

## DEFORESTATION IN DECENTRALIZATION ERA: AN INSTITUTIONAL PERSPECTIVE

THE CASE OF DEFORESTATION IN *SEMIDANG BUKIT KABU* PROTECTED FOREST, DISTRICT OF BENGKULU TENGAH, INDONESIA

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## List of Acronyms

BKSDA	Balai Konservasi Sumber Daya Alam (Natural Resources Con- servation Board)	
BLT	Bantuan Langsung Tunai (Money For Poor Family)	
BPN	Badan Pertanahan Nasional (National Board For Land)	
CBNRM	Community-Based Natural Resources Management	
HPH	Hak Penguasaan Hutan (Right For Forest Territory)	
IRDA	Indonesia Rapid Decentralization Appraisal	
JFM	Joint Forest Management	
NGO	Non-Governmental Organization	
PAD	Pendapatan Asli Daerah (Real District Income)	
Raskin	Beras Keluarga Miskin (Rice For Poor Family)	
RPJMD	Rencana Pembangunan Jangka Menengah Daerah (The Mas- terplan Of Regional/District Development)	
WALHI	Wahana Lingkungan Hidup (The Branch of Indonesia Friend of the Earth)	

### Abstract

The decentralization forest management emerges as an alternative in managing forest since the centralized model shows the inability to reduce deforestation. Holding the decentralization prepositions such as encouraging local participation and transparency, it is assumed that the new approach will be able to create social justice for the forest fringe people and sustain the forest resources as well. This study takes a case in Indonesia, the deforestation of *Semidang Bukit Kabu* forest, where the decentralization forest management has been practiced since 1998. Focussing on the institutional perspective and analysing the relation between the state and the community during the decentralized regime, this study reveals that the main issues causing the failure of decentralization forest management in halting deforestation are the inability in providing clear regulation and reducing the conflict, and the inconsistency in addressing the issue of rural livelihood.

### **Relevance to Development Studies**

This study is part of development studies since it discusses the progress of natural resources and environmental management model that can contribute to develop better approach in managing one of important natural resources, especially forest. It is believed that the result of the study can be used by the Indonesian government institutions to improve their capacity and to change their approach in dealing with some actors that have interests on the forest. Based on this evaluation, it is also hoped that in the next years, the government can find the best form of decentralized forest management that can work to balance development and conservation.

## Keywords

Decentralized forest management, state and community, deforestation, clear regulation, conflict, rural livelihood.

## Chapter 1 Introduction

Today, Global Forest Resource Assessment in The Conversation (2015) announced that Brazil (984,000 ha per year), Indonesia (684,000 ha per year), and Nigeria (410,000 ha per year) are the three largest deforestation countries during the last five years. Especially in Indonesia, it shows that even though there is so much attention spent by the government to deal with this problem, the deforestation rate is still high. Since the centralized era, the Indonesian government has implemented the protected forest concept for securing the forest and halting deforestation. They allocate so much money to fund forest guard institution and some reforestation programs, yet the money seems like disappear for nothing. Why it happens?

Dominated by the government, forest management is too marketbased oriented. It is often found that the government collaborate with business actors clear the forest cover in order to gain some revenues. Even, they change their forestry policies when found valuable minerals on the forest. That is why the role of the government often questioned, either as environmental manager or destroyer (Bryant & Bailey 1997: 63). While some believe that the government really want to sustain the forest, others have opinions that the willingness of government to do that is prevented by capitalist interests. In the context of global capitalism, the government also can be counted as one of the players in the capitalist world because it is found in many cases that the government's policies tend to outweigh supporting forest extraction rather than preventing forest degradation. That is why many believe that the action of government to state the forest as protected forest in some extend is part of the political action of government, politics of conservation (Walker 1995; Adam 2003; Arsel & Buscher 2012). They want to save it because they have interest on it. Then, this paper examines a deforestation of protected forest in Indonesia.

#### 1.1 Research Problem

Decentralization of forest management has become a choice for developing countries since many cases shown that the centralized forest management tends to be very destructive. For instance, some developing countries started the decentralization around 1990s: 1992 in Honduras (Nygren 2005: 642), 1994 in Bolivia (Andersson & Gibson 2006: 105), and 1998 in Indonesia (Arnold 2008: 82), after many years forest resources controlled by central government which were proven fail to reduce deforestation rate. The causes of the high rate of deforestation in these countries during centralized regime were quite similar: logging, mining, and large scale farming activities supported by the government's policies in order to get revenue from forest extraction, while control mechanisms and law enforcement for the failure on these activities were weak (Dauvergne 1994; Bryant & Bailey 1997).

Despite the fact that the failure of centralized system, the idea of decentralization forest management came up because it promises some positive progresses such as allowing the forest community to engage with the decisionmaking processes and increasing the accountability of institution managing forest, promoting the sustainability of forest and the equal distribution of benefit using the forest because the local community and the local government in the forest region can control the forest extraction (Ascher 1995; Brandon and Wells 1992; Ostrom 1990; Rondinelli, Nellis, and Cheema 1983; Convers 1981; in Casson 2001). In that sense, it shares identical intention with emerging alternative in managing forest, Community Based Natural Resources Management (CBNRM), which is much influenced by common-property regimes thought by some scholars like Ostorm (1990), Leach & Fairhead (2000), and Gibson, McKean, & Ostorm (2000). They discussed that the collective actions of local communities have succeeded in managing their own forest. When it combines with the spirit of decentralization which gives more chance to people at the grassroots to take responsibility in managing their resources through implementing, controlling, and evaluating forest management programs, decentralization forest management becomes a new hope to tackle deforestation problem. As Larson and Ribot in Tacconi (2007: 338) said that if the practice runs as well as the theory, the democratic decentralization, mainstreaming participatory approaches, will increase efficiency and create social justice in managing resources.

In Indonesia, decentralization forest management is currently on progress run along with political decentralization where government power is mainly transferred from national government to local (district) government at the end of 90's. Arnold (2008: 82-84) described that decentralization forest management was begun in 1998 when the national government released Government Regulation No. 62/1998 on the delegation of Forestry Governance to Regional Governments, which gave authority to the regional (province and district) government to take responsibilities on rehabilitation and reforestation activities, soil and water conservation, protection forest management, extensions and small-scale community forest activities.

Interestingly, instead of reducing the forest degradation, so far there are plenty of studies explaining that the deforestation rates are actually accelerating in the decentralization era because the local (district) governments are competing to increase districts income by promoting their resources, including forest products, and issuing small logging as well as small mining permits, while the right and rules to issue permit are still unclear between national government and local government (Curran et.al 2004; McCarty 2004; in Andersson & Gibson 2006: 100-101). So, the result is many local governments in Indonesia set land use planning for agro-industrial project, mainly large scale plantation, and provide booklets to promote the hundred or thousand hectares of land, including forest, to the investors (Li 2011: 287-288). In other words, after more than 10 years decentralization forest management regulation released in Indonesia, the deforestation rate scales up because many local governments 'sell' their forest.

One example is in the Bengkulu Tengah district. There is a protected forest called *Semidang Bukit Kabu* has been managed by BKSDA, a national government authority, since 1973. WALHI (2009) confirms that deforestation is a serious problem in the Bengkulu Tengah district, including at the area of *Semidang Bukit Kabu* forest. Under national government control, the forest area decreases more than 60%, and it is noted by BKSDA that the main trigger for deforestation is the activities of people who live around the forest (Tempo Interaktif, 2010). Most of them still living subsistence, consuming forest products, and clearing the forest for expanding their farming or plantation area. However, the forest fringe community is not the only group that put their interest on the forest since the local government also contribute on that problem

by releasing some policies to expand more in large scale plantation, coal mining, and infrastructure investments. In many cases, they do that without public consultation. That is why Tacconi, Siagian, & Syam (2006: 14) explained that on the reason of benefit for their people, the local governments often take decision to clear forest, even though they did not get support from some communities living close to the forest area.

Looking at the explanation, it seems that in the context of managing the Semidang Bukit Kabu forest, the decentralization forest management approach does not work properly. To the best of my knowledge, most of the scholars who pay attention to the decentralization forest management practice such as Ribot (2002), Larson (2004), Curran et.al (2004), Agrawal & Gupta (2005), Nygren (2005), Andersson & Gibson (2006), and Lund & Treure (2008) revealed that the main obstacles for implementing the approach are the problem of local government performance, limitation on the budget, lack of public participation, conflict between the government and the community, and issue of rural livelihood. They explained the problems, but they have not sufficiently addressed the topic about the role of local government in the relation between the state and the society, where the position of local government? Why the local government did it? Are they tied? Are they have particular interest? Or is there anything else behind their decision? By examining the deforestation case in the Semidang Bukit Kabu forest, the paper will find out some reasons that can explain the failure of decentralization forest management and analyse the role of local government.

#### 1.2 Research Question

Focussing on the deforestation case during the decentralization forest management regime, the main research questions in this paper are:

- 1. What kind of factors that lead the failure of decentralization forest management in halting deforestation at the *Semidang Bukit Kabu* Protected Forest, District of Bengkulu Tengah?
- 2. How the role of local government in the implementation of decentralization forest management approach?

#### 1.3 Scope and Limitation

Discussing about the failure of decentralized forest management by looking at the deforestation case could be very broad since it should be linked with the source of deforestation. Gibson, et.al (2000: 1) mentioned that there are some opinions explaining the deforestation such as population growth (Burges 1992; Rudel 1994), industrialization of agriculture (Ehrlich and Ehrlich, 1991), the state policy in development and infrastructure expansion (Repetto and Gillis, 1988; World Bank, 1992), and failure of institutions to manage the forest (Ostorm, 1990; Agrawal, 2000).

Similarly, Dauvergne (1994) concluded that there are four main perspectives explaining the cause of deforestation in Indonesia: developmental, tropical government, environmental, and institutional and policy failure. Developmental perspective explains the deforestation as an impact of development activities such as commercial logging, cattle raising, clearing forest for agriculture, and fuel wood gathering. However, it is also suspected that poverty, population growth, and unclear government's policies as triggers for the unsustainable activities in the forest. For instance, during Soeharto's regime where the government model is centralized, Indonesia experienced deforestation so bad because the government's policies allow forest clearing to reach high economic growth, such as building road and power plant projects, large scale farming and resettlement programs (Bryant & Bailey, 1997: 56). In the same way, Wood (1990) described that some developing countries with massive deforestation like Indonesia, Brazil, Argentina, Mexico, Malaysia, Thailand, Nigeria, and Equador share similar interest in economic growth and have identical characteristics: rapid population growth, low per capita income, and large debt burdens. For tropical government, the main factor causing deforestation is the traditional farming system. They say that people who live inside and around forest clear too large forest area for their farm land by doing slash-andburn farming and moving from one place to another place. Coming from a different perspective, the environmentalists argue that indigenous people should not be blamed because their practices in farming are in small scale and it will not destroy the forest dramatically. Moreover, the reason for doing slashand-burn and moving is to sustain the forest. In fact, the main trigger for deforestation is large scale farming, industrialization and logging. The last one, institutional and policy perspective much agrees with environmental thought, but it emphasizes that deforestation is the effect of some policies made by the tropical government which much influenced by capitalist interests. Unsustainable practices, including traditional and industrial, in extracting forest, are triggered by government policies that fail in encouraging people to sustain the forest.

Among these four perspectives, the choice goes to the institutional perspective since the decentralization forest management is one of the government policies. So, it would be relevant to discuss the decentralization forest management from that angel. Taking the deforestation case in the *Semidang Bukit Kabu* protected forest during decentralization era, this study captures the interplay between the state and the society in managing the forest.

Another thing to note, because of the limitation of time and research fund, the study takes place in the district of Bengkulu Tengah involving three accessible villages where local contacts who might be gatekeepers are available. Furthermore, the location is chosen because I have been working for four years in local government and have experienced meeting with local communities in these three villages several times. It might help to reduce cultural barrier as well as to access data.

#### 1.4 Methodology

Involving several actors from various levels and different backgrounds as unit analyses and engaging with institutional dimension, the study uses qualitative approaches. This approach gives the description of the failure decentralized forest management in the case of *Semidang Bukit Kabu* forest based on some data gathered in the one and half month field work (August – September, 2015). In gathering data, some techniques practiced are interviewing, documentary analysis, and observation. For the interviewing and documentary analysis, as these following steps: firstly, identifying and defining the actors involved in this deforestation case and then starting to get some information around the research variables by interviewing key informants such as competence government officers, some experts from local university and local NGOs who pay much attention to the deforestation case, and villagers who living around the *Semidang Bukit Kabu* protected forest; secondly, studying on secondary data from academic literatures, government's laws/regulations/policies, and some reports either from government or non-government organizations. In addition, during the field work I did observing as much as possible to get supporting data.

For the analysing processes, in order to minimize the bias such as subjectivity of the researcher and incomplete information, the triangulation data technique is used. The data from the three sources: interviewing, documentary analysis, and observation, are compiled and compared. So, it confirms the reliability of the information.

#### 1.5 The Organization of Paper and The Argument

By taking deforestation case in the *Semidang Bukit Kabu* forest, particularly during decentralized era, the main purpose of the study is to find out the causes of decentralized forest management failure. To answer the research questions and to deal with the purpose as well, the main body of this paper will be divided into three sections. Firstly, this paper will describe about the long journey of the forest degradation in the *Semidang Bukit Kabu* forest, started from centralized-government regime to decentralization era. Besides, the discussion goes to the characteristic of relation state-society between centralized and decentralized period and how it interconnected with deforestation in the *Semidang Bukit Kabu* protected forest.

Given the explanation about the history of deforestation, the second section focuses on the recent phenomena of deforestation case during decentralization period. It analyses some weaknesses on both the community and the state institutions, and the problems on their relations. These weaknesses and problems will be the starting point for the third part, explaining why the decentralized forest management has failed in managing the forest. Knowing the obstacles, it will try to find out the possibility to strengthen the weak aspect.

Even though some believe that under decentralization system forest management could be better than centralized system, some studies show that there are some negative responses. Some of them are in the Myfrome Village, Tanzania, the main problems are the inconsistency of the government to involve the local community and the little progress in the term of transparency and accountability (Lund & Treure 2008: 2793-2795); in Honduras, there are found some obstacles in implementing decentralization on forest management: lack of institutional and legal support, conflict among local actors, and the problem of accountability of forest management (Nygren 2005: 650-652); in Bolivia there are various reactions of local governments: while some local governments reform their forest management programs considerably because the higher authority means the greater possibility to deal with their constituents, other municipalities just take small advantages and even no action at all because they do not really enjoy new power, new responsibility, and new risk (Andersson & Gibson 2006: 118). In addition, Pellegrini (2011: 279) gave a thought about the reformation of the forestry sector in Honduras, Bolivia, and Nicaragua, that the reformation in these three countries did not affect so much because of the government failure. They might change several forestry policies putting decentralization and participation as a new approach, yet it did not affect so much because of the limitation of state capabilities to implement and enforce it.

Referring to these cases, my preliminary argument in this paper is that the Indonesian case share identical problems with the other cases, where the failure of decentralization forest management is much influenced by some issues: the insufficient space for people to work together and share knowledge with the government institution, the weaknesses on the community and the government institutions as well, the issue of conflict reduction, and the lack improvement in rural livelihood.

## Chapter 2 Theoretical Framework

This part discusses the state model and the community approach in managing natural resources, particularly connected with the forest resources. In many discussions, the state adopts the private property regime, while the community reflects common property regime by doing self-organizing. However, these two concepts are not such a perfect thing. Both of them have experienced failure in managing forest. Comparing these two competing approaches, the discussion will be directed to track the potential alternative that is possible implemented as a new solution for reducing deforestation.

#### 2.1 The Concept of The State

The conception of the state was launched when some scholars realized that people as a person too individualistic. It is often found that rather than doing collective activity and focussing on group interest, they prefer to concentrate on personal interest. The selfish manner of human was clearly illustrated in the tragedy of the commons<sup>1</sup>. Looking at the case, some interventions or rules seem a must to avoid the overconsumption of natural resources. Who can make and run the rules? A regulator, and here is the idea of state started. According to Dyer (2012: 86), the concept of the state is much influenced by the European political system in the 17<sup>th</sup> C where the state controlled a community in bordered area, practicing both internal sovereignty and external sovereignty. While the former is about the state authority and capacity to control the resources, the latter is connected with the position of the state in the global relation (Litfin 1998: 5-8).

#### 2.1.1 The State Sovereignty in Managing Natural Resources

In this case, the discussion pays much attention to the state sovereignty in the context of internal sovereignty related to national interest in managing the natural resources. In the recent discussion about managing resources, the concept of state sovereignty is often interpreted as the special right of the state to extract the natural resources on the name state's interest (Emel, Huber, & Makene 2011: 70). The exclusivity makes the state as the most powerful actor in managing resources. In many cases, the state use the term of state-owned property to take over the natural resources. In this case, the state acts as the individual who has the property right to manage it.

The conception of state-owned property comes from the private property regime. It claims that in order to hinder scarcity and environmental degradation like in the tragedy of the commons, the natural resources including forest and land should be bordered and privatized. For instance, in the context of land, Deininger and Feder (2001: 295) assumed that the privatization increases the productivity of land because it ensures the security of land, make the land transferable, and allow the credit access. With this assumption, everyone can rule

<sup>&</sup>lt;sup>1</sup> Tragedy of The Commons (Hardin 1968): a condition where no particular rules in extracting natural resources (grassing), so everyone can take benefit as much as possible until the resources cannot be renewed or nothing left (for unrenewable resources like minerals)

and manage the land for long-term using. Leaving it as open access means creating competition among users and triggering over consumption.

The state-owned property is also a reflection of the state's power. With its capacity and legitimacy, the state is the most powerful actor that is allowed to manage the valuable resources. According to Rodriguez-Padrilla in Emel, Huber, & Makene (2011: 72) there are two types of state property: the *regalian* system which allow everyone to explore and discover the valuable resources and when it is found, the discoverer can get right from the state to exploit it; and the *domanial* system which claims that all resources in the territory belong to the state, and they can be extracted if the state feels it is necessary – often by state-owned company under monopolistic system. Both of these systems require the state permit, and it shows how powerful state in controlling the resources.

In the context of forest resources, the concept of state-owned property in the form of protected forest is believed as one effective way to manage and sustain the forest. With this setting, the state points a government institution to protect the resources inside the forest. The basic idea of giving authority to the state in managing forest is for sustaining the forest as well as taking benefit from the resources collectively and ensuring that the benefit will be distributed fairly in the society.

#### 2.1.2 When The State Fails to Manage Natural Resources

However, in many cases it is often found that it is not working as its ideal purposes. The state claims valuable resources as state-owned property and extracts them for getting some revenues, yet the benefits go for a group of elite people. The status protected forest is one way for the government to secure abundant natural resources such as timber and gold that can be sold when the right time comes. That is why Arsel & Buscher (2012) saw the environmental conservation policy in some extend interconnected with capitalism. The same notion is explained by McKean (2000: 27-28) especially in the context of forest resources, that the privatization of property right, including privatization by the government, is part of the capitalistic in developing countries because we do not really know how the government will use the resources and no one can ensure that the government will transfer the revenue fairly to communities. In most cases, the benefit goes to the rich, while most of the poor who live around forest will suffer because they are high-risk people, the first line who must deal with the impacts of deforestation like drought, landslide and other disasters (Adam 2009; 365).

Not only suspected as the capitalism agenda, the protected forest policy also is indicated as driving force for forest degradation. After several years stated as the protected forest, it is often found that the government releases other policies allowing extractive activities like mining and pulp industries in the same location. These policies are seen as a package that affects to the deforestation. Conducting a research in 163 protected forests from 13 countries, Hayes (2006: 2073) concluded that forest status as protected area is not necessarily guarantee for protecting forest vegetation. So, although the government institution controls the forest since the first day started as protected forest, they fail to prove that they can conserve the biodiversity richness and reduce deforestation rate.

Besides this external factor, the connection of state with the global capitalism system, the failure of the protected forest concept in reducing forest degradation is because of the internal problems, some weaknesses of the state institution. First, the top-down approach implemented by the government, they did not provide a space for community participation, public hearing or consultation processes with the communities living nearby forest. Consequently, there are so many protests and clashes between government and local people behind the protected forest case. Taking some case in West Bengal, India, Benerjee (2007: 221) said that the lack of participation of the forest-fringe people in forest conservation and management is the main trigger for the deforestation and degradation of state forests. Because of it, the local people are careless with government policy. They become more aggressive in expanding their farm land and extracting forest products. Second is the problem on the state institution capacity. Litfin (1998: 7) said that some common problems in the government are less number of officers, insufficient fund, and conflict of interest among departments.

The combination of external and internal factors leads state's policies and practices sometimes far benefit the rich rather than helping the poor, some examples: the mining sector in Tanzania has been controlled by the state since the colonial period, but it has contributed so small in the development of the country. Investing in the six large scale mining industries, three multinational companies extracted the Tanzanian minerals during 1998 to 2006, but it is such a ridiculous thing that the country gained the tax, which is used for development was only about 3.6% of total tax in Tanzania. For the local people, the state's policies in land and mining resources are unfair because with little compensation they have to deal with environmental degradation (Emel, Huber, & Makene 2011: 76); in Bergama, Turkey, the government decision to follow the Washingtong Concensus, accepting deregulation in mining sector: privatizing the state-owned company in 1994, accepting foreign direct investment, allowing joint venture between national and foreign mining companies (Law No 3213), is a step to grant the investment of global companies, especially Eurogold mining company (Arsel 2005: 264-267). The willingness of state to accommodate the businesses interests rather than the people interests leads to conflict between state and society (Bebbington, et.al (2008: 892).

#### 2.1.3 The Consequences of The State Failure: Adaptation, Resistance, Protest, & Social Movement

Indeed, the failure of the state's policies in managing natural resources has impacted in many sectors. Some drawbacks which are particularly easy to see: poverty, scarcity of natural resources, and environmental degradation. According to Adam (2009), there are three kinds of society responses to deal with these negative impacts. The first is an adaptation which is the most basic response. Neverheless, not everyone can do adaptation because of some limitation. While the rich can do adaptation successfully by using resources, improving science and technology, the poor have to deal with the fact that their ability and resources are limited. In the case of forest degradation which is driven by the state's development policies, the forest fringe people which are poor and purely living subsistence, adapts by keep using traditional methods of farming and reducing their consumption, but cannot do that for long period. For example, the poor families in the hill district of Rasunawa and Nuwakot in Nepal used less firewood and no longer had burning wood in the long night, while the rich families with large plantation hold sufficient planted trees for fodder and firewood (Barrachlough and Ghimire 1995; see also Adam 2009: 365 - 366).

The other two responses are resistance and protest. Both of them are the action of society to refuse the state's development project. But, the different is while the resistance tends to be more 'silence and stealth', the protest is more 'vocal and active' (Crummey 1986 see also Adam 2009: 369). Since the protest is stronger than the resistance, it is potential to lead to a conflict. In relation to forest management, there are so many examples of conflict between the state and the society. Taking the Chipko case in the Garhwal Himalaya in India (Guha 1989; see also Adam 2009: 370) analyzed that since the adoption of 'scientific' forestry, reserving some forest area for timber production, the state tried to exclude them from their forest. Because of that, they protested the state policy. Another case in Indonesia, the conflict in the Meru Beriti National Park is because of the conflict of interests among actors who want to get access to extract natural resources surrounding the national park. And this case the state fails to provide proper regulation which accommodate that interest (Qadim, HS 2012).

#### 2.2 Community-Based Natural Resources Management: An Alternative For Managing The Natural Resources

In relation to forest management, the claim of private property regime is not fit in all conditions. In fact, there are several cases showing that traditional community institution, self-organizing, can manage their communal forest successfully. Ostorm (1990), probably is the most renowned scholar who stands in the common property view and develops it continuously. She indicates the important role of social capital and institutions in several cases such as community forest management in Torbel, Swiss (Netting 1976 in Ostorm 1990: 61) and in three villages: Hirano, Nagike, and Yamanoka in Japan (McKean 1986 in Ostorm 1990: 65), which describe how local residents run self-governing and rule some incentives as well as sanctions in order to sustain their forest.

The common property regime claims that these communities with their traditional norms are able to sustain their forests. Some key features, probably the best one, concluded by McKean (2000: 49-50) that what make common property regime work are sociocultural support, institutional overlap, administrative support, financial support, and conflict reduction. While sociocultural support is a condition where people in the community already accept custom or social value among them, so they can easily interact to solve any problem, institutional overlap means that it is better to restore and strengthen exiting institution rather than creating the new one in order to build a good institution in managing property. For administrative support, it is about the effort to secure property right, sometimes it can be the recognition from communities, but still legal authority from the government is better. Differently, financial support is related with budget for running institution where it comes from revenue of common property, but in case lack of fund it is subsidized by local people. And the last one, conflict reduction is an effort to reduce potential conflict when the members of communities become higher by sharing the commons and avoiding overlapping, and it needs particular rules or agreements among communities.

One method adopted common property regime principles is Community-Based Natural Resources Management (CBNRM). According to Murphree (2009: 2551), CBNRM is purposed to integrate local community's characters in managing resources to larger scale systems of conservation and development. Thus, benefit, conservation, and empowerment are the three key features must be counted to make it work. These are basically the same with what Dressler, et.al (2010: 13) expressed that re-arranging CBNRM should be directed to establish equal rights for societies, distribution of wealth, and sustainability of the environment. It can be achieved when various local conditions, livelihood practices, familial relations, tenurial structures, political economy, and strong organizational capacity and support are in harmonize focusing to gain these three targets.

The CBNRM probably promises fair distribution of revenue and sustainability of the forest resources, but in practice it could be different because of some problems. Blaikie, et.al (2007: 108) revealed three evidences that can tell the truth. First, the CBNRM is much influenced by the common property regime, yet it is not self-organizing institution like the original one. It is a government agenda - the location, rules of the game, and the community itself are developed by the state. So, in that sense the state interests are there. Second, in the world, there are only few indigenous people or homogenous group left. Most of communities today are mixed because of the immigration processes, socio-economic reason, phenomenon of elite capture, and existence of free rider, people from anywhere who come to capture the resources illegally. In the community, everyone who gets access to the forest is member and should take responsibility to manage and sustain their communal forest. The problem started when the free riders exist. They can be member of the community or the outsiders who come from another place to take advantage from the forest. Third, the forest resources in the boundary probably already degraded. So it will be insufficient to support the community which is set in the CBNRM program.

Another problem is the problem of the institution itself. Gibson & Becker (2000: 156-158) found that in the Loma Alta Forest, Ecuador, a strong local community fails to protect its forest because did not have proper institution which can work to create, implement and evaluate the regulations. In fact, even when the institution is working, sometimes it is hard to enforce the regulation and cover the large forest area. Without strong commitment, strict regulation, and sufficient support from members of the community, it is impossible to do that.

#### 2.3 Conceptual Discussion: Trying to Find A New Path With Decentralized Forest Management

From the explanation above, it can be captured that both private property regime and common property regime have identical problem such as unclear authority and responsibility among government agencies as well as communities, less community participation, inefficiency and ineffective in management system, lack of financial and institutional support, and weak law enforcement as well as unclear reward and punishment mechanism. Interestingly, German & Keeler (2010: 17-18) argued that it is not only about problem in participation and problem in the capacity and capability of the institution, but behind these problems there are some fundamental issues that should be addressed to ensure the sustainability of the forest: issues of fairness which is all about the access for all actors to be involved in managing resources through participation and negotiation within transparency and legitimacy; and issues of efficiency that is related with making sure sustainable economic value of resources means anything that potential lead to overconsumption and free rider practices must be cut down. So, how to deal with the problems and the issues as well?

Influenced by common property regimes and accepting decentralization's promises<sup>2</sup>, decentralization forest management emerges as a challenge for centralized forest management. It is assumed that under decentralized system, local communities have greater power to control their forest, and as a result it leads to the sustainability of forest. For instance, Lund & Treue (2008: 2794) noted that there are some positive impacts of decentralization forest management, such as transparency and accountability of forest committee, and increasing participation of villagers in Mfyome, Tanzanian. And in several Bolivia's municipalities, they can create an institutional governance system which helps people to protect their forest (Andersson & Gibson 2006: 117-118).

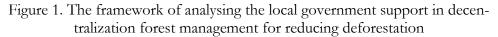
In addition, Tacconi (2007: 341) saw that the decentralization forest management as an effort to institutionalize the CBNRM into the state system. In facts, it is a process to make the local community more engage in forest management by sharing power. In other words, it tries to accommodate two blocks of property regimes into the state system. Even though some studies illustrate that the decentralization forest management have no direct impact on reducing deforestation and the state is still being the actor with the highest power among others, it should be counted as an alternative emerging concept because it provides space for local government to have a discussion with local communities.

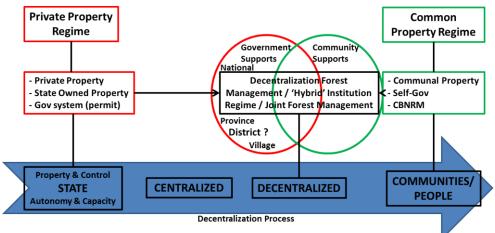
The same things also identified by German & Keeler (2010), in order to respond the issue of fairness and efficiency, they propose a new approach called 'hybrid' institution regime. In this approach, the issue of fairness can be addressed by providing a space for actors to participate and negotiate regarding forest management. In this case, the state takes a position as a facilitator to ensure that the participation and negotiation run well and the results are fair enough for all. Then, for the issue of efficiency, the key word is the sustainability of the forest, balance between extracting and conserving. Of course, people need some economic values from the forest, but it should encourage people to sustain the forest. This point indicates how important access to the benefit in order to fulfil local people's livelihoods. If the people cannot meet their daily necessities, how can they work for conserving forest? And, the 'hybrid' institution regime believes that these purposes can be achieved by combining the private property regime and common property regime. For instance, in Uganda's Mt. Elgon National Park, the local community institution and the government agency support each other to sustain the forest. They are success to enhance participation and avoid the free riders' behavior by encouraging effective collective actions and using incentive scheme.

Another case is in Indian Himalaya. Examining Joint Forest management (JFM) policy Agrawal (2000: 79-80) illustrated that actually the performance of local people in managing their forests is fine, but it could be increased if government provides institutional incentive for them. In fact, one

<sup>&</sup>lt;sup>2</sup> Decentralization is the way to improve governance, increased local accountability and transparency increased attention in local governments' development activities, greater local participation in decision-making. As result, it is expected to lead positive environmental outcomes (Ribot 2002b in Tacconi, Siagian, & Syam 2006: 3-4).

factor that can affect to the local institution performance in managing forest is the synergy with the government institution. When they communicate and support each other, the chance for conserving and sustaining forest is higher. But when there is no communication or when they are in conflict because of different interest, forest degradation could happen. These two cases imply that with proper institution and sufficient support, the sustainability of forest could be maintained. Therefore, the collaboration between government and community institutions is needed to manage the forest.





Source: Analysed by The Author, 2015

I see that the decentralization forest management, the hybrid institution regime, and the joint forest management are different in terminology, but they share the same goal and principles (see Figure 1). The main target of these models is to sustain the livelihood of people and to keep the forest resources long lasting. To do that, there are some principles: establishing a proper system that can distribute the benefit fairly; mainstreaming participatory approach; avoiding the conflict; and strengthening the government and the community institutions by sharing knowledge, resources and responsibilities as well. However, another point to note is that how important the commitment of government and community as well in in practice. According to Lund & Treue (2008), ideal decentralization forest management with strong government's commitment will allow 'self-correction'. It means that corrections or critiques to strengthen forest management system are started from process interaction between government and communities. Then, as the local government is the main actor which gets more power on the decentralization processes, the role of local government is essential in an attempt to realize ideal decentralization forest management. In other words, if local government has a strong commitment to support decentralization forest management, there is a chance for improving the system which will reduce deforestation rates.

## Chapter 3 An Overview of The *Semidang Bukit Kabu* Forest

This part describes about general overview of the Indonesian government policies, physical characteristic of the forest, social and cultural dynamics, and economic activities. These data are the starting point for analysing the cause of the deforestation.

#### 3.1 The Changing of Indonesian Government's Policies

#### 3.1.1 Forestry Policies in The Centralized Regime

Indonesia had a top-down forestry policy during the centralized regime. Arnold (2008) analysed that as Indonesia was controlled by the Dutch which implemented colonial government model, then the government practice after 1945, the independence of Indonesia, also run as it was. The Soeharto's regime implemented the centralistic government model where the policies are made by the national government, and the regional government must do exactly what they said.

It is also for the forestry sector. Even he said that it was hypercentralization on the forestry sector. Forestry department was one of the most strategic ministries during the centralized era because it controls the forest resources in Indonesia. It is stated in the Forestry Law revealed in 1967 that 'all forest within the territory of the Republic of Indonesia... is to be controlled by the state' (Art.5(1)). Fay and Sirait in Arnold (2008: 79-81) argued that it is one of the largest land grabs in the history, controlling more than 143 million hectares of forest under one ministry. Furthermore, because of its authority, the ministry of forestry also had a power to monopoly HPH (Hak Penguasaan Hu*tan*), the permit for commercialization of the forest. In fact, they can give the permit for the businessman who agrees to fulfill their requirements. It is often found corruption cases in here, for example the government apparatus will not stop the logging activity outside the concession area if the businessman gives some bribes for them. Besides, there were so many violence cases found to the indigenous people and forest communities. In the name of revenue for supporting national development programs, the communities were relocated from their land. Even, sometimes there is no hesitates to involve military armies for pushing the people. There are some schemes used in the centralized era to secure the state's interests such as concession scheme and protected forest scheme.

Based on the report from BKSDA (2014), the Semidang Bukit Kabu forest has been marked as protected forest since 1973. At first time, it was 15,300 on ha of forest based the Forestry Ministry Regulation No: 168/Kpts/Um/4/1973. Then, the government ha decided to decrease it four times until about 8.638 Ha today. The first change was in 1985 because of the existence of three local communities inside the forest. According to the Forestry Ministry Regulation No: 383/Kpts-II/1985, the government gave authorization to the communities: Padang Capo Ulu community with 1,785 ha, Padang Capo Ilir community with 2,400 ha, and Cawang community with 2,209 ha. The next two government regulation revises were in 1999 (the Forestry Ministry Regulation No: 420/Kpts-II/1999) and in 2012 (the Forestry Ministry Regulation No: 784/Menhut-II/2012). It was because of the forest degradation and land use change. In fact, there were so many spots occupied by the forestfringe people. So, rather than defending it as protected forest, the government prefers to declare it as production forest, where people can establish a plantation there.

#### 3.1.2 Decentralized Forest Management, In The Context of Indonesia

The decentralization in Indonesia is unique. Unlike United States, Australia, India, Germany, and Malaysia where the country shares the authority with the federal states, the decentralization in Indonesia delivers the power to the regional government. In the Indonesia context, referring to the Law No. 32 of 2004 concerning Regional Governance, there are two levels of regional government: the level of province and the level of district or municipality mostly called as the local government. Although there are two levels, the real autonomy goes to the local government since the national government give freedom (as long as in the context of Indonesian Laws and Regulations) for the local government to rule their territory and community as well based on their owned characteristics and interests, while the government in the level province is delegated to concern on the function of coordination.

Some believe the decentralization is a new hope since the decentralization promises democracy, participation of local people, transparency, and accountability. Keeping these promises, the decentralization in Indonesia which was started in the end of 90's shows some progresses such as democratic direct election and devolution power to local government. The Asia Foundation on the fifth report of Indonesia Rapid Decentralization Appraisal (2004) found that in some regions, there are positive progresses of decentralization system: first, the increasing of local people awareness to participate and contribute in the government programmes like commenting on the local government expenditure and criticizing the local government policies; second, the good governance in public services such as fast response for public complain; third, better coordination among regions in order to solve some problems or to join in the development projects.

Nevertheless, these progresses do not mean that the decentralization in Indonesia is perfect. In relation with the decentralization forest management, there are still plenty of emerging issues such as the issue of conflict, the issue of real public participation, and the issue of local government commitment to sustain the forest, the dilemma between development and conservation. It indicates that practicing the decentralization model is not smooth as its concept in the document.

The emergence of decentralization regime in forestry sector is interlinked with some Government Laws and Regulations such as Law No. 32 of 2004 concerning Regional Governance, Law No. 33 of 2004 concerning Fiscal Balance between Central Government and the Regions, Law No. 42 of 1999 concerning Forestry, Government Regulation No. 6 of 2007 concerning Forest Design, Forest Management Plans and the Exploitation of Forest, and Government Regulation No. 38 of 2007 concerning the Division of Authority between the Central Government, Provinces and District/Municipalities.

Analysing the Government Laws and Regulations, Arnold (2008) concluded that these Laws and Government Regulations in some extend contribute to the forest degradation. The reasons are firstly, there is unclear authority between central government and regional, province and district/municipalities, for instance a mismatch between the Regional Regulations revealed by the government in the district/municipalities level and the Ministry of Forestry Regulations. While the former says that the forest extraction activities are regulated by the Regional Government, the latter also claims that the Ministry of Forestry has right to allow and stop the activities in the forest. In fact, both of them are competing to issue the permit for timber extraction, but hindering the responsibility to treat the ex-timber concession area. Secondly, this ambiguity is because of the legal drafting processes in legislative which is often found incomplete defining a problem or a terminology. For example, some Forestry Laws mention that in the forest extraction activities such as logging, the loggers must 'cooperate with' local community. However, the term of 'cooperate with' is not well defined. Thirdly, the Law or Regulation is the product of single ministry or department bridging their interests and did not engage with a comprehensive approach compromising with other ministries or departments. As a result, it is often found that they conflicting each other, as already exampled above. Fourthly, the Law or Regulation did not advocate the forest communities' interests. Even they are marginalized and excluded. The exclusion leads to the conflict between the government and the communities, further encouraging them to involve in the deforestation processes. Rather than supporting the government programs in managing forest and reducing deforestation, they prefer to cut the trees for their livelihood. Fifthly, even though there are many Laws and Regulations state about mainstreaming the pillar of democracy like good governance and community participation, but in fact the government system in Indonesia still implementing the centralistic model. The government and its system fail to provide right mechanism to practice and strengthen the democracy principles. For example, Bar, et al. (2006) criticized the decision of national government to limit the local government power in managing forest in the Law No 41 of 1999. It is counted as recentralization policy in forestry sector.

These combined factors are the reason for the uncertainty forestry management in Indonesia right now, where in many cases both the National Government and the Regional Government in Province and District/Municipality levels appear in the forest extraction processes, but then they are disappeared when asked responsibility for sustaining the forest. They are 'cleaning their hand' by blaming other such as some companies or even local communities.

#### 3.2 Physical Characteristics

Geographically located in the tropical zone, between 3<sup>o</sup> 47'06" - 4<sup>o</sup> 01'10" LS and 102<sup>o</sup> 28' 48" - 102<sup>o</sup> 37'18" BT, the *Semidang Bukit Kabu* forest is typical of tropical forest with abundant of biodiversity. It is the habitat of Sumatera's Tiger (*Panthera tigris sumatrae*), one of most renowned animals in Indonesia. Other faunas are *Babi Hutan (Sus barbatus), Beruang Madu (Helarctos malayanus), Tapir (Tapirus indicus), Simpai (Presbytis melalophos), Siamang (Simphalangus syndactilus), Kera (Macaca fascicularis), Beruk (Macaca nemestrina), Lutung (Presbytis cristata), Macan Dahan (Neofelis nebulosa), Kancil (Felis bengalensis), Rusa (Cervus unicolor), Kijang (Muntiacus muntjac), Phyton (Phyton reticulatus)* and some more. And for floras, there are *Bunga Rafflesia (Rafflesia arnoldi), Pulai (Alstonia schoolaris), Meranti (Shorea sp), Pelangas (Aporis aurita), Sungkai (Peronema canescen), Kayu Gadis (Cinamomum parectum), Durian (Durio sp), Bambu (Bambusa sp), Rotan (Calamus sp) and others.* 

These floras and faunas can grow well in this forest because of the proper physical condition. Characterized with high intensity of rainfall, warm temperature, fertile soil, and flowing rivers, the forest provides everything for them. Besides, there are also some precious mineral stocks in this forest area such as coal, sand and some kind of stones. The forest's richness also becomes a reason for people to live, cultivate, and do economic activities in this site.

The economic activities of forest community are supported by the government services. Looking at the map (Map 1), the *Semidang Bukit Kabu* forest is coloured by the grey, while the white inside is the enclaving area which belongs to the forest community. It is clearly showed that the road (the red line) built by the government goes into the forest and cut the area as well.



Map 1. The Area of The Semidang Bukit Kabu Forest

Source: The Report of BKSDA, 2014

#### 3.3 Social and Cultural Dynamics

The local communities who live around the *Semidang Bukit Kabu* forest are cultural mixed. In fact, there is no indigenous tribe who belongs to this forest. Around 30's, traditional agriculture techniques, slash-and-burn farming and moving from one site to another site, led some people to explore the forest. Because of the forest's richness, then they decided to stay in this forest. Most of them are *Sewawai* tribe, *Rejang* tribe, and *Lembak* tribe.

In the early stage, they were living in *talang*<sup>3</sup> separately. There are 10 renown *talang* identified: *talang Pino, talang Rejang, talang Sihan, talang Lampung, talang Danau, talang Sebaris, talang Ujung Pandang, talang Talo, talang Cawang, and talang Ratu.* Consist of various tribes, the communities have no a particular rule for dividing forest area. First come, first serve. That is why they have no concept of communal forest regulated with strict rules like indigenous tribe in Baduy, West of Java. In the *Baduy* community, they have concept of communal forest divided into several land uses: cultivated area for hunting, gathering, and farming; storage area for stocking food; and sacred area for conservation where vast forest and natural well take place. To go into the sacred area, the member of the community must get permit from the community council. And if they break the rules, they will get some punishments (Iskandar,1992; Suparmini et.al, 2013).

<sup>&</sup>lt;sup>3</sup> Talang is a small group with member no more than 10 families.

However, in cultural and agriculture practices, they have some similarities like in most Indonesia tribes, for instance the practice of traditional farming method like slash and burning and the cultural belief like sacrificing a goat or a cow for showing that they respect the magical power in the forest. So, there is a particular time when they go together into deep forest and bring the animal to be sacrificed. These similarities are the starting point for them to be a cultural mixed community.

In the second stage, because of marriage and cultural mixed processes, they begin to build a community, joining several tribes. Some of them had rapid growth and became a large community which was the embryo of a village, and those who did not, still remain small groups. In combined group, there are some interesting points to note regarding farming site. First, they start to privatize their land based on family right of individual who representatives family, usually the man who is the head of family, trough *Girik* or *Surat Keterangan Tanah (SKT)*<sup>4</sup>. But, for the forest area which belongs to no one, the rule is still the same, first come first serve. So, if any family or people from anywhere need more farming site, they need to expand to the unnamed site which means that they have go deep inside to the forest or they can have more land by taking over from another family with some compensation. Second, they start to do transaction, exchanging land or buying and selling land. As the group becomes bigger and the land is started privatized, they develop exchange method to deal with the fact that there is demand and supply of the land.

The next stage, coming in early 70's, the national government stated the *Semidang Bukit Kabu* as protected forest managed by BKSDA, a government institution. It means that the forest now is the state-owned property and it is not allowed for people to do some activities, including farming, hunting, and gathering, inside the protected forest unless they have permit from the government. Not all area is declared as conservation forest. In 1985, there were some spaces inside the forest, enclave areas, for the communities. However, still the space for community is bordered. They cannot expand everywhere as they want. Another interesting thing that for the land which is not stated as protected forest, the government introduces the certification program. They bring the community to the real private property regime, where the land is not on the community or family name, but on the personal name through formal certificate. So, the person who his or her name stated on the paper has exclusive right to manage the land, even if they want to sell it, they can do it freely.

This decision has some impacts to the community. The first is land conflict between the community and the government. It is important to know that the decision to declare the protected forest is own decision of the central government. There is no public hearing or consultation processes behind the decision. Because of that, some of them ignore the status of protected forest and still do activities in the forest as usual. And it leads to the land conflict that never solved until today because both of the government and the community have own claim about the forest. The second is the cultural changing. As the government introduces private property regime people become more individualistic. There are only few left people who work with some families, and it is very rare to see people working together with a community for planting or

<sup>&</sup>lt;sup>4</sup> Girik or Surat Keterangan Tanah (SKT) is an informal land certificate which recognized by traditional community.

harvesting. Everyone has own decision to increase the productivity of their land. While some prefer to plant cocoa, others may be rubber tree, coffee, or palm oil. Third, the land becomes market transferable. In this stage, the demand for land becomes higher either from the community itself or from the outsiders because the community becomes bigger along with the population growth and economic development, while the land is clearly fixed and now bordered. In that sense the land as a valuable resource for production, will follow the market mechanism, where in the transaction the best offer is the winner. Here, the certificate is important as a guarantee for supporting the transaction. This phenomenon then creates landless, because in the developing world and capitalism community, individual farmer is realistic trying to maximize the profit.

#### 3.4 Economic Activities

The economic activities in the *Semidang Bukit Kabu* forest have been developed since the first time people arrived there in around 30's. Started from that moment until couple years in early 80's, the economic structure of the forest community is mainly supported by forest extraction and agriculture activities, and complemented with small trading. Then, the economic is boosted the existence of coal mining industry in 1985 followed by the emerging of rubber plantation industry, logging activity and the expansion of infrastructure, road, which is progressively constructed.

The establishing of these industries and supported infrastructures has great impact in economic activities of the *Semidang Bukit Kabu* forest community. It leads to such a massive immigration. People are coming for working to the industry and settling in this place. It was not only people from around Bengkulu Province, but also some groups from Java who join in the transmigration, a resettlement program, supported by the National Government. Along with the rise of population in this forest fringe area, the economic activities escalate rapidly. Today, it is identified eight activities near by the protected forest: hunting, gathering, farming, coal mining, planting, logging, trading, and services. But the coal mining, commercial logging, rubber and palm oil plantation are the major activities supporting the economic if this area (see Figure 2 (a) (b) and (c)).

Although there are eight activities, it does not necessary mean one activity for one person. In fact, one person or family can rely on several activities on the same time for funding the household expenditures. For example, *perangkat desa*, a civil servant who work for local government, can run a small stall and work for his farming as well. Another case, a farmer can be a trader for some forest or plantation products. The figure 2 (c) is the example, a small scale palm oil plantation owned and managed by a family who run small stall in a village around the Semidang Bukit Kabu forest.

They can do several activities, yet most of them are still dependent on forest products such as firewood, and keep doing agricultural activities like farming and planting. It has been a long time that forest communities, forest products and agriculture activities are integrated. Even though now they are villagers, they are still what they were, culturally living subsistence, doing traditional farming practices and collecting firewood for cooking. As Rambo (1983) said that in an ecosystem, the flow of energy which is provided by the nature is important for the traditional forest communities because it keeps them feel secure and balance with their nature. In the theory of human-nature interaction, there is an interesting argument, saying that the dependency to the forest leads forest people to sustain their forest because they need the forest to sustain their life (see also Abdoellah 2012).







(c) Small Scale Palm Oil Plantation (d) Transportation Service Source: Documentation of Field Work Observation, 2015

Another consumer group is those who already are part of semi-urban or urban community. It is often found that they purchase the forest products, mostly kind of fruits, roots, and firewood in the traditional market which is held twice a week, every Monday and Thursday. Although there is no precise data showing how many fruits, roots and firewood are sold every day or week, some key informants interviewed in this study indicate that in every market day, some farmers, hunters and gathers, and shifted cultivators go out from the forest to sell the forest products. The figure 2 (d) is the car for transporting the forest products like banana and durian which are in the sacks.

Accepting this argument, identifying the benefit of the forest for each group becomes essential because in deforestation context, each group of actors with its interests threats the forest differently. The action of business groups who concern only on profit interest and have no cultural relation with the forest is different with the forest fringe people practices on forest. And, if the forest communities act unsustainable manner to the forest like supporting illegal logging, there must be some factors that be driving forces.

According to Angelsen and Wunder (in Springate-Baginski and Blaikie 2007: 119) there are four types of economic benefits for the user groups: agricultural land and nutrients, non-timber forest products (NTFPs), timber, and on-site ecological services. Most of the people who culturally living around forest like farmers and shifting cultivators are highly depend on agricultural land and nutrients, and in some extend consider timber and NTFPs as supplement. For those who are purely doing traditional life, hunting and gathering, the forest products, both timber and non-timber, are the main sources for them. The closeness with the forest makes these groups enjoy ecological services so much. Differently, the group of commercial users mainly takes advantages from timber product since it is highly valued on the market. Sometimes, they keep the NTFPs and sell it. However, in this group, some who stay in the village near by the forest count the agricultural land and nutrients as the input for production since they also do farming activity, and they are benefited from the ecological services too. Especially for the companies which run large scale rubber and palm oil plantation, the only thing that they need is the land.

		Types of Economic Benefits			
No	User Groups	Agricultural land and nutrients	Non-timber forest prod- ucts (NTFPs)	Timber	Onsite ecological services
1.	Forest dwellers				
	· Hunters and gather- ers	Minor benefit	Main benefit	Main benefit	Variable
	· Shifting cultivators	Main benefits	Important supplement	Supplementary if transport access exist	Variable
2.	Farmers				
	Rich farmers, mid- dle farmers, and smallholders	Major 'land reserve'	Supplementary	Supplementary if transport access exist	Variable
	- Landless	Not important	Important supplement	Supplementary if transport access exist	Variable
3.	Commercial users				
	Mining corporation and large scale plan- tation	Main benefits	None	Supplementary	None
	Artisans, traders, and small entrepre- neurs	Minor benefit for some who live in the villages around forest, and none for those are not	Supplementary	Main benefit	Variable for some who live in the villages around forest, and none for those are not
	Employees in forest and mining indus- tries	Minor benefit for some who live in the villages around forest, and none for those are not	Supplementary	Main benefit	Variable for some who live in the villages around forest, and none for those are not
4.	Consumers of for- est products				
	Semi-Urban or Urban communities, services, and others	None	Some	Variable	None

Table 1 The User Groups and Their Interests to The Forest

Source: adapted from Springate-Baginski and Blaikie, 2007: 119 (see also Angelsen and Wunder 2003)

## Chapter 4 Deforestation In The *Semidang Bukit Kabu* Forest

Looking at the deforestation case in the *Semidang Bukit Kabu* forest, this paper identifies some reasons for the failure of decentralization forest management. To begin this section, the issues around the forest community and the government institutions are presented. Then concerning on institutional perspective, the discussion touches the weaknesses of both the community and the state institution in order to find out the causing the failure decentralization forest management which further leads to the forest degradation.

#### 4.1 The Conflict Without Clear Solution

One important finding in this study is the conflict interlinked with the interests of three main actors, the state, the businesses and the forest community. It is identified that the conflict was started in early 70's when the state started to mark the forest as state-owned property by claiming 15,300 ha of forest (The Ministry of Forestry Regulation No: 168/Kpts/Um/4/1973). Because of the existence of three local communities, in 1985 the government did revise the protected tropical forest policy by giving authorization to the communities: Padang Capo Ulu community with 1,785 ha, Padang Capo Ilir community with 2,400 ha, and *Cawang* community with 2,209 ha. Interestingly, at that time there was also mining corporation, PT. Bukit Sunur, which occupied the forest area for mining activity. The joint committee between government and mining corporation promised to give fair compensation: money, land, and new settlement. Because of that, some of the communities were relocated to another location by. But in fact, the distribution of compensation was not fair, the money was not as much as promised, the land was infertile for farming, and the settlement never built. Starting from that moment, the conflict is inevitable. The forest communities protested and asked to back their land. Until now, the problem is never completely solved. Saleh, et. al (2012: 129) said that during the centralized regime, the protest is not as open and massive as now, in the decentralized regime, because it is often found that the state use its power, including military force.

Today, everyone can speak up freely, the forest community protest about the state and the company actions in the past have become intense. They continue asking for justice, the right for their land. But, in the another side, the respond from the state seems nothing since they stay on their policies, keep holding the *Semidang Bukit Kabu* forest as state-owned property and allowing the company to extract minerals in the concession site. In that sense, there is no clear solution to end the conflict with the groups of forest fringe people.

#### 4.2 The Rural Poverty

The next finding is in relation to the rural poverty issue. The implementation of decentralized forest management has no significant impact in term of poverty reduction. Data from some villages around the forest show that the poor households, mostly living dependent to the forest, remain stable about 65 - 75% (Figure 3).

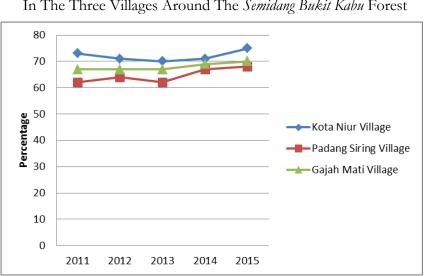


Figure 3. The Percentage of Poor Household In The Three Villages Around The *Semidang Bukit Kabu* Forest

Source: The Administrative Office of Karang Tinggi Subdistrict, 2015

The extraction of forest products and the cultivation of land through logging, plantation, and mining industry might increase the economy of local people, but the wealth is not fairly distributed because of the emerging of local elites. Based on information from several key informants interviewed during the field work, it is identified that the local elites such as rich farmers, politicians and elite of the government who have access to the power and capital, capture the land. There are two schemes often used to do that: buying some parcels of land from the poor household with very cheap price, and paying some workers to clear some spots in the forest and claiming it as their property. Then, they formalize their land through the land certification program as the government have launched the program for free. Since 2013 there has been 2265 parcels of land certified in the area of Bengkulu Tengah District (BPN, 2015).

#### 4.3 The Institutional Weaknesses

Other issues are around the institutional weaknesses. In this case, it is found that both the community and the government have own characteristics that potential being the obstacles in managing the forest. While the community has a problem on self-organizing, the government must struggle with the issue of regulation and their capacity.

#### 4.3.1 Community Without Institution

Local community institutions play an important role on the forest resources management issue. Some best scholars who believe in the power of collective action are Ostorms (1990), Agrawal (2000), Leach & Fairhead (2000), and Gibson and McKean (2000). According to them, the local communities have succeeded in managing their own forest because they can maximize the potential of collective action, establishing a local institution as the regulator, constructing detail regulations, including rewards and punishment mechanisms, enforcing the rules, and support each other in working and monitoring. Furthermore, they are able to deal with some basic problems in self-governing: the problem of supply, the problem of credible commitment, and the problem of mutual monitoring.

In Indonesia, probably one of the best examples is Baduy community. They are a closed group which belongs to the bordered communal forest and granted by the law as one tribe in Indonesia. In their forest, they implement the concept of land use planning, parcelling their land into several blocks: productive area, sacred area, and storage area. And also they set clear and tight rules in their community and enforcing it together (Iskandar,1992; Suparmini et.al, 2013).

However, the forest communities in the *Semidang Bukit Kabu* are culturally mixed. Theoretically, some various groups will ally if they have similar interest. In this case, it is clear that they have an identical interest in the *Semidang Bukit Kabu* forest. They have tried to organize themselves several times, but the result is always the same, short-term organization. A village leader (2015) interviewed during the field work said that

'I have tried to organize some villagers to follow the government program in forest conservation, but only few of them who come to join and contribute to the program. Differently, when the government wants to give the seeds of palm oil or rubber freely, almost all of them stand up, even the rich farmers''. (Usmanuddin, interviewed 3 Sept 2015)

The statement clearly indicates that the people living around the forest are individualistic, tend to serve self or group interest. When they get direct benefit for themselves or their group they will join in the community, but if not, they will ignore it. Their cooperation is incidental to address short-term issues like getting some benefits from the government and solving the border conflict.

Referring to the McKean (2000: 45-49), one key for succeeded in organizing a community is the specific regulation, and some requirements for setting up the regulation in the community are the point must be as detail as possible so there will be no question, the rules must be easily enforced, and the rules must address the issue of fairness in distribution of job. This is the another problems in the community living around the *Semidang Bukit Kabu* forest. They have no strong customary law or specific rules agreed by all groups. And since they are various traditional groups with limitation of their capacity, constructing the agreement will take much time and require strong commitment. That is why instead of working together, they were often in clashes because there is no clear regulation ensuring the fairness distribution of job. In fact, organizing mixed group is not as easy as working in the closed community. These evidences show that the forest community in the *Semidang Bukit Kabu* forest has never worked together in the institution for managing the forest.

#### 4.3.2 The Weaknesses of State Institutions

In relation with the issue of managing *Semidang Bukit Kabu* forest, there are two government institutions in-charging: the Natural Resources Conservation Board (BKSDA) for Bengkulu region and the local government of Bengkulu Tengah district. Focusing on the state actor, Bryant & Bailey (1997: 63 - 68) highlighted the weaknesses of the state in managing resources. First, it is often found overlap duties among institutions since the specific jobs are not well defined, for instance ministry of forestry may have agriculture de-

partment and in the ministry of agriculture, there is forestry department. Second, slow response as it has long bureaucratic procedures and lack of coordination among sectors. For example, it can take weeks, ping-pong from one office to another, for asking permit to do investigation on environmental degradation theme, and for getting formal data from the government institution. Then, another one is structural government system centralized in national government which makes the regional and local governments stay serving the state's interests and no space for public participation. In addition, Litfin (1998: 7) underlined another problem emerging in the government institution is that the gap between what the state plan and what the state do in the field, for instance, in the documents the state may agree to build an environmental standards, but in practice it could be different compared to the plan because of some factors like lack of funding or capacity to implement it and corruption, dealing between government elites and businessman. Therefore, this part identifies some weaknesses of these two government institutions.

#### 4.3.2.1 BKSDA, The Representative of Centralized Regime

Representing the national government, the BKSDA has managed the *Semidang Bukit Kabu* forest since 1973, when the first time it was stated as protected forest. During the Indonesian centralized regime, it is clear that they have no intention to compromise with the forest community in forest management. The story in the chapter 3 about how the *Semidang Bukit Kabu* forest is formed as protected forest tells us that the state institution are characterized with top-down approach, lack of participation and using violence to reinforce their policies. They see that the forest community as an enemy which causes the forest degradation. And because of that they must go out from the forest.

However, within this approach they have failed to reduce the deforestation rate. It is admitted by the BKSDA officers that the forest clearance goes up year by year, and again they suspect the forest community who live in the enclaving area and in some villages around forest as the main actor clearing the forest.

"With only about 35 forest rangers supported by limited fund and vehicles as well, we cannot monitor every people activity inside the forest every day and cover the large forest area. The monitoring program sometimes once a month or two months, depend on the availability of money and supporting tools. But within the situation in conflicting, where the tension is high and the local people are angry, we tend to avoid the confrontation and prefer not to do monitoring." (Sudarmawan, interviewed 15 Sept 2015)

Analysing this statement, it is clear that BKSDA have problem in their capacity to manage the forest, less personnel, and insufficient supporting fund and supporting facilities as well. It is such an ambitious thing to monitor almost 10.000 ha forest with only few forest rangers which go deep into the forest, while others work behind the table. Another thing, if they found something wrong in the field like forest clearing case, they will report it to their supervisor structurally. It takes time to get a reply and even longer for the real action. It is a typical problem of state institutions in Indonesia, large bureaucracy with structurally rigid, but has slow performance.

In decentralization era, there is a little changing in the state institution approach. Mandated by the national law to encourage local participation in forest management, BKSDA try to engage with the forest community. They have launched the local empowerment program in managing conservation forest in order to encourage people to conserve the forest. But the forest community respond is can be said nothing since only few people who eager to cooperate with BKSDA. An officer said that,

"Actually BKSDA have tried to run local participation and empowerment programs since 2010 by recruiting some villagers or families who want to be part of BKSDA mission in saving the forest and the biodiversity richness. But unfortunately, among many people who live in several villages around the forest, only 1 family that want to join with the programs" (Reza, interviewed 15 Sept 2015)

It is influenced by the fact that the forest community is already too sceptic to respect the state institution because of the violence in the past time and the unsolved conflict. For example, there were many forest fringe people joined in the last meeting in 2010 discussing about local empowerment and conservation program (Figure 4). They came not to support the BKSDA programs, but to ask about their right about the land. Instead of making an agreement, the meeting became the trigger to reopen the old conflict. Clarifying to the one of group leaders:

"We have proposed to set free our land since long time ago in order to solve the conflict. But BKSDA reject it. In the last moment talking with us, in 2010, they emphasized that the status of forest as conservation forest. Further, they said that according to the state law, anyone who refuses it and keep doing illegal activities in the protected forest will be considered as criminal. But, we do not care. We are ready to be arrested, even ready to die for our land" (Rinto, interviewed 2 Sept 2015; Ruslan, interviewed 5 Sept 2015)

Figure 4. The Meeting Between BKSDA and The Forest Community



Source: Documentation of BKSDA, 2010

The last line in the statement is the disappointed expression of local people because the state institution, BKSDA, never realizes their promises to solve the conflict and give fair compensation. In several occasions, BKSDA talks about local empowerment and community approach in managing the forest, but in fact they never really engage with the forest fringe people. The community proposals to have their land never accepted. In that sense, the participation of BKSDA is only on speaking and document without realization. As Escobar (in Castro 2004: 208) said that the participation approach is not con-

structed by the government to strengthen the role of local people but instead, to reinforce the government development model and give a chance for society to participate on it. So now, how can the forest communities believe in the state institution?

#### 4.3.2.2 The Ambiguity of Local Government Role

However, in decentralization era, it is interesting to see the role of local government. On the one hand, they are part of the government and on below national government structurally, yet they have no compliance to slave to the national government order since their power is guaranteed by the decentralization law. On the other hand, they are the representative of their people, including local communities in some villages around the *Semidang Bukit Kabu* forest.

As part of the government system, the local government of Bengkulu Tengah district has adopted some legacies from the centralized regime which are insufficient fund and uncoordinated local government departments. For the first, the fiscal decentralization makes the many local governments suffer because the development fund transferred by central government decreases significantly, while the district income (PAD) in the early period of decentralization era is very limited. Because of that many local governments issue land permit for mining and plantation in order to gain more revenue for funding development projects. Based on the case of Kutai Barat District, Casson (2001: 9) discussed it as problem started since the lack of district income. The identical problem also happens in Bengkulu Tengah District, complaining about this to the national government and saying to the national government that they need more money to develop their region. This is the trend of Bengkulu Tengah local government income which is very small compared to the necessity to fund shopping list of the government (Figure 5).

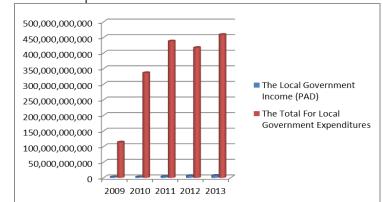


Figure 5. The Comparison Between The Local Government Income (PAD)

Source: The Planning Department of Bengkulu Tengah District, 2015

And for the second, the lack coordination among local governments departments is shown by the fact that while the local planning department and the local infrastructure department have set masterplan to build electricity and transportation infrastructures in some villages around the *Semidang Bukit Kabu* forest and promoting the land for large scale plantation to the investors, the local forestry department has struggled with reforestation program. It implies that they did not support each other. In the one side, the local government departments try to develop some villages around the forest, but in the another

side they also need to save their environment. Again, this is the confusing between development and conservation.

As the community representative, the local government have taken position as part of their society. In the context of local participation, the local government of Bengkulu Tengah district way in dealing with the forest community can be said better than BKSDA approach. They have conducted several meetings with the forest community to hear the community proposal about their interest, setting free the forest. However, to realize it they face some obstacles such as the issue of limited authority and the issue of their interest. For the first issue, according to the Law No. 5 of 1990 on Nature and Its Ecosystem Conservation, the Law No. 41 of 1999 revised to the Law No. 19 of 2004 on Forestry, and the Ministry of Forestry Regulation No. 784 of 2012, the local government have no power to make decisions about the Semidang Bukit Kabu forest because the conservation forest is controlled by the national government. So what they can do is talk to BKSDA and the ministry of forestry as well about the proposal. In 2013, they had a meeting with BKSDA to talk about the community aspiration and the conflict resolution. They also sent a proposal to the ministry of forestry asking to set another enclaving area which can be used legally by the forest community. But, unfortunately until now there is no respond from the ministry of forestry.

Although the local government have no power to handle the conservation forest, they are eager to build some villages around the forest. So, it is reasonable for them to help the forest fringe people to set free the forest because it is in line with their interest, the necessity of land and forest resources for supporting the district development. At the same time, they aware about the importance of sustaining the natural resources, as they put sustainable development principles in RPJMD, the masterplan document for development of Bengkulu Tengah district. This is another obstacle, the conflict of interest, trade-off between development and conservation. However, comparing the local government masterplan and the local government expenditure, it can be tracked the real position of the local government. Even though the theme of sustainability is discussed many times in the document, in practice they keep issuing forest clearing permits for the plantation companies and expanding the road to the forest. This comes back to what Litfin (1998: 7) said, the gap between plan and practices.

#### 4.4 Analysing The Failure of Decentralized Forest Management In Halting The Deforestation of *Semidang Bukit Kabu* Forest

# 4.4.1 The Inability in Providing Clear Regulation and Reducing The Conflict

As already discussed in the chapter 2, some basic principles to implement decentralization forest management are addressing the issue of fairness by providing clear regulation which can ensure the responsibility and benefit of managing forest can be well distributed, engaging and empowering local people to manage the forest, conflict resolution, and building a strong synergy among actors. This is basically in line with what Deininger and Feder (2001: 314) discussed that there are two preconditions for a country which wants to make the transition from the communal property regime to more formal private property regime: the legal framework for the transition period and the conflict resolution. Comparing these propositions with the real condition, where the heterogroups in the *Semidang Bukit Kabu* forest community have no strong cooperation and the government institutions, both national and local, hold some weaknesses, it seems clear that the main issue in the deforestation of *Semidang Bukit Kabu* forest is the failure of government institution in readdressing the issue of unclear regulation and unsolved conflict.

For the first issue, the early stage of the decentralized forest management regime in Indonesia is characterized by the problem of inconsistency laws and regulations. Some scholars have agreed that instead of providing clear direction for local government, the national laws and regulations lead to contradiction.

"the division of authorities, roles, and responsibilities among the different layers of government remains unclear in many respects. Various laws and regulations result in overlap, including in conservation, environmental management, and forestry. There has also been a tendency toward recentralization after the initial reforms. For example, Law No. 41 of 1999 on forestry returns to the central government much of the authority decentralized under Law No. 22 of 1999. In the forestry sector, regulations issued in early 1999 were aimed at decentralized forest management but soon after, the central government began to issue regulations which try to recentralize the forest administration." (Barr et al. 2006: 5; see also Resudarmo 2004; Seymour and Turner 2002)

"the local bodies that have been empowered are uncertain about the permanence of their powers in light of the long history of centralized government. This is in part because of conflicting interpretations of the law. For example, it is not clear who actually has authority over which forests: article 7 of the 1998 Regional Governance law suggests that authority remains with the central government, while article 10 states that regions are authorized to manage natural resources within their territories. The ministry of forests has argued that local governments do not have the expertise or capacity to manage the country's forests." Ribot, Agrawal, and Larson (2006:24)

Looking at these two illustrations, it can be figured out that in the context of relation between the national and local government, there are at least two points to note from the early stage of the decentralized forest management regime in Indonesia. First, the first Regional Governance law in 1998 giving the euphoria of freedom is the main trigger for the unsustainable forest management policies at the local level. Studying about 7000 local government policies during 1990 - 2009, Ardiansyah (2014) pointed out that the local government have become aggressive in releasing local government policies on the forestry sector. Few of them have a positive correlation to reduce deforestation, but many are contributing to forest degradation, especially some which are in relation to plantation, mining, energy, and infrastructure. Second, facing high rates of deforestation, the national government try to take back the authority of local government in managing forest, releasing Law No. 41 of 1999 to replace Law No. 22 of 1999, and then announcing Law No. 19 of 2004 as the update for Law No. 41 of 1999. However, this decision did not solve the problem and got a negative response from the local government since it is counted as recentralization policy. It has impacted on the local government approach in managing the forest located in their region. Moelione et.al (2009: 9) revealed that many local governments ignore this policy and keep issuing permits for small scale forest clearing.

And for the second issue, the unsolved conflict, the Indonesian government has implemented the formal private property right since the centralized era. In relation with the Semidang Bukit Kabu protected forest case, the introduction of this regime was started in the early 70's by marking the forest as state-owned property. Then, the introduction of private property regime is continued by issuing the land concession for coal mining and plantation industries nearby the forest.

The introduction of this regime got various reactions. While some believe that it is a good choice to hinder the tragedy of the commons, others reject it because there is so much unfairness and violence behind these policies. However, the forest community has resisted to the government policies since the decision to state the Semidang Bukit Kabu forest as state-owned property was made without public consultation. It becomes complicated because the government and the mining corporation failed to fulfil their promises in providing fair compensation. This problem leads to the conflict between the community and the government and the conflict between the community and the business actors. Some interviewees who are forest fringe people (2015) pointed out that

"There was an agreement between the local people and the corporations, but in fact it was much more unfair for all of them because it was very small compensation and there was hidden item with the communities' elites. Those who were in silence, got some 'good compensation', bribes, from the companies". (Rinto, interviewed 2 Sept 2015)

Figure 6. The Conflict



(b) The Land Execution By BKSDA



(a) The Local Communities Action to Protest The Execution

Source: Documentation of BKSDA, 2010

The confrontation between the forest community and BKSDA was started since the centralized era. But, until now there is no solution to end it because both of them stand solely on each point of view. The forest community rejects the state institution, while the state keeps blaming the forest fringe people as the triggers for deforestation, saying that the community have no capacity to manage the forest. Because of no conflict resolution, the confrontation is repeatedly occurring. As the central government keeps holding the forest status as state-owned property and issuing land concession for businesses, the struggle of people who reject it is also continuing in the decentralized era. The last confrontation between the state institution and the forest community was in 2010 (see Figure 6 (b)). It was because the BKSDA officer put mark in their small traditional house saying that they want to execute the land and any-one who lives there must go (see Figure 6 (a)).

Fay and Sirait (in Arnod 2008) counted these policies as part of the land grabbing scheme. So, it is reasonable if the forest community struggles fighting the government and the business actors as well because they are subsistence community and the most vulnerable actors who will suffer because of losing the main resources for their livelihood. And as part of their action, they keep going to extract the forest product for their livelihood because of no clear legal framework ruling how to manage the forest in the transition period and no agreement for conflict resolution as well that accepted by the state and the community. While the government or the private company keep the land as their property, the forest community counts it as their forest and tend to threat the forest as open access. As long as there no sign that the site already managed by any family or group, everyone can use on it. In that sense, the unclear property right and the unsolved conflict lead to the ignorance of local people to the government policies and regulations.

With this situation, where distrusting is there, it is hard for them to reduce conflict and find win-win solution. Instead of strengthening each other, they keep conflicting and ignoring. Both the local community and the state institutions tend to work individually based on their faith. Since the state institution has more power according to the state law, it is often found that the case of marginalization of forest communities. Like in Intag Valley case in Equador, where the relation between the state and the Junin forest community reflects that the power of state which is derived from the state sovereignty concept in some extend gives a chance for the state to do violence.

Another point to note is the new tension between the local government of Bengkulu Tengah District and the national government institution, BKSDA, in the decentralization era. Comparing the BKSDA strategic plan and the master plan of local government, it can be seen that there is disharmony in the relation of these two institutions. While BKSDA mainly concerns to the conservation program like reforestation and protection of biodiversity programs, the local government of Bengkulu Tengah district run much more on the developmental program such as expanding infrastructure like road, and provides some incentives for local people to develop their livelihood, giving palm oil and rubber seeds freely which are potentially causing the worse forest degradation.

Interestingly, the developmental programs are part of the local leader promises when they did campaign for the regent election. In that sense, there is also political motive which causes contradiction approach between the national government and the local government. A research conducted by Resudarmo (2012:11) illustrated that to be elected in decentralization era, the regional or local leader candidates often gave some promises to their supporters, both the society and the company, like if they hold the power, they will help to change the status of forest or issue land conversion permits. So, on the name of local communities, the local government of Bengkulu Tengah District asks to free some parts of *Semidang Bukit Kabu* forest from the status of protected forest. They said that it is important because the people need more land for farming and plantation. Rather than keeping it as protected forest which is unproductive economically, the local government sees another option, using the land for investment like farming or plantation.

In the situation where the two preconditions for transition period are absent, the property right remains unclear and the conflict keeps going on, it is hard to manage and ensure the sustainability of the forest. As Caballero (2014: 355) described based on the case of Galacia forest, the issues around property right and the role of institutions create the unclear status of Galacian forest– it was communal forest, but stated as private by regional authorities in 1989. Because of that, the forest has been in status quo and continuously degraded.

#### 4.4.2 The Inconsistency in Addressing The Issue of Rural Livelihood

The forest with abundance of fruitful resources provides some basic materials for the people living around there. For the forest community who living subsistence, if they have no land to farm, no food to eat and no wood to burn, they can go easily to the forest to get some. But, but if they keep doing that way, there is where the tragedy of the commons begins. Because of that, in the context of managing the forest, addressing the issue of rural livelihood becomes important.

Based on the case in Mfyome village, Tanzanina, Lund & Treue (2008: 2787 - 2790) said that even though the decentralization forest management escalates the power of local government to gain some profits through the tax of forest extraction and the large scale farming, but the benefit never goes to people who live in the forest fringe area and dependent to the forest products. For them, the decentralized forest management has no positive impact as they remain poor and finding fertile land to be farmed becomes harder.

The same thing happens in this case, the implementation of decentralized forest management so far has little contribution in reducing poverty of the forest fringe people. Analysing the local government development planning, RPJMD, it is identified that many government programs are directed to reduce the poverty, such as the investment in basic infrastructures road and electricity, the direct subsidize for poor family called BLT and Raskin, and the decision to allow the investment in mining and large scale plantation. But, in some extend the programs have failed to touch the poor because most of the surplus of forest extraction goes to the elites who have access to the power and capital. As Maulidia (2014:54) the decentralized model has reborn the local elite groups, called local strongmen, who are the parasite of the natural resources - using their power and capital to extract the natural resources merely for the profit without paying attention to the sustainability. Instead of helping the poor to increase their life standard, the government programs tend to support the rich to do business and capital accumulation. For example, it is claimed that the mining and large scale plantation have contributed to provide jobs for local people and increase the development of Bengkulu Tengah district. But the real condition shows that only few villagers who work for the company for the lower position such as a truck driver, while the higher positions are not for local people. This is another reason for the failure of decentralized forest management, the inconsistency to fairly distribute the wealth and increase the rural livelihood.

#### 4.5 The Possibility to Strengthen The Role of Local Government

It cannot be ignored that the local government of Bengkulu Tengah district plays an important role in this case. Standing on both government and community sides, actually the local government of Bengkulu Tengah district can make something different in the conflict of the state and the community. The choice is to join with one of them or to facilitate them in order to find win-win solution.

So far, the local government of Bengkulu Tengah district has shown a willingness to facilitate them in conflict reduction. It is shown by the initiative to have a meeting with these two actors. Since 2010, they have invited BKSDA and the local community leaders several times to have a discussion around the problem, but the progress is very slow. This condition is influenced by some facts that first, the selfish manner of these two actors. It is not easy to do kind of discussion with them in one table since the pessimistic view of the forest community to the government. Although the invitations were sent, it did not ensure they will come. So it takes great effort-approaching them slowly and talking to them about finding better solutions, to present them in the meeting.

Second is the problem of structural government. It cannot be ignored that even though decentralization gives more power to the local government, but they are structurally part of the state system. Consequently, they have to follow some steps and deal with the state law when proposing something to national government. And as Indonesia characterized as slow response bureaucratic, it takes much time. As Ribot, Agrawal, & Larson (2006: 16) said that:

"Central governments limit the scope of powers they transfer by instituting new patterns and systems of oversight, such that local authorities need permissions and clearances before their decisions can be implemented. Local powers over forest resources are often so highly circumscribed by supervision, or pre-determined through management planning requirements, that they hardly remain a "power." Instead of establishing a field of local discretion, central guidelines create new controls over implementation"

Third is the problem of local government itself: the limitation of capability and the issue behind their interest. They have proposed to free some areas of the forest, another enclaving, to the state, but they did not mention the model of management clearly, including the scheme to reduce and hinder the deforestation in the future. In addition, since the local government have no idea about the scheme for reducing deforestation, there is an opinion saying that actually the local government help to free the land because they also need it for investment. It makes sense because the fiscal decentralization requires the initiative of local government to fund the development projects themselves. They have to be creative in regulating tax and investment to gain more revenue.

In decentralization era, one of the main problems faced by many local governments, including Bengkulu Tengah, is lack of money to fund their ambitious projects. Because of that, land as a basic input for agriculture production and also for expanding infrastructure is needed. Having more land, they have more chance to do businesses and boost local development. In fact, today, they give permit for medium scale mining and plantation, support small scale rubber and palm oil plantations, and also are in progress constructing the road in the some villages nearby the forest. As analyzed in the first part, it leads to the phenomenon of land transferring from the forest communities to the investors. When their land is sold out, they have no choice, they will go deeper into the forest. In that sense, the local government acts like a broker, the actor who takes advantage from the relation of other actors.

Looking at its strategic position, strengthening the role of local government in managing the *Semidang Bukit Kabu* forest in the decentralized era can be a choice. But because of the existence of these three problems, it is not an easy task. Strengthening the role of local government requires intensive support from the local people, the strong commitment of the national and local government to readdress the issue of insufficient power transfer and lack of regulation synchronize, and for the local government of Bengkulu Tengah district itself, rather than only proposing to enclave some sites, it is better for them to initiate improving their capacity, establishing a model for managing the forest with clear regulation which address the issue of fairness and efficiency, and focussing to build a synergy with the forest community and BKSDA in order to resolve the conflict.

# Chapter 5 Conclusion

The introduction of decentralized forest management in Indonesia has no significant impact in reducing deforestation. For example, in the *Semidang Bukit Kabu* forest in the Bengkulu Tengah district, the forest clearing keeps continuing in the decentralized era. So, why the decentralization forest management has failed to halt the forest degradation in the *Semidang Bukit Kabu* forest?

My argument is this. First, hold some weaknesses such as the limitation on the number of ranger and supporting facilities, and the insufficient fund, the national and local governments as the initiators of the decentralization forest management have failed to provide a clear legal framework for managing the forest and reduce the conflict. Especially for the local government, the role of local government remains ambiguous since they put their interests on two sides, both as the government and as the representative of local people, both for development and for conservation. That is why in many cases the local government shows inconsistency in their policies. Second, the decentralization forest management has been unable to address the issues of rural livelihood. Instead of distributing the revenue of forest extracting fairly, the decentralized forest management creates a new path for the local elites. That is why the poor still poor and lives highly dependent on the forest, while the rich becomes richer and captures the forest resources and land as much as possible.

These two problems indicate that so far, in the transition period from centralized regime to decentralized forest management era, the relation between the state and the forest community remains unstable. In this situation, it is hard to control the hetero-groups of people nearby the forest and limit them in extracting the forest resources, because most of them have ignored the role of the state in managing the forest. When the state did not consider them, they do the same thing to the state. That is why the decentralization forest management fails to reduce deforestation in the *Semidang Bukit Kabu* forest.

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### THE INTERVIEW GUIDELINE FOR THE KEY INFORMANTS, BKSDA REGION BENGKULU

[Date of Interview]

Name	:
Position	:
Education	:
Address	:

#### The Questions:

These are typical of open questions. During the interview activity, it is possible to do improvisation, changing or adding the questions, for digging the rich information.

- a) The profile of BKSDA Region Bengkulu (supported by secondary data if available)
  - 1. How the BKSDA formed?
  - 2. What the mission of BKSDA?
  - 3. How many sub-divisions in BKSDA, and how they work?
- b) The forest condition
  - 1. How the deforestation in the last 15 years, in the decentralized regime, compared with the forest condition during the centralized regime?
  - 2. What kind of factors causing the deforestation?
  - 3. What kind of programs implemented by BKSDA to deal with the problem?
  - 4. What kind of obstacles experienced during the implementation of the programs?
- c) The history of the conflict
  - 1. How the relation of BKSDA and the forest community around the *Semidang Bukit Kabu* forest?
  - 2. I have read in the local newspaper that the forest community protested the BKSDA in 2010, and it is part of their long struggle. How can the BKSDA connected with the conflict?
  - 3. What kind of the BKSDA reaction in dealing with the protest?
- d) Communication with other actors
  - 1. Besides the forest community, do BKSDA communicate with other actors in order to solve the deforestation and the conflict as well?
  - 2. How they support BKSDA programs?

### THE INTERVIEW GUIDELINE FOR THE KEY INFORMANTS, THE LOCAL GOVERNMENT OF BENGKULU TENGAH DISTRICT

[Date of Interview]

:
:
:
:

#### The Questions:

These are typical of open questions. During the interview activity, it is possible to do improvisation, changing or adding the questions, for digging the rich information.

- a) The interest of the local government to the forest and the development of villages around the forest (supported by secondary data such as long-term and medium-term development planning of Bengkulu Tengah district)
  - 1. How the local government sees the importance of the forest for supporting local livelihood and developing the district as well?
  - 2. How the local government sees the possibility of investments like large scale plantation and mining in the area around the forest?
  - 3. During the last five years, how many individual or corporations proposing small and medium scale land concession? And how many of them got the permits?
- b) The history of the conflict
  - 1. How the local government knows the conflict between BKSDA and the forest community?
  - 2. How the local government sees the conflict between BKSDA and the forest community? And, where is the position of local government?
  - 3. Does the local government have any plan for reducing the conflict?
- c) Environmental degradation
  - 1. How the local government addresses the problem of environmental degradation in the forest?
  - 2. Do you think the environmental degradation like deforestation is closely related with the local people activities on the forest? Or much influenced by the mining and plantation activities?
  - 3. What kind of actions or programs that are run by the local government to deal with the problem?

### THE INTERVIEW GUIDELINE FOR THE KEY INFORMANTS, THE REPRESENTATIVE/LEADER OF FOREST FRINGE PEOPLE

[Date of Interview]

Name	:
Position	:
Education	:
Address	:

#### The Questions:

These are typical of open questions. During the interview activity, it is possible to do improvisation, changing or adding the questions, for digging the rich information.

- a) The history of the forest fringe people in the Semidang Bukit Kabu forest
  - 1. How your group or the group of your ancestor arrived in the forest for the first time?
  - 2. How your group or the group of your ancestor live in the forest?
  - 3. How the development of your group or the group of your ancestor in term of economic, social, and culture?
  - 4. How your group or the group of your ancestor divide the forest area before the formal land tenure system and privatization implemented by the government
  - 5. How the communication with other groups? Do you have good relation or often in clash among the groups?
- b) The interest of forest fringe people to the forest
  - 1. How important the forest for your livelihood?
  - 2. How your farming and plantation method?
- c) Environmental degradation
  - 1. How you see the problem of deforestation in the forest?
  - 2. Do you think your group or the group of your ancestor contributed a lot on the deforestation as argued by BKSDA?
  - 3. How you see the existence of mining and large scale plantation near by the forest?
  - 4. How you see the introduction of formal land tenure system by the government?
- d) The history of the conflict
  - 1. How can your group or the group of your ancestor have experienced long-term conflict with BKSDA?
  - 2. How you see the government policy stating the forest as protected forest and pointing BKSDA to manage the forest?

No	Name	Organization	Interview
			Date
1	Sigit Pribadi	Forest Ranger in	15 Sept 2015
		BKSDA	
2	Reza	Forest Ranger in	15 Sept 2015
		BKSDA	
3	Sudarmawan	Forest Ranger in	15 Sept 2015
		BKSDA	
4	Faisal Eriza	Local Government Of-	17 Sept 2015
		ficer	
5	Rinto	One of group leaders	2 Sept 2015
6	Ruslan	One of group leaders	5 Sept 2015
7	Andi	Villager/Farmer	2 Sept 2015
8	Heri	Villager/Farmer	2 Sept 2015
9	Usmanuddin	The Head of Kota Niur	3 Sept 2015
		Village (Kepala Desa)	
10	Broto	Operational Manager of	9 Sept 2015
		PT. Bukit Sunur	

### THE LIST OF KEY INFORMANTS