Mr. Jamaluddin Suryohadikusumo), who was trained in forestry, to his staff and ICRAF researchers, at the end of his term in 1997, to develop a policy for the formal recognition of community-based forest/agroforest management as a conflict resolution tool for dealing with similar issues occurring all over Indonesia.

The tension between MoF, Int and the local communities subsided in 1997 when MoF initiated a dialogue and later offered a solution to local

communities. This involved recognising indigenous agroforestry systems as a sustainable way of managing forests and awarding management rights to local communities to manage the land and resources without being time-bound, as long as this was done in a sustainable way. This policy, known as *Kawasan Dengan Tujuan Istimewa* (KDTI), was a breakthrough policy for local communities in managing community forests.⁹ This solution was accepted and taken up by the local communities engaged with YASPAP, PERMAGA and PMPRD, and their supporters in 1998, and adopted as their position before the May 1998 political reform. During the advocacy process, the people's organisations (YASPAP, PERMAGA and PMPRD) and NGOs dominated public opinion and the mass media, using the knowledge provided by academics and research institutions (Kustes et al. 2007; Djalins, 2011; Chambel, 1998; Fay et al. 1999; Colchester et al. 2005).

In a parallel way, in another part of West Lampung district, another peasant land reclaiming movement (*aksi reklamasi*) emerged, similar to that in Cinita but using a different approach. The movement was formed by peasant groups under the name of *Devan Tani Lampung*, or Lampung Peasant Board (DTL), which was similar to the name used by leftist peasants in the 1920s (the Lampung Peasant Committee (CTL), as noted above). This people's organisation was supported by *Lembaga Bantuan Hukum*, the Legal Aid Foundation (LBH) both nationally and in local LBH chapters. DTL took a different approach compared with YASPAP/PERMAGA and PMPRD, who were willing to negotiate with the government regarding their access to the land and natural resources. YASPAP and PMPRD also used scientific arguments, indigenous knowledge and indigenous claims to the territory. DTL, by contrast, used its force and claimed rights as peasants to own the land. The two approaches resulted in different outcomes. PMPRD and YASPAP agreed with the KDTI policy of stewardship rights over state forest land, as long as this was managed as damar agroforests. The DTL movement, by contrast, achieved recognition of privately owned land for the peasants inside the village land which overlapped with forest areas after the 1998 political reform (Kusworo, 2000:23).¹⁰

By adopting the argument that damar farming was an indigenous agroforestry practice, and basing this on *adat* territory and claims, the process that evolved in Krui excluded the non-*Pesisir* ethnic groups who

were not members of either YASPAP/PERMAGA or the PMPRD as they were not practising *repong damar* in the area. The migrants mostly practised coffee agroforestry, which they claimed as being an early stage towards the establishment of damar agroforests.¹¹

After the political reform in 1998, the DTL's progress in getting individual land ownership inspired some YASPAP/PERMAGA and PMPRD activists to pursue individual land ownership rather than stewardship contracts with MoF. This issue was also raised by the wider civil society consortium, *Forum Pembaharuan Kebutuhan Lampung* (FPKL), consisting of people's organisations (DTL, PMPRD), NGOs, academics and journalists in 1998.¹² The Lampung provincial government took the initiative in applying to the national government for forest conversion to reclassify and disengage village lands, settlements, rice fields and other locally productive cultivated land from forest areas.

Backed by the data on the villages and their farm lands, which indicated the number of households and hectares of land cultivated in the forest areas, the provincial government negotiated with MoF for the reclassification of 153,000 hectares of forest. MoF agreed to the excision of 145,125 hectares from the forest area.¹³ This area, which included five villages within 7,600 hectares in Bengkumat sub-district that had been allocated as forest area, was to be reconverted as freestate land, and further classified as the object of land redistribution. This phase thus ended MoF's monopoly over the 7,600 hectares of land in Bengkumat sub-district, which included five long established villages of the concerned YASPAP/PERMAGA and PMPRD members, and the upland farming land of non-Peminggir peasants, including newcomers from Java, South Lampung and other parts of Lampung province.

Unfortunately, the quality of data used by the provincial local government to negotiate with the MoF did not comprehensively reflect the reality at the sub-district level. Besides the five villages in Bengkumat sub-district, there were also semi-permanent settlements, *talang/umbul* at the hamlet level, and their upland farming areas, which had not been included in the data presented to MoF. Lack of data at the hamlet level resulted to the exclusion of some local communities residing in these hamlets. These were accommodated in the forest reclassification as a result of the MoF decree no. 256/2000, and excluded from the land redistribution programme.

4.3 The Agrarian Structure and Agrarian Relations in Simpang Duren Hamlet prior to Land Distribution

Prior to land redistribution, there were three major ethnic groups in the villages of Sukamarga and Tanjung Kemala, as well as in Simpang Duren Hamlet. The first group consisted of the *masyarakat adat Peminggir* from the marga Bengkumat clan. This group was settled in Tanjung Kemala and Sukamarga. Most of its members (who were PMPRD members) owned irrigated rice farms as well as ancestrally inherited damar agroforests. However, most of the inhabitants of Tanjung Kemala and Sukamarga (YASPAP and PERMAGA members) were aristocrats who were thought to have originated from the Pagaruyung Kingdom (West Sumatra) and migrated to the area in the sixteenth century, claiming Bengkumat as their ancestral lands. They were most actively involved in the village administration and *adat* social structure, and had good political representation at the district level. It was this group that invited and gave permits for non-Bengkumat citizens to settle in Simpang Duren, and who declared Simpang Duren as a semi-permanent settlement (*Talang/Umbul*) and later as a formal hamlet (*Dusun*).

The official payment made by each non-Bengkumat household to the village head to acquire access to the land and an identity card (KTP and KK) within the village, and rights and obligations as village citizens, was around US\$10 (Rp. 25,000 in the 1980s). This increased to Rp. 150,000 in 1998, and Rp. 100,000 in 2004, which is still the current rate. However, because two different and adjacent villages, Sukamarga (headed by Bapak Barkah) and Tanjung Kemala (headed by Bapak Hamid) laid claim to Simpang Duren, some non-Bengkumat households made double payments to access the land. Later in 1998, this dispute was settled and Simpang Duren was formally recognised as a hamlet of Sukamarga, though the money paid to Bapak Hamid was never returned.

The migrants were encouraged to cultivate in the forefront areas of the hamlets to extend the village land and *adat* land claims, and to further develop agriculture products from these lands.

A few key persons in the process of land redistribution are briefly introduced below.

- a. Bapak Syahrin (60 years old in 2010) was the *kepala marga* of Bengkuntat. The *marga* consisted of five villages. He had a Bachelor of Arts degree in Economics from Lampung University and worked as a civil servant in Bandar Lampung. His traditional house (*lamban gedong*) was located in Tanjung Kemala. He was one of the founders of YASPAP and PERMAGA, and was actively advocating for the excision of land from the old villages from the state forest area, especially in his village (Sukamarga) and his *adat* lands. He was also one of the campaigners responsible for elevating the status of Pesisir to a district.¹⁴ One of his sons worked at the planning department of the provincial government of Lampung Barat, and the other son worked with the land agency of Lampung Barat. He was influential in the district as well as the provincial government because of his aristocratic ties. He was also connected through family relations to a famous lawyer in Jakarta, who helped him in a court case regarding a forest land swap that brought him into debt.¹⁵ In 2004, he ran as a candidate for the district parliament, and later as *Bupati*, but was not successful. He passed away in 2009, leaving heavy debts as a result of his political ambitions.
- b. Bapak Barkah (65 in 2010), the uncle of Bapak Syahrin, was the village head of Sukamarga for 24 years; He was one of the founders of YASPAP and also one of the people who encouraged non-Bengkuntat migrants to access land in Simpang Duren during the mid-1980s. He insisted that the border between Sukamarga village and the forest area must follow the 1938 BW markers. He also believed that the shifting cultivation land in Simpang Duren should be actively cultivated; otherwise MoF would reclaim this land as forest area. He further believed that Simpang Duren was part of Sukamarga village, and not Tanjung Kemala. He was active in the Golkar political party as coordinator of the sub-district of Bengkuntat, and was actively involved in promoting the creation of Lampung Barat District in 1991, when he proposed that Krui should be the capital city of the district.¹⁶ One of his sons was working as the highest ranking local staff at the nearest palm oil plantation (PT KCMU)

- c. Bapak Hamid (40 in 2010) was the village head of Tanjung Kemala. He also encouraged migrants and young couples from Tanjung Kemala to actively cultivate land in Simpang Duren. However, he believed that Simpang Duren was part of Tanjung Kemala village. He also believed that the shifting cultivation land in Simpang Duren should be actively cultivated; otherwise MoF would reclaim this land as forest area.

The second group was Lampungese and composed of non-Pesisir ethnic groups. It included one dominant household, which originated from Talang Padang in Tanggamus district;

Bapak Sulaiman (62 in 2010) had a family of five. Two of his sons, Bapak Wandu (aged 42) and Bapak Wanto (aged 40) were landless. They, therefore, acquired access to land in Simpang Duren from Bapak Barkah in 1994 and opened up the area, naming it Talang Lampung (meaning settlement originating from Lampung ethnic groups). Due to the land dispute between Tanjung Kemala and Sukamarga, this family made a double payment to both village heads to get access to the 10 hectares of land (US\$ 10 per household or Rp. 25,000). Bapak Sulaiman was later appointed as the coordinator of Simpang Duren (before it was classified as formal hamlet), to maintain peace and order in the area. Bapak Sulaiman was not a member of the first group residing in Simpang Duren, but due to Lampungese solidarity, as well as his seniority and capability in facilitating the two villages in settling the dispute over Simpang Duren, he was appointed as *Simpang Duren* hamlet leader. Bapak Sulaiman passed away in 2000. His sons inherited the land in Simpang Duren and his other house in Pintau (on the main road) was inherited by his daughter. One of his sons, Bapak Wandu, was appointed to succeed his father as hamlet leader of Simpang Duren. Bapak Wandu later brought in more young couples (Bapak Udin, Bapak Ismadi and Bapak Yadi, aged 36, 38 and 42, respectively), from Tanjung Kemala to expand the hamlet. He did not charge them any costs, claiming that their ancestors had already opened up the area in the past, and left it as secondary forest.

The third non-Lampungese ethnic group was composed of three groups:

- a. The first group consisted of families originally from South Sumatera, and of Semendo ethnicity, headed by Bapak Anto (aged 52), and his relatives belonging to 10 landless households. The Semendo ethnic group is well known for their ability to open up secondary forest for shifting cultivation and coffee farming, and for subsequently selling their land and pioneering new land soon after the coffee crop has flourished (Elmrist, 2007). Bapak Anto and his family and relatives followed this stereotype. This group came to Simpang Duren through access granted by Bapak Barkah, the village head of Sukamarga in 1980s. They paid \$10 per household, and the group resided in an area known as Talang Ogan (originated from Ogan Komering in South Sumatera). As the number of households expanded, they appointed Bapak Anto as the coordinator of Talang Ogan until he passed away in 2010 and was replaced by his son Bapak Hendra (aged 35).

- b. The second group of families, led by Kakek Sukanta (aged 63 in 2010) originated from Banten and was of *Sundanese* ethnicity. Even though they were from Banten, they left Lampung in 1980s after being evicted from several forest areas in Lampung. As a landless peasant, Kakek Sukanta brought his own family and two other families (headed by Bapak Soleh (aged 35) and Bapak Sutarman (aged 37)), as well as a landless peasant from Ciherang, a Sundanese dominated transmigrant area in Tanggamus District adjacent to West Lampung District. He acquired land access from Bapak Hamid in 1998, paying back US\$ 10 per household (\$ 10 was then equivalent to Rp. 150,000) within a couple of years and residing there. These landless peasants did not have any money to pay for access to land. They, therefore, worked as paid labour for Bapak Sulaiman, the hamlet leader, to be able to make this payment.

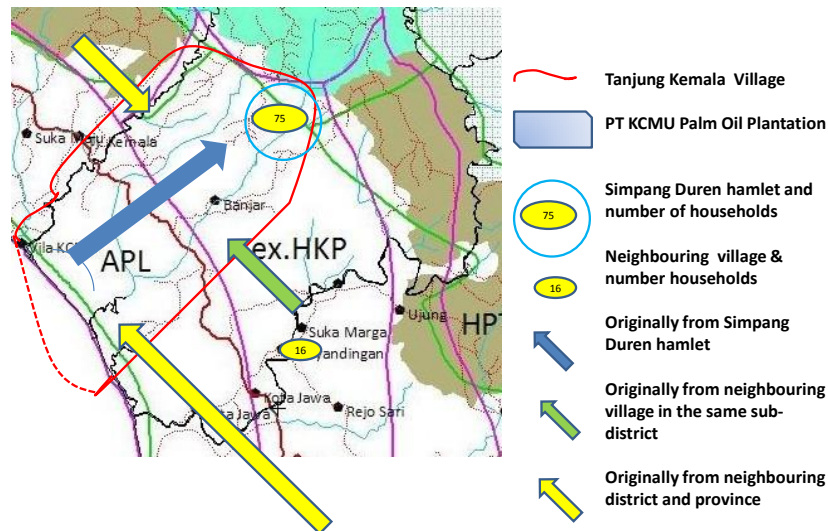
- c. The third group of families, led by Bapak Sumadi (aged 50), originated from East Java, and were of Javanese ethnicity. Bapak Sumadi acquired land access from Bapak Barkah in 1981, and later brought in more family members belonging to the same ethnic groups from the transmigrant areas of Wonosobo in

Tanggamus (the household heads were Bapak Sularso, Bapak Sukarto, Bapak Hartono, Bapak Suwondo etc.). This group was landless but lacked capital to pay for their land at the same rate of \$10 per family. Moreover, they didn't have money to start a coffee farm. Bapak Sumadi, as the sponsor of his Javanese followers, covered the costs and arranged their IDs, utilising them as labour after arranging a payment system.

Considering the insecurity of land tenure in these areas, intimidation by the forestry patrol, due to the unclear forest borders, and the hard work entailed in living in Simpang Duren, some members of the Bengkumat clan household (Bapak Udin, Bapak Ismadi, Bapak Yadi) did not reside in Simpang Duren. Instead, they opted to live along the main Pintau road between Sukamarga and Tanjung Kemala. They only opened up the area for shifting cultivation, and returned to the field during the weeding and harvesting seasons. It took them an hour walking from the main village, or 45 minutes by motorcycle to get there. In day-to-day activities, Simpang Duren was inhabited by Semendos, Lampungese (not belonging to the Bengkumat clan), Javanese and Sundanese who relied on the land for shifting cultivation and planted mixed crops. Each of these ethnic groups has its own patron and brought in its own relatives to cultivate the lands, later being given access to the land through land shares or products, and being encouraged to open the remaining secondary forest surrounding the hamlet. These new members of the hamlet were also used by their patrons to protect the hamlet land from eviction by the forestry patrol.

Before the land redistribution plan was announced in 2001, there were 75 households having access to land in Simpang Duren. They consisted of 18 households from Sukamarga, Tanjung Kemala & Pintau, 12 households from South Sumatera, and 45 Javanese and Sundanese households (see Figure 4.2).

Figure 4.2
Map showing the origins of Simpang Duren households



Source: Bakosurtanal 2004 & household survey 2008-2009

Among the villagers in Sukamarga, Bapak Sumadi was the richest peasant in terms of the amount of land and capital that he had accumulated as a result of profits from his small shop in the main village and his coffee farm that was almost ready to be harvested in one or two years' time, as well as other farms he owned. Bapak Sumadi, who was of Javanese ethnicity, opened up land in Simpang Duren by giving other Javanese peasants access to it through an agreement to share the land (*maro tanah*). He made a deal with Bapak Hartono to prepare a coffee farm, with all the costs except for seedlings and labour for the first year's rice crop being the responsibility of the workers. Later after the coffee farm was ready (mostly after two years), they divided the farm on a 1:1 basis. With this system in place, Bapak Sumadi only needed to prepare seedlings, and Bapak Hartono needed to maintain upland rice farming to be able to feed himself and sell the product to cover other costs. This is how Bapak Hartono got access to the land in Simpang Duren, which was already fully occupied in 1999. At the same time, Bapak Sumadi opened his small shop in the main village to sell factory products and

buy agricultural products. Bapak Sumadi also made the same arrangement with Bapak Sularso, Bapak Sukarto and Bapak Suwondo for opening other farms such as pepper and coffee, and an eight-hectare estate of palm oil trees. *Maro tanah* agreements are not common in Javanese, Sundanese and Marga Bengkumat communities. He brought in the expertise acquired from the South Sumatera community in the border areas of Lampung and South Sumatera, as practised by the Semendo ethnic groups, when he was working in this region as a coffee trader. This system is known as *bagero* (*bage loro*, meaning divided into two).¹⁷ Not all the Javanese households brought in their children and wives. They left their families with their relatives at Wonosobo, and travelled almost every three months to meet with their families. Of course, this added another cost for these families to travel and consequently they needed to have another place and meet the costs for the family at Wonosobo. Bapak Sulaiman and his sons were the rich or middle class peasants in Simpang Duren Hamlet, where he got access to 10 hectares land and also had his own house on the main Pintau road (between Tanjung Kemala and Sukamarga villages). They also had motorcycles that they used for travelling to the farms at Simpang Duren. Bapak Sulaiman, and later his sons Bapak Wandu and Bapak Wanto, who already had access to 10 hectares of land, encouraged more members of the Bengkumat clan, but none of them stayed in the hamlet. He brought in more relatives (Bapak Fahmi, Bapak Nurohim, Bapak Sugiharto, Bapak Suwondo, Bapak Sugondo etc.) to acquire further access to land. With permits obtained from the Tanjung Kemala village head, he divided the land that he knew would be classified as non-state land among the newcomer peasants.

Kakek Sukanta, a middle level peasant from the Sundanese ethnic group, brought in more members of his ethnic group, notably, landless peasants from Ciherang (West Java), to Simpang Duren (Bapak Yadi, Bapak Nurohim, Kang Anta and other young men). Besides developing his own colony belonging to the Sundanese ethnic group, he encouraged young people from Ciherang to expand their areas by opening up new secondary forest, even though this was classified as forest area. He relied on young single men such as Kang Sarip (aged 20) to work on his farm on product-sharing basis. These young Sundanese did not bring their families to Simpang Duren, leaving them behind in Ciherang. As a result, their children could go to school, but more costs were incurred for travelling to Ciherang every three months. The single young men could stay

longer at the farm in Simpang Duren, but only got to go out from Simpang Duren twice a year during the Lebaran feast and usually on Independence Day (August 17).

Bapak Anto and his Semendo ethnic group were classified as middle class peasants. They maintained the land that they acquired in Sukamarga village. They decided to share all of the tasks in the shifting cultivation cycle among the households and their members, as they had long practised *gotong-royong* in their villages in South Sumatera province. Differing from other ethnic groups, members of this group brought their entire families to Simpang Duren, including their children. The consequence of bringing their wives and children to Simpang Duren was that the children had to walk two hours to and from school every day. They didn't have relatives in the nearest village who could take care of the children, but at the same time, there was no need for them to spend more on sending their children to their relatives' houses. Moreover, there was no need to save some money for travelling as Sundanese and Javanese citizens living in Simpang Duren had to do.

4.4 Patterns of Surplus Transfer prior to Land Redistribution

All of the patterns of surplus transfer identified by Deere and de Janvry (1979:607, as discussed in Chapter 1) that is, rent in labour, rent in cash, rent in kind, wages in cash, wages in kind, terms of trade, usury and tax were found in Simpang Duren and are discussed below. They entail different degrees of transfer to key village actors (the village head, *adat* chief and landlords and traders) and to extra rural actors (the state, Int, PT KCMU, MoF and military and police personnel) from peasant households in Simpang Duren (see Figure 4.3).

4.4.1 Rent in labour

Several patterns of rent in labour prevailed in Simpang Duren after the Bina Lestari logging concession was cancelled in 1992 and the land transferred to Int for rehabilitation. Peasant households that had acquired land for coffee and pepper cultivation, and did not possess any damar agroforest mixed farms, (examples being Bapak Soleh, Bapak Sutarman,

Kakek Sukanta and the other landless peasant households), were forced to work for Int in a 'partnership' scheme. To obtain access to their coffee and pepper farms, they had to plant rows of timber trees and maintain their coffee and pepper cultivation in the spaces in between. They also had to sacrifice their time felling damar trees for Int's logging activities. However, Bapak Sulaiman and Bapak Anto, along with their fellow ethnic Sumatrans, refused to cut damar trees owned by the Bengkumat ethnic group.

Of Simpang Duren's residents, members of the Sundanese and Javanese ethnic groups were selected to work for Int to get access to their own farm land, either under coffee or pepper cultivation, as well as to cut down damar trees, an activity that was purposively designed to break-up the solidarity of the hamlet. However, this was soon curtailed after the Int camp was burned down by the villagers in the Bengkumat and Pesisir Selatan sub-district during a riot that took place close to the beginning of the 1998 political reform.

4.4.2 Rent in Cash

The practice of providing rent in cash was applied to the *adat* chiefs and village leaders from whom peasant households obtained land in Simpang Duren. The amount paid to obtain approximately two hectares of land was relatively low, and also included administrative costs for procuring ID (KTP) as proof of being a resident of a particular village. A total of US\$10 per household was required to be paid to the village heads. Due to the dispute between the two villages, some peasant households had to pay twice to the heads of both Sukamarga and Tanjung Kemala villages. As the hamlet leader of Simpang Duren, Bapak Sulaiman was responsible for finding suitable land for the newcomers, and maintaining peace and order in Simpang Duren.

4.4.3 Rent in kind

Rent in kind is a pattern whereby access to land is given to some households, who in return pay 'rent' consisting of some of their product. Bapak Anto and his Semendo peasant associates, as well as Bapak Wardo and other members of non-Bengkumat Lampungese ethnic groups, re-

fused to cut down the damar trees and consequently had to confront MoF, military and police personnel during forest operations. These households bribed them with coffee, paper and jabon wood products to be able to continue to access their farms, which were being claimed as state forest areas.

During the heat of the *reformasi* in 1998, Int's position weakened, and KDTI negotiated an agreement in March 1998. All of the ethnic groups in Simpang Duren were adamant in their refusal to transfer their surplus in the form of rent in labour to Int. They also refused to transfer their surplus as rent in kind to the MoF, military and police personnel to regain access to their farm land. Int left the camp in May 1998, right after the political reform, and did not return up to the time that it was disbanded in 2002.

The other type of rent in kind commonly practised was share cropping, known as *maro basil*. Even though the land was considered as state forest land, those who had traditional claim to the land (Bapak Udin, Bapak Ismadi and Bapak Mulyadi) managed the land through sharecropping relations. Kakek Sukanta and other ethnic Sundanese households (Bapak Fahmi, Bapak Nono and Kang Anta) occupied and cultivated the land, with half of the product being the share of the sharecroppers, and half of it given to those who claim the land. *Maro basil* entailed shared responsibility between the landowner and the worker. The responsibilities of landowners was to prepare the seedlings (rice, coffee or pepper), and rice for the cultivator during the first year. The responsibilities of the labour were to prepare the pepper or coffee farms for the landowner and to share the products (according to a ratio of 5:5) for a period of four years. The second year's rice harvest, resulting from upland rice plantation on the farm during the first year, was the responsibility of the cultivator. Both risks and successes were shared equally between the landowners and the cultivators. The rent is paid in agricultural products for the entire process of establishing the farm (*maro basil*). This practice had happened in areas close to the main village, which has close control by the villagers even though it was still considered as state forest area by the MoF before the land redistribution.

4.4.4 Wages in Cash

Wages in cash, as practised among peasant households in Simpang Duren, involved the sale of labour to extra rural and village actors. Two patterns of wages in cash were practised by peasant households:

- a. The first pattern involved selling labour to the nearest palm oil plantation (PT KCMU) for weeding and harvesting operations. Most of the peasants had done this labour to acquire cash. Even though the payment rate was low (Rp. 25,000 for half a day's labour), this was the only option open to any peasant. They had to walk for two hours back and forth to the main road to reach the palm oil company truck that transported them to the plantation, and to prepare their own simple breakfast and lunch meals.
- b. The second pattern was daily paid work for government projects that came to the village, for example, helping with village data collection in Simpang Duren hamlet, or being hired by the village head or a sub-district project. Bapak Warto, the son of Bapak Sulaiman, who had a senior high school education, availed of such an opportunity to undertake daily paid work for the village administration, and also got involved in the national and village election committees. This type of daily paid work was well paid (Rp. 50.000/day), and included the provision of two meals. However, only two individuals in the hamlet were able to gain cash from such paid labour activities.

4.4.5 Wages in Kind

There were two kinds of wages in kind transacted between village landlords and peasant households. These were: wages paid in part of the land (*maro tanah*) and wages paid in rice products during the harvesting period of irrigated rice farms (*gacong*).

- a. As discussed earlier, *maro tanah* was transacted between Bapak Sumadi and other Javanese peasants (Bapak Hartono, Bapak Suwondo and Bapak Sularso), who came through him to Simpang Duren. Bapak Sumadi offered to share the land with

them as a wage for working in and preparing the coffee, pepper and palm oil farms. Bapak Hartono and Bapak Sularso worked with him and received part of the land as their wages. After two years of working in the coffee and pepper farms, Bapak Hartono and Bapak Sularso received half of the land parcel they had prepared and planted. However, only a few households were able to avail of the *maro tanah* system of wages in kind. Although Bapak Sumadi had limited land under his control, these cases resulted from the close relationships that he maintained with his Javanese labourers. All equipment and labour were the responsibility of the labourer, while the landowner was responsible for the planting materials and providing the labour with the first year's rice harvest. Cultivation risks were mostly borne by the labourer, as experienced by Bapak Suwondo, who failed to deliver the pepper and coffee farm on time. As a result, he did not receive a share of the land from Bapak Sumadi, and after the land redistribution process was completed, the practice of *maro tanah* was stopped. Thereafter, Bapak Suwondo worked for Bapak Sumadi as paid labour. This kind of relation happened in areas located far from the main village considered as state forest area before the land redistribution and where the main villagers exercised less control, with a greater risk of being confiscated by the MoF.

- b. The *gacong* system prevailed between village landlords, who owned irrigated rice farms and peasant households in Simpang Duren. One tenth of the rice harvested was owned by the peasant household and the remaining nine parts were owned by the irrigated rice farm owners. This system only applied to irrigated rice farms and was enacted twice a year following the rice-harvesting season. Most members of peasant households, including children, sold their labour within the *gacong* system to enable them to have a sufficient store of rice for the whole year. The limited production of upland rice at the household level in Simpang Duren was compensated for through the *gacong* surplus transfer mechanism.

4.4.6 Extraction via Terms of Trade

In Simpang Duren, Bapak Sumadi acted as a trader, buying agriculture products such as bananas, rice, coffee and pepper from peasant households, while selling industrial goods (cooking oil, batteries, soap and cigarettes) to the peasants. He extracted a double surplus from the terms of trade, obtaining a specified money value from trading agricultural products and converting this through another set of terms of trade into industrial goods. Moreover, Bapak Sumadi also owned shops situated near the hamlet where surplus was transferred by individual traders who came fortnightly to the village.

4.4.7 Usury

Besides being a small shop owner in the main village, Bapak Sumadi also practised money lending with the guarantee that the borrower would sell their products to the traders at a certain price. Several peasant households had experience of this. For example, Bapak Hartono borrowed money to buy seedlings and rice through his *maro tanah* transaction with Bapak Sumadi. He was able to pay back the money on time. However, this was not the case with Bapak Suwondo, whose *maro tanah* cultivation did not succeed. The situation was even worse in the case of Bapak Fahmi, who was able to acquire land through *maro tanah*, but later had to sell part of his land to pay back his debt to Bapak Sumadi. Bapak Fahmi borrowed money to send his children to school in Wonosobo. Thus, Bapak Sumadi benefitted from this kind of surplus transfer, and while some of the peasants lost their land, most of those who lost their access to land in the village opened up other forest areas.

4.4.8 Taxes

Taxes were paid to Tanjung Kemala village, supposedly based on the amount of land accessed by each household within the local community in Simpang Duren. The national tax, IPEDA/IREDA (later converted to PBB), was collected annually by the village heads. However the tax charge (Rp. 5,000 per household, or approximately US\$ 2 in 1998) was the same for the all households, regardless of household land size, pur-

pose and location. The tax was collected by village heads and paid to the sub-district administration. The village heads had to fulfil the PBB tax target set by the sub-district in relation to the national budget allocation for each village. The more tax that was collected, the greater the national budget allocation received by the village.

Figure 4.3
Surplus transfer mechanisms operating in Simpang Duren, prior to land redistribution

No Vil	Surplus Extraction Form	From the Hamlet HHs	Intra Hamlet	To Village Actors	To Extra Rural Actors	Notes
1	Rent in Labor	Peasant HH			Inhutani V	Intercropping scheme (Shorea as main trees, intercropped with rice, corn, coffee, parkia, pepper & jabon)
2	Rent in Cash	Peasant HH		Adat & village heads (Bp. Syahrin, Bp. Hamid & Bp. Hamid)		IDR 100.000 (US \$ 10) /household to get access to the land & ID card
3	Rent in Kind	Peasant HH		Marga Bengkunt land owners	MoF, Military & Police personnel	Jabon and Shorea wooden plank, during forest operation & sharecropping (<i>maro hasil</i>) in area close to the main village
4	Wage in Cash	Peasant HH			PT KCMU, palm oil plantation	Daily paid labour (<i>buruh harian</i>)
5	Wage in Kind	Peasant HH		Village heads (Bp. Barkah, Bp. Hamid)		Daily paid Labor for village government project (off farm)
		Peasant HH		Land Lord (Bp. Sumadi)		Opening Palm Oil, Coffee and Peppercorn farm, and received half of the land (<i>maro tanah</i>) in area far from the main village
		Peasant HH		Land Lord		Irrigated rice field harvesting (<i>gacong</i>)
6	Term of Trade	Peasant HH	Medium Peasant	Land Lord (Bp. Sumadi)		Share cropping some of agriculture product during certain season (<i>gacong</i>)
		Peasant HH		Traders (Bp. Sumadi)		Exchange agriculture with industrial product
7	Usury	Peasant HH		Traders (Bp. Sumadi)		Borrowing cash and returning agriculture product (<i>uang tancep</i>)
8	Tax	Peasant HH			State	Village development tax (<i>lpeda/lreda</i>) per household Rp 5.000 (\$1 in 1996)

Source: interview 2008, 2010 & 2011

4.5 The Land Redistribution: 2001-2006

The land distribution process could only be implemented after the local government declared that the land would be prioritized for those who tilled the land, and only given to residents of rural areas.¹⁸ Through a long administrative governmental procedure, a MoF decree was issued, and the local government of Lampung province followed the recom-

recommendations of research done by local university lawyers who sought a way to uphold the rights of the tillers. The University of Lampung, through its research, recommended that the land should not be redistributed equally based on Government Regulation no. 244/ 1961. Instead, adjudication should be carried out to accommodate socio-historical claims on the land. Interviews were conducted in the five old villages. However, they only captured the aspirations and claims of residents of the main villages (PMPRD, YASPAP/PRMAGA interests), which were dominated by the Bengkumat Marga ethnic groups. Those of communities, such as Simpang Duren, that were distantly located from the main villages were neglected. The recommendation made was in favour of the Marga Bengkumat ethnic group, namely, to formalize their indigenous land claim. However, it did not address the complexity that existed in areas such as Simpang Duren. Equal distribution of land through land redistribution and prioritising landless and near landless tillers were not accommodated in the study's recommendations. Moreover, the study recommended that adjudication should be a self-funded process, which meant that each tiller should pay for their own costs in acquiring individual certificates of land ownership.

This adjudication system was later endorsed by the local government as the mechanism to be deployed for land redistribution within a period of five years (2001–2005) with priority being given to the tillers. If after five years, land was still not registered, it would revert to the state to be allocated for other purposes.¹⁹

In 2005, the process of land registration and cadastral mapping were delayed because of the dispute on new forest boundaries between BPN, MoF and the tillers at the periphery of the villages. In addition, the tillers did not have sufficient funds to pay for the adjudication process. As a result of this, a BPN staff offered to use his influence within his own private company to conduct virtual cadastral mapping and issue the formal land certificates. In practice, this would mean that this individual's company would just use the data and ID of the tillers to execute the mapping without necessarily going to the field, and without carrying out actual measurements plot by plot. The offer was intended to resolve the registration time limit and to charge a certain amount for the extra service provided by the BPN staff.²⁰ This practice meant that anyone could obtain ownership of a piece of land by simply presenting their data and ID pertaining to one of the five villages. This was reported to the head

of BPN and the concerned person was forced to close down the company and stop this practice. Due to such maladministration, the private company of the BPN staff was closed down and this practice ceased in West Lampung district.

In 2006, a workshop was held to discuss problems emerging out of the land redistribution process. This was the initiative of YASPAP, PERMAGA, PMPRD, village administrators, including hamlet leaders and those of the sub-district of Bengkunt, together with the local government of West Lampung District, and the BPN office of Lampung Barat. It also received the support of ICRAF and WATALA. During the workshop, the price of cadastral mapping, land distribution and obtaining a land certificate was renegotiated and agreed at half of the previous price, and a special task force was endorsed to speed up the process (Bangsawan, 2006). A provincial decree was released to extend the land registration and redistribution for two years to complete these processes, particularly in the five villages within Lampung Barat district.

There were several reasons behind the provincial government's extension of registration for another two years (until March 2009). These included: (1) the slow pace of land redistribution and cadastral mapping; (2) the delay in reaching an agreement between the MoF, BPN and local communities over the new forest boundaries; and (3) the high expenses of producing cadastral maps and land certificates.²¹

A total of 75 households in Simpang Duren eventually occupied and cultivated the land and acquired land ownership. They included some peasant households from Tanjung Kemala village and its neighbour, Sukamarga, as well as migrants who had already registered as Tanjung Kemala or Sukamarga residents. The local ethnic group belonging to marga Bengkunt (Tanjung Kemala and Sukamarga villages), were not particularly interested in gaining access to and cultivating the disputed forest areas, with the exception of seven households. In the main villages, most of the households had access to and control of the land located in the centre of the village (Pintau, Sukamarga or Tanjung Kemala), along with irrigated rice farms or agroforests. Only seven ethnic Bengkunt households claimed and managed agroforests in Simpang Duren that had belonged to their grandparents. A further 11 households from another Lampungese ethnic group also sought land for their future generations.²² Residents of Simpang Duren were mostly originally from Java and Sundanese ethnic groups (45 households), who came to Sim-

pang Duren in 1997 and 1998, just before the political reform, after being evicted from forest areas surrounding Talang Padang sub-district in Pesawaran district within Lampung Province. They eventually reached Bengkumat sub-district, where they sought to avoid conflict with MoF and look for available farming land (see Table 4.1).

Table 4.1
The origins and class positions of households in Simpang Duren

No.	Origin	Number of HHs	Class	Ethnicity
Areas surrounding Simpang Duren Hamlet				
1	Tanjung Kemala (main village)	7	1 Rich peasant/trader (Bpk Sumadi), 5 middle-level peasants and 1 near landless peasant	1 Javanese, 5 Marga Bengkumat, 1 Lampungese (non-Bengkumat ethnic group)
	Pintau Hamlet (In 2010, Pintau Hamlet become the main village of Tanjung Rejo, which includes Simpang Duren Hamlet)	9	1 Rich peasant (Bp. Sulaiman), 8 middle-level peasants	Marga Bengkumat and Lampungese (non-Marga Bengkumat)
	Sukamarga (main village)	2	Middle-level peasants	Marga Bengkumat
2	South Sumatera Province			
	Talang Ogan	12	Landless peasants (led by Bp. Anto)	Semendo
3	Java Island			
	Cilimus	27	Landless peasants (led by Kakek Sukanta)	Sundanese
	Talang Padang	18	Landless peasants (led by Bp. Hartono)	Javanese
<i>Total Number</i>		75		

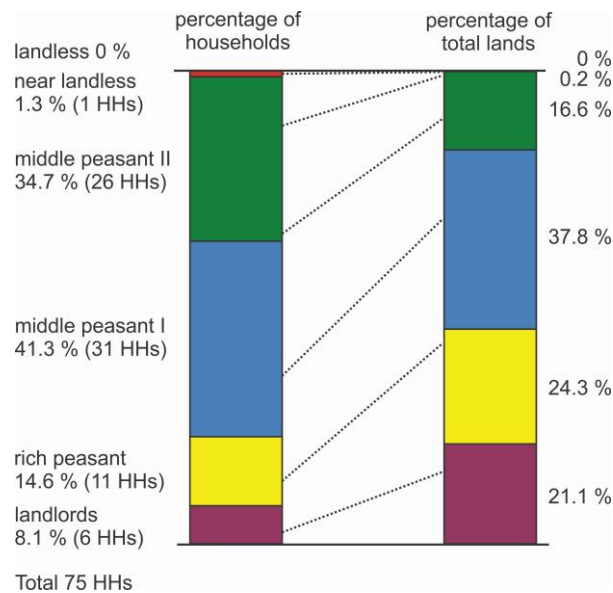
Source: household survey (2010)

Twelve resident households in Simpang Duren, belonging to Semendo ethnic groups, also came from the South Sumatera province, arriving earlier in the area in 1995 in search of land for coffee cultivation. The Semendo ethnic groups were famous for their skill in pioneering forests

for coffee and pepper cultivation. Besides the Bengkunt ethnic groups, all of the groups that came from South Sumatera, Java, and other districts of Lampung were landless and looking for available land for cultivation. They opened up the area despite the risk that the land might be considered as a state forest area and that they might, therefore, be evicted from this land.

The cadastral maps of Simpang Duren Hamlet produced by BPN in 2004 included the details of each individual plot, with land certificates being obtained for some of them in 2006. Even though the land certificates have been paid for, this process had not been completed in 2010 when this field research was done.²³ The recapitulation cadastral maps released by BPN, without the names of the owners, become the reference for each household in securing their lands, and the only written document available to provide proof that none of these plots were located in forest areas.

Figure 4.4
Land redistribution among all beneficiaries & household class status, in Simpang Duren 2002



Source: BPN Cadastral data (2002) & retrospective data from the household survey (2010).

A total of 104 plots of land were redistributed to 75 households covering 120 hectares. The maximum land area redistributed per household was nine hectares and the minimum area was 0.4 hectares (see Figure 4.4).

Based on a household survey carried out for this study in 2010, which reconstructed land ownership in Simpang Duren during the period of land redistribution in 2001–2003, five household categories could be delineated. There were no landless households, which meant that all households in Simpang Duren received land for cultivation. Within the category of near landless farmers (between 0.01 and 0.5 hectares), there was only one household, Ibu Masyati, a widow from Talang Aceh with four children belonging to a Lampungese non-Bengkunat ethnic group. She came to the village following her husband, a Quran teacher, who passed away in 2006. A total of 26 households belonged to the middle peasant II category (owning plots of 0.51 up to 1 hectare). This group mostly consisted of new households in areas dominated by the Sundanese and Javanese ethnic groups. A further 31 households belonged to the middle peasant I category (owning plots of between 1.01 and 3 hectares) and were mainly from the Semendos and Lampungese ethnic groups. Eleven households were categorised as rich peasants (owning plots of 3.01 up to 5 hectares). These belonged to the Bengkunat ethnic group, with six households categorised as landlords who owned more than 5.01 hectares. See Table 4.2

Table 4.2
Household classes based on land ownership, directly after the land redistribution in 2002

Household Class	Class range of land ownership in hectares	HH	Percentage of total land
Landless	0	0	0
Near Landless	0.01 up to 0.5	1	0.17
Middle Peasant II	0.51 up to 1	26	16.57
Middle Peasant I	1.01 up to 3	31	37.87
Rich Peasant	3.01 up to 5	11	24.27
Landlords	More than 5.01	6	21.11
Total number of HH		75	100

Source: Household survey 2010

Based on landownership at the household level, new classes were evident in Simpang Duren Hamlet.

The large family of Bapak Sulaiman (consisting of three households) clearly dominated land ownership in Simpang Duren Hamlet. Classified as landlords, this family, although from a non-Bengkunat marga ethnic group, was from a Lampungese ethnic group. It was considered the first household to have got a permit to live in Bengkulu marga and maintain the land in Simpang Duren in the 1980s when the land in this area was still upland farming and fallow land. Bapak Sulaiman was later appointed as the hamlet leader, who resided among the Javanese and southern Sumatran ethnic groups and was the right hand of the *Bengkunat marga* elites. He was assigned by the Tanjung Kemala village head to administer land in Simpang Duren Hamlet. He was also a tiller but regarded as a 'landlord peasant' who owned a house in the village as well as in the hamlet. He had two sons: Bapak Wandu who lived in the hamlet and tilled the land and Bapak Wanto, a former member of the adjudication team during the land redistribution process, who was elected as the village secretary in Sukamarga village. Bapak Sumadi was considered to be a landlord. Though of Javanese ethnicity, he lived in Sukamarga and opened a small shop. He got access to land in Simpang Duren through his good relations with the village head of Sukamarga. He used his capital to mobilise labour by sharing the land with them.

The other categories of land ownership were in fact based on ethnicity, with landowning households from Bengkulu marga being rich peasants and landlords who claimed their ancestors' land in Simpang Duren. The Semendos belonged to the middle peasant I category, the Sundanese and Javanese ethnic groups to the middle peasant II category, while one widow solely constituted the near landless peasant category.

This land ownership status (even though not documented on a certificate papers) liberated these groups from the threat of eviction and motivated them to cultivate the land to be more productive. However, to own a plot of land (averaging two hectares) required a payment of Rp. 450,000 (around US\$ 50.00) per plot, which was costly for peasants in upland areas. A total of 56 per cent of the peasants each owned 2–3 plots of land which meant that they needed to arrange a fair amount of money. In this situation, a lot of tillers sold one or two parcels of land to maintain one piece of land under individual land titling.

The adjudication system which was administered by the village and hamlet administrators did not acknowledge that there were landless and near landless peasants in the hamlet, and also excluded those who could not gain land access outside forest areas. This system only formalised ownership of land claimed by the local community through a historical process. At the same time, household property was registered in individual names, which were the names of the men who were assumed to be the family heads registered by the BPN. This included the property of Ibu Masyati, a widow, which was registered in her late husband's name.

4.6 Farming Practices and Processes of Differentiation under Individual Land Ownership (2001-2010)

Right after the announcement of land slated for redistribution in 2001, there were significant changes in cultivation practices from mixed upland rice towards several export-oriented crops. In contrast to the Sagara case in Garut, where peasants rushed into monoculture rubber plantation, in Simpang Duren, there were no clear patterns for planting commodities. The landscape was developed with multiple products based on the experiences and capacities of each peasant household.

Bapak Sumadi, as an example of a rich peasant, used his earnings from his small shop in the village to develop a palm oil plantation on his two-hectare plot of land situated near the village. While this grew well, he faced difficulties in marketing his products because of the delay in the construction of the palm oil mill by the palm oil company (PT KCMU). As a result, none of the villagers were following his example of setting up a palm oil plantation. Some middle-level peasant households were, however, experimenting with several export-oriented crops, such as coffee, pepper and vanilla.

Bapak Sukarmin used his earnings from selling his property in Wonosobo (Lampung) to plant pepper and vanilla, which did quite well. He decided not to plant upland rice and instead hired labour to open up his farm and plant pepper, vanilla and coffee in all five of his plots. His family, therefore, relied on purchases of their staple food, rice, from the village or from Talang Ogan peasants.

Bpk Hartono brought in his wife, Ibu Hartono, who used to be a domestic worker in Jakarta, and used their earnings to plant coffee, pep-

per and vanilla. He also established a rice mill to process upland rice and opened up his first small shop (kiosk).

Bapak Wandu brought in his wife, Ibu Wandu, and settled down in Simpang Duren, where he experimented with planting coffee and cocoa in a mixed agroforest. Every two weeks, he rode back on his motorcycle to his house located at the main Pintau road to sell his products.

The Semendo ethnic groups, led by Bapak Anto from Talang Ogan, intensified their farming with coffee agroforests on the redistributed land, and extended their upland rice cultivation in the remaining forest areas at higher elevations up to the National Park. Technically, coffee grows well at higher elevations, but because of the issue of tenure security, they planted coffee at lower elevations on the redistributed land, together with pepper.

There was competition between the use of land for planting export-oriented crops such as coffee, cocoa, vanilla and pepper and for upland rice cultivation. This was due to the higher price of these export-oriented crops compared with the price of one kilogramme of rice. This led to a situation in which the rich and middle-level peasants stopped planting upland rice and instead bought it from the small upland rice cultivators or, alternatively, from the small local shop or from shops in the main village. This effected a change in the landscape in Simpang Duren and its surrounding areas. While agroforests of export crops were intensified in Simpang Duren Hamlet, the adjacent state forest areas outside of the land redistribution area became areas of shifting cultivation dominated by upland rice.

Within two years of the announcement of the land redistribution, and during the cadastral mapping, 30 per cent of the land was bought by one extra rural actor, Bapak Handoko, from Lampung City, who was of Chinese ethnicity. He was the manager of the adjacent palm oil plantation, and paid a price in cash of 2–3 million rupiahs (around US\$ 200–300) per plot in 2003. The transaction payment was received by the local community in cash, which was rather novel for this community. Bapak Handoko purchased the land from poor Javanese and Sundanese peasants (Kakek Sukanta, Bapak Sutarman, Bapak Mahmud), who needed cash to pay the land certificate administrative fee for the remainder of their plots. He also bought land from rich and middle-level peasants from the Lampungese and Bengkunan ethnic groups, who sold all their

plots of land as they did not appear to have an interest in cultivating theirland in Simpang Duren. This was the case with Bapak Warto, Bapak Udin and Bapak Yanto, coordinated by Bapak Warto, the adjudication committee and the village heads. Apparently these rich and middle class peasants (from Bangkumat ethnic groups) each owned a house on the main Pintau road as well as another farm closer to the village. The total amount of collective land bought by the extra rural actor, Bapak Handoko, through the village head of Sukamarga was 35 plots, which he paid for at the same time in cash. He did not maintain these plots, but allowed the former owners or newcomers to use them for cultivating upland rice.

The Semendo ethnic groups, led by Bapak Anto and his successor, acquired access to land in a non-forest area, and decided not to sell their land. Instead they cultivated coffee and pepper in their redistribution lands. They stopped the practice of selling their land on which they cultivated coffee and instead maintained the redistributed land. However, they still relied on rice yields from their shifting cultivation land in forest areas.

As a consequence of these changes, the landscape of Simpang Duren was transformed into patches of mixed agroforests planted with a variety of export-oriented crops (coffee, cocoa, vanilla and pepper) within agroforestry systems owned and maintained by the peasants. Land that was fallow or cultivated with upland rice was owned by Bapak Handoko in the surrounding forest areas.

4.6.1. Purchase, Sale and Tenancy of Land within Local Communities

Besides cash payments, land purchases and sales to extra rural actors, there is also a new pattern of 'buying and selling' of land in the village. Buyers in the village do not pay outright cash to the seller; instead they divide the payment into several instalments based on the coffee and pepper-harvesting season. On the other hand, when land is sold to extra rural actors, outright cash payments are possible. Within this context, mostly poor peasants, who need money in cash, prefer to sell their land to extra rural actors and immediately receive the cash, compared with selling the land to peasant neighbours. Consequently, the land, which is sold to an extra rural actor, such as Bapak Handoko, who uses it for land

speculation, will be left abandoned and can only be used for upland rice cultivation by the local community. Thus, there are no opportunities for poor peasants to obtain cash incomes as paid labour with these extra rural actors at this stage, besides getting access to the land for shifting cultivation.

The price of land, without being productively cultivated, tripled in 2010, and the price of land with coffee farms increased tenfold to about 20–25 million rupiah per plot (one plot = approx. 1.0 ha). Although it was not permitted to sell the land obtained from the redistribution process without obtaining the consent of the BPN office, in reality, there was a market for redistributed lands, and the transfer of land through a 'buy and sell mechanism without obtaining consent from BPN did occur.

In 2008, Bapak Sukarmin decided to leave Simpang Duren Hamlet and return to his village in Wonosobo (Lampung). He sold all of his vanilla and pepper mixed farms totalling five hectares and collectively worth 100 million rupiah (US\$ 9,000). He received 2 million rupiah as a down payment from his local buyer, Bapak Purwanto, who was from the neighbouring village. Bapak Purwanto assumed control over the land transferred from Bapak Sukarmin immediately after the harvesting season, and paid installments according to the agreed terms of payment based on the harvesting season (Rp. 10 million every quarter). The first term was successfully paid from the harvest of the farm. However, Bapak Purwanto was unable to maintain the farm, and could not fulfil the due payment of Rp. 10 million from his harvest earnings for the second quarter (eighth month). The land sale was, therefore, cancelled by both parties, and Bapak Sukarmin returned to Simpang Duren Hamlet, where he regained his plots. Bapak Purwanto kept the harvested products along with the down payment (Rp. 2 million). Bapak Sukarmin retained the first payment (Rp. 10 million) that has been paid to him. There was some confusion involved in settling this issue, as selling lands with productive individual farms was a relatively new concept for the local community. This required assessing and adjusting the land price, which had increased tenfold as a result of the new practice of cultivating export-oriented crops, and the traditional terms of payment in selling land that prevailed in the local community. As a result of this 'accident', the practice of buying and selling land according to long-term payment terms based on crop harvesting periods ended. Both parties (Bapak Su-

karmin and Bapak Purwanto) agreed that the unfinished transaction between them should be described as 'lease land' (*sewa*) and not 'sale land' (*jual beli*). At the same time, this community invented a new surplus transfer mechanism of 'land lease' for export-oriented crops under individual land ownership.

However, the tenfold increase in the land price also stopped the practice of shared land, whereby land was split into two parts: one for the owner and one for the worker (known by the Javanese/Sundanese term, *maro tanah*, and the Semendo term, *bagero*). As described in section 4.5, through the practice of one of the varieties of wages in kind involving the *maro tanah* system, Bapak Hartono acquired access to land in 1998 from Bapak Sumadi. He did so by working on Bapak Sumadi's land, clearing it, planting coffee and maintaining the farm, over a total period of two years of labour, even though the land was formally classified as forest area. Bapak Sumadi prepared the seeds and provided rice for the first year to Bapak Hartono. After two years, two hectares of land was planted with coffee, and the ownership was split into two, one part being for Bapak Sumadi and the other part for Bapak Hartono. However, after the land price rose as a consequence of individual land ownership, no landowners would share land ownership with their workers. The land price was too high to be shared with the labour. Thus, the practice of land sharing (*maro tanah*) was replaced by a sharecropping system.

4.7 Changes in the Agrarian Structure and Relations after Land Redistribution in Simpang Duren Hamlet

Based on a household survey and semi-structured interviews conducted in Simpang Duren in 2010, changes were observed in the agrarian structure and relations within this society after land was redistributed under private ownership. In 2010, there were 20 landless households composed of newcomers to the hamlet, after the land redistribution, who followed their Sundanese and Javanese relatives. Even though they were considered as landless peasants, based on land ownership, they worked as sharecroppers for their relatives and, thereby, acquired access to land in the adjacent forest area.

The total number of households in Simpang Duren remained the same in 2010, with some new households from outside Simpang Duren but also a reduced number of Simpang Duren original households, eight

years after the redistribution process was completed. Two peasant households belonging to the middle class II category lost their land and became landless ('dropping off' in the terminology of Cliffe et al. 2011). Further, nine new landless households of Javanese and Sundanese ethnicity come to the hamlet and illegally accessed forest land. One of the near landless peasants has retained her illegal status. Fourteen households from Sukamarga, Pintau and Tanjung Kemala, belonging to the middle peasant I and II categories, sold their land immediately after land redistribution to Bapak Handoko, the absentee land owner. These households returned to their main village and continued to cultivate their lands in their own village. Based on interviews and the perceptions of the residents in their main villages, they could be classified as category II middle class peasants within their own villages. Two middle level peasants (both of Javanese ethnicity) were able to raise their class status to become rich peasant landlords. Conversely, six rich peasant households were downgraded to middle class peasants, while five landlords sold their land and became rich peasants. Only one landlord, the trader, Bapak Sumadi, was able to maintain his landlord class status, along with the new landlords, Bapak Sukarmin and Bapak Handoko.

Most of the peasants experienced a downgrade in their class status due to the high cost of land administration. Bapak Handoko, the absentee landowner, took advantage of this situation and bought portions of the land belonging to peasant households so that they could pay the cost of land administration for their remaining land. As a result, as already explained, Bapak Handoko acquired control over more than 30 per cent of the land in the hamlet.

4.7.1 The Process of Class Differentiations in Peasant Households

This section provides examples of the contrasting post-redistribution trajectories of individual households.

Bapak Suwondo, who used to belong to the middle peasant I category, did not succeed in farming his land, and became landless after selling all of his land to Bapak Hartono. He then worked for Bapak Hartono as paid labour managing the rice mill. There are several cases of households that have lost their land and become landless because of the expense of the land administration fee that they had to pay. This household (Bapak

Suwondo) was able to maintain a house in the hamlet and to access forest area and practise shifting cultivation.

Ibu Masyati (a widow with four children) was the only near landless peasant who could survive and continue to maintain and cultivate a mixed coffee farm within her 0.4 hectares plot of land. She was able to survive and even to intensify farming through a coffee agroforest, because of the support she received from villagers in Sukamarga, who helped her to clear the land and plant coffee. She did the weeding together with her four sons.

A total of 21 households belonging to the middle peasant I category were identified in 2010, a decrease from 24 households in 2001. This area was still dominated by Sundanese and Javanese ethnic groups from the same households, with the exception of Bapak Hartono, who was able to accumulate his family wealth, utilising the savings of his wife, a former domestic worker in Jakarta, and her labour on the farm. These savings were used to intensify their farming through coffee and pepper cultivation. At the same time, he opened a rice huller, located at the forest margin, and sold the rice to peasants in the hamlet at a good price. He employed Bapak Suwondo at his rice huller, and also opening his own small shop where he exchanged export-oriented agriculture products for rice and factory products. He succeeded in this venture because of his good relations with his former patron, Bapak Sumadi, who backed him in case of financial difficulties. Even though he became the richest person in the hamlet, diversifying his business through trade, he still self-limited his land accumulation.

The middle peasant II category was dominated by the Semendos ethnic group. The number of households in this class category decreased by seven. These households lost a portion of their land as a result of having to pay the land administration fee. They subsequently left the hamlet and migrated to find other land for cultivate.

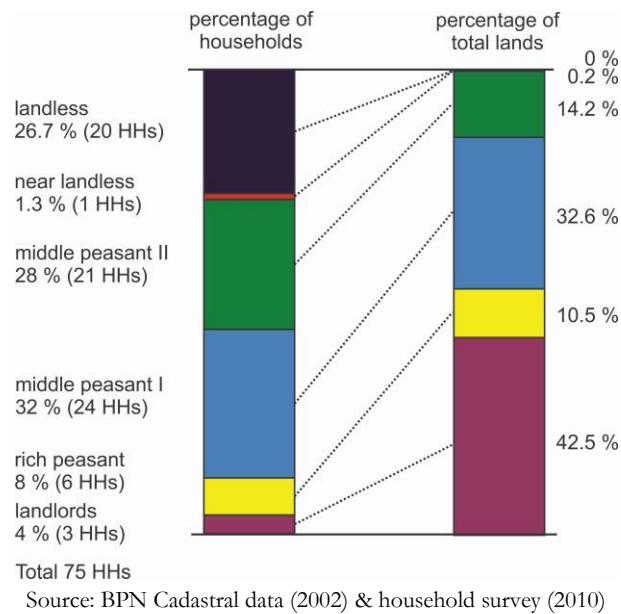
The rich peasant category, which was dominated by the Bengkumat Marga ethnic group, from 11 households, was reduced to six households that sold all of their land to extra rural actors (Bapak Handoko). Only a few of these households continued to maintain their land. A new class of rich households emerged out of those households that used to be local vendors. For example, Bapak Zulkifli (belonging to the Bengkumat marga ethnic group) owned a small shop in Simpang Duren, and was able to

buy some piece of the land belonging to Bapak Werto, the son of Bapak Sulaiman, the landlord in Simpang Duren hamlet. After his father passed away, Bapak Werto sold all of his remaining land in Simpang Duren to the extra rural actor (Bapak Handoko) and moved to Pintau where he served as the village secretary of Sukamarga. He (Bapak Werto) had a permanent house and farm near Pintau and the household derived their living from their farm and through his work as the village secretary. He also sent his daughter to study at the Wonosobo senior high school in Tangamus District, which was considered costly by peasants from the village. However, Bapak Werto's elder brother, Bapak Wandu, replaced his father as the leader of Simpang Duren Hamlet. He inherited some plots of land from his father and planted coffee and cocoa, successfully and productively farming the land.

Bapak Werto's actions were emulated by several peasants in the middle class I category, such as Bapak Udin, Bapak Ismadi and Bapak Yadi. These households sold their land to the extra rural actor, Bapak Handoko, and moved back to Pintau. They tried to cultivate the land but did not have enough capital to mobilise labour. It was easier for them to do off farm jobs in Pintau, and sell the land to Bapak Handoko. To date, Bapak Udin has been working for government projects that regularly hire him for administrative work such as census, preparation for elections and supervising construction work.

Bapak Handoko, as the manager of the KCMU palm oil plantation, became the landlord in the area two years after land redistribution occurred. He accumulated 30 per cent of the area's land, and by 2010 he had accumulated 35 per cent of the land in the hamlet, which he left abandoned. A total of 42.5 per cent of the land in the hamlet was owned by landlords (35 per cent by an extra rural actor and 7.5 per cent by two households, Bapak Wandu and Bapak Hartono). The emergence of landlords (these two households) is shown in Figure 4.5.

Figure 4.5
Land distribution among all beneficiaries and household class status in Sim-
pang Duren 2010



4.7.2 Changes in Agrarian Relations Reflected by Changing Patterns of Surplus Extraction

From the portraits presented above, it is evident that some households were able to maintain their land and intensify their farming through coffee, cocoa, pepper and vanilla cultivation. However, there were also some households that lost their land and sold it to an extra rural actor. At the same time, there were also households that were able to accumulate capital and more lands from those who had sold their land. The change in the agrarian structure occurred through a gradual process involving several modes of surplus extraction (see Figure 4.6).

4.7.2.1 Rent in Labour

After the land redistribution had been completed, rent in labour relationships for surplus extraction ended in areas that had been classified as private land. However, rent in labour also ended in areas that were classi-

fied as state forest in adjacent forest areas that had been excluded from the object of land redistribution programme. The remaining forest outside Simpang Duren was designated as National Parks, where the forest ranger preferred to maintain the rent in cash and rent in kind relationship with the landless peasant.

4.7.2.2 Rent in Cash

Rent in cash relationships for surplus extractions also ended after land redistribution as a result of there being no further available land in Simpang Duren under individual ownership. All the land that in the past was allocated by the village leader and *adat* chief was now individually owned. The *adat* chief and village leaders could no longer provide other households with access to land through any other mode besides the buying and selling process in Simpang Duren hamlet. But outside Simpang Duren hamlet (in the remaining forest areas), the *adat* chief and the village head still continue to practice rent in cash for those landless new comers that accessed land in the remaining forest area. They paid a certain amount of money to get the village ID card, which automatically gave them the same rights as village citizen (i.e. vote in elections, access to land, and other government programmes), but these landless newcomers still needed to pay another rent in cash to the forest ranger to access the land in forest areas once a year during the forest patrol.

4.7.2.3 Rent in kind

A third type of relationship relating to surplus extraction that ended after land redistribution was rent in kind that had been practiced by the police and military personnel during patrol and forest operation, that should be paid as rent by local communities in the form of wood, planks etc. This practice continued in areas that had been excluded from the land redistribution program, and were considered as state forest area and designated as National Park. The rent has been paid in kind to the forest patrol/guard of the National Park who regularly patrolled the forest boundary. The forest patrol/guard approached the households at their upland farms and selected good trees to cut as well as asking for coffee products. This was, therefore, the survival strategy of most of the landless households that could not obtain access to land in Simpang Duren,

especially new households that arrived in Simpang Duren after the land redistribution process had occurred.

Beside that, sharecropping (*maro hasil*) has expanded from the area close to the main village, to the hamlet of Simpang Duren. This has been practiced by the land lords and rich peasants to manage their lands in Simpang Duren which are cultivated by the landless and near landless peasants. In the past this share cropping (*maro hasil*) has been practiced by landlords such as Bapak Sumadi, but after the land redistribution, during the shift from local agroforest to export-oriented crops some hamlet landlords, namely rich and middle level peasants, such as Bapak Hartono, Bapak Wandu and Kakek Sukanta, also recruited landless peasant households to do sharecropping.

4.7.2.4 Wages in Cash

In Simpang Duren, the rapid development of wages in cash, together with the development of export-oriented crop cultivation, did not occur as in Garut. Wage labour in cash was not practised in Simpang Duren due to the limited availability of cash in the hamlet. Surplus extraction through wages in cash for most peasant households was still based on the previous pattern of working as daily paid labour for the PT KCMU palm oil company, while some households also worked off farm for government projects. Most government projects implemented in the hamlet and village related to infrastructure development, data collection and preparation for elections (at the national, provincial, district and village levels). Beside these activities, political parties are quite active at the sub-district, village and hamlet levels, and have on occasion hired peasants as paid labour for mass mobilisation.

4.7.2.5 Wages in Kind

Those who need to intensify their farming but do not have household labour utilise wage labour from outside the hamlet. In the past, labour was paid for with half of the land used for developing coffee farms. However, after the land prices increased three to tenfold with individual land ownership, the practice of *maro tanah* disappeared and was replaced with sharecropping (*maro hasil*).

The strategy of the peasant households (that has no upland rice), has been to fulfil their staple food needs through harvest labour shares (*gacong*) during the harvesting time on the irrigated rice farms in the main village of Sukapura or Sukamarga. This harvest share relationship (*gacong*) is classified as wage in kind relationship where the work has been done in a particular season, and peasant treated as farm labourer to the farm owner.

4.7.2.6 Extraction via terms of trade

Surplus extraction via terms of trade occurred in the past, particularly in the transactions of Bapak Sumadi, the trader in Sukamarga village, with Bapak Hartono in the hamlet. This pattern of surplus extraction relationship applied to peasants who sold export-oriented crops (rice, coffee, cocoa, vanilla and pepper) and exchanged these with agricultural products such as rice, a staple food and industrial products, (for example, soap, cooking oil, batteries, cigarettes and cloth).

Small shop owners, for example, Bapak Hartono, extracted the surplus of the peasants through the difference in price charged at the hamlet and the price exchanged at the nearest shop in the city (Bengkunat) or at the village level (Bapak Sumadi's shop). The shop owner (Bapak Hartono), also runs a rice mill, selling rice and exchanges it for locally produced coffee. The price of coffee per kilogramme is Rp. 10,000 at Bengkunat, Rp. 9,500 in the village and Rp. 8,000 in the hamlet. The price of rice is Rp. 10,000 in the hamlet, Rp. 9,500 in the village and Rp. 8,000 in Bengkunat. Bapak Hartono converts the value of 1 kg of coffee into 1 kg of rice, which means that he gains double terms of trade (Rp. 2,000 from the coffee and Rp. 2,000 from the rice), that is, Rp. 4,000 from a transaction entailing one kilogramme of each product. Bapak Hartono's rice transactions as a result of his rented rice mill gains him further benefits. For 10 kilogrammes of rice milled, the mill owner receives 1 kilogramme of rice.

Bapak Sumadi practises a similar system in the main village of Sukamarga, but the price differences are lower because of his proximity to the nearest city/factory, and to rice production within irrigated farms. During the harvesting season, Bapak Hartono collaborates with Bapak Sumadi and shares the benefits from the double terms of trade in their small shops.

4.7.2.7 Usury

Money lending is commonly practiced in the villages in the form of a guarantee that borrowers will sell their product to the traders at a much lower price (*uang tancep*). Lending money entails a risk of resulting in a cash liquidity problem, as mentioned by Bapak Hartono. To avoid this money liquidity in his business he only opens the shop during the harvesting periods of coffee, cocoa, pepper and vanilla (*ngagung*), and closes during times of famine (*paceklik*). In cases of larger amounts of money being borrowed, such as for wedding ceremonies, Bapak Hartono also acts as the availing party (guarantor) if the person concerned wants to borrow money from Bapak Sumadi, and pay in agriculture products.

This puts peasants in a difficult position if they require cash for certain purposes. Selling land to extra rural actors, such as Bapak Handoko, has become the easiest option for peasant households to access cash.

4.7.1.8 Taxes

As the land has been re-categorised under individual ownership, land tax is now due annually. The tax system has changed from the past system, known as IPEDA and IREDA, whereby the same amount was levied for all members of the village, to the present system known as *Pajak Bumi dan Bangunan* (PBB). Tax is currently paid on each plot of agriculture land at the rate of Rp. 10,000 per hectares. Taxes invoice are distributed by the hamlet leaders and given, and paid individually by each peasant household to the government, either through the bank or through the sub-district tax office, at the district capital city. They are due annually at the end of September. There is also a separate labour tax, which entails the obligation to the hamlet to maintain public roads as the main access to the hamlet. Those who rely on these roads such as traders and the families of school children are willing to fulfil this obligation. The hamlet refuses to open the road to passing four-wheel vehicles or truck passing the village due to the consequences of the labour tax for maintaining the road. Maintaining a simple path that allows the passage of school children and motorcycles is considered as sufficient road maintenance.

Figure 4.6
Surplus transfer mechanisms in Simpang Duren, after land redistribution

No VII	Surplus Extraction Form	From the Hamlet HHs	Intra Hamlet	To Village Actors	To Extra Rural Actors	Notes
1	Rent in Labor	Peasant HH		✕		Not exist any more
2	Rent in Cash	Peasant HH		✕		Not exist any more
3	Rent in Kind	Peasant HH	→	Land Lord (Bp. Sumadi)		Share cropping (<i>maro hasil</i>)
			→	Landlord & Rich peasant (Hamid, Bp. Hartono, Bp.Sulaiman)		
4	Wage in Cash	Peasant HH	→		PT KCMU, palm oil plantation, Gov. projects	Daily paid labour (<i>buruh harian</i>)
5	Wage in Kind	Peasant HH	→	Land Lord (at the main villages)		Share cropping (<i>gacong</i>)
6	Term of Trade	Peasant HH	→	Traders (Bp. Sumadi)		Exchange agriculture with agriculture and industrial product
			→	Traders (Bp. Hartono)		Exchange agriculture with agriculture and industrial product
7	Usury	Peasant HH	→	Traders (Bp. Sumadi)		Borrowing cash and returning agriculture product (<i>uang tancep</i>)
			→	Traders (Bp. Hartono)		Borrowing cash and returning agriculture product (<i>uang tancep</i>)
8	Tax	Peasant HH	→	Traders (Bp. Hartono)		Borrowing cash and returning agriculture product (<i>uang tancep</i>)
			→	State		Land tax (PBB) Rp 10, 000 per plot of land including building & hamlet tax

→ Surplus transfer from Landless near landless HH to Medium & Rich peasant HH
 → Surplus transfer from peasant HH to village traders and landlords
 → Surplus transfer from peasant HH to extra rural actors
 → Surplus transfer from Village Traders to extra rural actors

Source: interview 2008, 2010 & 2011

4.8 Concluding Remarks

This chapter has addressed two of the study's basic research questions through its examination of patterns of exclusion and inclusion entailed in the forest redistribution processes that unfolded in Simpang Duren Hamlet. A key focus was on assessing to what extent this programme reached landless peasants in the area. The second question addressed in the chapter relates to how this process contributed to the formation of a new agrarian structure and agrarian relations. But before clarifying the answers to these two research questions, as in the concluding section of Chapter 3, there is a need to situate the land redistribution process at Simpang Duren either as a redistributive or a non-redistributive land reform, as emphasised by Borras (2007).

As noted in the previous chapter a redistributive land reform can be characterised as redistribution of power and land (including state land) without any compensation (Borras, 2007: 22). The historical context of the case revealed that land redistribution entailed appropriating state forest land from the control of the state-owned logging company, Int, and its redistribution by the state to the beneficiaries, all of whom were tillers in Simpang Duren hamlet, thus excluding extra rural actors. This was done without any compensation being paid by the state to Int. But a high price was charged to peasant households to cover all of the administration costs for obtaining land certificates for each plot. This cost covered the expenses of the committee to undertake the survey; adjudication process, cadastral survey and mapping, and issuing the certificates, with no components of compensation being charged to the state or to former land controllers such as Int. Using the definition provided by Borras (2007), this could be classified as redistributive land reform.

The land redistribution process has passed through several stages of exclusion and inclusion that were addressed in the research questions, which have partly prevented the accomplishment of what Borras and Franco (2012) have defined as 'land sovereignty'. This concept which was further elaborated by White, Borras and Hall (2012:20), can be defined as 'the right of working peoples to have effective access to, use of, and control over land and the benefits of its use and occupation, where land is understood as resource, territory, and landscape'. However, the distribution of land plots and titles resulting from the land adjudication process in this case show the inequalities involved in the process, which raises the question whether this can really be considered a case of a land 'redistribution' rather than simply a case of land titling, which perpetuates the pre-existing pattern of access to land. Similar to the situation in Ciniti (Garut), there was not much actual redistribution on the ground, but I have continued to use the term 'redistribution', because this term has been used by both the government and the peasants.

We now turn to the question of exclusion and inclusion.

Exclusion and Inclusion based on policy regulations

Patterns of exclusion and inclusion that were based on policies or regulation, as described by Burchart et al.(2002), were also found in Simpang Duren. The area selected as an object of land redistribution was

defined by BPN and MoF, and new forest boundaries were established in Bengkumat sub-district. The land located inside of these boundaries, and selected as the object of land redistribution, was appropriated from Int and redistributed to the tillers. Conversely, land located outside of the boundaries of the selected object of land reform, as agreed upon by BPN and MoF, were excluded from the land redistribution programme and continued to be under the control of MoF. Similar to the Ciniti case (Garut), in Simpang Duren too, the tillers who cultivated the land targeted for land redistribution were included as beneficiaries to be awarded individual land ownership. However, those tillers who cultivated land outside the ascribed boundaries were excluded from participation in the land redistribution programme.

Tillers versus landless and near-landless peasants and adat claims

The land redistribution process used the term 'tillers' (*penggarap*) to define beneficiaries, and assumed that all the tillers were landless or near landless peasants. In the process of redistributing land in Simpang Duren, the existence of several leaders that act as patrons (Bapak Sulaiman, Bapak Anto, Bapak Hartono, Bapak Yanto) for their followers, who consist from different ethnic groups: Javanese, Sundanese, Semendo (southern Sumatera), from the Lampungese non-marga bengkumat and from marga Bengkumat itself, and who were not all landless or near landless, became apparent. It was found that some of the tillers in Simpang Duren also had land, including irrigated rice farms and houses in their main villages. Due to the use of the operational definition of tillers, they were also eligible as beneficiaries of the land redistribution programme. On the other hand, all landless and near-landless peasants, who were outside the targeted area of land redistribution, as a result of their plots being located in forest areas, were excluded from the land redistribution process. This process, and especially the adjudication system that was defined and proposed by the adjudication team conducted in 2000, therefore, formalised existing tillers, who were able to dominate *adat* claims left as fallow lands, but as a consequence, maintained and formalised existing land inequality, which also maintained the agrarian structure.

Landless and near landless peasants versus absentee land owners

There were no absentee land owners who received land during the land redistribution; all of the beneficiaries were from Simpang Duren Hamlet, and consisted of citizens from Sukamarga or Tanjung Kemala villages. But only three months after the land was redistributed, an absentee land owner (Bapak Handoko) was able to accumulate 30 per cent of the land under his own control and to exclude others from the land except for shifting cultivation. This process occurred through the facilitation of the hamlet and village apparatus as well as influence with BPN.

Individuals, households and adat property

Before the land was redistributed in Simpang Duren Hamlet, the land was controlled, managed and cultivated by household units, with the consent and guidance of the *adat* chief inside the marga bengkumat territory. The influence of *adat* chiefs through the village heads was crucial in the acquisition of consent for non-marga members (Javanese, Sundanese, South Sumatra and non-Bengkumat Lampungese peasants), and guided them as to where to open the land through the hamlet leader. Similar influences were central for the Bengkumat marga peasants who were only allowed to access the land of their descendants. After land redistribution, the influence of *adat* chiefs and village leaders in the inclusion and exclusion of other peasants in the Bengkumat marga territory and village lands became meaningless. Ownership over the land had transitioned from the traditional tenure system to individuals based on a formal tenure system, and the administration of the land transferred to the BPN office.

In the case of Simpang Duren, all the names in the BPN database system were those of males, which is unsurprising considering that it was mostly men who had pioneered the area in the past, though using and cultivating it on a household basis. No women's names were registered, reflecting the fact that women had already been excluded from an early stage of the process of land redistribution. The women were excluded from the pioneering phase in opening up the area for cultivation because of the traditional barriers that existed in the Bengkumat marga as well as the Semendo cultures. Opening up forests or secondary forests was considered men's work. The Javanese and Sundanese peasants who came to

Simpang Duren were all men (married or single), and they brought in their families after they succeeded in acquiring and cultivating land.

The situation in Simpang Duren indicated that households with more adult male members were able to register their lands more often than smaller households. Most of the households were composed of young couples with small children, and these were smaller than those of older couples with more sons such as Bapak Sulaiman with two adult sons (Bapak Wandu and Bapak Wanto).

Tensions between age groups and diverse ethnic groups over land

The tension between the older and younger generations, as experienced in Cinitu, were not manifest during the current stage in Simpang Duren. This might however occur in future, after the next generation experienced a land shortage, with all land being accessed through the market system. The adjacent forest land that had been freely accessed by young couples and newcomers became reserved land in the hamlet for youngster and landless peasants from other areas.

Tension did occur, however, resulting from domination by ethnic groups in Simpang Duren in relation to land access. As discussed earlier, the collaborations of the peasants privileged their own ethnic groups. Sundanese tended to employ other Sundanese, and the same applied to Javanese, Semendo and Lampungese who were not from Bengkulu. The same situation also occurred if they sold their land. They also assessed land ownership and numbers of households by ethnic groups. A prevailing fear of the Lampungese and the Javanese ethnic groups in the area was that the Sundanese would dominate the land and bring in more Sundanese from the island of Java or from the nearest transmigrant areas. This may not be related to land control per se, but more to village politics in the era of democracy (one person, one vote). Domination by numbers (of adults) in Simpang Duren Hamlet relates to local votes during the village election, legislative composition, selection of the district head etc. The strength of this argument is indirectly reflected in different perceptions of land domination relating to Bapak Handoko, a Chinese ethnic Indonesian who manages the nearest palm oil plantation. The peasants in the hamlet were not worried by this individual's domination of the land because of his lack of influence in the hamlet and village poli-

tics so far, and because he is seen as a potential land buyer by those who need cash.

The second research question relates to how this process has contributed to the formation of a new agrarian structure and relations as discussed below.

Agrarian Structure

A change was evident in the agrarian structure both before and after land redistribution in Simpang Duren Hamlet. As discussed earlier, the land redistribution process could not prevent the rich and middle level peasant households from getting access to the land. At the same time, all of the landless households in Simpang Duren received plots as per the objective of land redistribution. Thus, there were no landless peasant households in the hamlet. As a result of the land redistribution process, four classes of households emerged in the hamlet: the near landless (1.3 per cent), the middle class II category (34.7 per cent), the middle class I category (41.3 per cent), the rich (8 per cent), with no significant shift to extra rural actors (0%). During the subsequent eight-year period, further new classes have emerged: the landless, landlord households and various skilled labour households. A significant rise in landless peasant households (26.7 per cent) was apparent in 2010, not only because of the 'dropping out' of near landless and middle level peasant households (Scoones et al. 2012; Cliffe et al. 2011), but also because of newcomers, who came to the hamlet in the hopes that another land redistribution programme would take place in the area from which they might benefit. This is a common pattern on Sumatera Island, where more peasants migrate to certain areas upon hearing that these areas have a land redistribution program. This mostly occurred in the case of dispute settlements, after the media reported a rise in land conflict cases such as those in Mesuji (Lampung) and Bathin IX (Jambi). The emergence of three landlords in the area was also evident during the post-land distribution phase: one extra rural actor, who controlled more than 30 per cent of the land (Bapak Handoko), and two peasant households that were able to raise their class status from the middle peasant I category to that of landlord. One of these, Bapak Hartono, accumulated land from the Bengkuntat marga peasants who sold their land and returned to their main villages, relying on their other land there. Bapak Hartono used the household savings (from the domestic work of his wife, Ibu Hartono, in Jakarta) to

establish a rice mill, and later a small shop for buying and selling agricultural and industrial products.

Most of the middle class peasants lost some portion of their land, which they had to sell to pay for certification. Nevertheless, they were still able to maintain their land as middle class peasants. They intensified their farming through the cultivation of diverse export-oriented crops. The middle (I and II) categories, which constituted 76 per cent of the total hamlet population and controlled 54 per cent of the land during the land redistribution process, were reduced to 60 per cent of the hamlet population, controlling 47 per cent of the land in the hamlet.

Agrarian Relations

Agrarian relations in the hamlet also changed drastically after the redistribution of land and its conversion from public state land to individual land ownership. There were eight forms of surplus transfer (rent in labour, rent in cash, rent in kind, wages in cash, wages in kind, terms of trade, usury and taxes), as described by Deere and de Janvry (1979) prior to land redistribution. These evolved into five forms of surplus extraction after land redistribution occurred in 2001. After the Int permit was cancelled by MoF, feudal forms of surplus extraction (rent in cash and rent in kind) continued to be transacted between MoF, military and police personnel and peasants who accessed land in forest areas adjacent to the areas of land redistribution.

These forms of surplus extraction ended after the land was transferred from state to individual land ownership in 2001, even though the land owners were not yet equipped with individual land certificates as documented proof of land ownership.

Agrarian relations changed radically from feudal relationships to market transaction-based relationships. Within the hamlet, a form of surplus transfer based on terms of trade became the dominant expression of agrarian relations between peasant households that produced agriculture products and shop owners who sold industrial products and staple foods (rice) that they bought from the irrigated rice cultivators in the main villages (Sukamarga and Tanjung Kemala), or from upland rice cultivators in forest areas. Land became the new commodity, the value of which

increased tenfold after it was classified as individual private land, despite the lack of land certificates. This land was transferred between peasants, as well as to extra rural actors.

For transferring surpluses through wages in cash, peasants relied on their employment by PT KCMU as daily paid labour. The other market relation was that of money lending to peasant households by the only shop owners in the vicinity, either Bapak Hartono in the hamlet or his mentor, Bapak Sumadi, located in the main village, with repayment in agricultural products. There are no credit unions, banks or other facilities for accessing credit in the hamlet.

The new agrarian relations positioned those with capital at a higher-class level as they could buy more land, mobilise labour and invest their capital in establishing small shops or producing agricultural products. There are also a limited variety of market relations in the hamlet entailing selling labour for various skills, such as working in infrastructure development in the hamlet or helping with data collection for government projects.

Notes

¹The pasirah system (*pasirahstelsel*) is a village administration system, introduced in 1928, that recognises the marga as a self-governing administration unit (Safitri, 2010:144).

²See Colchester, Widjarjo, and Sirait (2003:132).

³See MoF Decree no. 2003/1992 on the cancellation of PT Bina Lestari and MoF Decree no. 9944/2002 on assigning the rehabilitation task to Int.

⁴See Register 22, Koeboe Nitjik, 1938, on the process of forest delineation carried out during the Dutch colonial period, which excluded the five old villages from the forest area, and instead recognised them as *Marga Bengkumat* land. Subsequently in the 1980s, this area was claimed by MoF as forest area (Register 22B) in the 1980s.

⁵The Bengkumat sub-district government administration (*kecamatan*) oversees the Bengkumat Marga territory, led by Camat, a civil servant appointed by the head of the district.

⁶*Shorea javanica* is a medium-sized to relatively large tree of up to 40 m tall. Its bole is straight, cylindrical and branchless for up to 20 (max. 30) m, and its diameter is up to 150 cm. *Shorea javanica* is tapped for Damar resin. See http://www.worldagroforestry.org/treedb/AFTPDFS/Shorea_javanica.pdf.

⁷Damar agroforest, known as *repong damar* in Krui, on the West Coast of Lampung Province, Sumatra, Indonesia, is a forest-like land use system that was developed by small holders to meet multidimensional objectives. From a conservation point of view, the damar agroforest system affords environmental benefits. The forest-like structure of agroforests allows for the conservation of large sections of natural forest biodiversity. From an economic perspective, this land use system provides a wide range of income sources for farmers (rice, coffee and paper at the early stages, and dammar resin and other fruit and timber trees at the mature stage), their neighbourhood and the actors positioned along the damar trading chain.

See: <http://www.worldagroforestrycentre.org/Sea/Publications/files/report/RP0065-04.PDF>.

⁸The Kalpataru Award is issued once a year by the Ministry of Environment on behalf of the state to individuals, civil society organisations, as well as civil servants to those who innovatively protect the environment. This prestigious award has been awarded since 1980, Nominations are made by civil society and awardees are selected by a special committee. The Krui community was given this award in 1997 for their efforts to cultivate and sustainably manage dammar agroforests for the past 100 years.

⁹See Ministerial Decree no. 47/1998 referring to *Kawasan Dengan Tujuan Istimewa* (KDTI). This policy is the first to include community-based resource management in Indonesia since the ending of the Orde Baru regime. See Fay et al. (1999).

¹⁰See Kusworo (2000) on DTL's struggle in the case of Dwikora village.

¹¹The coffee agroforestry system practised in Lampung was mostly implemented by migrant peasants from Java as well as from South Sumatra. This practice involved clearing forests, mostly protected forests, at higher altitudes, and minimal mixing with other fruit trees as occurs between timber and dammar trees for their resin. Coffee farmers received little until much later when the local government realized that one third of the protected areas in Lampung Province were covered by monoculture and agroforest coffee cultivation, providing the backbone of upland household livelihoods in Lampung. In 1998 after the political reform, MoF again requested ICRAF and state research institutions to conduct social policy research aimed at providing recommendations on the future of coffee cultivation in Lampung. See MoF Decree no. 677/1999 on Community Forestry,

the first national policy that could be applied in all parts of Indonesia to accommodate community-based forest management, not only using indigenous management practices, but also applying new innovations in agroforestry.

¹²FKPL jointly advocated the two approaches suggested by DTL, LBH and the PMPRD, YASPAP and Watala for redefining the forest area of Lampung Province, and especially excising settlements and farmland managed by local communities from state forest areas (FKPL, 1998).

¹³MoF Decree no. 256/2000 ordered the excision of 145,125 hectares of former forest areas to non-forest areas, as requested by the provincial local government, and devolved the process of land redistribution to BPN, in collaboration with the provincial and district governments.

¹⁴The separation of Pesisir Lampung Barat District, the youngest district in Lampung, from Lampung Barat district, was enacted on October 25, 2012. Bapak Syahrin passed away in 2009 before Pesisir Barat became an independent district.

¹⁵In 2003, Bapak Syahrin attempted to carry out a forest land swap between former forest land that he claimed was his land and land allocated for hatchery farms located within mangrove forests on the coast. The forestry office in Lampung Barat rejected the proposal due to the unclear status of the land that he claimed was his. He simultaneously received a payment installment from the company owning the hatchery that he used to prepare for his candidature as a Parliament member. The company registered a case in court, because he could not return the payment instalment that he had received from them.

¹⁶The creation of Lampung Barat District was enacted by Parliament through Law no. 6/1991 on August 16, 1991, but a decision was made to locate the capital city not in Krui but in Liwa. This created deep disappointment among the 16 marga leaders from Pesisir Krui. They later promoted the new district of Pesisir Lampung Barat and Krui became the capital city of the district in 2012.

¹⁷This system is still practised in some areas in Jambi, Riau, South Sumatera and North Lampung forests, whereby forest areas are illegally opened up and converted to palm oil plantations. Capitalist peasants encourage labour to open up forests and divide the land in two parts in the form of palm oil plantation, without paying the costs of labour (Kusters Koen et al, 2014).

¹⁸The Governor of Lampung passed decree no. G/283.A/B.IX/HK/2000, which stated that formal forest areas would be redistributed with priority given to peasants who were tilling the land. Private sectors were given second priority after the tillers had received formal rights over the lands.

¹⁹See Lampung Province Government Regulation no. 6/2001

²⁰According to a company staff member who was interviewed, this kind of practice was common to speed up the process of land registration, and occurred in the remaining 143,000 hectares of former forest areas located in Lampung province.

²¹See Provincial Governor Regulation no. 14/2007 that further extended the land registration process for another two years (till March 2009) and formed a special task force to speed up the process. At that time, the National Program of Land Reform had been announced and the local government and BPN were seriously looking for successful examples of land redistribution processes. This case was also used as an example of redistributing upland land to the tillers.

²²West Lampung and currently the new district of Pesisir Lampung district are considered to have the largest forest area cover in Lampung Province (Bappeda Propinsi Lampung 2001, Bappeda Propinsi Lampung 2013, draft RTRWP Propinsi Lampung 2013–2030).

²³Only 31 certificates (from 104 plots) which were owned by 10 households (out of a total of 75 households) were released by BPN. However, this data was inaccurate with names and plots being

mixed up. The district-level BPN office, however, kept promising to speed up and rectify the process of obtaining land certificates.

5 The Future of Forest Land Redistribution in Indonesia

5.1 Introduction

This last chapter offers conclusions emerging out of this study. It first presents an overall summary and compares similarities and differences in the process and result of the land redistribution as well as changes in agrarian structure resulting from land redistribution in the two study locations. Second, it reflects more broadly on the future of upland communities in Indonesia following the implementation of forest land redistribution policy that promotes individual land ownership. The first section shows the relevance of these cases in the context of future of forest redistribution in Indonesia, and the second section provides overviews of changes in the agrarian class structure and in agrarian relations, respectively, in both sites (Ciniti in Garut and Simpang Duren in Lampung). The third section questions the application of the evolutionary theory of land rights (ETLR) in the two sites, noting how national and local policies were geared towards individual land ownership. The fourth section outlines the general trajectory of the change from informal land ownership towards individual land ownership that is transforming the agrarian structure and agrarian relations in upland communities of Indonesia, and the dilemmas that this process creates for both the government and peasant movements. The fifth part suggests possible strategies to avoid these problems in the future that can be applied within several government programmes as well as in the civil society movement.

5.2 Contestation over forest areas in Ciniti (Garut) and Simpang Duren (Lampung) before the land redistribution

In both the cases of Ciniti (Garut) and Simpang Duren (Lampung) there were contestations over land that were used and owned by the local community but claimed by the state, especially during the authoritarian General Suharto regime (1966-1998), as State Forest Land. These cases are representative of the massive land struggle of local communities against the Central Government, in particular against the Ministry of Forestry that expanded their claim over the land and allocated the lands to large-scale private and state forest companies, which happens in Java as well as in the outer islands. The weakening of the Suharto regime in 1997 and its subsequent collapse in 1998 has intensified the land struggle, with peasants 'reclaiming' the land in different forms of movement. Some cases were addressed by the new reformed government post 1998 through community forestry within the MoF forestry programme, and a few cases (including Ciniti and Simpang Duren in Chapters 3 and 4) were accommodated through land redistribution within the BPN programme. There are still 30,000 villages (1/3 of the total villages in Indonesia) in forest areas whose problems remain unanswered, with lack of land clear tenure security and access to the land considered as illegal or labelled as encroachment on state lands.

The process of land redistribution for local communities under individual land ownership, as elaborated in the two cases, took different policy pathways. In Ciniti case the programme disallowed absentee land owners in the rules and regulations, and in the Simpang Duren Case land was distributed through an adjudication programme which in the rules and regulations accommodated the socio-historical claims or factual control over the land. Both programmes (land redistribution and the land adjudication programme) were determined by the central and local government, where the process of defining the object of land redistribution were done at the central government (MoF & BPN) but the subjects of land redistribution were defined, and all the detailed administrative process were determined, at the local government level.

5.3 Changes in the Land-Based Agrarian Structure

In both the Ciniti and Simpang Duren cases, discussed in Chapters 3 and 4, land redistribution was able to provide all households in the hamlet with access to land ownership that could potentially bring benefits and security to these households. In Ciniti most of the beneficiary households were local communities from surrounding areas, which came from the same ethnic group (Sundanese) dominant in the area, originating from the surrounding hamlets and villages. In Simpang Duren the beneficiary households were dominated by non-Bengkunat and other non-Sumatran ethnic groups, particularly the Sundanese and Javanese migrants who had been living in other district of Lampung Province for several years, and moved to Simpang Duren several years before the land redistribution.

A few years after the land was redistributed, landless peasant households had re-emerged in both cases due to the impact of open competition and surplus appropriation by other classes and the arrival of landless peasants from other areas. Using the terminology of Cliffe et al., 2011, the 'dropping off' peasant households are those who for some reason sold their plots and became landless. Some landless peasant households remain in the hamlet and work as sharecropper and paid labour, but there are also others that left the hamlet, looking for other job opportunities as paid labour in the nearest plantation estates, and others who found other job opportunities as agriculture extension workers or government officials in the village. 15 per cent of the landless class in both cases were new comers to the hamlets. They sell their labour as sharecroppers to the middle peasants and rich peasants, seek employment as paid labour in the nearest plantation and at the same time save their money looking for affordable plots of farm land to buy or occupy forest land for their own. (See Table 5.1 in which this class is highlighted in red).

The cases also revealed that the (numerically) dominant class in this society, during the land redistribution process, and 10 years after its completion, were still middle peasant households (belonging to categories I and II).¹ However, their numbers in were reduced by between 30 per cent and 15 per cent following the land redistributions. Where as previously, they constituted 81 per cent and 76 per cent of the populations in Ciniti and Simpang Duren, respectively, these percentages were

subsequently reduced to 58 percent and 60 percent. The total amount of land owned by these classes (middle peasant I and II categories) was also reduced by between 23 per cent and 16 percent of their former amounts (see Table 5.1 in which these classes are highlighted in green).

Table 5.1
Change in the class structure of households in Ciniti and Simpang Duren,
based on landholdings before and after land redistribution

No.	Land-based class	Ciniti (Garut)		Simpang Duren (Lampung)	
		Before LR (%)	After LR	Before LR (%)	After LR
1.	Landless Peasants	0	9.3	0	26.7
2.	Near landless Peasants	5.2	13.1	1.3	1.3
3.	Middle Peasants (Category II)	50.4	30.2	34.7	28
4.	Middle Peasants (Category I)	30.4	27.9	41.3	32
5.	Rich Peasants	14	16.3	14.7	8
6.	Landlords	0	3.2	8	4

Source: BPN Cadastral Map & household survey 2010

Rich peasant households also emerged in both sites either during or after land redistribution, which reflects the fact that the land was not distributed equally, and that those who controlled more land before land redistribution under informal tenure, formalised this through individual land ownership. An examination of the actors from rich peasant households in both sites shows that these households were predominantly rich before the land redistribution. They maintained their wealth either through ownership of land in their own village/hamlet outside the areas

of the land redistribution programme, and their dominance in the process of struggle for land redistribution, or through their large size. Some of these households were former beneficiaries of the land redistribution programmes which were able to accumulate more and became rich peasant through their engagement in trading (opening small shops/kiosk in the village or hamlet) and those who were able to receive remittance household members working abroad.

Eight to ten years after land redistribution in Ciniti and Simpang Duren, this landlord class had emerged, constituting 3.2 to 4 percent of the population but owning a total of 30 to 42 per cent of the land in these areas (see Table 5.1 in which this class is highlighted in yellow). Only a few of these landlord households, however, were local households that were able to upgrade their status to landlords through trade as their main means of transferring surplus from other peasant classes in the hamlets. Most of them were absentee land owners who accumulated land using their own savings acquired from work in the nearest cities.

5.4 Changes in Agrarian Relations

As illustrated in Figure 5.1, before land redistribution took place in both sites, lands were considered by the Government as state forest areas and leased on concessionary terms to state-owned forest companies (PP and PT Int). By contrast, the local communities considered these lands as private lands under an informal tenure system of household use-rights. Under these conditions of tension between the two tenure systems (state versus informal local tenure systems), feudal forms of surplus extraction through rent in labour, rent in cash and rent in kind were practised by the above two state-owned companies with regard to local communities that were considered as squatters in state forest areas. The communities, made up of different socio-economic classes, claimed the land and tilled it, maintaining, to a certain degree, this kind of feudal mode of surplus extraction. The nearby plantation estates (PTPN and PT KCMU) also maintained their extraction of surplus transfer from the lower classes of peasants (middle peasant, near landless and landless peasant households) through relationships based on wages in cash (daily paid labour). For this group of peasant households, this was the main source of cash income that they could earn in proximity to their hamlets. Some of the rich peasants in the main villages appropriated the surplus

of these peasant households through wages in kind or rent in kind relationships based on seasonal work (*gacong*), share-cropping (*maro hasil*), or sharing land (*maro tanah*). For peasant households, especially those that used to be landless, these modes of surplus extraction constituted important agrarian relations to obtain rice for their consumption and cash from selling export-oriented crops. These relationships enabled their access to land within the informal local tenure system.

Figure 5.1
Changes in agrarian relations in Ciniti and Simpang Duren

No	Form of Surplus Extraction	From the Hamlet Households (HHs)	To other HHs in the hamlet/village or extra rural actors	Before LR (Ciniti & Simpang Duren)	After LR (Ciniti & Simpang Duren)	Notes
1	Rent in Labour	Peasant HHs	→	Dominant	✗	Intercropping scheme (<i>Tumpang Sari</i>) discontinued
		Peasant HHs	→	Dominant	✗	Payment for each HHs to officials to get access to the land discontinued
2	Rent in Cash	Peasant HHs	→	Dominant	→	Share croppers (<i>maro hasil</i>)
3	Rent in Kind	Peasant HHs	→	Dominant	→	Share croppers (<i>maro hasil</i>)
4*	Wages in Cash	Peasant HHs	→	Regular	Dominant	Selling their time as daily paid labour to PTPN, and PT KCMU
5*	Wages in Kind	Landless, Near landless and middle peasant HHs	→	Landlord	→	Share croppers (<i>gacong</i>)
		Skilled Peasants	→	Non-existent	Practised	Carpenters, midwives etc.
6	Terms of Trade	Peasant HHs	→	Dominant	→	Exchange of agricultural with industrial products and other agricultural products
		Peasant HHs	→	Regular	Dominant	Borrowing cash and returning agricultural products (<i>uang tancep</i>)
7	Usury	Peasant HH	→	Per Household	Per Plot	Village development tax (<i>ipeda/ireda</i>) per HH charged for every plot (<i>PBB</i>) paid to the state through local government
8	Tax	Peasant HHs	→	Peasant HHs	Peasant HHs	

* Extraction surplus value in capitalist relation production, labour power sold for wages

Source: Interview 2008, 2010 & 2011

Some outside traders were enjoying advantageous terms of involving surplus transfer from local peasant households. These traders regularly came to the hamlet to buy agricultural products produced in the hamlet, and at the same time, they also sold industrial products. Some traders also practised usury with selected peasant households that required access to credit and provided agricultural products in return. To obtain more surpluses from the terms of trade, the peasant households sold their agricultural products in the main village, where they could sell their agricultural products for a higher price, and where agricultural products could be bought cheaper compared with terms of trade with the outside traders who came regularly to the hamlet.

The peasants also paid tax to the Government via the village head for their service in using the land, referred to as *Ipeda/Ireda* (*Iuran Pembangunan daerah* or *Iuran redistribusi daerah*). Each household paid the same amount, annually, collected by the central government, according to a certain allocation formula (for the collector, local government and central government), and this was returned to the village and hamlet under several government programmes and basic services.

Right after land redistribution occurred in both sites, where all the peasant households received their shares of the land, the feudal mechanism of surplus extraction rapidly declined, except the rent in kind for some sharecropping scheme to develop export oriented farms (*maro hasil*) which still existed, and was replaced by market-related mechanisms of surplus transfer, such as wages in cash, wages in kind and terms of trade, as well as usury that penetrated the hamlet. Some forms of feudal surplus transfer (for example, rent in cash and rent in kind) were still found to exist in the margins of the hamlet, where forest boundaries were not clearly defined. But as forest concessions were revoked in the two respective sites, forestry personnel did occasionally extract surplus from the peasants occupying forest areas during forest operations.

The wages in kind mode of surplus extraction became the main relationship existing between rich and middle class peasants and near landless/landless peasants. This practice was carried out with in villages where cash crops and export-oriented crops were intensified in both hamlets. Coffee, pepper, banana and maize production were intensified in Simpang Duren Hamlet based on an agroforestry pattern, while production of rubber and banana trees was intensified in Ciniti Hamlet according to a monoculture pattern.

Wages in cash declined for almost two years after land was redistributed, a period during which most peasant households were intensifying their farm production. But after two years, the peasants sought cash incomes through wage labour in the neighbouring plantation. Two different patterns prevailed in Ciniti and Simpang Duren. In Ciniti, land plots were bought, one by one, by one absentee landlord, and were planted with rubber and banana trees in a monocultural pattern. There were a lot of peasant households who sold their land to the landlord, and who worked as paid labour. Ten percent of the hamlet land was cultivated through paid labour. At Simpang Duren, there was also one dominant absentee landlord who bought land from peasant household. However,

this landlord did not develop the land, and opportunities remained for peasants to work as paid labour in the hamlet. Thirty percent of the hamlet lands were left abandoned by the absentee land lord.

Terms of trade have become the dominant mechanism of surplus transfer for almost all peasant households that produce cash crops. Consistent with the change of dominant agricultural products from rice to other cash crops, the terms of trade have changed from exchange of agricultural products (upland rice and other varieties of agricultural products) with industrial products (soap, cooking oil etc.). Several years after land redistribution, surplus extraction has also been limited to several export-oriented agricultural products (rubber and banana in Ciniti and coffee and pepper in Simpang Duren), which are now exchanged with industrial products and rice (as a staple food consumed by peasant households). Upland rice was replaced by rubber and banana plantations in Ciniti, and by coffee and pepper in Simpang Duren, with the effect that rice as a staple food was brought to the hamlet through small shops (kiosks, locally known as *kios*).

Usury was also practiced in the hamlet by *kios* owners in both sites through the *uang tancep* relationship. *Uang tancep* became an informal contractual relationship between peasant households and the kiosk owners for regular purchases of products according to predefined prices. Other kinds of usury were also being practised in Ciniti only four years after land redistribution. Money lenders from the cities come regularly to the village (*bank keliling*), lending their money at high interest rates. This money lending is arranged in loan instalments every two weeks, following the banana-harvesting season. There were no alternative credit facilities for peasant households in the hamlet that did not require collateral. After land redistribution, the tax extracted by the government from all peasant households in both hamlets was based on land plots and household members who owned them. The amount has increased almost every year, but is considered relatively low compared with the functions and benefits that could potentially be raised from the land.

The study in both cases shown the change of agrarian structure towards accumulation of land by the rich and land lord class as well as the emergence of the landless, near landless peasant, as well as the emergence of other non-agrarian economy in the hamlet and the continuing numerical dominance of middle peasant household. There are also change of the agrarian relations which dominated by market surplus ex-

traction mechanism. These changes of agrarian structure and agrarian relations reflect the processes of agrarian differentiation in the years following land redistribution, and the outcome is an emerging capitalist peasant community.

5.5 Questioning the Application of the Evolutionary Theory of Land Rights

As discussed in Chapter 2, the policy makers believed in the assumptions of the evolutionary theory of land rights (ELTR) that land rights under informal or traditional land tenure systems would gradually evolve towards individualisation following population increase and market integration. Unfortunately the Indonesian policy makers followed these assumptions (that as we have seen earlier, have been much criticized by Platteau (1996) and others), and also followed the policies advocated by Prosterman and Hanstad (2003) in designing land reform programmes, targeting communal and public lands to be redistributed under private individual ownership title, to provide land tenure security but at the same time create markets for the land, through land sale, lease, and mortgage.²

The Indonesian Basic Agrarian Law no. 5, 1960 (BAL) claims to be based on customary law (Article 5), as well as on the assumption that *adat* land law was also influenced by colonial capitalist society and feudal society (see explanation of BAL). BAL was created to replace and unify the colonial land law that recognised dualism of land law: a capitalist land law for western society that regulated individual land ownership (*eigendom*) and leased rights for large scale production (*erpfacht*); and *adat* land law applied to local communities. Through a twelve-year process of formulating BAL (1948–1960) the law established several kinds of land tenure. Individual land ownership was recognised as the strongest form of rights, and lease rights from the state were the weakest rights (Article 16a). Peasant household-based land ownership, and peasant union land ownership promoted by the main peasant union at that time, BTTI (*Barisan Tani Indonesia*), (Tauchid, 1954; Asmu, 1962), is not accommodated within the BAL 1960 and the customary rights (*bak tanah ulayat*) were not specifically mentioned in the BAL 1960. The law makers believed that communal land ownership would evolve towards individual-

land ownership, or revert to state land through a process of compensation (Harsono, 1974).

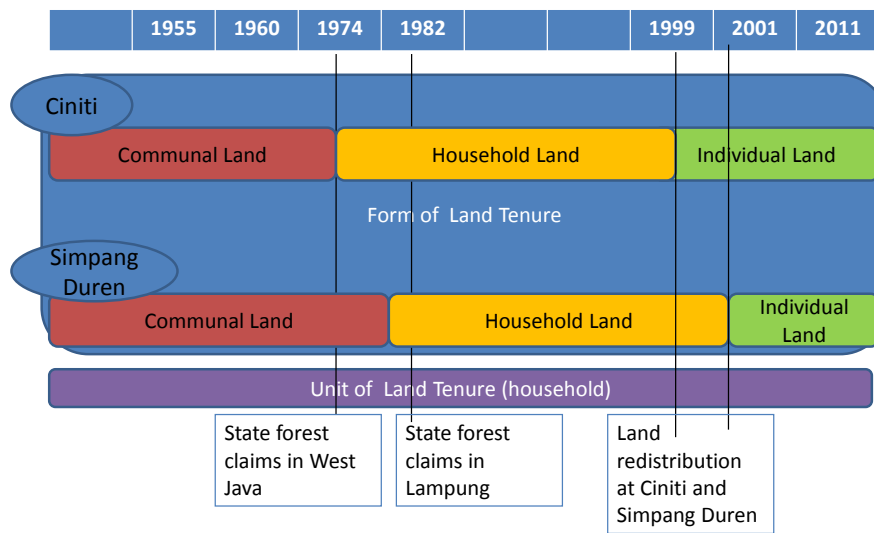
In the implementation rules and regulations of BAL, this communal land ownership has never been further regulated. Right after the 1998 political reformation, communal land ownership was regulated through the BPN decree no. 5/1999, which recognised customary land (*tanah ulayat*), though this was complicated by the requirement that recognition should be based on a local government regulation (*perda*). Communal land rights apply to all land except forest areas and areas that were already allotted under individual land ownership and leased rights. This regulation also allows for the conversion of communal land rights to individual ownership. Further, BAL requires that regulation of customary communal land should follow the times (*mengikuti perubahan zaman*), and that this process is irreversible (*tidak dapat di bangkitkan kembali*). Even though it does not specifically mention that the resultant change will be individualisation of land ownership, it is nevertheless ‘geared towards the new property rights in response to the desires of interacting person[s] for adjustment to new benefit-cost possibilities’ and reconfirmed by the law makers’ assumptions.

Likewise, the revised forestry law no. 41/1999 also recognises customary forests that were owned by the customary community and classified as state forest. However, the Constitutional Court’s judicial review of this law in 2013 decided that customary forest was non-state forest (MK 35/2012). Even though this type of forest has been defined as private forest, lengthy procedures have been required by the forestry law for recognition through the local government regulation (Article 67). Before the customary community could prove that they own the forest through this local government regulation, supported with maps, MoF claimed the forest as state forest and continued to release permits. This once again showed that MoF believed that the evolution of the customary land tenure would lead to the transformation (weakening) of customary land claims towards individualisation of household land tenure unit due to market penetration.

As illustrated in Figure 5.2, practices on the ground resulted in the shifting of the land tenure units from state to household and to individuals in the two sites. In the past in Ciniti, the concept and practice of communal customary land tenure form ended at the hamlet level. This occurred after the village was re-established by the peasants a few years

after the DI-TII movement collapsed in 1960, and they were forced to recognize state forest land in 1974 (highlighted in red). But the peasants managed the land in a unit of household tenure (highlighted in purple). At Simpang Duren (Lampung), the transformation of communal customary land tenure form was regulated by the *adat* chiefs and village chief, abandoned in 1982. (Highlighted in red in Figure 5.2 below). As a strategy for resisting the state claim in 1982, the *adat* and village chiefs invited newcomers to manage and control the land on a household unit alongside the household groups of those who claimed the land as ancestral land (highlighted in yellow in Figure 5.2).

Figure 5.2
Transformation of land tenure form in Ciniti and Simpang Duren



Source: Interview 2008, 2010 & 2011

In that period, the land tenure form evolved from customary communal form towards household tenure form in relation to MoF's exclusive claims on the land as state forest areas in both areas. Further, the land redistribution process changed the form of land tenure to individual land tenure form, although in fact the land was accessed and managed under household unit.

The trend in both sites has been to intensify farming through the cultivation of export-oriented crops such as rubber, coffee and pepper, as well as local cash crops such as banana and *parkia*, immediately after certainty of land tenure was provided through individual land ownership. This supports the idea that peasant households need a certain degree of certainty regarding land tenure to enable them to invest in farming. The land that was under forestry claims and co-management with the state-owned company did not provide them with certainty to invest in cultivation of long-term crops on their farms. The practice of traditional shifting cultivation was the best solution in both sites, in terms of investing their family labour and capital. However, households from different socio-economic classes (rich, middle category I, middle category II and near landless peasant households) were in competition with each other as well as with newly arrived landless peasants and rich absentee land owners under the individual land tenure form.

The misinformation and miscalculation of farm inputs and yields, as well as the success stories of one or two peasant households prompted peasant households from different socio-economic classes to follow the same trend of focusing on export-oriented farming with less cultivation of local cash crops and staple foods. This shift has proved a trap for many middle class and near landless peasants, as they have fallen into the 'drop off' category. They have lost their own supply of staple foods, relying on paid labour and staple foods from the market, working as temporary share croppers in the neighbouring village and ending up in chronic debt to those with capital. A similar situation is also apparent in other parts of the island in areas that did not undergo land redistribution programmes, such as the Lauje region of central Sulawesi studied by Li (2001). In these areas, monocropped cocoa owned by *Lauje* peasant households in plots averaging two to three hectares, were transferred to individual migrants from coastal peasant households who owned 10 to 20 hectares of cocoa monocrops. This has occurred not through government programmes but through a piecemeal process of land purchases by rich peasant households from local peasant households.

In practice, this free competition also allows the transfer of individual land ownership through a buying and selling market mechanism, decided by the individuals whose names appear on the land certificate. Despite the prohibition of sale and purchase of the redistributed land without a

permit from the BPN office, according to the rules and regulations, there are no mechanisms in place to prevent this from happening. There is also no mechanism to prevent land accumulation in the hands of the rich peasants, who subsequently became the landed elite in the hamlet. After the land was declassified as non-forest area and declared as an object of land redistribution, the prices increased tenfold (almost the same in both hamlets), providing a new market opportunity for land investment (Simpang Duren) as well as for developing export-oriented farms (Ciniti). This enabled everyone (in practice) to buy and sell land individually, even absentee land owners. By 2010, 10 per cent of the total land in Ciniti and 30 per cent of the total land in Simpang Duren was under the ownership and control of absentee land owners from the cities. There were no mechanisms for preventing absentee land owners with capital from accumulating land in both hamlets. Until 2010, more than 50 percent of the land was in the hands of middle class peasant households (categories middle peasant I and II), but the subsequent trend showed a progressively declining percentage of land, under the category of middle peasant I and II and increasing differentiation in terms of farm land area between peasant and non-peasant households.

Surplus extraction also benefited shop owners, whose rapid increase indicated effective surplus extraction through buying and selling agricultural products. The shop owners are predominantly peasants from rich and landlord households that accumulated not only land but also capital and diversified into other sectors such as money lending. Most of the rich peasant households relied on sharecroppers to develop their land as the cheapest way of intensifying their farming.

Land ownership certificates could not be used to access credit due to several administrative requirements that were hardly fulfilled by the current administration system. The state banks required not only land certificates, but also proof of tax payment under the same name and the same plot of land, approved by the land agency office. The tax payment bill, in most cases, was in the name of the head of the household, and did not mention the particular farm plot (in the same administrative plot number). None of the peasant households in the hamlet have attempted to go to the BPN office in Garut or Liwa (a four hour trip by motorcycle), to ask for land certificates and tax approval for accessing credit. In both sites, peasant households rely for emergency cash on the *bank keliling* (in-

formal money lender) which charges a high interest rate, and on money borrowed from the small shops, with the obligation to sell their products to them at predefined (low) prices.

The premises of ETLR, namely, that individual land ownership addresses problems of tenure security, productive farm investment, access to credit and convenience for the government administrative system were only valid for some households in both sites, especially the better off households and absentee city-based landlords. Those from the lower socioeconomic classes, namely, the near landless and some middle class peasant households, were deprived and became landless only a few years after the land was redistributed. Only a few peasant households that were extra diligent, hardworking and thrifty could maintain their current situation. These households also derived other income from non-farming activities, for example, remittances received from their member in the cities and running small shops that extracted surpluses from other peasant households in the hamlet.

5.6 A Trajectory of Indonesian Upland Communities

As discussed in Chapter 2, since the 1998 political reform, Indonesia has gradually changed and is continually evolving its policies on land and natural resources from one-sided state claims on forests and their natural resources towards more populist and market-oriented approaches. The momentum of this policy change has fluctuated following pressure exerted by civil society as well as that resulting from the political momentum. However, several milestones are evident as described below.

The Basic Forestry Law no. 5/1967 has been amended to Forestry Law no. 41/1999 that specifically mentions the rights of the customary community (*Masyarakat Hukum Adat*) to manage the forest area in their customary land (*tanah adat*), even though their customary forest was classified as a state forest area. There was consequently great hope among the political legislative members (Markus, from the PDI party, as well as Ali Akbar from PPP; see Dephutbun, 1999) that this amended Law would result in recognition and restitution of the rights of the customary community in managing their forests according to their own traditional wisdom. The Legislative Act (TAP MPR) no. IX, passed in the year 2001, mandated the Legislative members and the President to review and

revise the unjust land and natural resources legislation, and implement agrarian and natural resource management reforms.

Over the last five years, however, this populist legal reform has lost its momentum, especially during the early stages of decentralisation when the local (district) government was given the jurisdiction to resolve land conflicts, recognise customary communities, as well as release permits for large scale and middle scale concessions (mining, forestry and palm oil). While most of the districts released permit relating to large-scale concessions, only a few local governments, with support of civil society organisations, sought to address land conflict.

In 2007, two years before the 2009 election, the government, through BPN, announced the National Land Redistribution Program (PPAN). This had a target of redistributing 8 million hectares of non-productive land including deforested forest areas, to landless peasants by the year 2015. Its rationale was based on the prevailing situation wherein most of the productive land was under large scale private and state companies (56% of productive land assets were controlled by 0.2 per cent of the population), and the proportion of landless peasants in Indonesia rose from 30 per cent recorded in the 1993 agriculture census to 36 per cent in the 2003 agriculture census (Bachriadi and Wiradi, 2011). It was hoped that the PPAN programme of land redistribution to the tillers would decrease the percentage of landless peasants in Indonesia by several points (BPN, 2008, internal document). Unfortunately, the programme never materialised on a national scale. Instead, the situation worsened, and the percentage of landless and near landless peasants has increased to 55 per cent, according to the 2013 agriculture census.

In March 2013, Judicial Review no. 35 of Forestry Law no. 41/1999, regarding the status of customary forest, revoked the classification of customary forest as state land. This land is currently classified as non-state forest, or under private ownership. However, to be classified as private forest, there are still several administrative requirements for proving customary community status through local government regulations. JKPP, an NGO consortium of community mappers, projected between 42 and 80 million hectares of customary forests in Indonesia that could potentially be classified as customary forests through this law, but which is currently delineated under state forest areas (JKPP, 2014).

A further law, Village Law no. 6/2014, was passed in early 2014. This gives autonomy rights to a village to be designated as a Customary Village or an Administrative Village with the required customary institution structure or village administrative structure. This law gives a village the jurisdiction to manage its territories, including village owned forests, land and other natural resources (Article 76). It will be fully implemented within one year, and approved villages will also be able to manage their own annual budgets of 1.2 billion rupiah (approximately US\$ 100,000).

In 2014, MoF and the National Statistical Office, through its provincial spatial planning department, claimed to have reduced the number of villages having areas overlapping with forests from 28,689 villages in 2007 and 2009, to 18,239 villages in 2014 (MoF-BPS, 2014). This means that there are 10,450 upland villages that have had their land excised from state forest areas, and will be included in the land registration programme under the BPN. As predicted by JKPP (2014) and Zakaria (2014), following the implementation of the Judicial Review no. 35/2012 and the establishment of village autonomy under Village Law 6/2014, there will be more villages and customary forests excised from state forest areas, but still considered as forest area, that should maintain their forest functions. These communities will be trapped in the BPN's land registration programme through a well established system of individual land ownership certification available at every BPN district office. However, legislative members are still debating the draft Land Law (*Draft Undang Undang Pertanahan*), which will follow the principles of the Basic Agrarian Law no. 5/1960 (BAL). According to Soemarjono (2014, pers comm. 12 April 2014), this law will accommodate communal land titling, which is not regulated in detail in the BAL, and it will also include the targets for land redistribution (Gunawan 2014). However, the current draft Act does not address the subject of land redistribution, the purpose of which is to change the unjust agrarian structure of rural society. Currently, the legislature is also working on a draft law on rights and protection of the customary community (*Draft Undang Undang Perlindungan dan Hak-Hak Masyarakat Hukum Adat*) and the BPN are working on the government regulation to regulate the communal land tenure form, as well as revising the regulation on land reform (PPAN). The law was promoted by the alliance of indigenous communities of Indonesia (AMAN), and promulgates communal land titling for customary communities and the rights of the customary community to be protected by

the State, following the principles of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) (World Bank 2014). According to the agrarian researcher-activist Noer Fauzi Rachman (Kompas 2014a), the previous government under the Susilo Bambang Yudhoyono ('SBY') did not seem to be willing to regulate the land rights of the *masyarakat adat* and initiate communal land registration. Consequently, this administration has adopted a strategy of delaying tactics regarding initiation of the process of recognising and registering communal land, while supporting the individualisation of land titling.

In the absence of a law, rules and regulations, as well as government offices that can accommodate the process of collective land registration, the pressure on peasants to acquire land tenure security within areas of land conflict is pragmatically following the mainstream course of formalising the informal land tenure to individual land ownership.

In 2013, Pokker SHK, a NGO in Central Kalimantan, reported that during the implementation of the Governor's Regulation 4/2012, allowing individual and communal ancestral land to be registered through the *demang* (*adat* chief), both the *demang* and the local government preferred to accommodate individual land claims rather than register communal ancestral land. The Perkumpulan Pancur Kasih director, Mateus Pilin (2013, pers. comm., 24 Juni 2013), observed that the customary community that was being facilitated by his NGO to do community mapping succeeded in getting their communal land mapped, and some of these lands were recognized by the sub-district government. However, the cohesion of the customary community fell apart when the private palm oil companies began to negotiate with the local elites, one by one. These local elites have tended to release their communal lands, treating them as if they were their individually owned lands, to the private sector, which has ruined the cohesion of the customary community.

This kind of trajectory has been observed in other parts of the Indonesian uplands, not only under programmes of land redistribution in forest areas, as discussed in this study, but also in non-forested, post land conflict areas. In most of these situations, the NGO supporters and the local peasants or customary community movement were at the forefront during the conflict era, but were not able to sustain the momentum to prepare a long term vision after the land conflict. The slogan, 'land for the tillers' is widely used by most of the peasant movements to unify the

movement against private large-scale concessions, or against the state (Setiawan 2010). Changing an unjust agrarian structure was mostly considered from the external perspective of a community, viewed as a single entity, versus private/state actors, and not as an agrarian structure and agrarian relations that were internally unjust.

5.7 Implications and Reflections for State Policy and Civil Society Movements

The evolution of land rights towards private ownership, discussed above, was seen by the NGO supporters in both sites, and in other parts of Indonesia, as a natural internal process, and in some cases, NGO activists were reluctant to intervene. This study has shown that the market and state both play an important role in engineering the evolution of land rights towards privatisation, rather than retaining their communal land tenure form or accommodating the household land tenure unit. The delaying tactics played by the previous government, to create a regulation that will establish a clearer process of land redistribution, create communal land rights titles, and secure the rights of the customary community, is a clear indication of the state's reluctance to regulate this issue. Thus, changes in the process are determined by the demands of the market for the benefit of the private sector.

It is apparent from this study that Indonesia's upland communities need security of tenure for their land and farming systems, which could protect them from land appropriation by state and local players. Approaches to land redistribution under individual ownership, as practised so far, have not been appropriate for these upland communities that managed and possess the land in household unit. The upland peasant households that were the focus of this study have been forced to follow the free market route, which includes farm land as one of the commodities that has been internally contested by peasants and other absentee land speculators. This process has been formative of a capitalist peasant society in the upland areas. As revealed by this study, and also by other studies (see Chrisantiny, 2007) the government land agency (BPN) was unable to provide support to every individual peasant, especially in the upland areas, to register their plots. Both this study and Chrisantiny (2007) have shown that land redistribution cannot lead to the registration

of all lands. Only those who are sufficiently well off were able to acquire individual land certificates.

The civil society movement led by peasant organisations and unions that have been promoting land reform and redistribution should carefully examine the results of the land redistribution process several years after it occurred. Those in the civil society movement who promote recognition of *adat* rights through communal land ownership should also observe internal processes of elite capture.

In this situation there is a need for civil society organisations to work with peasant organisations and customary communities to create a long-term vision that extends beyond conflict resolution to enable local communities to identify problems relating to an unjust agrarian structure and to agrarian relations that are both internal and external to the communities. This requires us to be aware that agrarian differentiation is not a natural process, but a socially constructed process that needs to be addressed from the early steps in the land redistribution and its land tenure choices. With good understanding of the trajectories of agrarian differentiation resulting from the design and implementation of land redistribution – as in the two cases we have studied – local communities should design their own land redistribution process. This would enable the local community through its own local leadership to periodically conduct land redistribution, and decide when the land redistribution should be done. This is particularly important, as an unjust agrarian structure will reappear as a result of market penetration and exploitative agrarian relations.

Knowing that there are always limitations to government rules and regulations, it is necessary to prepare a complete set of rules and regulations as well as build the capacities of state organisations to run genuine land redistribution programmes that are suitable for the pluralistic Indonesian situation (in Java, the Outer Islands, forests and non-forest areas and customary and peasant communities, upland and lowland communities). There is also a need to rethink generic rules and regulations according to clear principles for regulating the process.

It may be that individual or communal land ownership tenures are not the critical need of upland communities, but rather local autonomy of communities and a clear vision of local leadership to regulate the land redistribution process. With a good understanding of the problematic of

agrarian differentiation arising from this study, there are several policy implications that needed to be developed. These include:

1. Communal land tenureship that can accommodate pluralistic local tenure forms and protect household farming units.
2. Guarantee of land allocation for all peasant households with maximum land holding under the control of peasant household units. This is important to limit accumulation by rich peasant households.
3. Sufficient allocation of land for women and youth as an incentive for them to farm and cultivate the land in their village or their ancestral land. A special effort is needed to emphasise women and youth as they are more innovative and will continue farming the land in the future.
4. Allocation of local budgets (that is, village funds under Law 6/2014) to buy back village or ancestral lands that were sold or released to absentee land owners, and the subsequent allocation of these lands for productive use.
5. Creation of consensus in allocating land for tillers, not under ownership, but under contractual bases with the village or *adat* communities. This should be periodically reviewed and allow for redistribution among the landless peasant households.
6. Creation of a comprehensive village or *adat* community land database with clear planning regarding the community's future. This should not only address the social aspects, but also economically viable and environmentally sound planning.

With this clear vision and planning conceptualised at the local level, there is a need to incorporate the lessons learned lesson in the draft land law, draft law on the protection of customary communities, rules and regulation on land redistribution, and communal land tenure. Local autonomy at the village level, as defined in the Village Law no 6/2014 means that village communities should be given the authority to lead the effective functioning of local land redistribution mechanisms, and these obligations should be clearly written into the implementation guidelines, including processes and mechanisms for resolving land conflicts.

Notes

¹The classes in these two sites were grouped in different ranges, which were locally acknowledged in both sites.

²Roy Prosterman is the founder of RDI (Rural Development Institute) or LANDESA that also supported by the USAID for the Land Law Initiatives Programme in Indonesia; see also similar recommendation in Prosterman & Mitchell, 2002.

Appendix 2
Table Key Informants

No	Name	Position 10 years after LR	Gender	Origin	Date of Interview
From Ciniti Hamlet					
1	Radin	Landless	M	Lengkong	16 July 2008, 6 Feb 2010, 13 April 2011
2	Bapak & Ibu Toto	Landless	M & F	Rancaherang	16 July 2008, 7 Feb 2010, 15 April 2011
3	Bapak & Ibu Daryo	Landless	M & F	Citoe	17 July 2008, 7 Feb 2010, 15 April 2011
4	Bapak Ibnu	Landless	M	Lengkong	18 July 2008, 6 Feb 2010, 14 April 2011
5	Ibu Aam (widow)	Near Landless	F	Karees	2 August 2008, 13 Feb 2011
6	Bapak & Ibu Momon	Middle Peasant I	M & F	Rancaherang	19 July 2008, 14 Feb 2010, 21 April 2011
7	Bapak Pepen	Middle Peasant II	M	Bendungan	20 July 2008, 13 Feb 2010, 19 April 2011
8	Bapak & Ibu Suaep	Middle Peasant II	M & F	Karees	17 July 2008, 13 Feb 2010, 18 April 2011
9	Bapak Agus	Middle Peasant I	M	Bendungan	16 July 2008, 15 Feb 2010, 18 April 2011
10	Bapak Nano	Rich Peasant	M	Rancaherang	19 July 2008, 20 Feb 2010, 15 April 2011
11	Kang Ija	Middle Peasant I	M	Rancaherang	18 Feb 2010, 11 April 2011
12	Bapak & Ibu Suraji	Middle Peasant II	M & F	Rancaherang	18 Feb 2010, 10 April 2011
13	Kang Atim	Landless (non beneficiaries)	M	Jakarta	16 April 2011
14	Ibu Eutin (widow)	Near Landless	F	Cioa	17 April 2011
15	Bapak & Ibu Oding	Rich Peasant	M & F	Sukmajaya & Lengkong	8 April 2011
16	Bapak Mahmud	Rich Peasant	M	Lengkong	17 Juni 2008, 15 April 2011
17	Bapak Nanang	Land Lord (non beneficiaries)	M	Pameungpeuk	9 April 2011

No	Name	Position 8 years after LR	Gender	Ethnic group	Date of Interview
From Simpang Duren Hamlet					
1	Ibu Masyati	Near Landless, widow	F	Bengkunat	10 Aug 2008, 22 Jan 2011
2	Bapak & Ibu Wandu	Landless	M & F	Lampungese	8 Aug 2008, 24 May 2010, 23 Jan 2011
3	Bapak & Ibu Hartono	Rich Peasant	M & F	Javanese	9 Aug 2008, 23 May 2010, 22 Jan 2011
4	Kakek Sukanta	Near landless	M	Sundanese	10 Aug 2008, 24 May 2010, 23 Jan 2011
5	Bapak Anto	Middle Peasant I	M	Semendo	11 Aug 2008, 20 May 2010, 22 Jan 2011
6	Bapak Hamid	Middle Peasant II	M	Lampungese	19 May 2010, 24 Jan 2011
7	Bapak Hendra	Middle Peasant I	M	Semendo	19 May 2010, 23 Jan 2011
8	Bapak Udin	Near landless	M	Bengkunat	21 May 2010, 25 Jan 2011
9	Bapak Suwondo	Landless	M	Javanese	21 May 2010, 26 Jan 2011
10	Kang Anta	Landless	M	Sundanese	25 Jan 2011
11	Bapak Sularso	Middle Peasant I	M & F	Javanese	23 Jan 2011
12	Bapak Sumadi	Rich Peasant	M	Javanese	24 Jan 2011
13	Bapak Handoko	Landlord (non beneficiaries)	M	Indonesian Chinese	5 Feb 2011



References

- ADB, 2006. Indonesia Strategic Vision for Agriculture and Rural Development. Manila: Asian Development Bank.
- Afiff, Suraya, Noer Fauzi Rachman, Gillian Hart, Lungisile Ntsebeza, Nancy Peluso, 2005. Refining Agrarian Power: Resurgent Agrarian Movements in West Java, Indonesia. Paper CSEASWP2-05. Berkeley: Center For Southeast Asia Studies, UC Berkeley.
- Aji, Bayu, 2005. Tanah untuk Penggarap: Pengalaman Serikat Petani Pasundan menggarap lahan-lahan perkebunan dan kehutanan. Bogor: Lembaga Alam Tropika.
- Agarwal, Bina, 2003. Women's Land Rights and the Trap of Neo-Conservatism: A Response to Jackson. *Journal of Agrarian Change*, 3 (4): 571-585.
- AMAN 2013. Indigenous World 2011. Jakarta: AMAN.
- Asmu, 1962. Masalah Masalah Land Reform. Jakarta: Djambatan.
- Bachriadi, Dianto, 2001. Pemetaan Pola-pola Sengketa dan Konflik Agraria di Indonesia. Paper presented at the seminar Arah Kebijakan Nasional mengenai Tanah dan Sumber Daya Alam Lainnya. Bandung, 20-23 Agustus 2001, Bandung: KPA.
- Bachriadi, Dianto, Anton Lucas, 2002. Hutan Milik Siapa? Upaya-upaya Mewujudkan. Forestry Land Reform di Kabupaten Wonosobo, Jawa Tengah, in Anu Lounela and R. Yando Zakaria (editors) Berebut Tanah: Beberapa Kajian Berperspektif Kampung dan Kampung, Yogyakarta: Insist Press.
- Bachriadi, Dianto, Agung Sardjono, 2006. Local Initiatives to Return Communities' Control Over Forest Land in Indonesia; Conversion or Occupation? Paper Presented during the 11th Biennial Conference of International Association for the Study of Common Property, Bali - Indonesia, June 19-23, 2006.

- Bachriadi, Dianto, Gunawan Wiradi, 2011. *Enam Dekade Ketimpangan: Masalah Penguasaan Tanah di Indonesia*. ARC: Bandung.
- Bakosurtanal, 2004. *Peta Rupa Bumi, Kabupaten Lampung Barat*. Cibinong: Bakosurtanal.
- Bangsawan, Syahril, 2001. *Riwayat Sejarah Marga Bengkunt*, paper presented at the land use planning seminar, June 2001. Bogor: WATALA.
- Bappeda Propinsi Lampung, 2001. *Presentasi Luasan Kawasan Hutan per Kabupaten/Kota, Bandar Lampung*. Bandar Lampung: Bappeda Propinsi Lampung.
- Bappeda Propinsi Lampung, 2013. *Draft RTRWP Propinsi Lampung 2013–2030*, Bandar Lampung: Bappeda Propinsi Lampung.
- Bernstein, Henry, 2010. *Class Dynamics of Agrarian Change*. West Hartford: Kumarian Press.
- Biro Pusat Statistik, 2005. *Statistik Indonesia*. Jakarta: Biro Pusat Statistik.
- Biro Pusat Statistik, 2011. *Statistik Indonesia*. Jakarta: Biro Pusat Statistik.
- Biro Pusat Statistik, 2013. *Statistik Indonesia*. Jakarta: Biro Pusat Statistik.
- Biro Pusat Statistik 2014. *Statistik Indonesia*. Jakarta: Biro Pusat Statistik.
- BMKG, 2013. *Data el Nino dan La Nina di Indonesia*. Jakarta: BMKG
- Borras Saturnino M. Jr., Cristobal Kay, Haroon Akram-Lodhi , 2006a. *Agrarian Reform and Rural Development; Historical overview and current issues*. in Akram-Lodhi Haroon, Saturnino M.Borras and Cristobal Kay Jr. (eds.), 2006. *Land, Poverty and Livelihoods in an Era of Globalization: perspectives from Developing and Transition Countries*. London: Routledge.
- Borras Saturnino M. Jr., 2006b. *Redistributive Land Reform in Public (Forest) Lands? Rethinking Theory and Practice with Evidence from the Philippines*. *Progress in Development Studies*, 6 (2):123-145.
- Borras Saturnino M. Jr., 2007. *Towards a Pro Poor Forest Land (Re) Allocation Process in Vietnam. An Evaluation Report of the Forest Land Allocation Project of CIRUM, 15 August 2007*. Paper comments
- Boomgaard, Peter, Freek Colombijn, David Henley, eds, 1997. *Paper Landscapes: Explorations in the Environmental History of Indonesia*. Leiden: KITLV Press.
- BPN, 2008. *Data Tanah Terlantar sebagai objek land reform (PPAN)*, unpublished

- Breman, Jan, Gunawan Wiradi, 2002. *Good Times and Bad Times in Rural Java: Socio Economic Dynamics in Two Villages towards the End of the Twentieth Century*. Leiden: KITLV Press.
- Breman Jan, 2010. *Preanger Stelsel: Tanam Paksa Kopi di Pasundan*. Leiden: KITLV Press.
- Budidarsono, Suseno, Thomas Tomich, Betha Lusianan, Meine van Noordwijk, 1998. *Profitability Assessment of Transmigration Land Use System in Dry-land Peneplain Zone of Lampung: Continuous Annual Food Crop Farming System, Degraded to Imperata Cylindrica Grassland*. Southeast Asia Policy Research Working Paper, No 6. Bogor: ICRAF.
- Budidarsono, Suseno, Adi Kuncoro Susilo, Tomich Thomas, 2000a, *Profitability Assessment of Robusta Coffee System in Sumber Jaya Watershed Lampung, Sumatera Indonesia*. Southeast Asia Policy Research Working Paper, No 16. Bogor: ICRAF.
- Budidarsono, Suseno, Bambang Arifatmi, Hubert de Foresta, Thomas Tomich, 2000b. *Damar Agroforestry Establishment and Source of Livelihood: A Profitability Assessment of Damar Agroforest System in Krui Lampung, Sumatera Indonesia*. Southeast Asia Policy Research Working Paper, No 17. Bogor: ICRAF.
- Burchart, Tania, Julian le Grand, Piachaud, 2002. *Introduction to Social Exclusion*, in Hills, John, Julian le Grand & David Piachaud. *Understanding Social Exclusion*. Oxford: Oxford University Press.
- Chrysantini, Pinky, 2007. *Berawal dari Tanah; Melihat ke Dalam Pendudukan Tanah*. Bandung: Akatiga.
- Campbell, Jeffrey, 2001. *Forests for the People, Indigenous Communities (Masyarakat Adat) or Cooperatives? Plural Perspectives in the Policy Debate for Community Forestry in Indonesia* in Colfer, Carol & Resudarmo, eds. *Which Way Forwards: People, Forests, and Policy making in Indonesia* Resources for the Future, Bogor: CIFOR.
- Chomitz, Kenneth, 2007. *At Loggerheads? Agricultural Expansion, Poverty Reduction, and Environment in the Tropical Forests*. New York: World Bank.
- Cliffe, Lionel, Jocelyn Alexander, Ben Cousins, Rudo Gaidzwana, 2011. *An overview of Fast Track Land Reform in Zimbabwe*, *Journal of Peasant Studies*, 38 (5). 907-938.

- Cliffe, Lionel, Jocelyn Alexander, Ben Cousins, Rudo Gaidzanwa (eds) 2013, *Outcomes of post-2000 Fast Track Land Reform in Zimbabwe*. London: Routledge.
- Colchester, Marcus, Martua Sirait, Boedhi Widjarjo, 2003. *The Application of FSC Principles 2&3 in Indonesia; Obstacles & Possibilities*. Jakarta: Walhi.
- Colchester, Marcus, Norman Jiwan, Andiko, Martua Sirait, Asep Firdaus, Surambo and Herbet Pane, 2006. *Promised Land: Palm Oil and Land Acquisition in Indonesia, Implication for Local Communities and Indigenous Peoples*. London-Bogor: FPP-ICRAF-HuMa-Sawit Watch.
- Contreras–Hermosilla, Arnaldo, Chip Fay , 2005. *Strengthening Forest Management in Indonesia through Land Tenure Reform: Issues and Framework for Action*, 2005, New York-Bogor: Forest Trends-ICRAF.
- Corriveau-Barqueau, Alexandre, 2014. *Who Owns and Who Decides? Major Trends and Implications on the World's Forests*. Washington DC: Right Resource Initiatives.
- Cribb, Robert, 2000. *The Indonesian Killings of 1965-1966: Studies from Java and Bali*. Clayton, Australia: Monash University Center of Southeast Asian Studies.
- Deere, Carmen Diana, Alain De Janvry, 1979. A Conceptual Framework for the Empirical Analysis of Peasants. *American Journal of Agriculture Economics*. 61. (4).601-611.
- De La Rosa, Benny, 2005. *Agrarian Reform Movement in Commercial Plantations in Mindanao: The Experience in the Banana Sector of Davao del Norte*. In Jennifer Franco & Saturnino M. Borrás Jr. (eds). *On Just Grounds: Struggle for Agrarian Justice and Citizen Rights in the Rural Philippines*. Quezon City: Institute for Popular Democracy..
- Dephutbun, 1999. *Risalah Pembentukan Undang Undang Kehutanan no 41 tahun 1999*. Jakarta: Departemen Kehutanan dan Perkebunan.
- De Soto, Hernando, 2003. *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else*. New York: Basic Books.
- Djalins, Upik, 2011. *Adat Argument and Discursive Power: Land Tenure Struggle in Krui Indonesia*. In Dove, Michael, Sajise Percy, Doolittle Amity Appell, *Beyond the Sacred Forest : Complicating Conservation in Southeast Asia*. Durham, NC: Duke University Press.

- Ekadinata, Andre, Meine van Noordwijk, Sonya Dewi and Peter Minang, 2010. Reducing Emissions from Deforestation, Inside and Outside the 'Forest'. ASB Policy Brief 16. Nairobi, Kenya: ASB Partnership for the Tropical Forest Margin.
- Ellsworth, L., Andi White, 2004. *Deeper Roots: Strengthening Community Tenure Security and Community Livelihoods*. Ford Foundation: New York.
- Elmhirst, Rebecca 2001, Resource Struggles and the Politics of Place in North Lampung, Indonesia. *Singapore Journal of Tropical Geography*, 22 (3): 284–306.
- Elsam, 1999. *Aktivitas Elsam 1999-2004*. Jakarta: Elsam.
- Elson, Robert E., 1994. *Village Java Under the Cultivation System 1830-1870*. Sydney: Asian Studies Association of Australia.
- FAO, 2008. *State of the World's Forests (SOFO) 2008*. Rome: FAO.
- Fathullah, Lisken Situmorang, Nurka Cahyaningsih, Ichwanto Nuch & Martua Sirait, 2005. Perubahan Status Kawasan Hutan, Guna Menjawab Permasalahan Kemiskinan dan Ketahanan Pangan; Studi Kasus dari Marga Bengkuntat & Pekon Sukapura, Kabupaten Lampung Barat. Paper presented at the International Tenure Conference; Questioning the Answer. Jakarta 11-13 Oktober 2004.
- Fay, Chip, Martua Sirait, 2004. Indonesia's Agrarian and Forestry Legal Frameworks: Challenging the Dual System of Land Tenure Jurisdiction. Paper Presented during the International Tenure Conference on Indonesia; Questioning the Answers, 11-13 October 2004, Jakarta.
- Fay, Chip, Hubert de Foresta, Martua Sirait and Thomas Tomich, 1999. A Policy Breakthrough for Indonesia farmers in Krui Damar Agroforest. *Agroforestry Today*, 1999. Nairobi: ICRAF.
- Fay, Chip, Martua Sirait, 2004. Kerangka Hukum Agraria dan Kehutanan Indonesia; Mempertanyakan Sistem Ganda Kewenangan atas Penguasaan Tanah. Paper presented at International Tenure Conference; Questioning the Answer. Jakarta 11-13 Oktober 2004, Jakarta.
- Feranil H. Salvador, 2005. Evolving Peasant Movement in Negros Occidental: Stretching the 'Limit' of Redistributive Agrarian Reform. In Franco, Jennifer, Saturnino M. Borras Jr. (eds). *On Just Grounds: Struggle for Agrarian Justice and Citizen Rights in the Rural Philippines*. Quezon City: Institute for Popular Democracy.

- FKKM, 1999. Dengan Langkah yang Benar Menuju Era Baru Pengelolaan Hutan Indonesia (The Right Starting Points towards the New Era of Indonesian Forestry). Jakarta: FKKM.
- FKPL, 1998, Agenda Reformasi Forum Pembaharuan Kehutanan Lampung, Lampung Post, Bandar Lampung: FKPL.
- Franco, Jennifer, 2005. On Just Grounds: The New Struggle for Land and Democracy in Bondoc Peninsula. In Jennifer Franco & Saturnino M. Borras Jr. (eds). On Just Grounds: Struggle for Agrarian Justice and Citizen Rights in the Rural Philippines. Quezon City: Institute for Popular Democracy.
- Franco, Jennifer, 2008. A Framework for Analyzing the Question of Pro-Poor Policy Performance and Governance in State/Public Lands: A Critical Civil Society Perspective. July 2008 Prepared for the Food and Agriculture Organization (FAO).
- FSPI, 2006. Reforma Agrarian Butuh Dukungan Militer (Agrarian Reform need Military Support). Medan: FSPI
- Galudra, Gamma, Martua Sirait, 2006. The Unfinished Debate: Socio-Legal and Science Discourses on Forest Land-Use and Tenure Policy in 20th Century Indonesia. Paper presented at the IASCP Conference, 19-23 June 2006 Bali
- Gellert Paul, 2006. The Politics of Governance of Indonesia's Forest Industries: Progress and Regress in a Neo-Liberal Age. Paper presented at the Governance and the Politics of Development (Garnet) Conference. 16-17 November 2006. Den Haag: ISS.
- Giddens, Anthony, 1986. The Constitution of Society: Outline of the Theory of Structuration. California: University of California Press.
- Giusta Della Marina, 2008. Social Exclusion and Development. In Vandana Desai & Robert Potter eds., The Companion to Development Studies. London: Hodder Education.
- Griffin, Keith, A. Rahman Khan and Amy Ickowitz, 2002. Poverty and the Distribution of Land, *Journal of Agrarian Change* 2 (3):279-330.
- Gunawan Wiradi, 2014. Reforma Agraria Pasca SBY, article in *Kompas Daily Newspaper*, 11 April 2014, page 6, Jakarta: Kompas.
- Hadikusuma, 1989. Masyarakat Adat dan Budaya Lampung. Jakarta: Mandar Jaya.
- Hall, Derek, Philip Hirsch, Tania Li Murray, 2011. Powers of Exclusion: Land Dilemmas in Southeast Asia. Honolulu: University of Hawaii Press.

- Hart, Gillian, 1986. *Power, Labor and Livelihood; Processes of Change in Rural Java*. Berkeley: University of California Press.
- Hart, Gillian, Nancy Peluso, 2005. Revisiting 'Rural' Java: Agrarian Research in the Wake of Reformasi: A Review Essay. *Indonesia*, 80, October:177-197.
- Harsono, Budi, 1974. *Hukum Agraria Indonesia*, Jakarta: Djambatan.
- Hayami, Yujiro, Masao Kikuchi, 1980. Polarization of an Agrarian Community: A Dilemma of the Philippine Land Reform. *Land Economics*, 56(3):350-365.
- Hefner, Robert, 1990. *The Political Economy of Mountain Java: An Interpretive History*. Berkeley: University of California Press.
- Hermit, Herman, 2004. *Cara Memperoleh Sertifikat Tanah Hak Milik, Tanah Negara dan Tanah Pemda.; Teori dan Praktek Pendaftaran Tanah di Indonesia*. Bandung: Mandar Maju.
- Herring, Ronald, 2006. Beyond the Politically Impossibility Theorem of Agrarian Reform. In Peter Houtzager and Michael Moore eds., *Changing Paths: International Development and The New Politics of Inclusion..* Michigan: Universty of Michigan Press.
- Hobley, Mary, 2007. *Where in the World is There Pro-poor Forest Policy and Tenure Reform?* Washington DC: Right Resource Initiatives.
- Home, Robert, Hilary Lim, 2004. *Demystifying the Mystery of Capital: land Tenure and Poverty in Africa and the Caribbean*. London: Cavendish Publishing.
- Humphreys, David, 2006. *LogJam: Deforestation and the Crisis of Global Governance*. London: Earthscan.
- Huskens, Frans, Huub de Jonge (eds) 2003, *Order Zonder Order: Kekerasan dan Dendam di Indonesia 1965-1988*. Jakarta: LKIS.
- ICARRD, 2006. *Indonesia Country Report: Agrarian Reform and Rural Development in Indonesia*, paper presented at the International Conference on Agrarian Reform and Rural Development (March 6-10, 2006), Porto Alegre, Brazil: ICARRD.
- IMF, 1998. *Letter of Intent Government of Indonesia and International Monetary Fund*. Washington DC: IMF.
- Jakarta Post, 2006. Government to offer land to the poor but experts unsure of program, 23rd May 2006, Jakarta: Jakarta Post.
- Jamal, Erizal, 2006. Revitalisasi Pertanian dan Perbaikan Penguasaan Lahan di Tingkat Petani. *Jurnal Analisis Sosial*.11 (1):105-121

- Japing, C.H. ,1929. De Wenschelijkheid van het in Beheer Geven van Bosschen aan Inlandsche Rechtgemeenschappen. Buitenzorg: Tectona 22: 599-631.
- JKPP, 2014. Potensi Wilayah Adat Indonesia (PIWA), presented during the JKPP conference, 6 January 2014, Bogor: JKPP.
- Kano, Hiroyoshi, 1984. Pemilikan Tanah dan Diferensiasi Masyarakat Desa in Tjondronegoro, Sediono, Gunawan Wiradi 1984, Dua Abad Penguasaan Tanah; Pola Penguasaan Tanah Pertanian di Jawa dari Masa ke Masa. Jakarta: Yayasan Obor-Gramedia.
- Kartodiharjo, Hariadi, Hira Jhamtani (eds). 2006. Politik Lingkungan dan Kekuasaan di Indonesia. (Environmental Politics and Power In Indonesia) Jakarta-Singapore: Equinox Publishing.
- Kasryno, Faisal, 1984. Suatu Alternatif Pembangunan Ekonomi Pedesaan in Kasryno Faisal (ed) 1984 Prospek Pembangunan Ekonomi Pedesaan Indonesia. Jakarta: Yayasan Obor Indonesia.
- Kautsky, Karl, 1899/1988. The Agrarian Question, Vol 2. London: Zwan.
- Kementerian Koordinator Bidang Perekonomian, 2011. Masterplan Percepatan dan Perluasan Pembangunan Ekonomi Indonesia. Jakarta: Kementerian Koordinator Bidang Perekonomian.
- Kemenlh, 2003. Areal Kebakaran Hutan Diperkirakan 40.000 Ha. Jakarta: Kemenlh.
- Kemitraan, 2014. Rencana dan Realisasi Pengelolaan Hutan Berbasis Masyarakat. Jakarta: Kemitraan.
- Kingston, J.B., 1987. The Manipulation of Tradition in Java's Shadow: Transmigration, Decentralization, and the Ethical Policy in Colonial Lampung. New York: Columbia University (Ph.D. thesis).
- Klooster, Dan, 2003. Campesinos and Mexican Forest Policy during the Twentieth Century. *Latin American Research Review*, 38. (2): 94-125.
- Kompas, 2006. Suwarna Akui Terima 87 Chek, Senilai Rp 2,175 miliar. *Kompas Daily*, 24 March 2006. Jakarta: Kompas.
- Kompas, 2008. Amin Layak Ditangkap. *Kompas Daily*, 11 April, 2008. Jakarta: Kompas.
- Kompas, 2014a. Putusan MK Soal Hutan Adat Tak Terlaksana. *Kompas Daily*, 6 May 2014. Jakarta: Kompas.
- Kompas, 2014b. Bupati Bogor Rahmat Yasin Ditahan di Rutan KPK. *Kompas Daily*, 8 May 2014. Jakarta: Kompas.

- Kompas, 2014c. KPK Tangkap Tangan Gubernur Riau Annas Maamun. Kompas daily, 25 September 2014. Jakarta: Kompas.
- Kools, J.F. 1935. Hoema's, Hoemablokken en Boschreserves in de Residentie Bantam. Wageningen: H. Veenman & Zonen.
- Kurosawa, Aiko, 1973. Mobilisasi dan Kontrol: Studi Tentang Perubahan Sosial di Pedesaan Jawa 1942-1945 (Mobility and Control: A Study on Social Changes in Rural Java, 1942-1945). Jakarta: Grasindo.
- Kusters, Koen, Hubert de Foresta, Andree Ekadinata and Meine van Noordwijk, 2007. Towards Solutions for State vs. Local Community Conflicts over Forestland: The Impact of Formal Recognition of User Rights in Krui, Sumatra, Indonesia. *Journal of Human Ecology*. 35 (4): 427-438.
- Kusters, Koen, Ellen Lammers, Roeland Muskens, Paul Burgers, Cora Govers, Erik Heeres, Tim Zwaagstra, Huub Loffler, Jacqueline Vel, Siko Visscher, 2014. Agriculture beyond Food – Experience from Indonesia, ABF Project Document, Amsterdam: NWO/WOTRO.
- Kusumanto, Yanti, Martua Sirait, 2002. Community Participation in Forest Resource Management in Indonesia: Policies, Practices, Constraints and Opportunities. A Synthesis. ICRAF-SEA Policy Working Paper no 28. Bogor: ICRAF.
- Kusworo, Ahmad 2000, Perambah Hutan atau Kambing Hitam?: Potret Sengketa Kawasan Hutan di Lampung. Bogor: Latin Press.
- Kusworo, Ahmad, 2014 Pursuing Livelihoods, Imagining Development: Smallholders in Highland Indonesia, Asia Pacific. Indonesia Monograph. Sydney: ANU Press.
- Lenin V.I 1899/1982. The Differentiation of the Peasantry. Chapter II Part XIII. in J. Harriss (ed.), *Rural Development: Theories of Peasant Economy and Rural Change*, London: Hutchinson..
- Li, Tania M., 1996. Images of Community: Discourse and Strategy in Property Relations, *Development and Change*, 27(3): 501–27.
- Li, Tania M., 1999. *Transforming the Indonesian Uplands*. New Jersey: Harwood Academic Publishers.
- Li, Tania.M, 2001. Agrarian Differentiation and the Limits of Natural Resource Management in Upland Southeast Asia. *IDS Bulletin* vol 34, no 2.
- Lucas, Anton, Carol Warren (eds), 2002. *Land for the People; The State and Agrarian Conflict in Indonesia*. Athens: Ohio University Press.

- Lukmanuddin, Ibang Nurdin, 2002. Menolak Klaim Perhutani atas Tanah Rakyat Sagara, in *Memecah Ketakutan Menjadi Kekuatan; Kisah Kisah Advokasi di Indonesia*. Yogyakarta: Insist Press.
- Lynch, Owen, Kirk Talbott, 1995. *Balancing Acts: Community-Based Forest Management and National Law in Asia and the Pacific*. Washinton DC. WRI.
- Manalu, Dimpos, 2009. *Gerakan Sosial dan Perubahan Kebijakan Publik*. Jogyakarta: Gajah Mada University Press.
- Menkoekuin, 2005. *Revitalisasi Pertanian, Perikanan dan Kehutanan Indonesia 2005, untuk Rakyat, Tanah Air dan Generasi Indonesia mendatang*. Jakarta: Kantor Menko Bidang Perekonomian.
- Michon, Jenevieve, Hubert de Foresta, 1998. *Agro-Forest: Incorporating Forest Vision in Agroforestry*. In *Agroforestry in Sustainable Agriculture Systems*. Washington DC: CRC Press-Lewis Publisher.
- Ministry of Agriculture, 2005. *Agenda Revitalisasi Pertanian*. Jakarta: Departemen Pertanian.
- Ministry of Forestry, 1996a. *Sejarah Kehutanan Indonesia I : Periode Tahun -1942*. Jakarta: Departemen Kehutanan.
- Ministry of Forestry, 1996b. *Sejarah Kehutanan Indonesia II-III : Periode Tahun 1942-1986*. Jakarta: Departemen Kehutanan.
- Ministry of Forestry, 2005. *Rencana Srategis Kementerian Negara/Lembaga (Renstra-KL) Departemen Kehutanan 2005-2009, (Strategic Plan of the State Forestry Ministry 2005-2009)*. Jakarta: Kementrian Kehutanan.
- Ministry of Forestry, 2006a. *Peraturan Menteri Kehutanan Nomor: P.58/Menhut-II/2006 Tentang Rencanan Strategis Kementerian/Lembaga (RENSTRA-KL) Departemen Kehutanan Tahun 2005-2009.*, Jakarta: Kementrian Kehutanan.
- Ministry of Forestry, 2006b. *Rencana Pembangunan Jangka Panjang Kehutanan 2006-2025*. Jakarta: Kementrian Kehutanan.
- Ministry of Forestry, 2006c. *Siaran Pers No. S. 525/II/PIK-1/2006. Dephut Memberikan Akses Terhadap Masyarakat untuk Memanfaatkan Kawasan Hutan*. Jakarta: Kementrian Kehutanan
- Ministry of Forestry, 2008. *Desa dalam Kawasan Hutan*. Jakarta: Kementrian Kehutanan.
- Ministry of Forestry, 2014. *Desa dalam Kawasan Hutan*, Jakarta: kementrian Kehutanan.

- Moniaga, Sandra, 1993. Toward Community-Based Forestry and Recognition of Adat Property Rights in Outer Island of Indonesia in Jefferson Fox ed. *Legal Frameworks for Forest Management in Asia; Case Studies of Community/State Relations*. Hawaii: East West Center.
- Moniaga, Sandra, Martua Sirait, 2004. *Pengelolaan Hutan Berbasis Masyarakat, Pengalaman dari Filipina dan Refleksinya terhadap Indonesia*. Bogor: FKMM.
- Moyo, Sam, 2011. Changing Agrarian Relations after Redistributive Land Reform in Zimbabwe. *The Journal of Peasant Studies*. 38 (5): 939–966.
- Myrdal, Gunnar, 1977. *Asian Drama: an Inquiry into the Poverty of Nations*. London: Pelican Books.
- Nirwana, Irwan, Boy Fidro, Noer Fauzi Rachman, Hendro Sangkoyo, 2002. *Land Reform Di Desa. Seri Panduan Pendidikan dan Pengorganisasian*. Yogyakarta: Read Book.
- NRMP, 2001. *Soft Landing Sektor Kehutanan Indonesia, Project Document NRMP I*. Jakarta: NRMP
- Peluso, Nancy L., 1992. *Rich Forests, Poor People Resource Control and Resistance in Java*. Berkeley: University of California Press.
- Peluso, Nancy L., 2006. *Hutan Kaya Rakyat Melarat; Penguasaan Sumedaya dan Perlawanan di Jawa.*, (translation of *Rich Forests, Poor People*), Jakarta: Konphalindo.
- Peluso, Nancy L, Christian Lund, 2011. New Frontiers of Land Control: Introduction, *The Journal of Peasant Studies* .38 (4): 683-701.
- Pembaruan Tani, 2008. *Proyek UU Pertanahan di tengah Janji Manis PPAN*. *Mimbar Komunikasi Petani*, No 49, March 2008. Jakarta: SPI.
- Platteau, Jean-Philippe, 1996. The Evolutionary Theory of Land Rights as Applied to Sub-Saharan Africa: A Critical Assessment. *Development and Change*. 27 (1): 29-86.
- Pokker SHK, 2013. *Hasil Kajian Penerapan SKTA di Kalimantan Tengah*. Palangkaraya: Pokker SHK.
- Prosterman, Roy, R. Mitchell, 2002. *Concept for Land Reform on Java*. Paper presented at the Seminar: *Rethinking Land Reform in Indonesia*. Jakarta, 8 May 2002. Seattle: Rural Development Institute.
- Prosterman, Roy, Tim Hanstad, 2003. *Land Reform in the 21st Century: New Challenges, New Responses*. RDI Reports on Foreign Aid and Development no. 117. Seattle: Rural Development Institute.
- Rachman, ,1997. *Tanah dan Pembangunan*. Jakarta: Pustaka Sinar Harapan.

- Rachman, Noer Fauzi, 2003a. *Bersaksi untuk Pembaruan Agraria: Dari Tuntutan Lokal Hingga Kecendrungan Global*. Yogyakarta: Insist Press.
- Rachman, Noer Fauzi, 2003b. *The New Sundanese Peasants' Union: Peasant Movements, Changes in Land Control, and Agrarian Questions in Garut, West Java*. Paper prepared for Workshop: 'New and Resurgent Agrarian Questions in Indonesia and South Africa' Center for Southeast Asia Studies and Center for African Studies Crossing Borders Program 2003-2004 - October 24, 2003 Institute for International Studies - Moses Hall University of California - Berkeley, CA.
- Rachman, Noer Fauzi, 2012. *Land Reform dari Masa ke Masa*. Jakarta: Tanah Air Beta.
- Rajan, Ravi, 1998. *Imperial Environmentalism or Environmental Imperialism? European Forestry, Colonial Foresters and the Agendas for Forest Management in British India 1800-1900*. in R. Grove, V. Damodaran & S. Sangwan eds. *Nature and the Orient: the Environmental History of South and Southeast Asia*. Delhi: Oxford University Press.
- Razavi, Shahra, 2003. *Introduction: Agrarian Change, Gender and Land Rights*. *Journal of Agrarian Change*. 3 (1&2): 2-32.
- Ribot Jesse, Nancy Peluso, 2003. *A Theory of Access*. *Rural Sociology* 68 (2): 153-182.
- Richards, John F., 2002. *Toward a Global System of Property Rights in Land*, in John F. Richards ed. *Land, Property and the ment*, Oakland: ICS Press.
- Rigg Jonathan D., 2006. *Forest, Marketization, Livelihoods and the Poor in the Lao PDR*. *Land Degradation and Development* 17: 123-133.
- Right Resource Group, 2007. *Transitions in Forest Tenure and Governance: Drivers, Projected Patterns and Implications; An issues paper prepared for Chatham House (Royal Institute of International Affairs) Meeting on Illegal Logging and Associated Trade: Exploring Options* 24 January 2007. Washington DC: RRG.
- Romano, Francesca, Dominique Reeb, 2006. *Understanding Forest Tenure: What Rights and For Whom? Secure forest tenure for sustainable forest management and poverty alleviation: the case of South and Southeast Asia, with case studies of Orissa and Meghalaya, India and Nepal*. FAO LSP WP 29. Access to Natural Resources Sub-Programme. Rome: FAO.
- Safitri, Myrna, 2007. *Bringing Forest and Law Back to the People: Community Forestry in Lampung, Indonesia*. Paper presented at the 59th Annual

- Meeting of Association for Asian Studies, Boston March 24 2007. Boston: AAS.
- Safitri, Myrna, 2010. Forest Tenure in Indonesia: the Socio-legal Challenges of Securing Communities' Rights. Doctoral thesis, Faculty of Law. Leiden: Leiden University.
- Sangkoyo, Hendro, 2001. Pembaruan Agraria dan Pemenuhan Syarat-Syarat Sosial dan Ekologis Pengurusan Daerah, in Lapera, 2001. Prinsip-prinsip Reforma Agraria: Jalan Penghidupan dan Kemakmuran Rakyat. Yogyakarta: Lapera.
- Santoso, Harry, 2002. Rasionalisasi Kawasan Hutan di Indonesia; Kajian Keadaan Sumber Daya Hutan dan Reformasi Kebijakan. Jakarta: Badan Planology Dephut-World Bank.
- Sawit Watch, 2014. Catatan Akhir Tahun Sawit Watch 2013: Perkebunan Kelapa Sawit Mau dibawa kemana? Bogor: Sawit Watch.
- Scoones, Ian, Nelson Marongwe, Blasio Mavedzenge, Jacob Mahenehene, Felix Murimbarimba and Chrispen Sukume, 2012. Zimbabwe's Land Reform: Myths and Realities. Johannesburg: Woodbridge.
- Seknas Jokowi, 2014. Jalan Kemandirian Bangsa, Jakarta: Gramedia Pustaka.
- Setiawan, Usep, 2010. Kondisi Hutan dan Gerakan Petani in Setiawan, Usep 2010 Kembali Ke Agraria, Yogyakarta: STPN.
- Shigeru, Sato, 1994. War, Nationalism and Peasants: Java Under the Japanese Occupation, 1942-1945, ASAA. New York: Southeast Asia Publication Series.
- Sikor, Thomas, Tranh Ngoc Tran, 2007. Exclusive versus Inclusive Devolution in Forest Management: Insights from Forest Land Allocation in Vietnam's Central Highlands. *Land Use Policy Journal* 24:644-653.
- Sinaga, Rudolf, Benjamin White, 1979. Beberapa Aspek Kelembagaan di Pedesaan Jawa dalam Hubungannya dengan Kemiskinan Struktural, Paper Presented at the 3rd Congress & National Scientific Seminar of HIPIS, Malang.
- Sirait, Martua T., Chip Fay, Ahmad Kusworo, 2000. Bagaimana Hak-hak Masyarakat Hukum Adat dalam Mengelola Sumber Daya Alam Diatur. Southeast Asia Policy Research Working Paper No. 24. Bogor: ICRAF.
- Sirait, Martua T., 2009. The Emergence of Forest Land Redistribution in Indonesia, ICRAF-SEA Working Paper no 85/2009. Bogor: ICRAF-SEA.

- Sirait Martua T., Ujjwal Pradhan, Noer Fauzi Rachman, Myrna Safitri, forthcoming. Strengthening forest management through land tenure arrangement, Bogor: ICRAF-SEA, Bogor
- Sjaastad, Espen, Ben Cousins, 2008. Formalization of Land Rights in the South: An Overview. *Land Use Policy*. 26 (1):1-9.
- Slamet, Ina, 1963. *Pokok2 Pembangunan Masyarakat Desa: Sebuah Pandangan Anthropologi Budaya*. Jakarta: Bharata.
- Soemardjono, Maria, 1998. Kewenangan Negara untuk Mengatur Dalam Konsep Penguasaan Tanah oleh Negara, Inaugural Address, University of Gajah Mada, 14 February 1998. Yogyakarta: UGM.
- Soepardi, Poerwokoesoemo, 1956. *Jati Jawa*. Jakarta: Djawatan Kehutanan.
- Soeromihardjo, Soedjarwo, 2007. *Pengalaman Tidak Terlupakan: Makna dan Esensi Tanah Bagi 'Wong Cilik'*. Yogyakarta: Lembaga Pengkajian Pertanahan Indonesia.
- SPP, 2005. *Gerakan Rakyat untuk Pembaruan Agraria, Buku Pedoman*, Garut: SPP.
- Suarga, Riza Hidayat, Sumanto Partodikromo, 2003. *Mencari Supremasi Hukum: Rangkuman Perjalanan Bidang Kehutanan Indonesia 1998-2003 (Seeking Supremacy of Law; Synthesis of the Forestry Sector Path between 1998 to 2003)*. Jakarta: Avric Press.
- Sukanti, Hutagalung Arie, 1985. *Program Redistribusi Tanah di Indonesia; Suatu Sarana ke Arah Pemecahan Masalah penguasaan Tanah dan kepemilikan Tanah*. Jakarta: Rajawali Press.
- Sunderlin, William, Jeffrey Hatcher, Megan Liddle, 2008. *From Exclusion to Ownership? Challenge and Opportunities in Advancing Forest Tenure Reform*. Washington DC: Right Resource Initiatives.
- Suyanto S., Thomas Tomich, Kenjiro Otsuka , 2007. *The role of Land Tenure in the Development of Cinnamon Agroforestry in Kerinci Sumatera*, In Cairns, Malcom (ed). *Voices from the Forest: Integrating Indigenous Knowledge into Sustainable Upland Farming*. Washington: RFF Press.
- Tankha, Sunil, 2006. *Electric Power Reform in Brazil*. Paper Presented at the Governance and Politics of Development (Garnet) Conference. 16-17 November 2006. Den Haag: ISS.
- Tauchid, Mochamad, 1954. *Masalah Agraria Sebagai Masalah Penghidupan dan Kemakmuran Rakjat Indonesia*, Jakarta: Djambatan.

- Thorner, Daniel, Kerblay Basile, Smith R.E.F. (eds) 1966. *A.V. Chayanov on the Theory of Peasant Economy*. Homewood, Ill.: American Economic Association.
- Tim Reformasi Kehutanan Kaltim, 1999. *Menjadi Tuan di Tanah Sendiri*. Samarinda: APKSA.
- Torquebiau, E.F. 1984. Man-made Dipterocarp Forest in Sumatra. *Agroforestry Systems*, 2: 103-127.
- Tuma, Elias, 1965. *Twenty Six Centuries of Agrarian Reform: A Comparative Analysis*. Berkeley: University of California Press.
- UNFPA, 2007. *State of the World Population: Unleashing of the Potential Urban Growth*. New York: UNFPA
- Utomo, Kampto, 1975. *Masyarakat Transmigrasi Spontan Di Daerah Sekampung (Lampung)*. Yogyakarta: Gajah Mada University Press.
- Van der Ploeg, Jan Douwe, 2013. *Peasants and the Art of Farming: A Chayanovian Manifesto (Agrarian Change and Peasant Studies)*, Halifax: Fernwood Books.
- Van Diessen, J.R., F.J. Ormeling, 2004. *Grote Atlas van Nederlands Oost-Indië Comprehensive atlas of the Netherlands East Indies*, Koninklijk Nederlands Aardrijkskundig Genootschap/Royal Dutch Geographical Society Advisory Committee. Zierikzee: Asia Maior/KNAG.
- Watts, Michael and David Goodman, 1997. *Agrarian Questions--Global Appetite, Local Metabolism: Nature, Culture, and Industry in Fin-de-Siècle Agro-Food Systems*, in D. Goodman and M. Watts (eds.), *Globalising Food: Agrarian Questions and Global Restructuring*, London: Routledge.
- Westenenk, L.C, 1938. *Memorie van overgave van de aftredende Resident van Benkoelen. Mededeelingen van het Bureau voor de bestuurszaken der Buitenbezittingen bewerkt door .R.J. Wilkinson, Bencoolen JMBiMS, XVI, i (1938) 127-33*. Den Haag.
- White, Andy, Martin Alejandra, 2002. *Who Owns The World's Forest? Forest Tenure and Public Forest in Transition*. Washington DC: Right Resource Group.
- White, Benjamin, Endang Lestari Hastuti, 1980. *Different and Unequal: Male and Female influence in Household and Community Affairs in Two West Javanese Villages*. Bogor, Rural Dynamic Study, Agro Economic Survey and Centre for Rural Sociological Research. Bogor: IPB.

- White, Benjamin, Gunawan Wiradi, 1989. Agrarian and Non Agrarian Based of Inequality in Nine Javanese Village. In Hart, G., A. Turton and B. White (eds) *Agrarian Transformations: Local Processes and the State in Southeast Asia*. Berkeley: University of California Press.
- White, Benjamin, 1989. Problems in the Empirical Analysis of Agrarian Differentiation in Hart, G., A. Turton & B. White (eds) 1989. *Agrarian Transformation: Local Processes and the State in Southeast Asia*. Berkeley: University of California Press.
- White, Benjamin, 1999. Inti dan Plasma: Pertanian Kontrak dan Pelaksanaan Kekuasaan di Dataran Tinggi Jawa Barat, in Li Tania M., (ed) *Proses Transformasi Daerah Pedalaman di Indonesia*. Jakarta: Yayasan Obor Indonesia.
- White, Benjamin, Saturnino M. Borras Jr., Ruth Hall, Ian Scoones & Wendy Wolford, 2012. The New Enclosures: Critical Perspectives on Corporate Land Deals. *The Journal of Peasant Studies*. 39 (3-4): 619-647.
- Widyaningrum, Nurul, Ratih Dewayanti, Erma Ermawati Chotim & Isono Sadoko, 2003. *Pola pola Eksploitasi terhadap Usaha Kecil*. Bandung: Yayasan AKATIGA.
- Wiradi, Gunawan, 1984. Pola Penguasaan Tanah dan Reforma Agraria. In Tjondronegoro, Sediono, Gunawan Wiradi (eds), 1984. *Dua Abad Penguasaan Tanah Pertanian di Jawa dari Masa ke Masa*. Jakarta: Yayasan Obor Indonesia-Gramedia.
- World Bank, 1999. *What are PRSPs?* Washington DC: World Bank.
- World Bank, 2004. *Sustaining Forests: A Development Strategy*. Washington DC: World Bank.
- World Bank, 2006b. *Sustaining Indonesia's Forests: Strategy for the World Bank 2006-2009*. Jakarta: World Bank
- World Bank, 2006a. *Sustaining Economic Growth, Rural Livelihoods, and Environmental Benefits: Strategic Options for Forest Sector Assistance in Indonesia DRAFT 5 April 2006*. Jakarta: World Bank.
- World Bank, 2008. *A Yellow Cover draft of the World Development Report 2008 on Agriculture for Development* . Washington DC: World Bank.
- Word Bank, 2014. *Towards Indonesian Land Reforms: Challenges and Opportunities; A Review of the Land Sector (Forest and Non-forest) in Indonesia*. Washington DC: World Bank.

Zakaria, Yando, 2014. *Sehari Membedah Undang-Undang Desa Bersama Yando Zakaria*. Banyumas: Desa Membangun.

Martua Thomas Sirait has a Bachelor's degree in Forest Management from Mulawarman University, Samarinda, Indonesia (1990), and an M.Sc. in Applied Sociology and Anthropology from Ateneo de Manila University, The Philippines (1996).

From 1997 till mid-2015, Martua has been working at the Southeast Asia office of the World Agroforestry Centre (ICRAF) in Bogor, Indonesia as a land and resource tenure researcher. In this position he has gained extensive experience in research and policy analysis in the natural resources fields. During this period he also served as Commissioner of the National Forestry Council (2012-2016), forest governance advisor to the National Commission for Corruption Eradication (2013-2015) and KEMITRAAN for governance reform (2010-2014), board member of the Multi-stakeholder Working Group Tenure (2001-2013), and member of various task forces to the National Commission on Human Rights (KOMNAS-HAM), and various CSOs.

Together with the CSOs coalition PA-PSDA he was involved in promoting the new Legislative Act on Agrarian Reform and Natural Resource Management (TAP MPR IX/2001) which has become the reference for the correction of the agrarian political economy in Indonesia. His work has also been used as input in the revision of the Forestry Act 1999, and the deliberations of the Constitutional Court in 2012 and 2013, regarding the claims of the Ministry of Forestry over customary lands and local communities lands. Since 2005 he also conducted research on the impact of large scale palm oil plantations on peasant smallholders outside forest areas. He and his colleagues also developed tools and trained peasant union members, NGOs, researchers, local government staff, and ministry of forestry staffs with tools for rapid land tenure assessment (RATA), and for assessing multiple stakeholder actors' behaviour in dealing with land conflicts (AGATA). Since 2014 these tools have been adopted as standard tools and mechanisms for land conflict assessment in the forestry sector and used in the training of Ministry of Forestry staff.

In mid-2015, Martua was appointed as Director for Policy Development of the Samdhana Institute, an Asian philanthropic institution based in Bogor.

Martua is married to Sandra Moniaga and has two children Rugun and Ahimsa.

Contact:

Martua T. Sirait
Komp. Pondok Labu Indah no B-6
Jl. Margasatwa Raya, Jakarta 12450
Indonesia

Cell Phone: 0062-811893104
martua@samdhana.org

