Universiteit
Leiden
The Netherlands

Forest tenure in Indonesia : the socio-legal challenges of securing communities' rights

Safitri, M.A.

Citation
Safitri, M. A. (2010, December 15). *Forest tenure in Indonesia : the socio-legal challenges of securing communities' rights*. Retrieved from https://hdl.handle.net/1887/16242

Version:	Not Applicable (or Unknown)
License:	Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden
Downloaded from:	https://hdl.handle.net/1887/16242

Note: To cite this publication please use the final published version (if applicable).

6. MAN, LAND AND FOREST IN LAMPUNG

6.1 INTRODUCTION

Forestry policy and lawmaking and implementation do not happen in a vacuum. Perceptions of law-makers, their formulation of policy problems and their decisions to transform the policy into legislation have largely been influenced by social, political, economic and environmental circumstances. At the national level, we have seen how the social pressure and the changes of political regimes in Indonesia have influenced the decision of the Ministry of Forestry to revise their Social Forest legislation (see 3.6). At the regional level, in Lampung province, Forestry policies and legislation have mostly emerged as the regional government's response to environmental and social distress in and surrounding Forest Areas, as will be described in chapter 7. Forest destruction, population pressure in Forest Areas and land conflicts are amongst the problems Lampung's regional government has to deal with.

This chapter describes how forest destruction and land conflicts have originated and escalated within the changing social, political and ecological circumstances in Lampung. It contains three themes: firstly, this chapter provides a geographical, economic and social overview of Lampung (see 6.2). Secondly, it describes in the sections 6.3 to 6.5 the social and political history of Lampung and its local administration. The last part will analyse colonial and national government development projects that have notably contributed to the present problems of forest destruction and land conflicts (see 6.6 and 6.7).

6.2 THE SOCIAL AND ECOLOGICAL LANDSCAPES

Located at the south eastern tip of Sumatra, Lampung covers a territory of some 35,000 square kilometres. It borders South Sumatra and Bengkulu provinces in the north, the Sunda Straits separating Sumatra from Java in the south, the Java Sea in the east and the Indian Ocean in the west (map 1.1). This location has turned Lampung into an important business hub since pre-colonial times. The harbours on the southern coasts of Lampung are well known as the busiest harbours in the Sunda Straits. One of the harbours, Bakauheni, is the gateway to inter-island transportation from Java to Sumatra.

On the southern coasts, Lampung has been generally blessed with fertile land, notably due to rich volcanic soil. The Krakatau volcano in the Sunda Straits and its surrounding small volcanic mountains have contributed to a good mineral

composition of soil in these areas. The soil in the central and northern regions of Lampung is, however, of relatively poor quality (Kingston 1987:vii-x).

The fertile soil enables the development of agriculture, notably plantations,[1] in Lampung. Plantations and other crop cultivation have dominated Lampung's economy for centuries. Lampung supplies coffee, rubber, pepper, palm oil, corn and cassava to national and global markets. In the past, this region was known as the world's leading pepper producer. In the 1930s Lampung still accounted for 30 % of world pepper production (Kingston 1987:xi). Since the nineteenth century, coffee has been its most important export crop (Kusworo 2004:25-6). In 2007, a report of World Wildlife Fund for Nature-WWF, an international conservationist organization, listed Indonesia as the fourth largest coffee exporting country in the world; half of its exported coffee is produced in and shipped out from Lampung. Most of Lampung's coffee plantations – most are small holder plantations – can be found in and nearby Forest Areas (WWF 2007:17).

In addition to planting coffee, Lampung's people have been practicing different models of agriculture in Forest Areas: slash and burn, agro-forestry or paddy field. Generally speaking, we can say that several ethnic groups have their own traditional modes of production. The Lampungese in the past were known as slash burners but gradually they have become agro-foresters. The Sundanese or Bantenese seems to be agro–foresters. Meanwhile the Javanese seem to prefer to convert forest into paddy fields.

In 2010, the Lampung population counted 7.3 million people. They are dispersed disproportionately over twelve districts and towns. The Districts of South and Central Lampung and the town of Bandar Lampung where this research was carried out are the most densely populated areas.[2] Lampung is also inhabited by a great diversity of ethnic groups. Lampungese, Javanese, Sundanese, Minangs, Chinese and other groups live here. Such ethnic heterogeneity is a result of a long history of migration as will be described in the following sections.

---

[1] The term agriculture here is used in a broad sense as any cultivation that man carries out on soil; whilst the term plantations, as adopted from Stephens (cited in Hartemink 2005:11), points to areas that are typically mono-cropped with perennial products that commonly require prompt initial processing and for which there is generally an export market.

[2] http://www.depdagri.go.id/media/filemanager/2010/01/29/0/_/0._induk_kec.pdf, accessed 7-6-2010.

6.3 PRE-COLONIAL AND COLONIAL LAMPUNG [3]

The Lampungese are the native population of Lampung. They consist of three ethnic sub-groups namely Abungs, Pubians and Pesisir. The Abungs live in central and north Lampung, particularly by inland rivers. The Pubians occupy the land in the south and some areas in the middle of Lampung. Meanwhile the Pesisirs can be found on the western and southern coasts (Kusworo 2004:29).

As Kingston (1987:5-7) identifies, different explanations have been offered regarding the origin of the Lampungese. The most popular oral history tells that the Lampungese originate from a plateau in Bengkulu namely Belalau. The Belalau population probably came from Java as the influence of Majapahit spread out in Sumatra following the decline of Sriwijaya's empire in the late thirteenth century. People from Belalau then migrated to the low land while clearing forest and practising swidden agriculture until they settled in several areas in Lampung. The second story recounts that the Lampungese originate from West Sumatra. In an unidentified period, the Sultan of Minangkabau sent his son to a region, Semangka, located in south-western Lampung. The son made his first settlement in Semangka, before his descendants spread out to other regions in Lampung. A third theory states that Bataks from North Sumatra were the first migrants coming to Lampung. The resemblance of their writing and their traditional social organization called '*marga*' supports this argument.

In pre-colonial times, Lampung was subject to the rule of different large kingdoms of the Indonesian archipelago: Sriwijaya in the thirteenth century, Majapahit in the fourteenth century and the Sultanate of Banten as from the fifteenth century (Hadikusuma 1989:2). The latter exerted the most intense control and stayed in power until the seventeenth century. Sultan Hasanuddin, the second ruler of Banten, spread his authority to Lampung in the middle of the sixteenth century (Djajadiningrat 1983:36, 214; Ricklefs 2001:43). His primary objective was the control of the pepper trade (Benoit et al. 1989:19). Lampung was the primary pepper supplier to Banten, and made this sultanate the largest pepper exporting power in Southeast Asia (Atsushi 2006:25-6).

To ensure continuous pepper supplies to Banten, the Sultans appointed officials in Lampung – most of them were local rulers – to administer the pepper trade. The Sultans granted these officials special privileges, captured in charters, which gave them exclusive authority to buy pepper from Lampungese farmers and inspect pepper trade

---

[3] Most English literature cited in this section is based on Dutch literature concerning the history of colonial and some on pre-colonial Lampung as written for example by Broersma (1916) and Van Royen (1930). Since Lampung has close historical ties with Banten, literature on Banten history are also useful such as Djajadinininingrat (1983).

in Lampung. One of the charters known as the Bojong Charter of 1691 regulated that trading pepper out of Lampung should go through Banten and obtain permission from the Sultan. Another Charter issued in 1663 obliged every married man in Lampung to plant 1,000 pepper trees, and 500 trees for each bachelor (Kingston 1987:10-1).

From the outset, pepper trade formed the basis for Banten-Lampung migration. In addition, the Sultanate of Banten strengthened Islam in the sixteenth century, many Lampungese visited Banten not only to send pepper but also to study and master their Islamic faith (Hadikusuma 1989:42-8).

When the Dutch East India Company (*Vereenigde Oost-Indische Compagnie, VOC*) arrived in Banten in the late sixteenth century, it witnessed the successful pepper trade between Lampung and Banten. The Dutch realised that there was an economic opportunity for themselves in this too. After they had taken control of Banten, in the seventeenth century, the *VOC* took over the monopoly over pepper trade from Sultan Haji, the Sultan of Banten at that time. The *VOC* had assisted the Sultan to take over power from his father, Sultan Ageng Tirtayasa. In 1682, the *VOC* signed a treaty with Sultan Haji that formalised the monopoly over the pepper trade in Banten, including Lampung (Benoit et al. 1989:27).

The *VOC* sent some of its men to Lampung with the 1682 treaty in their hands. But, they were not successful. Many local rulers who were the allies of Sultan Ageng Tirtayasa refused to trade pepper with the *VOC* (Gonggong, Kartadarmadja and Ibrahim 1993:22-7). The *VOC* also could not end the pepper trade involving traders from Bengkulu and Palembang, secretly followed by English traders who resided in Bengkulu. In 1687, the *VOC* built two forts in Lampung in order to protect its pepper trade militarily. Yet, this did not significantly help the company to maintain its pepper trade monopoly. Pepper trading in Lampung without the *VOC* continued and many Lampungese smuggled their pepper to Banten and other regions.

The *VOC* workers in Lampung completely lost control when a rebellion broke out in Banten in 1750.[4] This forced the *VOC* to withdraw its personnel from Lampung (Kingston 1987:12-8).

Until the early 1800s, Lampung had minimal external influence. Local rulers were again in control of the area. The Netherlands East Indies (NEI) government (henceforth the Dutch colonial government) that took over the *VOC* declared its control over Lampung in 1808, after which it included Lampung as part of Banten Residency until 1829 (Furnivall 1944:177). The Banten Resident at that time appointed an assistant-resident to hold administrative authority in Lampung. Du Bois was the assistant-

[4] Further reading about the Banten rebellion and the role of *VOC* see Ricklefs (2001:138-9).

resident who separated Lampung from Banten. The residency *Lampongsche Districten* became the official name of the newly-established residency (Benoit et al. 1989:41-3).

The Dutch colonial government, even though it had established this independent residency of Lampung, did not intervene much in local politics. The unstable political situation in Lampung due to rebellions by local leaders – the most important being Radin Inten–I, continued by his son and grandson – was one reason. The other was the Java War that took place in 1825–1830. The war demanded much attention from the Dutch and they had to spend many resources on Java. As a result, Lampung was left almost ungoverned by colonial administration for quite some time. Only in 1856 the Dutch consolidated their power in Lampung (Kingston 1987:22-6). This is the reason why this book uses the year of 1856 as its departing point for analyzing the influence of Dutch colonial government on Lampung forestry (see 7.2 (a)).

In 1857, the Dutch colonial government accomplished the local administration structure in Lampung Residency. Before describing this particular structure it is necessary to say something about the general hierarchy and complex structure of local administration in the Netherlands East Indies. One must understand that the colonial administration had a dual structure in which the European and the native Indonesian administrations were both operating in the same region, the latter subordinate to the former. Moreover, the local administration in Java and Madura differed from the outer provinces. Besides, the structure also varied depending on whether the colonial government governed directly (*direct bestuur*) or considered the area as an autonomous area where indirect colonial rule applied. Such areas were known as self-governing (*zelfsbesturend* in Dutch; *swapraja* in Bahasa Indonesia). Finally, the structure also changed over time, for example before and after the enactment of the colonial Decentralization Law in 1903 (Wignjosoebroto 2004).

Based on the administrative reform in the colony as the result of the 1903 Decentralization Law, the Resident became the highest regional administrator for both the European and native administrations in his residency (*residentie*). At large, the European administration of a residency – under the resident – consisted of departments (*afdeling*) headed by an assistant resident, who was always a European civil servant. Below the department (*afdeling*) was the sub-department (*onderafdeling*) headed by a junior official of the European civil service called *controleur*. The native population in an *afdeling*'s territory in Java and Madura was subject to its own native administration; the native administrative entity, the boundaries of which coincided oprecisely with the department, was called regency (*regentschap, kaboepaten*), and was headed by a regent (*bupati*). The native regent, usually a traditional authority, would take his orders from the assistant resident, a European civil servant. Each regency had several districts led by a district-head (*wedana*), known by various names, who would

take orders from the *controleur*. The native sub-districts were headed by the assistant-*wedana*. Under the sub-districts were villages (*desa*).

Outside Java and Madura, the highest level of native administration was not the regency level, but the district. The districts here also consisted of sub-districts. On the lowest level were the villages, led by village heads (Furnivall 1944:258-9).

Returning to Lampung, in 1857, at that time Lampung had no department (*afdeling*), so the position of assistant resident was not known. The colonial government divided the residency of Lampung into seven sub-departments (*onder-afdeling)* each led by a Dutch official, the *controleur* (Broersma 1916:38). Within an *onder-afdeling* there were native sub-divisions called districts. The districts were headed by indigenous officials called *demang*. Within a district there were several sub-districts (*onderdistricts)* led by an *assistant demang*. At the lowest level were villages (Supangat 1994:89-90). The *demang* served as an intermediary between the Dutch and traditional rulers. He was responsible for supervising the villages. Nevertheless, not all *demang* were Lampungese. Underestimating the Lampungese, the Dutch appointed *demang* from Palembang and Java to administer villages (Broersma 1916:46).

This new local administration structure had a significant impact on the existence of the *marga* as the perceived autonomous social organization of the Lampungese. At first, during 1857–1927, the colonial government did not recognize *marga* in their local administration structure. However, in 1928, this policy changed. Now the *marga* was revived. The following section will describe the nature and development of the traditional government of *marga.*

6.4 *MARGA*: THE FORMATION AND MANIPULATION OF TRADITIONAL SOCIO-POLITICAL ORGANIZATION

The social structure of the Lampungese was originally based on strong genealogical ties. In the past, their primary kinship-based community was called original clan (*suku asal*) whose territory was called '*marga*'. *Marga* was a conglomeration of genealogically-linked villages. These villages were known by different names: *pekon, tiuh, anek, kampong*. The *marga* leaders were responsible for maintaining and applying *adat* norms within their territories (Utomo 1975:51)

Kingston states that the *marga* had territorial claims encompassing village land as well as land situated around and between the villages. The latter were reserved for the practice of rotational cultivation that is usually known as shifting cultivation. This principle led to a common understanding among the Lampungese that all land belonged to the *margas;* thus, there was no unclaimed land (Kingston 1987:ix-x). The Lampungese's view regarding their *marga* confirms Van Vollenhoven's argument of *beschikkingsrecht* and shows that the arguments of Nolst Trenité of Utrecht Law School

are incorrect.[5] This was at least the case until the colonial government applied the new structure of local administration in Lampung in 1857.

The Lampungese recognized their *marga* as the highest social organization; however, it was not always an indigenous and autonomous socio-political unit. It was also co-opted by external actors. As Atsushi has described, during the period of Banten's control, the sultans of Banten strengthened their influence on *marga* by appointing representatives that had no kinship ties with *marga* headmen. In local language, they were known as *pangkat* and *bandar*. The former were Lampungese and the latter were non-Lampungese pepper traders. Both became the Sultan's representatives for controlling pepper trade in newly established settlements in *marga* territories, notably those located in pepper-rich regions where most of the migration took place at that time (Atsushi 2006:51-2).

Both *pangkat* and *bandar* obtained their authority from the sultans of Banten, and not from the *marga* headmen. In practice, however, they always tried to become integrated into the *marga* system. The *pangkats* looked for recognition by *marga* headmen through ceremonies called *'pepadon'* carried out to publicly declare that the *marga* headmen recognized them. For this purposes, the *pangkat* gave money and presents to the *marga* headmen. Meanwhile, the *bandar* often married with relatives of the *marga* headmen.

The presence of *pangkat* and *bandar* illustrates how fragile the practical power of the *marga* was in pre-colonial Lampung. But, nothing was more devastating to the *marga* than the efforts conducted by the Dutch to dismantle it in the middle of the nineteenth century. As the position of the *marga* in the 1857 local administration system was abolished, the colonial government merely recognized villages. Unlike the heads of the *marga* who were selected from the senior men of the clan, the village heads (*kepala kampung*) were appointed by a general election among villagers. However, the village heads were still under supervision of the *demang* (Broersma 1916:46).

With the abolishment of the *marga*, their territorial claims were also unrecognized. The Dutch colonial government only recognized the village claims on land up to six kilometres from the village borders or three kilometres from temporary settlements built up by the villagers in their fields. Land located between villages that previously was subject to *marga* claims, was now considered state property. This policy of ignoring claims on *marga* land had a stronger formal basis after the Dutch issued the Domain Declaration for Sumatra, including Lampung, in 1874.[6] The Dutch administration in Lampung declared the territory outside village land 'waste land',

---

[5] See Burns (2004:67-89) for the debate between Van Vollenhoven and Nolst Trenité on this matter.

[6] Article 1 of Staatsblad van Nederlandsch-Indië 1874, no. 94f.

which belonged to the state. The Domain Declaration that had been well known to serve plantation interests led to the conversion of much *marga* land into plantations.

In 1928, a radical change occurred after seven decades of the eclipse of *marga* administration. Through a policy named *Pasirah* system (*Pasirahstelsel*), the colonial government recognized *marga* as a self-governing administrative unit. Kingston (1987:283-6) analyses several intertwined factors which were behind the colonial policy to revive the *marga*. Firstly, the implementation of Decentralization Law in 1903 in Java inspired the colonial rulers in Lampung to adopt it. Inefficiency of local administration that ran through *demang* and village heads was considered a burden to colonial government. As such, it was necessary to undertake bureaucratic reform in order to set up a new efficient administration. The reformers decided to strengthen *marga* leaders that were rooted locally in Lampungese villages.

Elmhirst states that the self-governing *marga* administration was also expected to collect more taxes from local people. In Forest Areas, the colonial forestry service in collaboration with *marga* leaders collected taxes from people involved in forest clearing (Elmhirst 2001:299). The *marga* leaders also collected payments from non-*marga* members who collected forest products or cultivated forest land. The taxes were used partly for financing the *marga* elites and the rest for paying to the colonial rulers.

In addition, the growing political movements among Indonesians as a consequence of the Ethical Policy[7] inevitably had an effect in the villages. In the 1920s, political activism, particularly communism, spread out in Lampung villages as elsewhere in the Indonesian archipelago.[8] The political activists who repeatedly incited people to oppose colonialism were a real threat for the Lampung colonial administrators. Thus, the *marga* revival also reflects the colonial government's endeavour to undermine the anti-colonial movement.

This last explanation is in line with the Adatrechtschool led by Cornelis Van Vollenhoven of Leiden University. Van Vollenhoven challenged the colonial policy of undermining traditional norms and practices, known as *adat*, and urged the colonial rulers to rethink *adat* institutions. The *marga* administration, now formally recognized by the Dutch colonial government, gained a new structure, territory and responsibility. The territory of one *marga* could include several villages. The colonial government registered all recognized *marga* in Lampung and mapped their territorial borders. At

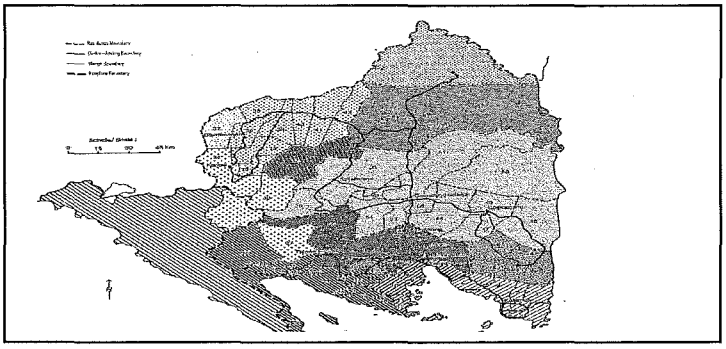
---

[7] On the emergence and development of ethical policy see Ricklefs (2001:193-205), for its influence in Lampung see 6.6.

[8] See Van Niel (1984) for a broader analysis on the emergence of political activism among Indonesians in the late colonial period.

the end of the Dutch colonial period, 62 *marga*s were registered (Hadikusuma 1989:189-94, map 6–1).

Map 6–1
Marga territories in Lampung, 1930



Source: Benoit et al. 1989:57.

Besides changing the new structure and recognizing the new territories of *marga* in 1928, the colonial government obliged the *marga* heads, with the assistance of their village heads, to maintain order and security within their territories as well as to collect *marga* and government taxes. For the villagers, the new *marga*-based administration in fact doubled their burden. Now they had to pay more taxes besides other *adat* obligations. Certainly, the *marga* and village heads were advantaged by this system. As Kingston concludes, the revivalism of *marga* led to class differentiation in the villages (Kingston 1987:294-8). To respond to this situation, a committee of Lampung farmers (*Comite Tani Lampung, CTL*)[9] took a lead in an anti-*marga* campaign in 1929. The *CTL* consisted of young Lampungese who dreamt about nationhood. Interestingly, the farmers affiliated with the *CTL* had rather practical reasons for their protests. They did not intend to abolish the *marga* but to ask the colonial government to withdraw the *marga*'s authority in collecting taxes.

The *CTL* was not successful with its anti-*marga* campaign. Until the end of the colonial period, the *marga* continued to exist. After independence, the *marga* was still recognized as the lowest autonomous government. Only in 1952 did the Resident of Lampung abolish the *marga*. Through his Decree number153/D/1952, the Resident

[9] The history of *CTL* is missing in most literature on Lampung. But Kingston (1987:282-335) extensively explores the role of *CTL* in class conflict in colonial Lampung. In a similar form as *CTL*, Lampung now has a peasant's movement named *Dewan Tani Lampung* (*DTL*) which is active in advocating land conflicts in Lampung. In early *reformasi*, in collaboration with some local NGOs, such as Lampung Legal Aid Foundation, *DTL* exerted public pressure to resolve land conflicts in Lampung as well as to revise the designation of Forest Areas (see 7.2 (f)).

decided that *marga* were to be replaced by a new structure named *negeri*. This was the end of *marga* administration in Lampung. Until the present decentralization period, attempts for re-establishing *marga* as the lowest self-government unit in Lampung have not been successful.

6.5 Local administration in post-colonial Lampung

From 1945 to 1964, Lampung, as part of Sumatra Province, was called the Residency of Lampung (*Karesidenan* Lampung). The structure of local administration within Lampung Residency followed the colonial administration system. A decree issued by the Governor of Sumatra Province in 1946 (Decree 113/1946) confirms this (Imron et al. 2001:31).

The first Resident of Lampung, A. Abbas, was appointed directly by President Sukarno as he had been the only Lampungese member of the Committee on the Preparation of Indonesian Independence (*Panitia Persiapan Kemerdekaan Indonesia–PPKI)*. Nevertheless, Abbas served as a resident for only a year. Competitions and conflicts among local political elites in Lampung led to his resignation in 1946. Afterwards, the central government appointed a new resident, Badril Munir. Like Abbas, Munir could only survive for a year. In 1947, he was replaced by Rukadi Wiryohardjo (Imron et al. 2001:25).

As described in 6.5, the Resident of Lampung eventually removed the *marga* from the formal structure of local administration. The Resident's Decree 153/D/1952 of 3 September 1952 replaced the position of *marga* with *negeri*. The *negeri*, under the sub-district's control, were responsible for overseeing villages. Nonetheless, being the replacement of *marga* administration, *negeri* could extend across sub-district territories. As a result, it was very hard to put *negeri* under the direct control of one sub-district. In practice, administrative coordination between sub-district and *negeri* was not successful.

The province of Lampung was formally established in 1964. In 1971 the Governor of Lampung decided to abolished the *negeri*, legalized by the Governor's Circular Letter (*Surat Edaran*) number A/6002/VII/1/1971 (Imron et al. 2001:31). Following the enactment of decentralization laws (in New Order: Law 5/1974 on Regional Government and Law 5/1979 on Village Government; post-New Order: Law 22/1999 and its successor Law 32/2004), local administration in Lampung province was divided into districts (*kabupaten*) in rural areas and towns (*kotamadya/kota)* in urban areas. Districts/towns were further divided into sub districts (*kecamatan*), villages (*desa*) or urban quarters (*kelurahan*). Within a village we can find several hamlets (*dusun*) and in urban quarters we find sub-units, namely *lingkungan.* Currently, there are twelve districts and two towns in Lampung. In the north are situated the districts of Tulang Bawang, Way Kanan, North Lampung, Mesuji and West Tulang Bawang; in the south,

the districts of South Lampung, Tanggamus, Pesawaran, Pringsewu and the town of Bandar Lampung; in the east there is the district of East Lampung; and the centre is shared by the district of Central Lampung and the town of Metro; in the west the district of West Lampung is situated.

The provincial government of Lampung is headed by a governor. The rural districts are directed by district-heads (*bupati*), and the rural sub-districts by a sub-district-head (*camat*). Certain major urban concentrations obtain the legal status of 'town', which stands at the same level as a district. Towns are also subdivided in sub-districts (*kecamatan*) led by a sub-district-head (*camat*); and these sub-districts are then subdivided in urban quarters (*kelurahan*) led by an urban quarter head (*lurah*). In rural areas the lowest units of regional government are the village (*desa*), that according to Law 32/2004 and Government Regulation 72/2005 on Village Government are led by village heads (*kepala desa*). The legal position of village heads differs from that of the urban quarter heads (*lurah*) in terms of the degree of their autonomy. Village heads are elected directly by villagers. They are not government employees; as such, they are not responsible to the district-head. The village heads are only obliged to provide the district-head with their reports of village administration.[10] In contrast, the urban quarter heads are civil servants who are appointed by the district-head upon recommendations of sub-district-heads. The urban quarter heads are responsible to the district-head or mayor through the sub-district-heads.

The enactment of Law 22/1999, replaced by Law 32/2004, changed Lampung's local administration. District governments in Lampung as elsewhere in Indonesia obtained greater authority, including the authority to self-regulate their natural resources and to obtain more revenue from the utilization of natural resources in their areas. In addition, Law 22/1999 also provided local communities with greater opportunities to develop, revitalize, and strengthen their local institutions. This raised high expectations amongst civil society groups in Lampung that wished to re-empower villages, including *adat* institutions embedded in village communities. Soon after the implementation of Law 22/1999, there was a movement for revitalizing the indigenous villages in Lampung as elsewhere in Indonesia. People did no longer use the term (*desa*) for their territories but changed it back to their indigenous names. Several Lampung districts used the term '*pekon*' to replace the term villages. Yet, this is merely a change of name rather than a change of territory. In Lampung the village's territories still follow the territory as was established during the New Order.

---

[10] Articles 202 and 203 of Law 32/2004; Article 15 (2) of GR 72/2005.

6.6 *KOLONISATIE*, TRANSMIGRATION AND LAMPUNG MULTICULTURAL SOCIETY

As noted, migration was central in the formation of Lampung society. After Lampung was conquered by the Sultanate of Banten, Banten-Lampung migration increased. Trade and religious mission were the key factors of this migration. It was, however, the Dutch colonial policy of migration, named *kolonisatie* and implemented in the early twentieth century, which had by far the greatest impact on the formation of a multicultural society in Lampung.

In 1905, the Dutch colonial authorities began to move Javanese to Lampung in order to relieve Java of its high population density. The first site of *kolonisatie* was Gedong Tataan in southern Lampung. The *kolonisatie* policy cannot be separated from the broad Ethical Policy, pronounced by the Dutch Queen in 1901. This policy included three main programs: education, irrigation and emigration. As part of this policy, Javanese people were relocated to Lampung (Pelzer 1945:191).

The 1905 *kolonisatie* was implemented by sending 155 Javanese families to Lampung. They originated from Kedu, an overpopulated area in Central Java. During 1905–1911 the *kolonisatie* successfully moved 4,818 Javanese families to Lampung. They acquired land, the individual ownership of which was officially recognized, and they were given full government subsidy for their daily allowances. Yet, the government subsidy eventually was considered too costly. In 1911, the Dutch colonial government revised the *kolonisatie* policy. Rather than giving subsidy to those who participated in *kolonisatie* programs, the colonial government involved the People's Credit Bank of Lampung to partially fund the *kolonisatie*. The Bank then offered credit to the Javanese settlers for their subsistence in Lampung. Maintained until 1927, this policy had little success. The Javanese were not only unaccustomed to deal with bank credit; when they saw that the previous settlers had not been obliged to borrow money from the Bank they did not repay their loans. Therefore, the Dutch decided to end this practice. However, during the years 1928–1931 migration from Java to Lampung could not be stopped. Annually, about thousand Javanese came to Lampung on their own account (Levang 2003:10).

Around the same period of the first *kolonisatie* projects, the Dutch embarked on a large 'plantation belt' along the south of Sumatra Island. To connect these plantations, in 1912, a railway project was started. Lampung was a strategic cross point, because of its location as the gateway from Java to Sumatra and the potential of its land for plantation (Kingston 1987:101–2). Thus the era of plantation in Lampung started.

The plantations that required cheap labour finally had to compete with *kolonisatie*. To meet their labour supply, the plantations employed recruitment agencies in Javanese villages. The latter persuaded the Javanese to seek employment from the plantations directly rather than to participate in one of the *kolonisatie* projects. The plantations, particularly coffee plantations, welcomed the Javanese settlers in Gedong

Tataan. In this case, migration was not part of government policy but rather initiated by private enterprise for its commercial interests (Pelzer 1945:196-7; Kingston 1987:101-2).

Large scale *kolonisatie* in Lampung took place again in the course of 1932 to 1941. Unlike the previous *kolonisatie* policy supported by government-subsidies, this time the Dutch applied another approach namely *kolonisatie* based on the principle of people's mutual aid (*tolong-menolong*). The *kolonisatie* officials considered the increasing costs a burden to the government. As such, they sought for an alternative. Reports from *kolonisatie* officials in Lampung explained how the Javanese settlers were enthusiastically inviting their relatives to assist in rice harvesting. In reality, unfortunately, such relatives could not always be found, or they were unwilling to go to Lampung.

Next, the colonial government adopted a traditional practice of share cropping known widely in Javanese culture as *'bawon'* to make the *kolonisatie* successful. The government now sought for other Javanese to be employed by the established Javanese settlers in Lampung as their rice harvesters had been adopted. The colonial government was only responsible for shipping the new settlers without any obligation to pay for their living costs. It was the established settlers who paid them using the *bawon* system.

In the 1930s, Java's economy had not yet recovered from the economic depression that had hit the world in the late 1920s. Many Javanese lost their jobs in plantations either in Java or in the outer islands. Their will to survive drove them to Lampung, regardless of whether they would receive government subsidy or not. People even went to Lampung on their own and directly targeted the Javanese colonies to build up a new life (Pelzer 1945:201-3). So, the bad economy was a push factor which boosted Javanese migration to Lampung. Kingston accounts that there was a dramatic increase of Javanese in Lampung during this period. A census conducted in 1930 noted that after 25 years of *kolonisatie* Lampung had 90,000 Javanese representing 25 % of the total population (Kingston 1987:vii).

Government-sponsored migration ended for a while during the first five years after Indonesian 1945 independence. Travelling was inhibited by revolution and riots in this period. Soon after the political situation stabilised, in 1950, the national government began to move more Javanese to Lampung. Using the term *'Transmigrasi'*, the first target groups to be moved were the ex-soldiers and militias who had to demobilise after the fights had ended. The Ministry of Defence which had a unit called the National Reserve Corps (*Corps Tjadangan Nasional, CTN*) sent 1,800 former soldiers and militias to Lampung. They were expected to be pioneers in developing new villages in Lampung. After that, in 1951, under the coordination of the Prime Minister's Office, a unit called the National Reconstruction Bureau (*Biro Rekonstruksi Nasional, BRN*) did

the same. During 1951–1956 it moved 25,000 ex-soldiers from several parts of Java to Lampung, particularly to West Lampung (Utomo 1975:27, 33-5; Levang 2003:11).

Ever since, Lampung has been the primary destination of the national transmigration program, particularly during the New Order. During 1971–1980, for instance, population growth in Lampung reached 5.77 % yearly, as compared to a national rate of 2.32 % (Safitri 1997:41-2). Around 1977/1978, the Lampung population increased very rapidly. This explosion was the main argument of the central government to stop the transmigration program that brought the Javanese to Lampung. The central government commanded that Lampung started to send people away instead. As a result, population growth declined significantly. In 1990 it was only 2.67 % and became 1.01 % in 2000 (Imron et al. 2001:17).

Nevertheless, the nexus of Java-Lampung did not disappear. Though on a smaller scale than in previous *kolonisatie* or transmigration programs, spontaneous migrations from Java to Lampung continued. The Javanese have come to dominate Lampung's population. It has been estimated that in early 2000, 65 % of the whole population in Lampung is Javanese, whilst merely 15 % consist of native Lampungese is, and 12% of Sundanese; the remaining 8 % are other ethnic groups (Kusworo 2000:4).

At the same time as the closing of Lampung to transmigration programs from Java at the end of 1970s, the provincial government carried out an intra-migration policy, known as local transmigration (*Translok*) or resettlement. Elmhirst noted that the provincial government directed the *Translok* toward several objectives. In the short term, it was aimed at reorganizing the settlements of Lampung population, reforesting protection forests and critical watershed areas, preserving flora and fauna in protected areas, developing natural resources and human resources and reorganising land use. In the longer term, the *Translok* was expected to raise the prosperity of people through food self-sufficiency, to settle land issues, enhance local development and improve local land use and farming systems (Elmhirst 2001:288). Apart from these formal objectives, Lampung's provincial government used the *Translok* programs to carry out their plan of emptying protection forest from people in order to make reforestation programs more successful (see point iv and v of 7.2 (e)).

The *Translok* or resettlement programs moved out people, mostly migrants, to the new settlements in northern Lampung where land was mostly owned by the Lampungese. This marked the third phase of inter-cultural encounters between migrants and Lampungese, after those occurred with *kolonisatie* and transmigration. Multicultural communities that were more concentrated in southern, western and central Lampung as a result of *kolonisatie* and transmigration eventually became common also in the northern regions of Lampung.

6.7 DEVELOPMENT, SAVES NEITHER FOREST NOR PEOPLE

Conversion of forest and usurpation of *marga* land for the sake of plantations, *kolonisatie,* transmigration and other development projects in colonial and post-colonial Lampung eventually brought this region into a dilemma of development goals: economic growth vis a vis environmental protection and the protection of people's rights.[11]

Since the early twentieth century, converting forest into palm oil, cassava, sugar cane, coffee and other plantations has threatened the sustainability of Lampung's forests. As discussed in the previous section, the colonial government planned a prestigious 'plantation belt' and built the South Sumatra railways to support this plan. The railway project had a disastrous effect on the forests and the people. A report of the head of colonial forestry service in Lampung, Danhof, said that timber felling during the project was uncontrolled (Goor and Kartasubrata 1982:536). In addition, the project triggered land conflicts with the Lampungese who had lost control over their *marga* land used for the railway project (see 11.2).

The colonial government's plan of the plantation belt marked the start of the plantation era in Lampung. Later, in the name of development, the New Order government scaled it up, particularly in the 1980s to 1990s. In the late New Order, 22.6 % of the land was allocated as plantations (Suporahardjo 2000:vi). The land rights granted by the government to plantation companies affected land of the Lampungese. Often the Lampungese were not asked for their consent, nor were they given proper compensation.

The *kolonisatie* that had started in 1905 also had bad consequences for forest sustainability. Forest clearings were carried out to build settlements and agricultural land for the Javanese (Levang 2003:77). There are no statistics available on the destructiveness of the *kolonisatie* for Lampung forests. However, annual reports of colonial officials responsible for the *kolonisatie* projects clearly illustrate that forest land was prioritized for *kolonisatie* (Pelzer 1945:200). The consecutive transmigration programs impacted the ecological landscapes of Lampung too. Massive forest clearings were carried out in order to provide land for settlements and agricultural plots in the locations of transmigration.

In many cases, plantations had to compete with *kolonisatie* and transmigration to seek for land. Nevertheless, in the case of several colonial plantations there was a mutual benefit in that *kolonisatie* with new settlers met the plantation's demand for cheap labour. Later, in the New Order, transmigration including the *Translok* or

---

[11] Details about kinds and paradoxes of development goals see Otto (2009:191).

resettlement programs held up similar practices. Under the scheme of so-called nucleus-plasma plantations, the government drew people, notably migrants, in as partners of plantation companies. They obtained ownership rights on areas nearby the plantations.

Who has been advantaged and disadvantaged from such 'development' practices? As noted above, forests that had to be converted either for transmigration or plantations were the first victim. According to the Provincial Forestry Service the deforestation rate in Lampung's protection forests in the 1980s was 45.61 %, but ten years later it reached 83.57 %. Meanwhile for production forests, 41.39 % had been destructed in the 1980s, a figure which doubled to 81.51 % in the 1990s. (Dinas Kehutanan Lampung 1997:287).

Secondly, many Lampungese lost their land since the colonial and national governments carried out their *kolonisatie*/transmigration programs and implemented the policy of plantation development. The disrespect for the status of *marga* land shown by colonial authorities in the mid-nineteenth century, was legalised through the application of Domain Declaration, which displaced the Lampungese from their land. The colonial government declared the land to be state forest. In the post-independence period, the Lampungese were never able to recover their rights. In the name of the state's right of controlling land (see 4.3), the national government has continued their colonial predecessor in controlling this land which, has been designated as forest. The government has granted licenses to forestry companies for Forest Areas. As for non-Forest Areas, it has granted plantation companies the right to commercially cultivate the land (*Hak Guna Usaha, HGU*). To migrants participating in transmigration programs the government has issued individual land ownership rights.

Thirdly, many Javanese, Sundanese and Bantenese migrants, although some of them had initially been advantaged by the *kolonisatie* or early transmigration programs, became victims of development in Lampung. When the regional government carried out the *Translok*/resettlement programs, they moved these people living in the Forest Areas to the locations of *Translok* in northern of Lampung. The regional government justified their *Translok* policy by saying it was saving the forest from more destruction. After emptying the Forest Areas from people's settlements, the provincial government reforested the ex-settlements.

Violence always occurred with the implementation of *Translok* and reforestation projects in Lampung. In collaboration with military forces, the provincial government destroyed the houses and plots in the Forest Areas and forced the people to move out to *Translok* locations. They carried out the reforestation projects and announced that the Forest Areas were closed to the people (point iv of 7.2 (e); a case study in 8.7).

Relocating people from the forest and sending them to *Translok* locations generated another problem. Land in *Translok* locations was largely infertile and often located in

Lampungese's land. Living conditions of relocated people in *Translok* locations were worse than in their original settlements in the forest. In addition, conflicts emerged between the migrants and the natives. Many impoverished migrants left this dire situation by deciding to go to the cities, secretly return to their previous settlements in the Forest Areas or look for new land in other forests. As a result, poverty continued in *Translok* locations, Forest Areas were still inhabited, and deforestation rates increased. In the end, *Translok* and reforestation policies have neither saved the forest nor the people.

Repressive practices of New Order government prevented open outbreaks of land conflicts. However, the conflicts were not resolved. Soon after the fall of Suharto in 1998, conflicts and violence came up. Many Lampungese reclaimed their land, that was controlled by the plantation companies or the Ministry of Forestry. Numerous groups of migrants returned to their ex-settlements in Forest Areas. New migrants occupied other areas of forest. The competition for access to the Forest Areas and to land surrounding the forests became tighter for all stakeholders, i.e. for plantation companies, including forestry plantation companies, for the Lampungese as well as the migrants. A study conducted by Sunarto (cited in Toha 2007:219-20) states that 360 reported land conflicts occured between 1998 to 2002. The disputes generally involved Lampungese, who reclaimed their land. In most cases, the conflicts ended with violence, leading the Lampungese having to defend themselves against official charges of violating the law by destructing others' property (see also 11.3 for a case study).

6.8 Conclusion

Since the colonial period, Lampung has in fact been the waste belt for Java's problems of unemployment and overpopulation; at the same time it has been trying to satisfy the ever-increasing demand from a globalizing market for cheap products. Lampung was put in that position by the policies of *kolonisatie* and transmigration, which led to the change of local social structures and the rise of a multicultural society in Lampung. Yet, most importantly in the context of this study, *kolonisatie* and transmigration were the prime movers of forest destruction and displacement of the Lampungese from their land. Similarly, large scale plantations that were largely directed at the commoditization of local agricultural products to serve global markets both in colonial as well as in post-colonial times were responsible for the destruction of forests and land conflicts.

Land conflicts which have manifested themselves in different forms and involved different parties in Lampung confirm Barron and Madden's conclusion that they are not necessarily led by ethnic diversity, but rather by perceptions created and strengthened by people due to what they perceived as unjust land distribution in the past (Barron and Madden 2004:18).

The history of Lampung illustrates that in Indonesia, both in colonial and post-colonial times, 'development' was usually carried out without respect for people's traditional land rights and just allocation of land and forest, which has led to environmental and social crises and fragility. The interplay of economic, political and environmental factors resulted in degraded forests and boosted land conflicts, while failing to improve the well-being of forest communities.

How over the years the regional governments of Lampung have tried to deal with these problems by making and implementing policies and legislation on forestry, notably on community-based forest management, will be described in chapter 7.