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Power and Interest on Sumatra's Rainforest Frontier: Clientelist Coalitions, Illegal Logging and Conservation in the Alas Valley

John F. McCarthy

This article examines the institutional matrix associated with logging and forest pioneering in a district on Sumatra. It draws together theoretical approaches to develop a framework for analysing the operation of competing forms of institutional power and control. The article argues that the governance of local natural resources and the current epidemic of 'illegal logging' can be understood in terms of the particular institutional or socio-political structures found in remote forested areas.

Introduction

The Indonesian archipelago contains the world's second largest expanse of tropical forest and is a major world centre for biodiversity. Yet, Indonesia has one of the highest rates of deforestation, an issue of increasing international concern. This problem has become more acute since a political and economic crisis struck Indonesia in 1997, leaving the country wracked by an epidemic of unregulated logging.¹ Despite the

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¹ An Indonesia-UK Tropical Forest Management Programme report analysed the extent to which the timber industry operates outside the official forestry policy and legal regime, estimating that illegal logging extracts around 30 million cubic metres of roundwood from Indonesia's forests each year. This is equal to the amount of wood produced legally by the timber industry, thus constituting approximately half of the nation's total timber production; see Indonesia-UK Tropical Forest Management Programme (ITFMP), 'A Draft Position Paper on Threats to Sustainable Forest Management in Indonesia: Roundwood Supply and Demand and Illegal Logging' (Jakarta: Indonesia-UK Tropical Forest Management Programme, 1999). Other studies suggest that illegal log and pulpwood production is nearly three times the official harvest (World Bank, 'Indonesia Environment and Natural Resource Management in a Time of Transition' [Washington, DC: World Bank, 2000]). In 2000, the problem was deemed so critical that, without significant changes, the World Bank and other foreign donors considered withdrawing entirely from the forest sector and even delaying essential economic assistance until forest management was improved (*Far Eastern Economic Review*, 27 January 2000; *Jakarta Post*, 11 February 2000).

significance of extra-legal resource extraction, however, the dynamics shaping the problem at the local level have not been well studied. This article combines theoretical approaches developed by legal anthropologists and others to develop an analytical framework for studying the problem. This framework is then applied to examine the institutional matrix associated with logging and forest pioneering in Southeast Aceh district during 1996–9.

As other studies suggest, particular institutional or socio-political structures are characteristic of upland or frontier areas of Indonesia. As this case from Sumatra illustrates, in an upland frontier district networks of power and interest affect the distribution of key resources. I argue that as district networks of power and interest reach out into the wider society, they exert various degrees of control over access and use of the most valuable resources found in the area. As these networks encompass both state and customary (*adat*) authority structures, they constitute the most serious obstacle to the implementation of state policy, thwarting the best efforts of external project interventions and, seemingly in this area at least, leading inexorably to the transformation of the rainforest ecosystem.

The article itself is divided into four parts. The first section provides the theoretical framework whilst the second describes both the area where this study was carried out and the research methods used. The third section discusses the actions and interactions of village communities, logging networks, field foresters and other officials, district politicians and conservation agencies, before drawing some final conclusions.

Theoretical orientation

Legal scholars have long observed that in the context of a developing country, government attempts to use law as an instrument for change have often led to unforeseen or unwanted consequences.² Legal anthropologists have sought to explain this problem in terms of ‘the primacy of “folk law” and “indigenous social ordering” over legislation and formal legal ordering’.³ This approach, sometimes referred to as ‘legal pluralism’, endeavours to understand law as part of a far more encompassing and complex social organisation. In other words, it seeks to comprehend the consequences of the coexistence of more than one set of institutional arrangements pertaining to the same set of activities and relationships.⁴

2 For an overview of the literature regarding the role of law in development, see Nicole Niessen, *Municipal Government in Indonesia: Policy, Law and Practice of Decentralization and Urban Spatial Planning* (Leiden: CNWS Publications, 1999), pp. 10–18.

3 John Griffiths, ‘Is Law Important?’, *New York University Law Review*, 54 (1979): 339–74. See also Jane F. Collier, ‘Political Leadership and Legal Change in Zinacantan’, *Law and Society*, 11(Fall 1976): 131–63; and B. Fortmann, ‘You Cannot Develop by Act of Parliament: Rethinking Development from the Legal Viewpoint’, paper presented at the Symposium Recht en Ontwikkeling, Bureau Buitenland, Rijksuniversiteit Leiden, 19–21 May 1981.

4 See Keebet von Benda-Beckmann and Franz von Benda-Beckmann, ‘Legal Complexity, Ecological Sustainability and Social (In)security in Indonesia’, paper presented at the Padang seminar in September 1999. However, the term ‘legal pluralism’ has yet to win universal acceptance; see June Starr and Jane F. Collier, ‘Introduction: Dialogues in Legal Anthropology’, in *History and Power in the Study of Law. New Directions in Legal Anthropology*, ed. June Starr and Jane F. Collier (Ithaca, NY: Cornell University Press, 1989), pp. 1–30, and B. Tamanaha, ‘The Folly of the “Social Scientific” Concept of Legal Pluralism’, *Journal of Law and Society*, 20, 2 (1993): 192–217. It is apparent from these criticisms that if legal pluralists fail to differentiate state rules and other social norms, they may lose sight of the fact that laws and social norms

A critical moment in this tradition of social thought was Sally Moore's description of what she called 'semi-autonomous social fields' or SASF. Moore developed this concept as a methodological device to investigate 'a small field observable to an anthropologist'. These SASF can be identified by a 'processual characteristic' – their ability to generate their 'own custom and rules and the means of coercing or inducing compliance'.⁵ In other words, what is essential to these SASFs is that they 'have some degree of autonomous regulation of behaviour', and that 'they can bring forth and maintain their own rules'.⁶ However, Moore noted that given the multiple sources of rules, these SASFs do not exist on their own. A SASF needs to be analysed in connection with the wider society: it is 'semi-autonomous' because it 'is simultaneously set in a larger social matrix which can, and does, affect and invade it, sometimes at the invitation of persons inside it, sometimes at its own insistence'.⁷

As Moore herself showed, the SASF concept is a particularly useful tool for providing insights into the ordering of social life in complex settings. In a discussion of the New York dress industry, Moore demonstrated how legal, illegal and non-legal norms all intermesh to shape the activities of individuals operating within this social field. For instance, contractors wishing to remain engaged in the garment industry face strong pressure to conform to a system of exchange that involves extra-legal gifts and favours. These gifts, inducements and coercions are used 'to induce or ease the allocation of scarce resources'.⁸ While these obligations are not legally enforceable, they are required in order to stay in the game. Nevertheless, Moore found that the law is a part of the picture. As an outside force, the law can have an effect on the way the industry operates. However, while a large body of rules envelop this social field, only a few are significant in the exchange process. The legal system becomes important because an actor inside the SASF can also mobilise it, or threaten to do so, in business dealings within the field. For instance, the legal system gives officials a privileged position within the system of exchange: an official may not actually enforce the law, 'but it is his legal ability to do so that gives him something to exchange'.⁹ Therefore, in an indirect or unexpected way, legal norms have a place in the many binding rights and obligations that are not legally enforceable but are very important in the processes of competition, negotiation and exchange within a social field.

As any interaction between individuals can be analysed in terms of the SASF to which they belong, this heuristic device has been used to investigate a wide range of situations. Recently these have included a study of inheritance practices among the Toba Batak of Sumatra and land control in Jordan. Most pertinent to this study, this

are constructed and enforced through quite different processes. Bearing this in mind, in seeking explanations of social ordering by understanding what is occurring on the 'shop floor' of social life, this legal anthropological approach enables the understanding of social outcomes that occur independently and even contrary to the intentions of State law.

5 Sally Falk Moore, 'Law and Social Change: The Semi-Autonomous Social Field as an Appropriate Subject of Study', *Law and Society Review*, 7, 4 (1973): 720–21.

6 John Griffiths, 'Legal Pluralism and the Theory of Legislation – With Special Reference to the Regulation of Euthanasia', in *Legal Polycentricity: Consequences of Pluralism in Law*, ed. Hanne Peterson and Henrik Zahle (Aldershot & Dartmouth: Dartmouth University Press, 1995), p. 210.

7 Moore, 'Law and Social Change', p. 720.

8 Ibid., p. 722.

9 Ibid., p. 728.

methodological device has been used to study the management of tropical rainforest in Ecuador's Amazon region.¹⁰

The ways in which authority works and in which those who occupy positions within the state allocate scarce resources are also critical to studies of developing societies and have often been discussed under the rubric of clientelism. Writers have noted that personalistic use of government power emerges as a functional form of government where alternative institutional and ideological bases for political cohesion and participation are absent or fail to meet social or economic needs. Individuals tend to use informal networks built upon personal ties (such as clientelist ones) to secure their interests 'where the formal channels for meaningful political participation and interest articulation are weak'.¹¹ Thus clientelism has tended to be well developed in remote areas where the institutional framework of the state may be weakly established, with minimal support from indigenous social values and where power may be highly localised.¹² This is because the rules imposed by central agencies may be inappropriate, lack local legitimacy, or even contradict long-standing local traditions.

Nonetheless, as state-based patrons have the ability to mobilise the state if necessary to implement laws, they are able to act as gatekeepers: those wishing to gain a scarce resource will have to first win their favour. The soil is thus ripe for the growth of personal spheres of influence and elaborate networks of personal ties. In other words, it is possible to identify SASF that have become more important than formal state arrangements. Where direct personal ties based on reciprocity, inducements and favours have substituted for the strong *de jure* institutions of the state, the result is weak law enforcement and strong networks of power and interest.

In the Indonesian context, Joel Kahn has described 'the emergence of a particular institutional or socio-political structure' characteristic of upland areas of Indonesia. Kahn has argued that while in lowland irrigated rice-producing areas village stratification tends to be based on unequal access to property, in upland areas land is more equally distributed, and consequently it is difficult to identify a discrete class of landlords. In these areas villagers who need access to 'one or other branches of the Indonesian state in order to go about their everyday lives' depend on personal contact with 'someone with access to the powers-that-be'. Consequently, local elites typically derive their positions of power from 'some kind of relationship either to the Indonesian

10 See T. Omas Ihromi, 'Inheritance and Equal Rights for Toba Batak Daughters', *Law and Society Review*, 28, 3 (1994): 525–37; Omar M. Razzaz, 'Contestation and Mutual Adjustment: The Process of Controlling Land in Yajouz, Jordan', *Law & Society Review*, 28, 1 (1994): 7–39; and *The Role of Law in the Protection of the Tropical Forest in Ecuador's Amazon Region. Final Report*, ed. T. Taale and John Griffiths (Groningen: Tropenbos Foundation, University of Groningen and Corporacion Latinoamericana para el Desarrollo, Institutito Ecuatoriano Forestal y de Areas Naturales). A range of studies using the SASF concept to investigate social contexts is in Griffiths, 'Legal Pluralism', p. 211.

11 Jean C. Oi, *State and Peasant in Contemporary China: The Political Economy of Village Government* (Berkeley and Los Angeles: University of California Press, 1989), p. 9; see also *idem*, 'Communism and Clientelism: Rural Politics in China', *World Politics*, 32, 2 (1985): 238–66. Studies of clientelism in a Southeast Asian context include James Scott, 'Patron–Client Politics and Political Change in Southeast Asia', in *Friends, Followers, and Factions: A Reader in Political Clientelism*, ed. Steffen W. Schmidt (Berkeley: University of California Press, 1977), pp. 123–46; and David Brown, *The State and Ethnic Politics in Southeast Asia* (London & New York: Routledge, 1994), ch. 4 (on Indonesia).

12 See the discussion in Scott, 'Patron–Client Politics'.

state and/or to large non-state corporations.¹³ Members of the village and district elite act directly as patrons or brokers between local villagers and higher-level patrons. The latter include what Indonesians refer to as *oknum*, a euphemism for people – generally members of the police and the military – abusing their position, usually by engaging in a range of extra-legal economic activities with various degrees of backing from the state. The operation of such exchanges leads to ‘the development of chains or matrices of power relations that extend into peasant villages linking “patrons” and “clients” into reciprocal relations involving the flow of money, services, favours and support’. These matrices extend from within the state, to the bottom of its hierarchy, and then to the clients who lie outside the state. ‘Under these conditions’, Kahn has concluded, ‘to talk of “the state” as an institution that is somehow separate from the rest of society is somewhat misleading.’¹⁴ As far as these matrices encompass *adat* authority structures, it is also difficult to talk of *adat* customary institutions as completely separate from the state.

Finally, it is also important to bear in mind that there are often fundamental contradictions within and between different state agencies in terms of competing goals, different constituencies and overlapping legal and administrative authorities. Given the internal contradictions associated with this institutional heterogeneity, it is important to avoid assuming that the state constitutes a single unitary actor.¹⁵ Furthermore, in so far as the interests of state agencies (at the centre) differ from those in the line agencies in the regions entrusted with enforcing state rules, a gap emerges between the power of a state agency to formulate policy and its ability to implement that policy in remote provinces. It is not possible to assume that the local state agents have interests that are ‘the same or even compatible with those of the central government’.¹⁶ It then becomes necessary to distinguish the idea of the state – the central government and its formal legal and administrative directives – from local ‘state agents’. The latter include forestry and other officials occupying key positions in the district, sub-district and village government structures. To some degree, the institutional arrangements governing access and use of local resources gain their character from the way these agents of the state operate.

Drawing together these approaches provides a framework for understanding the operation of various forms of institutional power and control in remote districts and villages. This facilitates an exploration of the operation of networks of exchange and accommodation at the district and village levels, the weak capacity of the state agencies to implement the law at the local level, and the ambiguous role that ‘local agents of the state’ play in the local social order.

13 Joel S. Kahn, ‘Culturalising the Indonesian Uplands’, in *Transforming the Indonesian Uplands: Marginality, Power and Production*, ed. Tania Murray Li (Amsterdam: Harwood Academic Publishers, 1999), p. 96.

14 Ibid., pp. 94, 96.

15 See Philip Abrams, ‘Notes on the Difficulty of Studying the State’, *Journal of Historical Sociology*, 1, 1 (1977): 58–89; Joel S. Migdal, ‘The State in Society: An Approach to Struggles for Domination’, in *State Power and Social Forces. Domination and Transformation in the Third World*, ed. Joel S. Migdal, Atul Kohli and Vivienne Shue (Cambridge: Cambridge University Press, 1994), pp. 7–34; and Akhil Gupta, ‘Blurred Boundaries: The Discourse of Corruption, the Culture of Politics, and the Imagined State’, *American Ethnologist*, 22, 2 (1995): 375–402.

16 Oi, *State and Peasant*, p. 2.

Study area and research methods

This article forms a part of wider research exploring the institutional dynamics operating at the district and village levels associated with environmental decline in Indonesia.¹⁷ To maximise the usefulness of the research, the focus has been on the Leuser Ecosystem in northern Sumatra, an area with a high priority for biodiversity conservation which is thus subject to high-profile conservation intervention. The Gunung Leuser National Park (GLNP) encompasses some 890,000 hectares of North Sumatra and Aceh provinces, making it one of the great national parks in Southeast Asia.¹⁸ In the early 1990s, a group of ecologists identified problems with the capacity of the GLNP complex to conserve viable populations of the biodiversity of northern Sumatra. In the process of formulating an integrated conservation and development project (ICDP), the ecologists created the 'Leuser Ecosystem' concept. The intention was to include important areas, such as lowland rainforest and other significant wildlife habitat outside GLNP, in ICDP management activities. This 'Ecosystem' includes the National Park and the complex of upper water catchment forests within the southern part of Aceh and North Sumatra provinces, in addition to adjacent production and protection forests. This area is designed to contain the ranges of the major elements of the biological diversity of northern Sumatra – including the Sumatran tiger, the elephant, orang-utan and the Sumatran rhinoceros. Extending over approximately two million hectares, the Leuser Ecosystem is said to constitute the largest rainforest reserve in the world.¹⁹ To protect this area, the Indonesian Government gave a 'conservation concession' to the Leuser International Foundation (Yayasan Leuser International or YLI).

Within this wider area, some 250 kilometres northwest of the city of Medan, lies the Alas valley, the heartland of the district of Southeast Aceh (*Kabupaten Aceh Tenggara*). Known as the Alas Land (*Tanah Alas*), the valley is the homeland of the Alas people. It consists of a fertile plain of intensely farmed wet-rice fields (*sawah*), 10 kilometres wide and 60 kilometres long, surrounded by steep banks of mountains covered with dense forest.²⁰ At the northern end of the Alas valley lies Badar subdistrict (*kecamatan*), which contains thirty-three villages and extends from the long-settled heartland of the Alas valley to the more recently settled lands bordering with Blangkejeren sub-district, the native land of upland people of Gayo ethnicity known as *Gayo Lues*.²¹ The settled area of Badar extends alongside the River Alas, forming a wedge shape inserted into the mountainous GLNP. Some 25,000 people live in Badar, growing wet rice alongside the

17 John McCarthy, 'The Fourth Circle. A Political Ecology of Sumatra's Rainforest Frontier', unpublished manuscript.

18 Mike Griffiths, *Leuser* (Jakarta: The Directorate General of Forest Protection and Nature Conservation and The World Wide Fund for Nature Indonesia Programme, 1992).

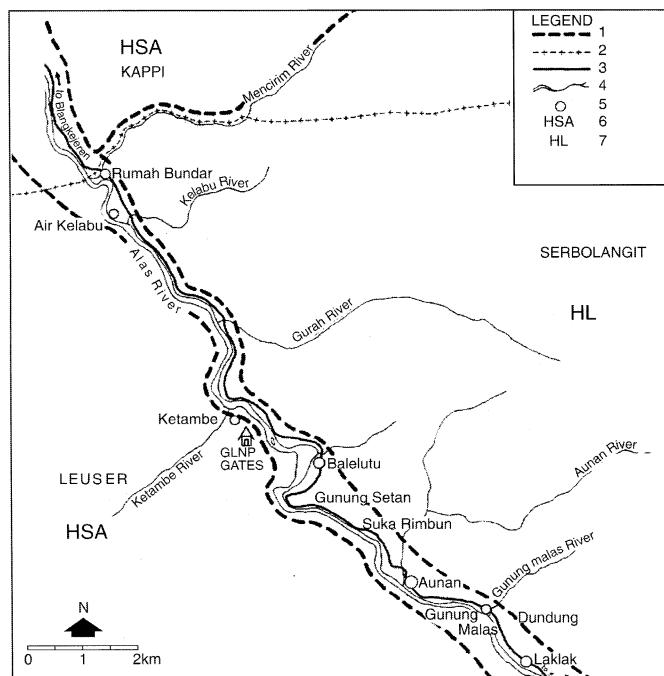
19 H. D. Rijksen and Mike Griffiths, *Leuser Development Programme Masterplan* (Wageningen: Institute for Forestry and Nature Research, 1995), p. 30.

20 David Jordan and Ashabul Anhar, *Population and Economy in Aceh Tenggara and Aceh Selatan* (Medan: Leuser Development Program, 1997), p. 6.

21 Gayo Lues is the homeland of the Gayo people and lies to the north of the Alas Valley. Although some ethnologists have considered the Gayo and Alas peoples as identical, further investigation reveals considerable differences between the two groups, especially in regard to hereditary succession, modes of marriage, language, *adat* and agricultural methods; Akifumi Iwabuchi, *The People of the Alas Valley: A Study of an Ethnic Group of Northern Sumatra* (Oxford and New York: Clarendon Press and Oxford University Press, 1994).

river, or cultivating candlenut (*Aleurites moluccana*) and other products in smallholdings cut out of the hillsides.

The northernmost village of Badar is Jambur Lak-Lak (see map), the site of this case study. Jambur Lak-Lak is a composite village (*desa gambungan*) consisting of seven hamlets which stretch along the east bank of the Alas River, next to the Kutacane–Blangkejeren road. To the west, across the Alas, rises the mountainous rainforest of the National Park (GLNP), and to the east lies the Serbolangit Protection Forest, an area that has now been turned largely into candlenut gardens. In accordance with government law, the hamlets that now make up this village were united in 1987. Before that time, each hamlet was an autonomous administrative unit with its own village head (*keucik*). The hamlet of Aunan lies 21 kilometres from Kutacane, the district capital. The gate to the National Park lies north of the hamlet of Balelulu, 31 kilometres from Kutacane. A haunt of backpackers and tourist guides, Balelulu has several tourist accommodations and restaurants. Then, just beyond the National Park gates and across the river, comes an area prohibited to all but research scientists: the 491-hectare Ketambe orang-utan research station, a centre for zoological and botanical research. The road then passes through forested hills for a few kilometres before coming upon the two northernmost hamlets of Jambur Lak-Lak, hamlets that exist as enclaves within the GLNP. The border of Badar and Blankejeren subdistricts lies at a stream just beyond the most northern hamlet of Jambur Lak-Lak.



Forest boundaries and villages in Badar Subdistrict, Southeast Aceh

- | | |
|----------------------------|---|
| 1. Forest use boundaries | 5. Village |
| 2. Sub-district boundaries | 6. Natural forest reserve (Huta Suoko Alam) |
| 3. Road | 7. Protection forest (Hutan Lindung) |
| 4. River | |

Although conservation activities in the Leuser area began during the 1930s when the Dutch colonial authorities originally created the Leuser reserve complex, the contemporary history of conservation in the Badar area began in 1971. At this time H. D. Rijksen began research into the status and ecology of the orang-utan and other primates, helping to establish a research and orang-utan rehabilitation centre in the core area of the Alas valley.²² Under the patronage of Dutch universities, the International Union for Nature Conservation (IUCN) and the World Wildlife Fund (WWF), the Ketambe research area eventually enclosed 491 hectares of pristine rainforest on the west bank of the river within Jambur Lak-Lak. As the Ketambe area subsequently drew researchers and conservationists from abroad, it became the focus of conservation efforts in the valley. When the Gunung Leuser National Park was created in 1980, the Nature Conservation and Wildlife Management Service (Perlindungan dan Pengawetan Alam, PPA) located the park headquarters in the district capital of Kutacane.²³ Subsequently, the success of efforts to protect the highly visible forest alongside the Kutacane–Blangkejeren road became a measure of wider efforts to protect the GLNP.

This research is based on three field visits to the Alas valley during 1996–9, with a total of three months in Jambur Lak-Lak. The most extensive fieldwork occurred over a six-week period in 1997, when forest fires were ravaging other areas of Sumatra. The research combined direct observation with extensive open-ended interviews with key informants, including community leaders, local officials, forestry agents, NGO staff, forest farmers and squatters and illegal loggers. Research activities in the villages focused on understanding the history of settlement, the operation of village institutions and how they have changed over time. At the same time, interviews focusing on the operation of state institutions and the obstacles facing biodiversity conservation initiatives were also carried out with journalists and government officials in Kutacane and the provincial capital of Banda Aceh, as well as with field-workers and project personnel of the joint European Union–Indonesian Government ICDP known as the Leuser Development Program (LDP) in Medan. Prolonged field work was also carried out in the neighbouring district of South Aceh, followed by another month in the Alas Valley in December 1998 in the company of a researcher from the University of North Sumatra.²⁴

Institutional arrangements and forest outcomes

Tenure and territoriality in the local domain

To understand the institutional arrangements operating here, the discussion will first explore the history of local tenurial regimes in the context of the extension of state authority structures and property claims in the area, drawing on the distinction between two forms of control over property – ‘tenure’ and ‘territoriality’. Individuals who invest labour and other assets to intensively develop a resource such as land seek to gain more secure property rights over the benefits derived from that resource. Tenure ‘may be

22 World Wildlife Fund, *World Wildlife Fund Yearbook 1971–1972* (Gland, Switzerland: World Wildlife Fund Public Affairs Division, 1972), p. 126.

23 PPA was later renamed PHPA (Perlindungan Hutan dan Lelestarian Alam), the Directorate General for Forest Protection and Nature Conservation.

24 John McCarthy, ‘*Wild Logging’: The Rise and Fall of Logging Networks and Biodiversity Conservation Projects on Sumatra’s Rainforest Frontier* (Bogor: Centre for International Forestry Research, 2000) (<http://www.cifor.cgiar.org/publications>).

conceived of as sets of rules and practices specifying whom [sic] is to get access to land at which time and in which place'.²⁵ Tenure tends to relate to land under more permanent and intensive forms of use such as cropping, yet the ecology of Common Property Resource (CPR) systems such as fishing grounds and forests does not lend itself well to the institution of private property or individual tenurial rights.²⁶ Thus the management of many CPR systems falls under a more diffuse form of control known as 'territoriality', which is 'the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships by delimiting and asserting control over a geographical area'.²⁷ Territoriality is based on a claim over a territory, maintained *vis-à-vis* other groups, that tends to be 'justified by some ideological, moral, legal or political reason'.²⁸

During the 1920s, the Alas people indigenous to the area practised wet-rice agriculture, holding under tenure an area alongside the Alas River as far as Jongar, then a day's walk from Kutacane. In addition to *sawah* fields, farmers opened temporary dry-land plots (*ladang*) in adjacent areas to plant vegetables for their own consumption. The land beyond – including present day Jambur Lak-Lak – was unopened rainforest, where villagers from Jongar collected forest products and grazed their cattle upstream. The steep jungle-covered hillsides of the Bukit Barisan range soon cut off possibilities for agricultural expansion or easy passage to the east or west. Prior to the colonial government's arrival, the area beyond the valleys and hillsides immediately surrounding the river was not settled, and it is unlikely that the Alas people had ever specified the extent of their territory to the east or west in precise terms. As Tania Murray Li has pointed out, territorial strategies – 'the direct attempt to regulate the relationship between population and resources' – were not a feature of pre-colonial political systems. There was a gap here for a state mapping exercise to clearly articulate a territorial claim over the surrounding forests.²⁹

Following the Dutch conquest of the area in 1904, the colonial authorities gradually began a process of 'territorialisation'. This amounted to drawing boundaries and attempting to control people's activities and their access to natural resources within these boundaries. With a policy that in many ways parallels that described by Peter Vandergeest for Thailand, the colonial state delineated Alas territory, creating new categories of property rights and land uses.³⁰ First, as elsewhere, the Dutch created a system of indirect rule through 'autonomous heads' (*Zelfbestuurders*) known locally as *kejuren*. To this end, the colonial authorities territorialised local administration by mapping out the

25 Han van Dijk, 'Land Tenure, Territoriality, and Ecological Instability: A Sahelian Case Study', in *The Role of Law in Natural Resource Management*, ed. J. Spiertz and M. G. Wiber (VUGA, 1996), p. 18.

26 Fikret Berkes *et al.*, 'Co-management: The Evolution in Theory and Practice of the Joint Administration of Living Resources', *Alternatives*, 18, 2 (1991): 12.

27 Robert David Sack, *Human Territoriality: Its Theory and History* (Cambridge: Cambridge University Press, 1986), p. 19.

28 Van Dijk, 'Land Tenure, Territoriality', p. 19.

29 Tania Murray Li, 'Marginality, Power and Production: Analysing Upland Transformations', in Li, ed., *Transforming the Indonesian Uplands*, p. 12; J. Kremer, *Atjeh : algemeen samenvattend overzicht van land en volk van Atjeh en onderhoorigheden* (Leiden: E. J. Brill, 1922–3) discusses Alas agriculture during the colonial period.

30 Peter Vandergeest, 'Mapping Nature: Territorialization of Forest Rights in Thailand', *Society and Natural Resources*, 9 (1996). Vandergeest's discussion of territoriality, like Li, 'Marginality, Power, and Production', is drawn from the discussion in Peter Vandergeest and Nancy Peluso, 'Territorialization and State Power in Thailand', *Theory and Society*, 24, 3 (1995): 385–426.

territories responsible to each head.³¹ The mapping process established the border of Tanah Alas and the neighbouring area of Gayo Lues to the north of present-day Jambur Lak-Lak.

Second, the colonial authorities introduced the ‘domain declaration’ which, considering all land not under settled agriculture as belonging to the state, made fallow and forest lands available for commercial plantations. In 1906, shortly after the Dutch gained control of the area, the company CV Penang Kultur received a 75-year lease for developing a rubber plantation. Extending 1.5 kilometres along the east bank of the Alas River, including the foothills, the tract comprised 1,853 hectares of unopened forest encompassing most of present-day Jambur Lak-Lak.³²

Third, at the time of the creation of the Leuser reserve complex in 1935, the colonial authorities undertook a mapping programme that classified areas for specific resource uses. In this process, the Dutch left the existing village lands in the Alas heartland under the authority of the village heads. With the nominal agreement of the Alas ‘autonomous heads’, the colonial forest authorities divided the valley into ‘customary land’ (*tanah adat*) and state forest reserve. The *tanah adat* was an area left for the expansion of local agriculture under the administration of the local chief (*kejuren*) while the remaining area comprised the Leuser reserve complex. According to official forest maps, the boundary-lines of the reserve ran along the foothills of the eastern and western Alas valley, meeting at a point south of the present GLNP gates in Jambur Lak-Lak.³³ In the late 1930s, the authorities marked the boundary between the *tanah adat* and the state forest reserve with a pathway. In the southernmost hamlets of what is now Jambur Lak-Lak, this boundary lay more than a kilometre to the east of the present village, while to the west the river formed a natural boundary of the state forest, directly opposite where the village settlements now stand. Local people could open land within the *tanah adat* with the permission of the *kejuren* concerned. While opening land beyond the pathway or across the river was forbidden, villagers continued collecting forest products in the reserved forest areas.

At the northern end of this rubber estate, just south of where the National Park gates are now located, the Dutch built a troop depot and a jail. Here during the colonial period lay the ‘forest door’ (*pintu rimba*), the point where the footpath connecting Tanah Alas and Gayo Lues territories left the inhabited plain and entered the forest. The ‘forest door’ marked the end of the area under tenure. The Alas people considered the area beyond to be tiger-infested wild jungle unconducive to human habitation – jungle inhabited by potentially malevolent spirits. Then, in 1936 the *kejuren* allocated an area of land for local smallholder agriculture just beyond the ‘forest door’.³⁴ In the 1930s, a small settlement

³¹ In the Alas Valley the Dutch set about constructing two ‘autonomous territories’ based on the positions of the *Kejuren* (lords) that previously existed (Kreemer, *Atjeh : algemeen samenvattend*). These heads, along with the underlying territorial chiefs (*pengulu* or *raje*) and clan heads (*pengulu suku*), received a salary from the Dutch government in place of the *adat* income (Iwabuchi, *People of the Alas Valley*).

³² Interview, Badar, 15/12/98; subsequently three hamlets of the composite village (*desa gambungan*) of Jambur Lak-Lak developed on this plantation land.

³³ Rijksen and Griffiths, *Leuser Development Programme Masterplan*, p. 40.

³⁴ In the early 1920s, Kampung Jongar was the most northerly village (around 12 kilometres from Kutacane); beyond this lay thick lowland rainforest. After Jongar, the first ‘bivouac’ was Aunan (now in Badar sub-district), 21 kilometres from Kutacane, and the next resting place was Balelulu (Kreemer, *Atjeh: algemeen samenvattend*). Nowadays the gates of the national park lie on the northern extremity of Balelulu, just before the Ketambe orang-utan research centre.

existed here until villagers abandoned the area following an epidemic of measles that struck the small community, killing all the young children.³⁵ Consequently, the Jambur Lak-Lak area was mostly either rubber plantation or uninhabited land until after the Second World War.

After the war, Gayo people began to migrate south into Alas territory, settling in the village lands just south of the rubber plantation. In the 1960s, with the permission of the descendant of the Gayo settler who first opened land north of the old 'forest door', newcomers began farming land north of the former rubber estate. In 1974, following the merging of Gayo Lues and Tanah Alas into Southeast Aceh District (*Kabupaten*), larger numbers of Gayo people began to migrate down to Badar. As Akifumi Iwabuchi notes, the Alas were accommodative of newcomers.³⁶ Moreover, to bolster Kutacane's status as a district capital over an area including Gayo Lues, the Alas had to allow Gayo in-migration.

However, seeing this in-migration of Gayo into the Jambur Lak-Lak area, in 1975 influential figures from the core Alas area to the south staked a claim over a flat area of abandoned plantation land within Jambur Lak-Lak, suitable for *sawah*. As this area was subject to a 75-year lease from the central government, these individuals used their influence within district government circles to obtain permanent tenurial rights (*hak milik*) over this area. Consequently, Alas people gained tenurial rights over one of the last significant areas in the northern valley suitable for wet rice, establishing an Alas enclave in two hamlets within the predominantly Gayo population of Jambur Lak-Lak. After 1976, the building of the road to Blangkejeren further facilitated the in-migration of Gayo, who came to occupy unused lands in Jambur Lak-Lak. Later, Gayo also opened agroforest gardens in areas earlier classified as forest reserve and now forming a part of the Gunung Leuser National Park. Nowadays, outside of two hamlets, the majority of inhabitants of the composite Jambur Lak-lak village are in-migrants (or their children) from Gayo Lues.³⁷

Adat and village regimes in Badar

As Moore has noted, to understand how local customary regimes operate it is necessary to appreciate the changing political and economic contexts where rules are invoked, challenged and restated. Viewing customary law in such a way tends to reveal that despite apparent continuities, the semantic contents of 'customary law' usually continue to change. Proceeding in this manner it becomes apparent that rather than constituting a timeless survival of a tradition, customary institutional arrangements are constantly being renegotiated as conditions change. John R. Bowen has suggested that

35 Rijksen and Griffiths, *Leuser Development Programme Masterplan*, p. 275. To open land here, the founder of the hamlet obtained written permission from *Kejuren Pulo Nas* in Kutacane (interview, Jambur Lak-Lak, 17 December 1998).

36 Iwabuchi, *People of the Alas Valley*, p. 32. After independence, Southeast Aceh became a part of Central Aceh Regency. Southeast Aceh, including the five administrative sub-districts of the Alas valley and four *kecamatan* (sub-districts) known as *Gayo Lues*, only became an autonomous regency in 1974.

37 During 1976–82, using USAID funds, the footpath connecting Kutacane and Blangkejeren – a 40-kilometre stretch through the national park – was turned into an asphalt road; Jan Wind, 'Gunung Leuser National Park: History, Threats and Options', in *Leuser: A Sumatran Sanctuary*, ed. Carel P. van Shaik and Jatna Supriatna (Jakarta: Perdana Ciptamandiri, 1996), pp. 4–27. This road facilitated the migration of Gayo people down from Blangkejeren into enclave villages within the reserve.

such changes may be particularly pronounced in frontier situations. In a comparison of two communities in Central Aceh, he found that Gayo customary practices in a pioneering situation differed considerably from those in a long-established area of origin.³⁸

Similarly, for a number of reasons, the incipient customary institutions developed by the frontier Gayo communities of Jambur Lak-Lak also differed significantly from those operating in the Gayo Lues heartland to the north.³⁹ First, Gayo people tended to move south as individuals or in small groups. As they were still young when they left, they tended to be only partially acquainted with the *adat* regulations in their native villages. The new settlements lacked elders skilled in the dispute resolution and consensus-building fundamental to the operation of an *adat* regime. This was complicated by the fact that *adat* tended to vary within the Gayo Lues homeland. As the newcomers were from different areas, they did not share a single vision of what constituted *adat Gayo*.⁴⁰ Time would be needed before stable institutional arrangements could evolve.

A second issue is that agro-ecological conditions in the pioneer area differed from those prevailing in the core area of Gayo Lues. As the agricultural system in Badar evolved in a different direction from that in the Gayo Lues highlands, this helped create different priorities and contributed to variation from the *adat* governing tenure in the uplands. While in Gayo Lues an extensive form of swidden agriculture predominates, in Jambur Lak-Lak from the early 1980s villages began opening permanent candlenut agroforest gardens. The Gayo left behind the extensive swidden system and secured more permanent tenurial rights over permanent plots under tree crops.

Third, in the composite village of Jambur Lak-Lak, according to several informants, in recent years the village government and customary institutions have often faced significant problems. Village institutions have been a site of ongoing conflict. Elected leaders of hamlets and the composite village – as well as the Village Resiliency council (Lembaga Ketahanan Masyarakat Desa or LKMD) appointed by the village head (*kepala desa*) – have all been frequently changed. For example, although the term of office of headmen was eight years, hamlet heads (*kepala dusun*) in one particular hamlet rarely lasted more than two years. According to one informant, the main problem was that the headmen misused funds, showed favouritism (*anak kiri, anak kanan*), or ‘paid insufficient attention to the people’. As a result, eventually villagers lost patience and agitated for these individuals’ removal from office.⁴¹ In a similar fashion, the *kepala desa* for the composite village has also often lacked credibility. One informant said that the position could be bought, and then, over five years, the incumbent would enrich himself through commissions on village business.⁴² In November 1998, a village meeting dismissed the *kepala desa* for misappropriation of 800,000 rupiah of government agricultural assistance funds (KUT) meant to help develop corn production at a time of

38 Sally Falk Moore, ‘History and the Redefinition of Custom in Kilimanjaro’, in Starr and Collier, ed., *History and Power*, pp. 277–301; John R. Bowen, ‘The Transformation of an Indonesian Property System: *Adat*, Islam, and Social Change in the Gayo Highlands’, *American Ethnologist*, 15 (1988): 274–93.

39 Six hamlets of Jambur Lak-Lak have a majority of Gayo. A majority of Alas live in one hamlet, and a neighbouring hamlet has a mixture of Gayo and Alas.

40 Interview, Jambur Lak-Lak, 17 December 1998.

41 Interview, Jambur Lak-Lak, 13 December 1998.

42 Interview, Jambur Lak-Lak, 16 December 1998.

economic crisis.

As the village and hamlet heads and the village council (LKMD) had responsibility for resolving disputes, their lack of credibility hampered the functioning of *adat*-based dispute mediation. This was compounded by the lack of agreement concerning *adat* practices and the want of leaders with the skills for resolving difficult disputes to the satisfaction of both parties. As a consequence, disputants have at times taken problems to the police. However, where police demanded payments from the disputants for solving the conflict, the person with financial resources could engineer a resolution in their favour. If most of the payment went to the police, the person wronged failed to obtain adequate compensation. The accused might also say that they were offended (*sakit hati*) because the other party reported the dispute to the police rather than submitting it for *adat* mediation in the village. Subsequently, the accused party might take revenge in repeated offences against the accuser. Taking a dispute to the police, then, usually led to one party feeling wronged: police involvement did not lead to effective resolution of disputes, but rather created a village riven with festering quarrels.⁴³ If the stability of village leadership and the ability of *adat* institutions to solve conflicts can be taken as indicators of the capacity of the local *adat* regime, such institutions have failed to function adequately.⁴⁴

In the past, however, the village head had authority over access to the village area. According to a former hamlet head, previously even soldiers or tourists entering the Jambur Lak-Lak area would first report to the *kepala desa*. According to the *adat* regime then in effect, if anything happened to a visitor in the village, the headman would then take responsibility and help deal with the problem. However, a visitor who failed to report would be fined, even if something bad happened to him or her. This ensured that visitors asked permission from the village head before gaining access, opening land or even taking timber.

By contrast, for the last few decades village institutional arrangements have had to coexist with the authority structures and property claims associated with the state regime, as the Gayo and Alas in-migrants entered an area where the colonial regime's original claims over the forest meant that most of the land was already formally part of the forest zone and was thus subject to the Ministry of Forestry. Earlier, up until the

43 Interview, Jambur Lak-Lak, 17 December 1998.

44 Historically in the Alas valley a village tended to be administered collectively by the village elders, who divided up responsibilities according to their respective capacities. An elder who was a senior head of one of the family branches acted as head of the *adat* administration and was known as the *simetua* or *petua*. After the colonial conquest of the area, as in the other areas, the colonial government determined that each village should have a person responsible to the government and the village councils chose a head to act as chairman of the village council (known as the *pengulu kuta*); see Mohammad Koesnoe and Sita Soendari, *The People and Their Adat in Tanah Alas (South-East Aceh Regency)* (Surabaya & Austerlitz: World Wild Life Fund, Netherlands Gunung Leuser Committee, 1977) and Iwabuchi, *People of the Alas Valley*. After independence the village head (*keucik*) continued to have an important role in *adat* affairs under the tutelage of a council of village *adat* elders. However, as in other areas of Aceh, in the Alas valley the role of the village head in the official administration of the village (*dinas*) has eclipsed his role in *adat* customary affairs following the implementation of the village government law (UU No. 5/1979). On this topic see Rubani A. Gani, Thaib Husein and Ibrahim Ishak, *Studi Kedudukan dan Peranan Keuchik/Kepala Kampung dalam Pembangunan Desa Selama Tiga Zaman di Kabupaten Daerah Tingkat II Aceh Besar* (Jakarta: n.p., 1985); and Mattugengkeng, *Agama dan Adat dalam Konflik Birokrasi Pemerintahan Tingkat Pedesaan di Aceh: Suatu Studi dari Segi Anthropologis* (Ujung Pandang: Balai Penelitian Lektor Keagamaan Ujung Pandang, 1987).

creation of the Gunung Leuser National Park in 1980, this had little meaning. The forest boundary set by the colonial foresters had disappeared and there was no clear delineation. Moreover, there were virtually no forestry officials on site to control the access and use of forest resources. However, after the inception of the National Park, forestry officials were regularly present in the hamlets surrounding it. The presence of the forestry apparatus in Jambur Lak-Lak meant that over time the village institutions gradually lost their role with respect to the management of land and forest resources within GLNP boundaries. Moreover, this was not the only significant change over this period. Over the years, with the emergence of other authority structures involving the army, the police, NGOs and researchers, the village head lost his discretionary power, and outside people now visited the village without asking permission.⁴⁵

The state, clientelist accommodations and local patterns of resource extraction

From the 1970s clientelist patterns of exchange and accommodation reminiscent of those described by Kahn, Scott and others began to develop around the district government, particularly with respect to extracting rents from logging local forests. At this time large concessions held by clients of powerful figures at the centre, often spreading over tens of thousands of hectares, were already operating in North Sumatra, but in Aceh itself logging had only recently started. Significant logging concessions had also been issued in the Leuser area, covering virtually all the land on the borders of the National Park and some tracts actually within park boundaries. In addition to these large concessions, at the district level the local forest authorities also allocated smaller concessions from forest reserves of not more than 100 hectares each. These included areas that needed to be set aside as 'protection forest' if forestry regulations were to be strictly applied. This practice had begun in 1974: when Southeast Aceh obtained district status, the new district head (*Bupati*), Syahadat, had allocated a small local logging concession in the Alas valley.⁴⁶ By 1978 the forestry department had granted several small local concessions on reserved land in Badar:

Several sawmills operate with a licence, or operate on a large scale outside their concessions, often in the [Leuser] reserve. There is even one medium-size sawmill which has been operating for several years on a 100-hectare concession (PT Aceh Tenggara in Lak-Lak) but actually has logged more than 3,000 hectares and processed many logs stolen from the reserve by roving bands of independent log poachers.⁴⁷

Two years later, a WWF consultant reported that there were seven sawmills operating in the Badar area, supplying logs from protected forest and the GLNP. Most of the logs were extracted from a concession operating in the Serbolangit Protection Forest, an area just to the east of the former plantation land at Jambur Lak-Lak.⁴⁸

In a pattern mirroring that occurring at a national level, logging operations were

45 Interview, Jambur Lak-Lak, 17 December 1998.

46 N. J. van Strien, *Draft Proposed Gunung Leuser National Park Management Plan 1978/79 - 1982/83* (Bogor: International Union for Conservation of Nature and Natural Resources World Wildlife Fund Project 1514, 1978), p. 49; World Wildlife Fund, *World Wildlife Fund Yearbook 1974-1975* (Gland, Switzerland: World Wildlife Fund Public Affairs Division, 1975), p. 169.

47 Van Strien, *Draft Proposed Gunung Leuser National Park*, p. 50.

48 John H. Blower, *Management Problems in the Gunung Leuser National Park* (Bogor: World Wildlife Fund Indonesia Programme, 1980).

clearly connected with local agents of the state working beyond their legal responsibilities (*oknum*), as well as their families or favoured clients. Natsir, Syahadat's son, had obtained a concession from the provincial head of forestry for the Serbolangit protection forest adjacent to Jambur Lak-Lak and the Leuser reserve. Natsir's sawmill, PT Aceh Tenggara, obtained its licence directly against the recommendation of the conservation agency (PPA).⁴⁹ In addition to the *Bupati*'s family, forestry department staff were also directly engaged in logging. A PPA official, Abu Mukim, operated a sawmill while receiving a PPA salary. Another forestry department official working in the Kutacane Office, Simanjuntak, owned a sawmill under his wife's name. Clearly officials working for a state forestry agency responsible for both forest protection and resource exploitation, with ample opportunities for self-enrichment, faced a conflict of interest that worked against the implementation of forest policy:

Though some forest officers pay lip-service to conservation, they appear in general uninterested and uncooperative, providing no assistance to PPA in law enforcement (e.g., in connection with illegal logging in the National Park), and actively promoting timber concessions in conservation areas even when specifically requested not to do so.⁵⁰

From the mid-1970s and particularly after the declaration of the National Park in 1980, logging in the heartland of the wildlife sanctuary proceeded most visibly along the Kutacane–Blangkejeren road and in the Jambur Lak-Lak area just beyond the Ketambe research station. Village informants described how forest police (*jagawana*) were heavily involved in the logging, with several military figures also owning sawmills.⁵¹ Bands of loggers cut swathes of forest alongside the road, leaving the banks of the Alas River unstable and subject to erosion. During the late 1980s, loggers even began to move into the forest surrounding the research area.

Local informants described how the situation in the Alas valley began to change at this time. Increasing numbers of forest guards were posted to protect the reserve. At a formal level, it was now illegal to collect forest products, cut wood or open forest gardens in National Park forest. But, as local people did not accept these rules, locally the state forestry regime lacked legitimacy. This, together with the divided loyalties of the forest guards living amongst them created a new situation. In a pattern reminiscent of that described by Nancy Peluso in Java's teak forests, some guards would accept payment in return for turning a blind eye.⁵² To supplement their small government incomes, it was not unknown for them to become directly involved in poaching and illegal logging. Consequently, local villagers wishing to gain access to the forest might negotiate with those formally responsible for forbidding use. In this way, in place of the *adat* access rules, new informal understandings evolved concerning the state forest reserve. In the struggle over access to land and forest resources, institutional arrangements emerged that were consistent with indigenous social values and accommodated local demands for

49 Until the early 1970s nature conservation was the responsibility of Dinas PPA (later PHPA), a small section of the Directorate of Forestry within the Ministry of Agriculture (see Rijksen and Griffiths, *Leuser Development Programme Masterplan*).

50 Blower, *Management Problems*, p. 5; see p. 14 for the specific forestry officials mentioned here.

51 Interview with village informants, 15 December 1998.

52 See Nancy Peluso, *Rich Forests, Poor People. Resource Control and Resistance in Java* (Berkeley: University of California Press, 1992).

land. Under this regime, use of the forest was mediated no longer through local *adat* institutions but via clientelist arrangements.

The logging networks described here follow the general institutional pattern described by Kahn and Peluso. Outsiders or local businessmen – often referred to as *cukong* – contact local intermediaries to organise the extra-legal extraction of timber, or they may organise such activities themselves. These actors are often residents in villages or surrounding towns who typically possess the working capital and status necessary to make contacts with bureaucrats and affluent customers. Such people occupy a position where they can broker state services, ‘having both the economic power and dependent clientele that such power implies, they are also influential in local politics’.⁵³ They also have both the political connections and the economic backing to handle any problems that might arise from their involvement in extra-legal activities. Brokers, known as *tauke*, organise logging teams on behalf of the *cukong*, on either an *ad hoc* or a long-term basis. Those acting as *tauke* or *cukong* may be members of the military or the civilian bureaucracy, or they may be business people, and sometimes a single person can occupy both positions. However, it is ‘their personal and professional connections [that] allow them to either negotiate deals with local foresters or to discourage local foresters from obstructing a deal’s completion’.⁵⁴

In 1996 a villager explained how extra-legal logging operated at the village level. ‘If you want to cut wood, you go and ask the forest guard, and he asks for a payment or a share of the wood. He manages the wood. If he is caught, his superior says, “OK, that’s enough for now, but don’t do it again.”’ Then he turns around and does it again behind the superior’s back. ‘Nowadays the regulations forbid cutting wood in the park or bombing the river’, he continued, ‘yet it is forest guards who cut wood and the police bomb the river [for fish]. If I cut wood or bomb the river, I’m arrested, but if the forest police do it then nothing happens’.⁵⁵ Such conduct undermined the legitimacy of the institutional framework of state forestry. As Rijksen and Griffiths note, the image of the Department of Forestry as ‘the representative of the state guarding the common good has been tainted in the local mind’.⁵⁶ Indeed, in 1980 Blower reported that ‘there appears to be considerable hostility among local people towards [the forestry agency, PHPA]’.⁵⁷

As the logging frontier moved into Jambur Lak-Lak during the late 1970s, land speculation – often sponsored by wealthy patrons living elsewhere – also began to emerge. People began opening forest-gardens on the pathway that connected Kutacane to Blangkejeren. By planting a few coffee plants in newly opened plots ‘for speculative purposes’, speculators or their agents claimed tenurial rights. After the completion of the road then under construction, they could sell the land to in-migrants.⁵⁸ Shortly after clearing the land, those with the financial means were able to secure *de jure* rights over the land by registering their claims with the agrarian office. These formal rights could

53 Ibid., p. 213.

54 Ibid., p. 214.

55 Interview with village informants, 15 December 1998. As Peluso observed in Java’s forests (ibid., p. 229), usually errant forest guards could expect to be confined to desk work or transferred to another location. Field foresters tended to be jailed ‘only in the most extreme circumstances’.

56 Rijksen and Griffiths, *Leuser Development Programme Masterplan*, p. 175.

57 Blower, *Management Problems*, quoted in Rijksen and Griffiths, *Leuser Development Programme Masterplan*, p. 175.

58 Van Strien, *Draft Proposed Gunung Leuser National Park*, pp. 48–9.

then be used as collateral for borrowing money from a bank.

In 1989, deforestation within the GLNP gained international attention, and the International Union for Nature Conservation declared it to be one of the ten worst managed parks in Asia.⁵⁹ As local state agents were heavily involved, the authorities called in an army unit from outside the area: in 1990 an Army Mobile Brigade (Brimob) from Banda Aceh clamped down on the logging. Brimob arrested many people, several sawmills were shut, and the scale and visibility of illegal logging in the 'heartland' of the park alongside the road were subsequently curtailed.⁶⁰ Nonetheless, the pattern of resource extraction continued, albeit in a more discrete form.

Given the strength of the clientelist networks behind logging, few people in Southeast Aceh in 1996–9 were prepared to discuss the practices surrounding illegal logging. Yet in late 1998, an informant in Kutacane described how, while there were no official logging licences in existence within Southeast Aceh, 'there are several sawmills working, but none have permits. Officials shut their eyes and take payments'.⁶¹ When there was a logging raid, he said, the officials involved warned the loggers in advance. Alternatively when a patrol caught loggers in the act, there was a settlement (*perdamaian*) on the road, and the loggers were allowed to go after paying a fine. Other sources also alleged that to proceed with illegal logging, loggers pay police and forestry *oknum* a monthly fee, with payments passed onto some senior forestry officials.⁶² At the apex of the network were four key business figures, predominantly from a particular Alas clan (*marga*). These figures dominated Southeast Aceh politics, and even the *Bupati* was enmeshed in this network. Those who upset this group would be excluded from the webs of patron-client relations running Southeast Aceh.

An informant familiar with Southeast Aceh confirmed this account, describing the intimidating nature of the clientelist network operating in Kutacane. He reported that a 'timber mafia' controlled logging operations and other activities that extended beyond the bounds of legality.⁶³ Consequently, an atmosphere of secrecy and latent threat surrounded Kutacane life: people were too frightened to talk about many activities, and journalists were afraid to report them. 'If someone asks too many questions', he said, 'they could disappear'.⁶⁴

Following Moore's model, it is possible to identify the operation of a 'semi-autonomous social field' (SASF) around logging – a field that could be distinguished by its ability to generate its own rules and to induce compliance. Binding obligations structure the processes of negotiation and exchange surrounding many activities in the district, including timber extraction from protected forests. Those who violate these

59 Wind, 'Gunung Leuser National Park', p. 4.

60 Interview, Jambur Lak-Lak, November 1996.

61 Interview, Kutacane, 21 December 1998.

62 In late 1998, the local chapter of the organisation Pecinta Alam (Nature Lovers) wrote a letter to several officials that illustrates the nature of the logging network. The letter alleged widespread collusion between local officials and illegal loggers in the Bengkung area, Southwest of Kutacane (letter from Pecinta Alam, Southeast Aceh, to head of PPA, Kutacane, 1998) See also 'Surat Kaleng Permbahan GLNP Berumatan Politis', *Waspada*, 16 December 1998.

63 As Drs Martin Desky, the district head of the State Party, Golkar, alluded in 1998, they involve wood theft, widespread gambling and the marijuana trade ('Tiga Permasalahan di Kutacane', *Waspada*, 14 October 1998).

64 Interview, Tapaktuan, 6 January 1999.

rules are excluded from the webs of personal ties and obligations that structured exchange within the district. Key figures there, allegedly including the *Bupati*, are enmeshed in a social order that extends to forestry staff working for the National Park, police (*Polres*) and army personnel (*Kodim*), local government officials, the judiciary and local religious leaders (*imam*).⁶⁵ Irrespective of the precise formal position within the state of those playing various roles, the links among businessmen, intermediaries, brokers and villagers lie outside the formal structure of the state. Officials acting corruptly play a pivotal role within the 'semi-autonomous social field' that envelops the district. Forestry officials, members of the military and police and district government personnel who have the ability to mobilise the law, have something to trade in the networks of exchange surrounding logging. Senior *oknum* acting as gatekeepers can accordingly extract significant rents from extra-legal logging.

The problems faced by parties wishing to challenge entrenched patterns of accommodation and exchange attest to the strength of this SASF. In the charged atmosphere following the fall of Suharto in July 1998, a group of students carried out a series of protests and demanded the resignation of officials in Southeast Aceh involved in what was now referred to as corruption, collusion and nepotism (*korupsi, kolusi dan nepotisme* or KKN), including the *Bupati*. The students alleged that the manipulation of projects in the district had led to a loss to the state of a billion rupiah due to activities involving the *Bupati*.⁶⁶ However, the latter secured his position by galvanising support amongst his political clients, and thirty-nine village heads made a statement in his support.⁶⁷

Then in late 1998, student groups and local NGOs began to focus on the 'logging mafia', particularly logging operations in the Serbolangit area east of Jambur Lak-Lak. Here, a Korean acting as the financial backer (*cukong*) had supplied a bulldozer to open a road 10 kilometres into the Serbolangit protection forest and into the National Park beyond. The road facilitated logging operations in the area by people in his employ and other villagers, with trucks taking the logs out by night. According to a witness quoted in the Medan daily *Waspada*, the Korean was working with the collusion of local forestry officials: 'if there was no collusion, it would be impossible to carry out this sort of activity'.⁶⁸ However, despite this attention in the press, logging activities in Jambur Lak-Lak and elsewhere continued.

Finally, in November six members of a local NGO, Leuser Lestari, took action into their own hands. They captured a truck carrying 30 cubic metres of wood from the Serbolangit Protection Forest, taking its occupants (including a security official backing the operation and the Korean *cukong*) and surrendering them to the police.⁶⁹ This action did not turn out to be conclusive. The next month, *Waspada* reported that *jagawana* had confiscated the Korean *cukong*'s bulldozer inside the GLNP behind Jambur Lak-Lak along with seven tonnes of wood. However, apart from confiscating the wood, while

65 Interview, confidential informant, Kutacane, 21 December 1998.

66 'Format Serahkan Laporan Tertulis', *Waspada*, 10 September 1998.

67 'Kades Dukung Bupati Southeast Aceh', *Waspada*, 7 August 1998.

68 'Buntut Berita Perambahan Hutan: Koresponden *Waspada* Aceh Tenggara Dicari Oknum Tak Jelas', *Waspada*, 20 October 1998.

69 'LSM Lestari, Keluhan Masyarakat Terhadap Pencurian Kayu di Aceh Tenggara', *Waspada*, 18 November 1998.

'awaiting instructions from the *Bupati*', the *jagawana* failed to arrest a single person.⁷⁰ Informants noted that it was rare for this sort of case to end in court.⁷¹ In an earlier case, *Waspada* reported that forty people had been caught red-handed with eleven chainsaws inside the TGNL. However,

Up to this time not even one person has been arrested as a suspect and the GLNP side has given no indication of the time needed to ascertain who is behind the logging of the National Park ... 'We will investigate this problem to the very bottom', [an official] said.⁷²

The situation demonstrated the qualities characteristic of areas where clientelist networks of power and interest displace the *de jure* institutional framework of the state. To be sure, the forestry department has operational rules as specified in government regulations, ministerial decrees and laws regarding the state forestlands. Under this regime, *jagawana* patrol state forest land including the National Park, monitoring and collecting information about what might be occurring there, as well as arresting and enforcing the law against those infringing regulations. However, the *jagawana* operated where the state forestry regulations had very little legitimacy among villagers. In this area power was highly localised, and local government, powerful local politicians and business figures supported illegal logging. In this situation, local state agents could surreptitiously make decisions regarding enforcement of regulations in accordance with localised networks of exchange and accommodation. It was hardly surprising, then, that decisions accorded with the interests of powerful local patrons, and that at times local agents of the state allowed logging operations in contravention of the law.

Extractive uses and local coalitions

So far this article has largely considered the operation of clientelist networks, timber operations and village *adat* authority structures separately, but in many ways they are also intermeshed. This is primarily because the extractive activities of loggers are compatible with the transformative activities of pioneer agriculturalists wishing to open new plots. For forest pioneers, clearing huge rainforest trees is a formidable task, and villagers have therefore been happy to see illegal loggers extract timber and create secondary forest areas that are then easily opened for agriculture. In Jambur Lak-Lak as in other areas of Indonesia, forest pioneering has often followed in the tracks of logging operations.⁷³

The former head of one hamlet described how in the 1970s a *cukong* approached the village; he wanted to open a sawmill and harvest the wood from the adjacent Serbolangit protection forest. By asking permission first and paying 'compensation' to the village and the local government, the *cukong* respected local claims over the surrounding area. The hamlet head allowed the logging, and after the large trees were extracted, farmers could readily open gardens. During the 1980s, in the enclave hamlets north of the National

71 Interview, Kutacane, 21 December 1998.

72 'Petugas Jagawana Tahan 40 Orang Di Hutan GLNP', *Waspada*, 28 January 1998.

73 William D. Sunderlin and Ida Aju Pradjna Resosudarmo, *Rate and Causes of Deforestation in Indonesia: Towards a Resolution of the Ambiguities* (Jakarta: Center for International Forestry Research Occasional Paper No. 9, 1996) (<http://www.cifor.cgiar.org/publications/Occpaper.htm>).

Park gates, forest pioneering also followed in the footsteps of loggers.⁷⁴ In 1998 villagers also supported the road-making activities of the Korean *cukong* in the Serbolangit protection forest just to the east of the Lak-Lak hamlet. As a former hamlet head explained, in Jambur Lak-Lak there was no other work besides farming, and if people wanted to work as farmers, they needed to open land in the Serbolangit protection forest. 'If the Korean takes the wood', he said, 'this will enable farmers to open there.'⁷⁵

Agricultural expansion and the logging that accompanied it also served the political needs of key district politicians in at least two ways. First, logging and agricultural expansion helped to increase the revenue base for local government coffers and consolidated its administrative position.⁷⁶ Second, by supporting the wish of Alas valley farmers facing land shortages to continue the longstanding practice of opening agricultural plots within Alas territory, local leaders could gain popularity. Leaders define and articulate the myths and symbols of a community; they interpret its identity in relation to a wider society and this ability generates a leader's influence and power in the community.⁷⁷ In Southeast Aceh district over 80 per cent of the population are farmers.⁷⁸ These villagers, together with *oknum* and businessmen within the Alas valley involved in logging, resent the state forestry agency's attempts to control local forests. In the late 1970s, after wide consultations with local leaders, Koesnoe and Soendari found in their investigations of local *adat* that Alas leaders in Southeast Aceh hold that local land and forest resources 'belong to the right of disposal [ie. tenurial domain] of their community for the interest of their living and their survival'. This assertion of customary rights over surrounding forests can be used to justify logging and land pioneering in disregard of state forestry laws.⁷⁹ Through populist politics, district leaders supporting local claims over forest resources can shore up their local standing by distancing themselves from or even criticising an unpopular policy of the central government.

While the local government often seeks to expand the area of agricultural land in the Alas valley at the expense of state forestland, during the Suharto period local officials were formally subject to a strong central government, and there were limits to how far they could openly resist state policies. They could, however, avoid the opprobrium that might be attached to fully implementing them by turning a blind eye to exploitation of state forest that violated regulations, and patronising these activities yielded personal gain. Alternatively, at strategic moments local officials could allow local expressions of

74 Interview, Jambur Lak-Lak, 20 December 1998.

75 Interview, Jambur Lak-Lak, 17 December 1998.

76 Rijken and Griffiths, *Leuser Development Programme Masterplan*, p. 132; for a discussion of this dynamic, see McCarthy, 'Wild Logging'.

77 Brown, *State and Ethnic Politics*, p. 113.

78 Rijken and Griffiths, *Leuser Development Programme Masterplan*, p. 132.

79 Koesnoe and Soendari, *People and Their Adat*, p. 73. There is some indication that during the colonial period local *adat* leaders in the Gayo and Alas lands agreed to the granting of protection forest status to surrounding areas that were not under tenure because this prevented the opening of more colonial plantations in the area or other colonial exploitation. At this time the reserve boundaries left sufficient land outside the reserve for opening new agricultural lands. This reserve status has only become an issue since the population grew and the demand for land could no longer be met outside the reserve boundaries (Rijken and Griffiths, *Leuser Development Programme Masterplan*). Whatever the case, this has left Alas leaders with fewer rhetorical means of contesting the National Park status of most of the Alas valley. As the Leuser Management Unit has frequently pointed out, the protection of this area was based on an agreement signed during the colonial period by the indigenous 'autonomous heads' of the area on behalf of the community.

opposition by members of the community.

During the 1990s, these dynamics were illustrated by newspaper reports from Southeast Aceh. For instance, in 1994 the Aceh broadsheet *Serambi Indonesia* carried a report under the heading 'GLNP Gift or Curse'. The report described a meeting in Kutacane to coordinate the funds for underdeveloped villages (IDT), where local officials expressed resentment of the park. Presumably with the support of local public sector directors, a district youth committee (DPD II KNPI Southeast Aceh) asked the governor to support the excision of a section of the GLNP for mining and industrial development. According to the report, local opinion saw the National Park as an obstacle to regional development. 'So far', a youth leader said, 'for the residents of Southeast Aceh, over time, it is becoming less clear if the presence of the GLNP is a gift or is a curse'. The Pancasila Youth Group, associated with the local ruling Golkar party, had written a letter to the president expressing this wish. The head of the district parliament criticised 'a concept of development that prioritises the environment rather than considering humanity'. The head of the regional planning board (Bappeda) also joined in, complaining of the problems facing those wanting to 'free up' forest land for development.⁸⁰ Despite EU promises of extensive development assistance, some months earlier, *Serambi Indonesia* reported that:

The existence of GLNP, according to the Bupati, does not promise anything. It even seems to slow the process of this region advancing from 'miserable Aceh' to 'happy Aceh'. 'A large part of our region has been dedicated as the lungs of the world, but why hasn't the world dedicated anything to Southeast Aceh', Syahbuddin said.⁸¹

For several years, local newspapers also carried stories of a planned road between Titi Pasir in the Alas valley and Bohorok in North Sumatra. By cutting a short route across the mountains to Bohorok, the proposed road would enable travellers to avoid the long and winding road to Medan. Local people argued that a road would cut several hours off the arduous trip to Medan, help local producers gain access to its large market, and facilitate tourism into the valley. Consequently, the road became a *cause célèbre* in Southeast Aceh. However, the new road would bisect the National Park. As the sealing of the Kutacane-Blangkejeren road had advanced logging and forest pioneering in Jambur Lak-Lak, the road would also have facilitated access to untouched forest for the Southeast Aceh logging mafia and farmers looking for new land. Therefore, the Leuser Management Unit and the forestry department repeatedly asked the central government to block this project. According to newspaper reports from March 1994, the local head of Golkar openly criticised this decision, while the *Bupati* showed his local loyalties by stating that he still supported the road. Both lamented the role of unnamed local officials in the failure of the plan.⁸²

However, besides this purely rhetorical resistance, local officials have also tacitly

80 'Dari Rakor IDT di Kutacane TNGL Rahmat atau Laknat. Banda Aceh', *Serambi Indonesia*, 8 December 1994.

81 'Tambang Dolar di Gunung Leuser', *Serambi Indonesia*, 26 July 1994.

82 'Seputar Rencana Pembukaan Jalan Tembus Titi Pasir – Bohorok Tokoh Masyarakat Aceh Tenggara Tolak Alasan Merusak Kawasan TN Gunung Leuser', *Waspada*, 28 March 1994; 'Golkar Aceh Tenggara Dukung Rencana Pembukaan Jalan Tembus Titi Pasir-Bohorok', *Waspada*, 29 March 1994. Other reports show that local government resents the existence of the park because of its effect on local revenue.

permitted activities that encroach on the state forest. Therefore, while the central government consistently has refused requests to excise agricultural land from the forest, the district has surreptitiously managed to almost double both the area under *sawah* (91 per cent increase) and the land used for dry agriculture (96 per cent increase) since the 1970s. For instance, in 1989, the director-general of PHPA wrote a letter to the local government agreeing in principle to allocate an area one kilometre wide as a buffer zone in the National Park alongside the Blangkejeren-Alas road. The local government took this letter as a green light for opening the area. Within six months, loggers moved into an area classified as National Park, selling the rich tropical hardwoods to local sawmills. Villagers followed, moving into the area and opening agroforest gardens in the foothills.⁸³ At this time, migrants settled the most northern hamlets of Jambur Lak-Lak as well as enclaves within the adjacent Blangkejeren sub-district. In the run-up to the 1999 elections, local politicians had further opportunities to play a populist tune. In late 1998, a regional meeting addressed the land shortage faced by local farmers. The meeting of local Golkar leaders involving the *Bupati* asked the central government to make GNLP lands in Kappi (on the northern fringe of Jambur Lak-Lak) and Pasir Luk-Luk (Lawe Alas sub-district) available for agriculture.⁸⁴

In a loose, informal sense, logging networks, their patrons and partners inside the state apparatus, and villagers and village leaders have formed what Thomas Rudel and Bruce Horowitz in a Latin American context have called a 'growth coalition'. Such a coalition consists of actors from different classes who work together to open up regions for settlement and deforestation. According to Rudel and Horowitz, these alliances were more often 'tacit' than 'explicit'. For instance, without acting together in pursuit of a common good, affluent individuals, patrons or institutions and a peasant population might develop a 'symbiotic relationship'.⁸⁵ In Southeast Aceh such a coalition resisted the claims over local forests advanced by conservationists and state forest authorities at the discursive level while at the practical level it surreptitiously continued to push back the boundaries of the forest reserve.

Contingent outcomes: state policy, biodiversity interventions, and local interests

As in similar cases elsewhere, the initiatives taken in a given conflict reflect the power hierarchies prevailing at a particular point in time, which are in turn heavily contingent upon the changing alignment of wider economic and political factors.⁸⁶ During the 1990s, with the international ascendance of environmental discourse, state policy gave qualified support to biodiversity-related activities, limiting the ability of localised networks of power and interest to resist conservation initiatives. However, as we will see, this also changed after 1998, when the balance of wider economic and political factors again shifted significantly.

Due to the perceived importance of the Leuser area for biodiversity conservation, during the 1970s and 1980s activities there constituted the World Wildlife Fund's single

83 Rijksen and Griffiths, *Leuser Development Programme Masterplan*, pp. 133–4.

84 'Golkar Minta Kawasan Kappi dan Pasir Luk-luk Dibebaskan', *Analisa*, 10 December 1998.

85 Thomas K. Rudel and Bruce Horowitz, *Tropical Deforestation: Small Farmers and Land Clearing in the Ecuadorian Amazon* (New York: Columbia University Press, 1993), p. 29.

86 Marianne Schmink and Charles Wood, *Contested Frontiers in Amazonia* (New York: Columbia University Press, 1992), p. 344.

largest project in Indonesia.⁸⁷ Since then the ecological reasons for conserving the reserve have only increased in urgency. According to the Leuser Development Programme Masterplan, 'the value of this ecosystem cannot be over-estimated; its extinction would be an irreversible loss to the world'.⁸⁸ The conservationist discourse has necessarily been supported by actions to curtail the activities of those wishing to mine the resources locked up in the reserves within Southeast Aceh. The focus of this interest has been the core area alongside the Blangkejeren–Kutacane road, what a WWF report earlier referred to as the 'heartland' of the park.

As we have seen, however, the priorities of forest pioneers, loggers and the district webs of power and interest coalescing around logging – what we might identify as the SASF operating in Southeast Aceh – were irreconcilable with those of wider user groups interested in non-extractive uses. Before the 1997–8 forest fires and the political crisis, the latter included the 3,000 tourists visiting the area each year,⁸⁹ the researchers working in Ketambe research station, and the national policy community and international conservation community interested in the aesthetic values and the biodiversity of the Leuser Ecosystem.

While these interests were unable to insist on enforcement of laws protecting forest resources prior to 1990, in subsequent years they have grown stronger. Since the beginning of the World Bank ICDP preparation project in the early 1990s, conservation interests have increasingly monitored developments in the Leuser area. Following the inception of the Leuser Development Programme (operated by the Leuser Management Unit or LMU) in 1995, ongoing infringements of forestry regulations were reported to higher-level provincial and state authorities, who also sent teams to monitor what was occurring locally. Higher officials then instructed their local forestry representatives to enforce regulations preventing habitat destruction within the GLNP. On this and other occasions former President Suharto and the Minister of Forestry intervened on behalf of LMU/YLI, demonstrating that the EU-sponsored agency enjoyed extraordinary support from patrons at the center. In 1998 Suharto even passed a presidential decree (Keppres No 33/1998) assigning the agency responsibilities in the Leuser area.⁹⁰ Through these means, despite inconsistent local cooperation the activities of local clientelist networks, loggers and forest pioneers were curtailed, albeit to a limited extent.

In May 1998 a provincial inspection team (*tim Pansus*) found eleven sawmills operating in Aceh Tenggara without valid permits (*Ijin Pemanfaatan Kayu* or IPK). In response, the vice-governor of Aceh, in his capacity as head of provincial anti-logging operations (*Tim Pengamanan Hutan Terpadu* or TPHT), issued a letter instructing the *Bupati* to shut the local sawmills by the end of May 1998. However, in July, when the provincial team returned to the area, they found that the sawmills were still operating,

⁸⁷ World Wildlife Fund, *World Wildlife Fund Yearbook 1979–1980* (Gland, Switzerland: World Wildlife Fund Public Affairs Division, 1980), p. 252.

⁸⁸ See the Introduction to Rijksen and Griffiths, *Leuser Development Programme Masterplan*.

⁸⁹ 'Hutan Banyak Rusak: Sungai Alas Mulai Kurang Diminati Turis Mancanegara', *Waspada*, 6 August 1998; the headline reads, 'Extensive forest destruction: foreign tourists become less interested in the Alas River'. Tourist numbers have also fallen drastically as a consequence of the crisis.

⁹⁰ LMU/YLI also enjoyed close links to the Minister of Forestry under the Habibie government (the Minister of Forestry and Estate Crops was a former senior member of YLI), and these links helped LMU/YLI put pressure on local government (to enforce regulations) and on the HPHs working in the ecosystem.

allegedly due to the ongoing need for wood in Aceh Tenggara.⁹¹ This stimulated a journalist to write that 'The irony is that there are enough people with the power, responsibility and equipment for securing forest protection. But forest destruction and wood theft in the protection area continue to happen more and more.'⁹² Finally, in August, now with instructions from the governor, ten sawmills operating around GLNP in Aceh Tenggara were shut down by district authorities. These sawmills included those working in Badar, and those operated by prominent businessmen, members of the local Desky and Selian clans.⁹³

As the forest police are responsible for carrying out duties in accordance with the rules and the interests of this wider conservation community, to some extent this obligation limited the activities of those wishing to use the forest. While the forestry field officers have been embedded in what we can identify as the SASF surrounding logging, their activities cannot be reduced to the interests of these networks. In a similar situation, Peluso has described the ambiguities involved in the role of these local 'agents of the state'. She distinguishes three 'self-contradictory perceptions' of forestry field officers in Java's teak forests; depending on the context and exigencies of the moment, these people may shift between roles associated with distinctive priorities. First, a guard can act in accordance with the role of professional forester, for instance during a law enforcement sweep involving outside paramilitary forces. Second, a guard may act as a small-time patron, controlling access to land, trees and labour opportunities. In this role, a guard 'has a "clientele" that must be kept happy but also kept in their places'. Third, a guard may act in accordance with his needs as a householder trying to support his family. For instance, this role may become attractive when a forest guard interacts with loggers backed by a powerful timber broker. For, 'given the constraints set by job description and salary, it is often this third aspect of his life – the crude economics of living on the periphery as an agent of the centre – [that] can cause him to be disloyal to his first role'.⁹⁴

Consequently, while forestry personnel are embedded in the clientelist context of Southeast Aceh and can profit from this context, they do not act solely in the interests of these networks. In the area studied here, *jagawana* also had a role that involved implementing laws reflecting the interests of this wider conservation community: at specific moments and to a limited degree these obligations led to actions that affected the activities of loggers and forest pioneers. However, given the private interests of *jagawana* and the binding force of wider entrenched interests, these officers had other priorities and faced pressures that could readily involve a shift in roles. Consequently, the rules were not fixed.

Renewed efforts to impose state forestry laws in surrounding forests affected the ability of the village leadership to exercise their customary authority over land. As already noted, according to customary tenurial practices, those wishing to open land had to ask permission from the village or hamlet head. However, in the hamlets of Jambur Lak-Lak, the ability of the *kepala dusun* to grant land has varied over time. Prior to 1990, according to an Alas villager who settled there just before 1990, the hamlet head gave him

91 'Temuan Pansus VI DPRD-I di Aceh Tenggara: IPK Tidak Dikeluarkan Tapi Ada 11 Kilang Kayu', *Waspada*, 11 September 1998.

92 'TPHT Aceh Tenggara Bongkar Kilang Kayu Illegal', *Waspada*, 11 August 1998.

93 Ibid., and 'TPHT Aceh Tenggara Periksa Izin Kilang Kayu', *Waspada*, 18 April 1998.

94 Peluso, *Rich Forests*, p. 223.

permission to open land, guaranteeing (he thought) his right to settle there. Even though the land was included in GLNP, it lay in the 'bufferzone' area that the *Bupati* was happy to see opened. At that time forestry officials were openly involved in logging the area. Beyond warning him that it was state land, they made little effort to stop him clearing a plot there. While this is not regarded as proof of legal occupancy by the courts, from this villager's perspective, his rights were confirmed when officials began to levy land taxes on his farming lands.⁹⁵

According to another resident, until recently 'those wishing to open new land might pay *jagawana* to look the other way. Before anyone notices, the candlenut trees are big enough and no-one can do anything about it.' To obtain land, this villager added, 'in other villages it may be enough just to let the village head know, but here [due to the presence of *jagawana*] it is not like that'.⁹⁶ If the candlenut trees are already giving fruit, it will be difficult to move the farmer, as he will have established permanent tenurial rights according to *adat* principles, and the government will have to pay compensation. As a result, *jagawana* were unable to move farmers; they would simply tell those with mature candlenut gardens, 'don't go any further'.⁹⁷ Yet, as he had found several years earlier, given the dynamic state of authority structures, tenurial rights of this kind were not secure. During the 1970s, the villager had opened GLNP land across the Alas River from the Jambur Lak-Lak hamlets. Realising that the oral agreement of the village head was insufficient to support his tenurial rights, he had successfully obtained an official letter from a district government official. However, when the validity of the letter was challenged after the official who had issued it moved elsewhere, he was forced to abandon the land. 'Other officials would not recognise it as valid', the villager said, 'so I could not hold on to it, and three years later I had to move'.⁹⁸

During the early 1990s the extent of logging and forest pioneering in the core area of GLNP had become too visible a reminder of the park's failure to enforce state regulations. As noted earlier, since the time of Dutch rule state forestry has utilised a territorialisation strategy that involves setting forest boundaries and attempting to control access to natural resources within these boundaries. When the Indonesian forestry department mapped the forest boundaries in Southeast Aceh, 89 per cent of the district's surface area was officially classified as state forest (*kawasan hutan*).⁹⁹ The GLNP contained most of these state-claimed lands, extending over 56.6 per cent of the district. As this policy left only some 115,000 hectares of land (11.57 per cent of the district) available for other non-forestry uses, villagers wishing to open new plots have progressively opened gardens in the state forest areas, including the National Park.

In the face of continuing colonisation of forest lands, during the 1990s state foresters attempted to impose stricter control over GLNP land zoned for biodiversity conservation. As in other areas of Indonesia, in accordance with the state territorialisation strategy small-holders who had opened gardens in the wrong place were

95 Interview with village informants, 20 December 1998.

96 Interview with village informants, 5 September 1997.

97 Interview with village informants, 13 December 1998.

98 Interview with village informants, 13 December 1998.

99 M. Hamzah Hasan *et al.*, *Studi Sosial Ekonomi Masyarakat Lembah Alas Aceh Tenggara* (Banda Aceh: Lembaga Penelitian Universitas Syiah Kuala Darussalam Banda Aceh, 1997), p. 385.

considered 'forest squatters' (*perambah hutan*) and subject to coercive removal.¹⁰⁰ After being identified and inventoried, these people were subject to relocation into an official transmigration settlement. According to a government report into this problem, 'forest encroachment taking the form of uncontrolled cutting of wood, shifting agriculture and opening of settlements is frequently observed along the Blangkejeren-Kutacane road'. The report declared that the 'forest squatters' were having a negative impact on the conservation of the National Park, causing erosion along the steep hillsides next to the road, causing landslides and affecting the functioning of a transport link vital to the local economy. Following a coordination meeting between forest authorities and local government agencies in 1991, the authorities resolved to relocate the 'forest squatters' who had settled on GLNP land.¹⁰¹

Subsequently, government officials formulated a plan to move the squatters to Lawe Bengkung, a remote corner of Southeast Aceh. Village informants recount how the authorities visited the enclaves to announce that only those who had recently opened gardens would have to move. As it turned out, forest farmers who had been resident in the enclaves for over twenty years – before the area had formally become a part of GLNP in 1980 – were also required to relocate. One villager described how following the investment of years of working to create a productive candlenut garden, at this time he found himself classified as an illegal 'forest squatter' and subject to a local transmigration programme. This conflict has continued to the present without any clear resolution.

Following this dispute, hamlet heads recognised that within the land classified as state forest, especially GLNP, they had no authority to grant land and were unwilling to take responsibility for villagers opening land there. According to one informant, in 1998 a villager who wanted to open a garden was still obliged to report to the hamlet head, even if the area lay beyond the boundary of the GLNP. However, the headman would only grant land if the area fell under his authority. 'If he can't, he will say: "it is up to you". Some villagers are brave [enough to open GLNP land], while others aren't.'¹⁰² In the less protected Protection Forest to the east of the hamlet of Lak-Lak, villagers have continued to open land for a considerable distance.¹⁰³

The economic and environmental crisis that struck Indonesia in 1998 was also a legitimisation crisis for state institutions. As state authority began to crumble under the weight of discredited policies, repressed local claims and institutions began to reassert themselves. Owing to its lack of legitimacy in the eyes of the public, the forestry agency faced considerable challenges and sought to assuage criticism by making concessions on

100 See Charles Victor Barber, Suraya Afiff and Agus Purnomo, *Tiger by the Tail? Reorienting Biodiversity Conservation and Development in Indonesia* (Washington, DC: World Resources Institute, 1995); and Li, 'Marginality, Power and Production'.

101 Department Kehutanan and Universitas Syiah Kuala Darussalam – Banda Aceh, *Rancangan Pemindahan Perambah Hutan dari dalam Kawasan Taman Nasional Gunung Leuser* (Banda Aceh: Department Kehutanan dengan Universitas Syiah Kuala Darussalam – Banda Aceh, 1993); quotation from p. 3.

102 Interview with village informants, 19 December 1998.

103 Interview with village informants, 17 December 1998. Poor planning and implementation plagued this 'local transmigration' effort. The Leuser Management Unit also resisted the plan because it involved shifting local people into an area within the Leuser Ecosystem important for elephant populations. Subsequently, those families who had moved were forced to return to the enclave. Back in Badar, they found their gardens overgrown and their houses fallen into disrepair.

resource access.¹⁰⁴ In the face of the economic crisis, food riots and land occupations, the government granted permission for farmers to work 'sleeping' land not being utilised by its legal owners. The Forestry Agency allowed farmers to plant subsistence crops on land under its jurisdiction with the understanding that this did not give them ownership rights.¹⁰⁵

In the Alas valley, these dynamics affected the ability of *jagawana* to control access to the forest even in more visible areas alongside the Kutacane–Blangkejeren road. At the beginning of 1998, villagers had responded to the crisis by opening new land. With a boom in patchouli oil (*nilam*) prices, villagers sought out forest areas to plant this crop.¹⁰⁶ In some areas of the valley, during a period of drought and forest fires, areas of 'bufferzone' forest were deliberately burnt to facilitate forest pioneering; in one hamlet farmers opened plots directly across the Alas River. As the river constituted the GLNP boundary and these plots were in clear sight of a main provincial road, this represented an open challenge to the authority of GLNP officials. The forestry authorities and police arrested several people.

However, the people of this hamlet argued that this was unjust, saying that the activities of timber companies in other areas of the park were much more destructive, and that local villagers were only trying to make a living. For this reason, village leaders protested to the district assembly (DPRD), requesting that because of land shortages, villagers be given permission to cultivate this land, although it was within the park boundaries. According to village informants, a session of the regional assembly discussed the case in the presence of forestry officials but failed to come to a formal resolution to stop these activities. Subsequently, the forestry authorities and villagers had a tacit understanding (*tau sama tau*) about this, and *jagawana* no longer challenged the new plots. The problem presented to the authorities was that, in the face of the crisis, villagers could claim that they needed to take desperate measures to feed themselves and that they thus needed to open new land irrespective of its status. 'Before the crisis forestry could stop people opening here', a villager said, 'but now they have to accept this'.¹⁰⁷

Conclusion

This discussion has combined approaches developed by legal anthropologists with other analyses of institutional power and control to develop a framework for understanding access and use of resources in one particular district. The legal anthropological approach – particularly Moore's SASF concept – proved useful for exploring the case material, especially for understanding the often complex and contradictory relationships between normative orders that endeavour to control the same sets of relationships and activities. Both village communities and logging networks exist as specific fields of control and attempt to regulate the internal relationships and activities of those involved in their fields of interest. These normative orders interact, and

104 Carol Warren and John F. McCarthy, 'Adat Regimes and Collective Goods in the Changing Political Constellation of Indonesia', in *Shaping Common Futures: Case Studies of Collective Goods, Collective Actions in East and Southeast Asia*, ed. Sally Sargeson (London: Routledge, forthcoming).

105 *Suara Pembaruan*, 23 October 1998.

106 Patchouli oil is an oil produced from distilling the leaves of *Pogostemon cablin*, a plant known locally as *nilam*.

107 Interviews with village informants, 12–13 December 1998.

at the same time stand in complex relationships with other fields of control, particularly state institutional arrangements and outside project interventions.

Analyses by various authors of the working of patronage and the forms of institutional power and control found in upland and frontier areas complement this approach, suggesting that where state laws contradict long-standing local understandings, they will lack legitimacy. If at the same time power is also highly localised, state agencies will face problems imposing the legal authority of their rules. Informal arrangements will tend to circumvent the contradictions created by the formal administrative system. These dynamics can lead to a clientelist system which, while working contrary to state policies, satisfies the needs of diverse groups of actors. This framework helps account for the networks of exchange and accommodation at the district and village level, the weak capacity of the state agencies to implement the law at the local level, and the ambiguous role that 'local agents of the state' such as field foresters play in the local social order.

In discussing the issue of customary rights, this article has avoided seeing tradition (*adat*) as a timeless inherited entity. Instead I have explored how *adat* rules are changed, renegotiated or even enveloped by wider social and economic forces. For in this site a range of influences ensured that institutional arrangements governing access and use of land and forest resources differed from the customary patterns that had operated historically in the Alas and Gayo heartlands. Pioneer agriculturalists from different areas of origin and of two distinct ethnic groups had only recently settled this area, complicating the evolution of strong *adat* arrangements. Furthermore, as these pioneer agriculturalists had opened land in an area where most of the forest had a pre-existing status as state forestland, the role of the state forestry agency has been particularly important.

Using the discussion of territoriality developed by Vandergheest and Peluso and others, the article shows how the state forestry agency has endeavoured to regulate the relationship between population and resources in the area. Despite the classification of most of the area as Protected Forest and later as National Park, for many years there were few forestry agency personnel present to implement state rules. As the forestry authority later attempted to implement control over access and use of forest resources that had primarily existed on paper until that time, this reduced the *de facto* authority which village and *adat* leaders had exercised in surrounding forest lands. Since then, the existence of this competing authority system has hindered the development of village institutional arrangements pertaining to land and forest resources. As these arrangements were now evolving in the context of overlapping authority structures and conflicting property claims associated with conservation agencies, forestry officials and logging networks, they remained comparatively unsettled in this frontier society.

The article also examines the process through which the complex, heterogenous institutional situation that predominated here came into being. Around the same time that forest pioneers from neighbouring areas moved into the area, logging networks emerged and began extracting timber. Local elites involved in these networks rejected the National Park and Protected Forest status of the majority of the Alas lands, at least partly because it obstructed the timber operations of district entrepreneurs. To contest the state's territorial strategy that set most of the district aside for nature conservation, they

asserted that the Alas people had a 'right of avail' over these lands. At the same time forest farmers under economic pressure and facing land shortages did not consider the protected status of forestland as legitimate; they contested the state territorialisation that prohibited local uses of surrounding forests. Despite the weak legal basis for *adat* territorial claims over that forest, local people maintained that in the absence of alternatives, they were entitled to meet their subsistence needs by continuing to open surrounding forests for agriculture and to collect forest products. Consequently, timber extraction by district logging networks proved to be compatible with forest pioneering by villagers; as these two groups of actors shared interests, they formed a tacit 'growth coalition'. Some local government and forestry staff became involved in extracting rent from the forests by using their gate-keeping role of monitoring forest use and enforcing sanctions against those trespassing in the state forest.

As different actors – including timber entrepreneurs and brokers, village leaders and pioneer agriculturalists and the local agents of the state – entered into exchanges and reached accommodations, they effectively established a complex institutional matrix. Using Moore's heuristic framework, the arrangements that emerged can be seen to constitute semi-autonomous social fields (SASFs) that generate their own rules and means of compliance. In other words, these changes and accommodations have effectively established the key institutional arrangements determining access to and use of forest resources.

This reality has affected the implementation of state policies and the outcome of ambitious conservation projects. In the 1970s, with the support of policy-makers in central government agencies, conservationist interests – initially WWF but later the Leuser Management Unit (LMU) – increasingly attempted to ensure that regulations protecting the state forest were consistently applied. Yet, due to the existence of what can be identified as a SASF that has generated its own norms, values and rules and has been able to enforce them, logging networks and forest pioneering continued in contravention to the formal forestry laws. In the face of the binding force of this SASF, even with the advocacy of a high-profile EU-sponsored ICDP with high-level support within the state, the authorities responsible for implementing the rules have had neither the ability nor the will to implement the law in a consistent or dependable fashion. Consequently, LMU have been unable to do much more than periodically tighten up enforcement and constrain the behaviour of resource appropriators; they have not been able to fundamentally alter the dynamics of this situation. Only at certain moments during the past few years, when LMU activities combined with more rigorous media reporting and the emergence of a more active civil society during the reform era, did the balance shift somewhat towards state law enforcement.

In this case, the outcome was an ongoing and largely covert struggle over access and use of forest resources. With overlapping institutional arrangements relating to forest resources, no clear decision-making or conflict resolution arrangements have emerged. In the absence of clear authority structures willing or able to consistently govern access and use of the forest, the intertwining of local government, *adat*, state forestry institutions and international conservationist agencies has created a complex, dynamic state of affairs. While wider social, economic and political forces affect the situation, the transformation of the forest has been the inevitable outcome of a conflict in which there

are no clear winners.

In a discussion of co-management, one study has contrasted two ‘management alternatives’ – local-level and state-level management systems. Under state-level management some centralised authority, either a line agency or a department of central or provincial government, has responsibility for managing a resource. Local-level management systems, on the other hand, are based on customary practice, cultural tradition and local knowledge. This bifurcation has haunted the analysis of forest management in Indonesia: in a tradition going back to Dutch scholarship, the state legal system has often been contrasted to the plurality of customary (*adat*) institutional arrangements.¹⁰⁸

However, this article suggests that where clientelist arrangements have distorted the state management system and *adat* arrangements have been otherwise unable to operate as they might once have, such a bifurcation may not always be particularly helpful for analysis. It may not always be appropriate to analyse institutional arrangements in terms of these competing orders. To be sure, various actors can invoke *adat* or state laws in support of specific claims over resources. As in this case, those engaging in logging and forest pioneering might claim that they were only exercising their *adat* rights. Alternatively, agents of the state might use their ability to enforce state laws to ‘fine’ (informally) those violating the law, thereby extracting rent from illegal loggers. However, in so far as institutional arrangements have emerged through local exchanges and accommodations encompassing villagers, community leaders and local agents of the state, this bifurcation can be misleading: the institutional arrangements do not fully accord with *adat* principles or with state legal norms as they have previously been understood.

¹⁰⁸ The conceptual discussion is in Berkes *et al.*, ‘Co-management: The Evolution in Theory and Practice’. On the failings of the state management framework, see Peter Dauvergne, ‘Weak States and the Environment in Indonesia and the Solomon Islands,’ in *Weak and Strong States in the Asia-Pacific*, ed. Peter Dauvergne (Canberra: Allen & Unwin and Australian National University Dept. of International Relations, 1998), pp. 135–57; ‘New Era for Indonesian Forestry, Forest Resource Management Reformation’, *Forum Komunikasi Kehutanan Masyarakat*, 22 September 1999; and H. Simon, ‘Indonesian Government Must Immediately Implement Just and Democratic Forest Resource Management’ (1998), http://www.latin.or.id/diskusi_fkkm_jogja_english.htm. McCarthy, ‘Wild Logging’, provides an overview of case studies regarding the impact of state forest management on *adat* management systems. For a review of arguments for reviving *adat* as an alternative to State management see Li, ‘Marginality, Power, and Production’.