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Aims and Scope:

PCD Journal of South and Southeast Asia's Power, Conflict, and Democracy Studies is an international refereed journal initiated by the Power, Conflict, and Democracy (PCD) consortium, a collaborative work by the University of Colombo in Sri Lanka, Gadjah Mada University in Indonesia, and the University of Oslo in Norway. It is a journal that comprehensively examines the dynamics of power and democracy, including practices of human rights, popular representation, and public policy, particularly, in Indonesia but still giving a space for comparative studies. Invitation is extended to authors with interest in making comparison experiences in Indonesia with those of the rest of the globe. PCD Journal publishes articles, literature review, field notes, and book reviews in major sub fields of political science, human geography, and political anthropology.

PCD Journal aims to address some of the most current issues of power, conflict, and democracy in Indonesia with comparative perspective. While the journal is open to all methodological approaches, all submissions are expected to be theoretically grounded. The journal can be of great value to teachers, students, researchers, experts, journalists, and social movement activist dealing with these issues and regions.

Submission

Submitted papers should be no longer than 8,000 words excluding tables and figures. Submit the manuscript via e-mail to the editor-in-chief at pcd@ugm.ac.id.

Manuscript preparation

For detailed instruction check our website: <https://jurnal.ugm.ac.id/v3/PCD> or <http://www.jurnal.ugm.ac.id/pcd>.

Peer Review

Every submitted article will be subject to peer review. The normal review period is three months. Most research articles in this journal have undergone rigorous peer review based on initial editorial screening and refereeing by anonymous referees. Authors should take care that the manuscript contains no clues as to identity. Nevertheless, articles published under 'Research Notes' section, aimed at setting up future research agenda, are non peer-reviewed.

PCD Programme

The state of democracy in the Global South is marked by a striking paradox: while liberal democracy has attained an ideologically hegemonic position through two so-called waves of democracy, the qualities of such democracies is increasingly called into question. The "old" democracies in the global South like Sri Lanka are weakened. Democracy deficits have emerged within constitutional and institutional arrangements as well as in political practices. Further, the "third wave of democracy" is over. "New" democracies like in Indonesia have fostered freedoms, privatisation and decentralisation but continue to suffer from poor governance, representation and participation. Hence there are general signs of decline. Vulnerable people are frustrated with lack of actual influence and sustained elitism. Politicians winning elections often need to foster ethnic and religious loyalties, clientelism and the abuse of public resources. Powerful groups and middle classes with poor ability to win elections tend to opt for privatisation and return partially to authoritarian governance.

Critical questions are therefore asked about the feasibility of democracy in developing country contexts. Some observers say it is only a problem of better crafting of institutions. Others contend that "full" democratisation was premature in the first place and that necessary preconditions need to be created beforehand. Both positions are based on a narrow and static understanding of democracy. While the core elements of democracy are universal, real world democracies develop (or decline) over time and through contextual dynamics; in processes and contexts of actors, institutions and relations of power. Therefore, the crucial task is to analyse the problems and options of expanding the historically "early" freedoms and deficient elements of democracy that fortunately exist in spite of poor socio-economic and political conditions in countries such as Sri Lanka and Indonesia rather than giving up on these freedoms until the other have somehow improved. This is to advance towards the universally accepted aim of democracy in terms of popular control of public affairs on the basis of political equality, and to be able to use democracy to handle conflicts and alter unequal and unsustainable development.

With this in mind, researchers at the University of Oslo (Norway), Gadjah Mada (Indonesia) and Colombo (Sri Lanka) have come together in a collective research—and post-graduate programme. The idea is to pool their research projects and results, and to promote doctoral as well as master studies by way of, first, a joint framework for analysing power, conflict and democracy and, second, a basic electronic peer reviewed journal and report series (published by *PCD-Press*) to the benefit of students, scholars and priorities in the region. Basic resources—in addition to the participants own voluntary work and projects—are provided by their respective universities and the Norwegian Centre for International Cooperation in Higher Education (SIU).

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Introduction to the Special Issue

Social Movements and the Materiality of Governance: Conditions and Effects of Struggles over Land, Water, and Livelihood

Amalinda Savirani and Prathiwi W. Putri

This special issue follows a scholar-activist workshop that was conducted in Yogyakarta in November 2018. Born of collaboration between the Research Centre for Politics and Government (PolGov), Department of Politics, Universitas Gadjah Mada, and the Global Development Section, Department of Food and Resource Economics, University of Copenhagen, the workshop benefitted from the ERC-funded project "State Formation through the Local Production of Property and Citizenship" led by Prof. Christian Lund, University of Copenhagen. Scholars and activists working on social-environmental conflicts in North Sumatera, Java, and Nusa Tenggara attended the workshop, shared their experiences, and reflected on the themes and sectors in which they were involved. They represented a range of development issues, including the conflicts that emerge from contested land ownership, destructive extractive industries, limited access to affordable housing, privatization of water and water infrastructures, and the marginalisation of community food and livelihood provision systems. They also represented various forms of social movement and collective action, with

diverse interactions between subjects who are promoting particular institutional settings. During the workshop, it was revealed that each form of social movement stems from a specific sectoral field, locality/spatiality, and history.

While contributing conceptual understandings of social movements and the materiality of governance, the workshop also had some more pragmatic aims. It sought to map diverse social movements and link them with each other while simultaneously initiating collaboration between activists and academic networks. Participants learned about the necessity of bridging scholars and activists as part of participatory research and action research.

The Materiality of Social Movements

Following the fall of Suharto and his authoritarian regime, in the so-called *Reformasi* Era, Indonesia has witnessed the rise of diverse social movements and the significant growth of civil society organisations/activities. For more than two decades, new political arenas have emerged in various

sectors, with issues ranging from good governance (anti-corruption and pro-transparency movements); political rights protection (freedom of expression and association, and other civil rights); socio-economic rights protection (housing, welfare); the rights of women, children, indigenous communities, and other minority groups; environmental protection; access to land, and other resources; etc.

The social movements and CSOs active in these political arenas pursue different goals. Some movements seek institutional changes (i.e. regulation) that might allow a higher degree of recognition and protection, while others aim for (public) education and intend to improve awareness of certain issues. It is not uncommon for groups of social movements to set multiple goals in parallel, ranging from advocacy and campaigning to improving governance mechanisms. The technical materiality (bio-geophysical dimensions, technological systems, administrative mechanisms, etc.) of specific sectoral fields (mining, housing, water sector, etc.) matters in shaping the characters of social movements, including communities and organisations' aims. Some movements seek to improve technical matters by proposing concrete alternatives for dealing with everyday materiality.

An important character of social movements is their spatiality. In our workshop, we observed that it matters whether movements originated in urban

or rural contexts. Such locality influences particular institutions and agencies, including governmental bodies' specific models of governance and behaviours. Some CSOs deal with supportive local governments; most do not. Locality and spatiality have significant consequences for movements' strategies and their ability to reach their goals. They also affect how diverse sectoral issues *in places* and *across places* relate to each other, form stronger alliances, and even struggle in unison.

The above-mentioned factors, the *materiality* of social movements, are orchestrated as continuous events that transform existing governance practices. Institutional change has been viewed as necessary for social movements. For example, scholars have defined social movements as "actors and organisations seeking to alter power deficits and to affect social transformations through the state by mobilising regular citizen for sustained political action (re: 'challengers')" (McAdam et al., 2001; Amenta et al., 2010). With a different emphasis, Tarrow (2011) identifies social movements as "collective challenges by people with common purposes and solidarity in sustained interactions with elites, opponents, and authorities". They also opine that social movements are determined by three factors: mobilisation structures (i.e. resources and organisational forms), framing strategies, also political opportunities and context (McCarthy & Zald, 2002).

This way of thinking is part of the *resource mobilisation theory* tradition.

Articles in this special edition benefit from the *new materialism* in sociology (Fox & Alldred, 2017), as well as the transformation of social movements into *socio-material movements*. We are aligned with this new school for several reasons. *First*, social movements are not just about the macro and structural aspects identified by Tarrow et al., but also identity and emotions—as argued by New Social Movement scholars (Melucci, 1984). *Second*, social movements deal with a myriad of issues, having diverse spatialities, actors, and histories, all of which influence social movements operate. Social movements thus tend to employ different strategies for achieving their goals—and all of these matter politically. *Third*, theoretical traditions of resource mobilisation and social movement lack the sensitivity necessary to understand the socio-cultural aspects of the Global South, having what Asef Bayat labels as a "westocentric orientation" (Bayat, 2005). Hence, our workshop offered an important step towards understanding the materiality of social movements in Indonesia, recording the actual bottom-up stories experienced in the field and using them to further contribute to theorising.

At the more practical level, our publication seeks to understand how social movements' strategies manage to influence state policies, specifically

the issues at stake in particular communities—be they the urban poor in Jakarta, the residents of villages near mining areas, or those living near airports and other infrastructure. The influence of these movements on everyday state operations is determined by the three aspects of materiality mentioned above (locality, sector, and history). We realise that this is a two-way process, where social movements and their agendas can influence the policies of public institutions.

Thus, we argue that the materiality of social movements influences the strategies they use to accommodate policies. The materiality of social movements does not only influence policies at state institutions and implementing agencies; the everyday struggles and conditions of social movements are also shaped—positively or negatively—by existing statutory agencies and institutions. One factor that positively contributes to social movements' ability to shape public policy is the availability of *linkages*. Good linkages, or the absence thereof, are rooted in both spatial and temporal contexts: their localities and their political momentums.

Our hypothesis is that democratic spaces function to ensure the *normative political assurance* of basic rights. Such spaces also contribute to the long-term *material fulfilment* of everyday access to land, water, and livelihoods. We observe that, in Indonesia, the democratic climate has

been influenced by diverse local governmental regimes; we are therefore curious whether local states and institutional relations provide favourable circumstances for social movements' existence and endurance, and how such circumstances came into being.

Overview of the Contributions

This special edition consists of six papers. Two mining sectors, gold and manganese, show complex scalar dimensions: international trades, varying national interests and regulatory frameworks, as well as local livelihoods and social-historical traditions. Wardhani and Dhian reveal the conflict in Banyuwangi, where gold was rather recently exploited. The stable price of gold in the world market prompted more investors, increasing the proximity of the place in the corner of East Java to the outer world. With varying new economic interests entailed to the mining sector, the civil society arenas at the national and local levels have also transformed. Nahdlatul Ulama (NU), a dominant Muslim group in the region plays a crucial role in supporting mining activities. Using its vast networks of mosques, it persuades inhabitants by highlighting the benefits of gold mining. The culturally embedded Muslim organization has made the struggles of those opposing the mining operation facing deeper challenges. The second mining case in Manggarai, West Timor exemplifies a different context and trajectory of

social movement. In terms of value of the metal, Manganese is not too lucrative. But because the NTT Province of Manggarai is a poor region, the local government highly supports the exploration despite its low price (i.e. compared to gold). It facilitated a regulation conversion on land status from *conservation* to *production* areas, and this has become a legal protection to the exploration. If in Banyuwangi religious organisation became the social backbones of the mining activities, in NTT where populations are predominantly Catholics, the Church has been part of the movement against mining, along with the *adat* groups. With their central roles in the everyday life of citizens, both the Catholic Church and the *adat* communities in Manggarai have been in harmony for centuries, dated back since Dutch colonial rule.

From the peripheral Indonesia – yet the frontiers of the country's new economy, Savirani and Mohamad discuss the conflicts in the capital city, Jakarta. They pinpoint that where housing is scarce but rural-to-urban migration is steady, there is a need to exercise strategies in increasing access of the urban poor to housing that are beyond the informal survival strategies. The informal has to be political: pushing the government to provide housing for the poor. They highlight the political participation of urban poor in exercising their collective power through gubernatorial election, to claim the rights to housing. Political instrument such as election has become an alternative arena for the


urban poor movement; through establishing a *political contract* in the election, the urban poor voted for the candidate who committed to eliminate anti-eviction policy. The case of Jakarta is among mushrooming struggles against the backdrop of Indonesia's problematic urban growth. At the urban heart of Sumatera, in Medan region, citizens opposed the development of Kualanamu International airport that was built on a previous plantation area. The third largest airport in the country has urbanized the surroundings and eaten up the agricultural functions in the region. In this context, Kaputra and Putri record a peri-urban resistance to defend the livelihoods after the international airport was constructed. They trace the history of the affected households, showing that the more recent land-use change helps sustain the poverty of the previously dispossessed generations because the current conflicts is a sequel of the problematic agrarian transformations in Java and Sumatera since the Dutch colonial era.

The last two papers demonstrate some issues that emerge from

struggles in claiming rights at the national levels, by rescaling particular local claims and circumstances in relation to existing national regulatory frameworks. In North Sumatera in peri-urban region of Tanjung Gusta, communities have settled on plantation lands, which are deemed previously taken from their ancestors during the colonial era. Lund and Khairina reveal intense competitions between the communities and plantation companies in securing recognitions from the local and national authorities to their property claims; they persuade the authorities by creating legal facts that were facilitated by the ambiguous post-independence legal pluralism. Similarly, in their article Hadipuro and Putri discuss a discursive battle to influence the enactment of water law, between the proponents of privatization policy in the water sector and some civil society organisations advocating the human right to water. The authors record some moments of transformations of the anti-privatization movement that to a certain extent were influenced by the global discourse in the water sector.

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Creating Legal Facts: Indigenous People versus State Plantation Companies in Medan, Indonesia¹

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Abstract

This paper examines how a local community has tried to legalise its possession of land in the outskirts of the city of Medan, Indonesia. In the absence of accessible legal pathways and in the face of state and gang violence, the community has resorted to an imaginative mimicry of legal land access procedures. This paper argues that law-making does not exclusively originate from the state, but also from society, and as such the community has effectively created legal facts. Data were collected through interviews and long-term contact with the community.

Keywords: *land occupation, legalisation, urban property, Medan*

Introduction

Land conflicts between smallholders and plantations are ubiquitous in Indonesia, no more so than in the historical 'plantation belt' around Medan in North Sumatra. Peasant and indigenous movements have attempted to use occupations to take back plantation land. Although the government has identified such occupations as illegal, the movements and local residents have attempted to legalise them. Organising themselves in conformity with their understandings of formal government

norms, occupants have given their possession an air of legality. People who believe they have rights, but lack rightful means of exercising them, effectively create legal facts by improvising and mimicking legal arrangements. This process takes many mundane forms in everyday interactions, but let us start with one of the more ostentatious events.

In March 2017, AMAN (Aliansi Masyarakat Adat Nusantara, The Indigenous Peoples Alliance of the Archipelago) held its 5th congress in

¹ The research for this paper has benefitted from generous funding of the Danish Research Council and the European Research Council (ERC). ERC Grant: State Formation Through the Local Production of Property and Citizenship (Ares (2015)2785650 – ERC-2014-AdG – 662770-Local State). This article is the result of long-term collaboration, joint fieldwork, data collection, and many discussions. Authorship is shared equally.

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Kampung Tanjung Gusta, in Medan, North Sumatra. This was a great achievement for the indigenous peoples of BPRPI Kampung Tanjung Gusta,⁴ as this national event not only shone light on the village and its population as a part of the indigenous peoples' movement but took place on land that the movement had repossessed from a plantation company. The AMAN congress, which marked the alliance's seventeenth year working with indigenous communities, was attended by approximately 4,000 people, including representatives of indigenous communities worldwide, ministry officials, and local government heads. The Governor of North Sumatera issued a statement endorsing the legalisation of Tanjung Gusta, and AMAN closed the five-day congress with a pact on Kampung Tanjung Gusta (*Maklumat Tanjung Gusta*).

This kampung was, in effect, an illegal settlement on plantation land; the government claims that according to law, the land was rightfully leased out to the plantation and thus the kampung was not supposed to be there. Over time, however, Medan has grown and Tanjung Gusta has developed from a rural settlement in a plantation into a largely suburban

⁴ BPRPI, better known as Rakyat Penunggu, is a social movement that consists of the indigenous people from the Ular River and Wampu River basins. Members of BPRPI Kampung Tanjung Gusta come from the twenty-one *kampung* that have existed in HGU PTPN II in Medan City, Deli Serdang Regency, and Langkat Regency since political reform.

⁵ OKP is a broad category, including a range of organisations from boy scouts to violent entrepreneurs engaged in protection rackets, enforcing the will of those who pay, and sometimes operating in an autonomous fashion. In this paper, we refer only to those

neighbourhood. Over the course of this urbanisation, many actors have developed interest in using the land occupied by the Tanjung Gusta community. With such increased competition, the risk of evictions has grown. Many have tried to remove the settlement and its residents over the years, and threats have often come from gangs known collectively as OKP (Organisasi Kemasyarakatan Pemuda/Youth Community Organisations).⁵

The so-called 'plantation belt' in North Sumatra developed in the 1860s, when a new agrarian order (with labour transported from Java and other places) created an economy based on tobacco, sugar, and oil palm plantations. Since then, political tension between planters, workers, and peasants has remained high, peaking during moments of political crisis; the post-independence social revolution in the 1940s, the nationalisation of the 1950s, Suharto's take-over in 1965, and *Reformasi* in 1998 have all been moments when rules and rights were challenged and unsettled (Damanik, 2016; Lund, in press; Ikhsan, 2014; Pelzer, 1957, 1978, 1982; Rasmussen & Lund, 2018; Reid, 1979; Stoler 1985a, b, 1988). Land occupations and evictions

OKP that are mobilised for political violence. In North Sumatra and Medan, the most significant include Pemuda Pancasila (Youth of the Five Principles of the Nation), IPK (Ikatan Pemuda Karya, Association of Working Youths), AMPI (Angkatan Muda Pembaharuan Indonesia, Indonesian Youth Force for Renewal), Pam Swakarsa (Swakarsa Public Security Force, formed by the military in 1998) and FKPP (Forum Komunikasi Putra Putri Indonesia, Communication Forum for Indonesia's Sons and Daughters of Indonesian Veterans, mainly consisting of the children of police and army officers). For more history, see Hadiz (2010) and Wilson (2015).



thus have a long history in Indonesia.⁶ Over the past couple of decades, land ownership and control have been significantly challenged in many parts of Indonesia. During the late 1990s, agrarian protest became ever more frequent as the Suharto regime—the New Order—spiralled into decline and crisis. Different social organisations, groups, and movements formed in a period of political transformation in Indonesia. Democratisation and decentralisation appeared to offer opportunities to transform society and not least the agrarian structures. These protests were accompanied by land occupations by farmers, who seized land (which had previously been farmed by smallholders and before that had been controlled by Dutch colonial authorities and plantations) from state forests or from private and government plantations (Lund & Rachman, 2016). It is in this context the following case plays out.

Occupation and Legalisation

In this article, we examine one of the many land occupations in Indonesia from a particular perspective. People have felt it their right to 'take back', as it were, the land that had at one point been taken from them (and their ancestors) by the colonial or Indonesian governments. On the one hand, these occupations were condoned and even hailed by popular movements as the realisation of the long-awaited land reform embedded in 1960's Basic Agrarian Law, which had never actually been fully implemented. On the other hand, forest and plantation owners—as well as the Ministry

of Forestry and Agriculture—condemned the occupations as theft (Fauzi & Bachriadi, 2006; Lucas & Warren, 2013). The people of Tanjung Gusta, and Indonesia in general, have therefore faced a difficult problem. As with most ordinary people, they have no desire to be criminals or outlaws. However, they recognise that government institutions will likely not see these occupations as legal or even legitimate. Ultimately, the inhabitants of Tanjung Gusta have engaged in activities to persuade the authorities, the public, and themselves of the legality of their claims. They aim to create legal facts.

The creation of effective legal facts take place not only in legislative assemblies and government offices, but also on the ground when people aim to make claims look like rights and turn possession onto property. The point of legalisation is to bestow a rule or claim an air of legality. The legalisation of property, therefore, is the successful persuasion that claims to land and other resources are legal in form or substance, regardless of whether these claims and statutory laws correspond. Legal posturing, through which the state and its law are mimicked, can produce the effect of legality (Lund, in press). One may legalise illegal acts and claims while quashing established rights, as long as the operation is sustained with reference to law (Rose, 1994; Mitchell, 2002; Das, 2007; Campbell, 2015).

Successfully persuading the relevant public and authorities of the legality of claims, and having them recognise these claims as rights, involves performance. People who believe that they have rights,

⁶ For a general picture, consult Bachriadi (2010), Fauzi & Bachriadi (2006), Langenberg (1982), Lucas & Warren (2013), Khairina (2013, 2015),

McCarthy & Robinson (2016), Pelzer (1978, 1982), Rachman (2011), and Winayanti (2010).

but who have no rightful means of exercising them, improvise and mimic legal arrangements. Most people learn about the law not by comprehensive study or through experts, but through individual experiences of diagnostic events that reveal interests, arguments, and settlements of conflicts (Krier, 1994; Moore, 1987). Often people—including government representatives—refer to the law with a rather minimal knowledge of actual formal legislation. Instead, they refer to doctrines and precedents as they imagine or recollect them, adapting them to the actual circumstance (Kunz et al., 2016). In societies where the state claims legal hegemony, as in Indonesia, we should, as Benton (2012, p. 29) points out, expect people to 'actively reference state law, however inaccurately or opportunistically'. Indonesian land legislation remains a thicket of permissions and restrictions, competing rights and overlapping jurisdictions, and many land rights seem equivocal. Fundamental ambiguities of ownership and entitlements, wrapped in a web of administrative and legal rules and exceptions, have often made it virtually impossible to rationally disentangle competing claims (Fitzpatrick, 2006; see also Holston, 1991). In this context of a violent and powerful state and ambiguous legal pluralism, many have pursued a strategy of defining claims that somehow align with (one of the many competing) statutory legal principles and to solicit (one of the many competing) government institutions for recognition. People shop for institutions to recognise their claims, and institutions of authority also shop for controversies to settle and claims to grant (Benda-Beckmann, 1981). In this way, both claimants and authorities look for *mutual visibility*; for mutual recognition. The analysis that follows offers several

examples of how ordinary people attempt to become visible to relevant authorities to whom they would otherwise be invisible. More specifically, we examine the legalisation strategies employed by the indigenous people of Rakyat Penunggu Kampong Tanjung Gusta in their fight for legal recognition of what they perceive as their customary territories.

Methods

Research was conducted between 2015 and 2017 using qualitative methods. It began with a literature study, field visits, in-depth interviews with key informants in North Sumatra, as well as focus group discussions with members of BPRPI Kampong Tanjung Gusta A and B. The authors also had the opportunity to conduct participatory observations and interviews with Rakyat Penunggu in their preparations for the 5th AMAN congress.

Legalising Land Control in Tanjung Gusta

The area of Tanjung Gusta, some 1,900 hectares, bestrides the Regency of Deli Serdang and the Municipality of Medan. Previously, this area was part of a huge European plantation named Helvetia (created in 1870), which later gave name to an urban neighbourhood. During the nationalisation of Dutch property in 1958, the newly formed peasant movement BPRPI (Badan Perjuangan Rakyat Penunggu Indonesia, Indonesian Watchmen's Agency) occupied some of the



land, known as Tanjung Gusta.⁷ BPRPI's members fall into three groups, namely *Mastautin*, *Semenda* and *Resam*. *Mastautin* are the descendants of those who first cleared the forest and built a village. *Semenda* are those descended from marriages between migrants and *Mastautin*. Finally, the *Resam* are descended from migrants who registered with village officials and declared that they were willing to obey BPRPI's organisational rules. In this way, BPRPI sought to control migration to the area. However, as migration has increased, the *Mastautin* have become outnumbered by *Semenda* and *Resam*. As of 2018, Tanjung Gusta is inhabited by some 24,000 people.

During the 1950s, BPRPI had difficulties establishing itself as the area's predominant movement.⁸ In that period, other peasant groups also claimed the land, and it was impossible to gauge the government's position on land occupations. While occupations had been encouraged by the revolutionary government, in the 1950s the government and the army tried to limit such occupations (Pelzer, 1982) (anonymous veteran members of BPRPI, personal communication, November 2016). In the early 1960s BPRPI and its members controlled some 340 hectares of land in Tanjung Gusta; the remaining 1,900 hectares remained under lease to the state-owned plantation company, Perseroan Terbatas Perkebunan Nusantara (Archipelago Plantations Ltd, PTPN). However, in 1970, the New Order government began consolidating plantations, and the governor issued an

eviction order and transferred Tanjung Gusta's smallholder land to the company. Smallholders protested and resisted, but in 1972, a major violent eviction was undertaken by PTPN's security outfit. Smallholders were left with less than 100 hectares, and BPRPI and its leaders had to lie low. The risk of being called 'communist' was very real. The movement practically dissolved, and its leaders could not be seen operating in public.

During the New Order, BPRPI was classified as an unruly organisation (*Organisasi Tanpa Bentuk*). Today, it is seen as a farmers' movement seeking to reclaim land. While BPRPI has gained an identity as an indigenous community through its long struggle, it is still not free from stigmatisation and violent criminalisation. When members of BPRPI began farming the land as smallholders in 1995, the plantation company PTPN IX (now PTPN II) organised violent intimidation, crop destruction, and arson. Violent evictions were commonplace, and the criminalisation of villagers' occupation of the land led to the imprisonment of their leaders. As late as 1999, around two thousand PTPN II employees—together with police officers and thugs from Medan's redoubtable gangs—were mobilised to burn the crops and houses of Tanjung Gusta's residents.

When the plantation's lease expired in 2000, it was not renewed. Consequently, the legal foundation for the plantation and the PTPN II's land control ceased to exist. Since that moment, the land was in legal limbo. Still, the plantation continued to operate. Others seemed ready to take over

⁷ BPRPI was formed in 1953. Since then, it has conducted more or less organised occupations of plantations in and around Medan.

⁸ In 2016, BPRPI was active in 24 different land occupations in North Sumatra covering an area of 2,300 hectares.

others. On several occasions, businessmen—flanked by bodyguards from different gangs—approached the smallholders of Tanjung Gusta to inform them that they had acquired the land from government; they never produced evidence of their claims. In the meantime, large numbers of people had migrated to the urban Medan, including Tanjung Gusta.

In 2002, when the Governor of North Sumatra announced the future release of 5,873 hectares of plantation land, desires were further stimulated. Although the location and intended beneficiaries remained unknown to the public, the announcement still motivated the people of Tanjung Gusta as well as thousands of others in Medan to claim that the land they controlled would be released. BPRPI was resurrected for a moment, convinced that its members land would be part of the 5,873 hectares.⁹ It believed that the 315.9 hectares of Tanjung Gusta would be included in the thematic map that would be released through SK42/HGU/BPN 2002 on 29 November 2002.

BPRPI members quickly occupied some 240 hectares of the plantation. However, PTPN II, supported by the plantation workers' union and Pemuda Pancasila (one of the most notorious paramilitary youth organisations), violently wrested back the land and evicted its occupants before they had time to settle.¹⁰ In subsequent years, occupations and

evictions followed each other in close succession. Frequently, houses were torched, and whoever was considered a village leader could be arrested, beaten up, or worse. By 2011, smallholders in Tanjung Gusta, organised through BPRPI, held a total of 127 hectares of land. This land was still in legal suspension. Like most land in Indonesia, it was state land; however, with the plantation lease expired and no other rights being officially issued by the National Land Agency, recognition of possession had to come from elsewhere. This is where legalisation strategies became important and took shape.

BPRPI began to issue its own land certificates to its members in 2012.¹¹ By 2016, over 600 certificates had been issued by the movement. The certificate came at a price: Rp 200,000 (15 US\$). Each certificate had the names of the neighbours and the location of the plot. The plot was modest, some 1,700 m², because as Medan had grown the smallholdings had continuously been subdivided, and the BPRPI-controlled part of Tanjung Gusta had become almost entirely urban. Certificates were used when plots changed hands, and often plot-holders would sell off part of their land to newcomers and then go to BPRPI to have the certificates updated. Initially, BPRPI would vet new citizens in Tanjung Gusta, but increasingly land changed hands without the organisation's involvement, creating something of a clandestine land

⁹ The BPRPI homepage refers to this land as rightfully belonging to its members, and to the process as a scam (Anwar, 2008).

¹⁰ According to BPRPI's leaders, occupants were promised an alternative site, but it turned out to have already been settled.

¹¹ The certificates read: *Pemangku adat masyarakat adat Rakyat Penunggu Indonesia. Di*

bawah Panji-panji. Badan Perjuangan Rakyat Penunggu Indonesia. Lembaga Adat Rakyat Penunggu. Tanda bukti hak. [Indigenous peoples of Rakyat Penunggu Indonesia. Under the Banners of BPRPI. Proof of rights]. Document in private possession.



market of the second order. The Indonesian government did not recognise BPRPI's land claims, and members did not abide religiously by the organisation's rules; they simply operated as if the land was theirs and used BPRPI's symbols and documents as valid proof in their transactions. In essence, the certificates invoked BPRPI as the authoriser, and in Tanjung Gusta the organisation was able to muster sufficient credibility as representing *bona fide* property rights.

Property was only one part of BPRPI's legalisation strategy, however. The organisation also tried to have Tanjung Gusta residents registered in the 2014 national census, but they were instead registered in a nearby village in Deli Serdang. Infrastructure was one of BPRPI's major concerns. Over the years, it had proved impossible to properly bring electricity to the area. In the 1990s, some residents had surreptitiously connected to the city power lines. In 1998, BPRPI offered membership and two plots of land to two engineers from the electricity company, and the neighbourhood was added to the grid and all houses were equipped with metres. BPRPI also had some of the roads in Tanjung Gusta paved, and—much to the delight of the BPRPI leadership—one street soon featured on GoogleMaps. An increasing number of small shops opened, and an official post office, official stops for *ojeks* (motorcycle taxis) and *angkots* (micro busses) also appeared. The

organisation built a cemetery as well as a prison cell for handling conflicts between neighbours.¹² Furthermore, two kindergartens, with the memorable names Perjuangan (Struggle) and Karismatik (Charismatic), were opened to educate future generations. In 2014, BPRPI opened a new office in a two-story building in Tanjung Gusta. For the opening ceremony, it managed to invite Governor Gatot Pujo Nugroho, who signed the foundation stone and thereby bestowed some officialdom on the event, the movement, and its achievements.¹³ Fundraising took place within the movement.

The quest for recognition of the right to reside in Tanjung Gusta and control land peaked when the indigenous movement AMAN decided to hold its congress in the neighbourhood in 2017. Many delegates were hosted privately by local residents. The much-publicised event indicated that BPRPI represented indigenous peoples (in the broadest sense of the term) and had friends in high places.¹⁴

In 2017, BPRPI controlled approximately 310 hectares in Tanjung Gusta. Legally, the area of the old plantation, Helvetia, was mostly a no-man's land. PTPN's lease had lapsed almost 20 years previously, and though the company still operated on some of the land, chunks had been taken by BPRPI, developers, and a mix of gangs. One BPRPI organiser tried to explain: 'There are many states [*negara*] here. Pemuda Pancasila, IPK, AMPI, and

¹² In Tanjung Gusta, BPRPI even created a boxing ring wherein culprits who were unable to pay their fines would fight each other. Ideally, the money raised by betting on the outcome would go toward paying the fine. When we inquired, this ring had only been used a couple of times.

¹³ The governor was later convicted of multiple graft cases and sentenced to six years imprisonment (Gunawan, 2016, 2017).

¹⁴ It was even expected that Indonesia's president, Joko Widodo, would grace the gathering with a visit. However, this never happened.

PTPN. So, this is why we also claim to be state. We also claim the land (anonymous interview, November, 2016). In its 9th congress, BPRPI issued a resolution and recommendation urging the Village Government to formally establish Kampong Rakyat Penunggu since the community had fulfilled the administrative requirements to become recognised as a village.

While BPRPI had initially occupied the land in Tanjung Gusta for small-scale peasant farming, it was effectively becoming an organisation of city-dwellers. Legally, according to government authorities, BPRPI and the community in Tanjung Gusta remained invisible. No documents from the National Land Agency acknowledged their claims, and no taxes were paid for houses or land; at the same time, there was no social contract with the government suggesting that land in the area would be part of the mythical 5,873 hectares that would be released. At the same time, the governance of the neighbourhood bespoke the strong visions and beliefs of the community. A meticulously kept land record system, tied to membership and other benefits, made community members ready to receive the rights they craved. They could easily become visible landholders, since they had already prepared the paperwork. Their landholding could become legal fact.

However, the development of the neighbourhood also presented danger to the movement. Land transactions were increasingly conducted without BPRPI's explicit certification. It remains to be seen whether the legalisation of these transactions without the recognition of an authorising institution will eventually impugn on the solidity of members' land claims.

Conclusion

Peasant and indigenous movements have tried to establish land registries and administrative procedures, and have had important political figures recognise their claims. They have tried to become legally and bureaucratically visible and produce maps to document their long presence. People who live on occupied plantation land have acted in anticipation of government recognition of their claims by organising their settlement in conformity with their ideas of formal government norms. People have tried to create legal facts through their repertoire of legalisation strategies. Different kinds of citizens have different modes of accessing the law. It is not merely the weapon of the powerful, or government, but also, somehow and sometimes, a weapon of the weak (Scott, 1985). People have improvised, not to act in illegality, but rather to access what they believe is legally theirs with the government's legal visibility and recognition, if not blessing. In all its technical illegality, such counterfeit legalisation does not undermine the ideas of the state, law, or rights. It underpins them.

The history of Tanjung Gusta and BPRPI shows a series of achievements in the face of adversity. The 5th AMAN Congress has offered a means of strengthening the recognition of the community and its efforts to legalise land access. Nonetheless, the indigenous people of BPRPI Kampong Tanjung Gusta continue to face several challenges.

First, it is necessary to ensure that the reclaimed land is accessible to the weakest and most deserving groups. In many cases, the authors noted that groups or individuals benefitted disproportionately from the social movement's achievements. The

organisation of peasant and indigenous peoples' movements to ensure justice and comprehensive adherence will be tested with time.

Secondly, the progressive policies on the books must be implemented effectively. President Joko Widodo introduced the Nawacita Programme during his first term, which sought to legalise access to 9.1 million hectares, redistribute assets, and mediate conflicts throughout Indonesia. Three legal instruments related to agrarian reform—Perpres 88/2017 regarding the Settlement of Land Tenure in Forest Areas, Perpres 86/2018 regarding Agrarian Reform, and Inpres 8/2018 regarding the Postponement and Evaluation of Palm Oil Plantation Licensing and Increasing Palm Oil Productivity—have made it possible for land under expired plantation leases to be redistributed as part of agrarian reform. Unfortunately, however, these regulations have three weaknesses, i.e. (1) state plantation companies are excluded as objects of agrarian reform, (2) indigenous peoples are not explicitly identified as

subjects of agrarian reform, and (3) local governments are often involved in agrarian conflicts and thus unable to mediate them. This is why the GTRA (Gugus Tugas Reforma Agraria, Agrarian Reform Task Force) of North Sumatra has been unable to encourage agrarian reform.

At the national level, no government institution is prepared to take the lead in handling agrarian conflicts. Government departments at all levels have a vested interest in the status quo, and the alliances between government, entrepreneurs, and financiers at the central and regional levels make policies that favour smallholders or landless people very unlikely. One may well imagine an autonomous institution led directly by the President to promote agrarian reform and properly carry out its mandate. However, the everyday operations of such an institution depends on actors at the implementation level. This is the real test for farmers and indigenous peoples' social movements and their struggle for the right to access and redistribute land.

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Between Street Demonstrations and Ballot Box: Tenure Rights, Elections, and Social Movements among the Urban Poor in Jakarta

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Abstract

This article investigates the political participation of urban poor through the People's Network of Urban Poor (Jaringan Rakyat Miskin Kota, JRMK) in Jakarta's 2017 gubernatorial election. It also traces the material aspects of this movement, particularly the issues emphasised by the movement: settlement rights, tenure rights, and livelihood rights. Settlement rights reflect a complex system of agrarian laws in Indonesia, and urban development plans in Jakarta, all of which have been shaped by the contestation of economic and political interests. Tenure and livelihood rights for the urban poor, are heavily steeped in history, with constant threat of forced eviction, As a result the three rights became increasingly tangible and movement became ever more urgent. This article argues that the materiality of social movements influences the urban poor movement political strategies. In this case, the movement created a "political contract" with the candidate who ultimately emerged victorious in the election; owing to the complexity of land and settlement issues, electoral politics offered the most promising strategy. However, movements with different types of 'materiality' could employ other approaches.

Keywords: *Jakarta urban poor, political contract, housing rights*

Introduction

Social movements are always influenced by their own material aspects, including the type of the issue being advocated, the urgency of this issue, the threat posed by this issue, and the political networks employed by the movement. As such, social movements have different tendencies and strategies. This article

examines one political movement through which Jakarta's urban poor have advocated for affordable housing by organising and mobilising themselves during Jakarta's 2017 gubernatorial election, through signing a "political contract" with a candidate. The movement began in the lead-up to voting, and continued until after the supported candidate's election. This

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article seeks to answer several questions: how did the material aspects of the movement (i.e. settlement and livelihood rights) influence its strategies in Jakarta? How were the material aspects of the movement incorporated into its organisational format and strategies? What were the results of the movement, and to what extent did the movement promote members' rights? In order to answer these questions, this article is divided into several sections. The first maps the political participation of Jakarta's urban poor; the second presents the history of the movement; the third discusses the fundamental issues experienced by Jakarta's urban poor, including the scarcity of housing and other issues that influence their livelihood; the fourth offers a conclusion, describing the process through which the political contract was signed.

Political Participation, Urban Poor, Elections, and Social Movements

Many scholars have examined the political participation of the urban poor in democracies. Joan Nelson (1979), for example, investigated the activities of urban poor in developing countries, identifying four categories: a) vertically mobilised participation; b) ethnic association participation; c) special interest groups; and d) participation generated by working class-oriented political parties. This article refers primarily to the third and fourth categories, focusing on the agendas promoted and those promoting these agendas.

Nelson also argues that political participation is intended primarily to promote empowerment and active involvement; create collective action to identify community issues; promote

change; guarantee voters' right to be involved in decision-making processes that affect them; and create social justice and equality without social or structural discrimination (Nelson, 1979, p. 11). All of these goals are inexorably interrelated.

Such views of political participation operate at the individual level, viewing it as being created through an individual desire to promote change. In many cases, however, the political participation amongst the urban poor is not an individual affair, as they enjoy a high level of collectivism and lack the agency to individually promote change (Harriss, 2005). Several scholars have argued that the urban poor have lower levels of political participation than the middle classes, as the former must dedicate their time to fulfilling their everyday needs while the latter have free time with which they can become politically active (Weeks, 2014).

Within the context of elections, there are two related views of the participation of urban poor. First, scholars have argued that the urban poor—owing to their poverty—are vulnerable to the practice of patronage, especially in "one man, one vote" systems. Direct democratic systems are argued to have promoted vote buying around the globe, including in Indonesia (Aspinall and Sukmajati, 2014) and the Philippines (Hutchison, 2007). Such studies argue that the urban poor become politically active for short-term benefits: receiving money in exchange for their votes, thereby establishing opportunistic and mutually beneficial relationships with their representatives. However, such interactions do not occur within a "citizenship" framework, wherein voters' democratic rights are recognised by their elected representatives and enjoy access

to public services (see Berenschot, 2018 in India; Banks, 2008 in Bangladesh).

Other scholars, however, have argued the opposite: poverty can ensure that voters reject money politics, instead creating consolidated and collective movements that advocate for new policy (Lawless & Fox, 2001). Voters thus organise themselves to create awareness of the rights being violated. Ahuja and Chibber (2012, p. 1) state, "Voting is important. If I don't vote, I am dead to the state." The civil society organisation Basti Basheer Odhikar Surakha Committee (BOSC), for instance, organised the urban poor in Dhaka, Bangladesh, to create collective participation and successfully connected them with government projects targeted at them. BOSC thereby created awareness among the urban poor. However, this organisation was limited to the local level, being unable to expand to the national level or ensure actors' commitment. Ahuja and Chibber (2012) add that elections offer voters a moment for consolidating the urban poor and organising them to promote collective goals.

In Indonesia, the political system has not only been shaped by paternalistic practices, but also by the organisation of the urban poor. Gibbings et al. (2017), for instance, describe a "political contract" between a candidate in Yogyakarta's 2012 mayoral election and street merchants. Savirani and Aspinall (2018) identify a similar political contract signed between Jakarta's urban poor and a candidate in the capital's 2017 gubernatorial election. Labourers in Karawang (Caraway dan Ford, 2014) and Batam (Ford, 2014) have used a similar mechanism.

From these studies, particularly those regarding the organisation of the urban

poor during elections, it may be concluded that they are closely related. McAdam and Tarrow (2010) argue that it is necessary to combine studies of social movements and electoral politics to understand how social movements influence elections. All elections involve the mobilisation of voters, be it by candidates, campaign teams, or social movements. Within the context of social movements and their interactions with political parties and actors during elections, McAdam and Tarrow (2010, pp. 533-534) identify linkages as being created through six mechanisms. *First*, social movements may introduce new approaches to collective action that influence campaign activities. *Second*, social movements may establish electoral coalitions or even become political parties themselves. *Third*, social movements may be proactively involved in mobilising voters, finding opportunities to incorporate their agendas into elections. *Fourth*, social movements may be reactively involved in electoral mobilisation, increasing the scale and intensity of their actions while opposing dishonest electoral activities. *Fifth*, social movements may join political parties and polarise them from within. *Sixth*, social movements may transform existing electoral systems. Other authors, such as Tomsa and Setijadi (2018), have also examined the link between the urban poor and elections and labelled these movements as "electoral movements" (2018, p. 558)

In the context of this article, and referencing the definitions offered by McAdam and Tarrow, social movements may be identified as falling into the first and third categories. Social movements used the 2017 Jakarta gubernatorial election as an opportunity to promote their agenda and promote members' settlement and livelihood rights. At the same time, they

introduced a new approach to elections, no longer accepting vote buying but attempting to transform the situation through collective action. This election was a golden opportunity for the urban poor to promote their collective agenda and guarantee access to appropriate housing and livelihoods. For this, they organised themselves before the election and offered their votes to candidates in exchange for the fulfilment of their demands.

History of Urban Poor Movements in Jakarta

The grassroots organisation discussed in this article is the Jakarta branch of the People's Network of Urban Poor (Jaringan Rakyat Miskin Kota, JRMK). This organisation is a subsidiary of the Urban Poor Consortium (UPC), established in September 1997 when Jakarta was under the leadership of General Sutiyoso. At the time, Indonesia's political system was an authoritarian and repressive one. UPC had an ideology that was radical for the time, positioning the urban poor—rather than the elites—as central to political change. This ideology underpinned all of its advocacy activities, which dealt not only with political rights but also housing rights, employment rights, settlement rights, and livelihood rights. Through these activities, it improved the capacity of the urban poor.

Since its establishment, UPC has organised 58 *kampung*s in Jakarta. It has also organised various grassroots movements, mobilised pedicab drivers and street merchants, and created employment opportunities. In order to improve the confidence of the urban poor and mitigate the government's discursive dominance, in 1997 UPC backed a pedicab driver named Rasdullah as its gubernatorial candidate (at

the time, the governor was selected by members of the Jakarta Provincial Parliament). The public mocked this candidate, and ultimately Rasdullah as he failed to meet administrative requirements (Steijlen, 2004).

UPC expanded to the national organisation through UPLINK, the Urban Poor Linkage, which had branches in nine Indonesian cities: Aceh, Lampung, Jakarta, Yogyakarta, Surabaya, Sidoarjo, Makassar, Kendari, and Palu. This network, which was renamed to JRMK in 2002, attempted to promote policy reform through various means. For example, it became involved in electoral politics and conducted negotiations with gubernatorial, mayoral, and regent (*bupati*) candidates. In 2009, the Makassar Committee for the People's Struggle (Komite Perjuangan Rakyat Makassar, KPRM)—a branch of UPLINK—signed a political contract with mayoral candidate Ilham Arief Siradjudin (Aco) and his deputy Supomo Guntur. The candidates promised that they would put a stop to forced evictions, improve land security, reform healthcare policy, create jobs, guarantee the wellbeing and prosperity of the urban poor, and involve them in decision-making processes. In return, KPRM would mobilise voters. Ultimately, the organisation was able to gather 65,000 votes for Aco and Guntur, who won the election (Power from below, 2017).

In Indonesia, political deals between voters and candidates (both executive and legislative) are popularly known as "political contracts". Amongst both citizens and politicians, this approach is a popular means of advocating for their interests (for the former) and gathering support (for the latter). Gibbins et al. (2017) define "political contracts" as a mechanism for ensuring accountability, one that is superior

to vote buying (where the transaction is dominated by one party). Political contracts are oriented towards long-term goals, while vote-buying involves 'on the spot transactions'.

Such a long-term political strategy was incorporated in the political contract between the urban poor and candidates in Jakarta's 2017 gubernatorial election. This political contract enabled UPC to advocate for long-term programmes that promoted the interests of the urban poor, including their housing rights. Such contracts had been used in previous gubernatorial elections. In 2007, for example, UPC had backed a Prosperous Justice Party candidate, Adang Daradjatun, who ultimately lost the election. In 2012, UPC had signed a political contract with Joko Widodo, who won the election. However, when forced evictions continued under Widodo (and, after his election as president, his deputy Basuki Tjahaja Purnama), UPC decided to back a new candidate. Learning from the previous election, wherein the political contract was violated, it made a clearer agreement (one based on legal documents) in the hopes that its contract would not be violated.

One candidate in Jakarta's 2017 gubernatorial election was the incumbent, Basuki Tjahaja Purnama (popularly known as Ahok), who had been involved in a wave of forced evictions between 2015 and 2016. UPC expected that, if Ahok were elected, these evictions would continue. The threat of eviction was thus one material aspect of the movement and its political contract. Another material aspect was housing, a fundamental human need without which people could have no livelihood and could not survive. Furthermore, every parcel of land in Jakarta is an important and valuable material

resource, and as such desired by those with significant economic and political capital (Savirani, 2017; Arai, 2015).

Poverty, Housing Shortages, and Housing Policy

Jakarta is home to more than 380,000 urban poor. At the national level, some 28 million Indonesians (10.86% of the population) live below the poverty line; it may thus be concluded that poverty in Jakarta is not as rampant as in more rural areas. Experts have shown that urban and rural communities experience poverty differently, with the urban poor exhibiting more indicators of poverty than the rural poor (Baharoglu & Kessides, 2002). As such, it is more difficult to be poor in the city.

One significant issue for the urban poor, including those in Jakarta, is housing security. Many city residents live on land that does not legally belong to them, occupying what are known as "informal settlements"; these must not be confused with "illegal settlements", as even though residents occupy land that does not legally belong to them, they are still part of informal communities that are created by members. Problematically, as urban migration continues and populations grow, the availability of housing—especially affordable housing—remains the same. This limited supply of housing has been problematic since the colonial era, and has remained unsolved since independence (Abeyasekere, 1989, p. 81).

At the national level, the Indonesian government has only been able to meet 30% of the demand for housing; in March 2019, there was a need for 7.6 million houses (Hutapea, 2019). Some 75% of Indonesians fulfil their own need for

housing, using what have often been identified as "self-help" mechanisms (Tunas & Peresthu 2009). Four types of self-help mechanisms may be identified. *First*, people may purchase homes in middle-class housing developments in more affordable cities such as Tangerang and Bekasi (Winarso, 1999). *Second*, people may build their homes in areas that have been zoned for housing, but have yet to be developed; land ownership may be proven with a *verponding*, a colonial-era document. *Third*, people may build their homes on government-owned land and use it under land-usage rights (*hak guna bangunan*, HGB). *Fourth*, people may live upon the land owned by others, and thus leave themselves vulnerable to forced eviction. Most urban poor utilise the third and fourth strategies.

The Indonesian government has passed several policies in order to solve this housing problem. In October 2004, for instance, President Susilo Bambang Yudhoyono passed a policy that sought to build one million homes by 2020 for families with an income of Rp 1.5 million/month; this would include 200,000 simple healthy homes (*rumah sehat sederhana*, RSS) and 14,000 subsidised apartments (Kusno, 2012). Vice President Jusuf Kalla later transformed this policy into the 1,000 Towers Programme, with most homes being constructed in Jakarta and intended for two million low-income families. Ultimately, however, this goal was not realised and the programme was unable to resolve the housing crisis. Rather, it benefitted the urban middle classes, as developers preferred to rent or sell their units to middle-class families who

offered them greater opportunities for profit (Kusno, 2012).

Joko Widodo, while serving as the governor of Jakarta, also attempted to resolve the housing situation through an in-situ upgrading approach (i.e. by repairing or renovating existing homes). This programme, titled "Kampung Deret", was most successfully implemented in Petogogan, South Jakarta (Dewi, 2014), but ultimately discontinued because an audit found that the land ownership was unclear; to use government funds, clear ownership was required.

At the same time, the urban poor were disproportionately affected by floods. Many lived along Jakarta's rivers and canals, and their settlements contributed to the narrowing of these waterways and thus to flooding. As such, Widodo sought to revitalise the Pluit Reservoir in North Jakarta, relocating 35,000 residents to the newly constructed Muara Baru Tower (Penggusuran waduk, 2013). UPC/JRMK was involved in the negotiation process, promoting a *geser bukan gusur* (relocate, not evict) approach; these organisations argued that apartment towers had to be completed before relocation began, and that residents should be directly involved in relocation. One resident stated that he had received the key to his new apartment before his home was demolished (Personal communication, March 27, 2015)³.

When Widodo was elected President of Indonesia in 2014, his deputy Basuki Tjahaja Purnama (Ahok) replaced him as acting governor. Under his leadership, forced evictions were common. Data from the Legal Aid Institute (Lembaga Bantuan Hukum, LBH) indicates that more than

³ Interview with M, resident of Pluit Reservoir.

16,000 individuals were evicted by the Ahok government (LBH Jakarta, 2017). JRMK thus feared that, were Ahok re-elected, these evictions would continue and affect its members.

As justification for these evictions, the Ahok government cited violations of Bylaw No. 1 of 2012 regarding Regional Development Planning and Bylaw No. 1 of 2014 regarding Spatial Planning and Zonation. These policies identified specific parts of Jakarta, including riverbanks, as greenbelts that promote water absorption. Problematically, however, said areas were also used for middle-class settlements where evictions did not occur. Several commercial centres, including the Taman Anggrek, Kemang, Senayan, and Pantai Indah Kapuk malls, were also built on greenbelts and continued to operate (Ramadhiani, 2017). A dormitory for Universitas Bunda Mulia (UBM) students in North Jakarta was built in a white zone (dedicated for inspection roads) but never evicted. These zoning laws, thus, were violated by both the poor and the middle classes; however, the latter never faced any repercussions.

The urban poor network never wanted Ahok to be a governor again, because they will be a target for eviction. To do this, JRMK gained support from civil society organization that assisted them to connect with candidates. Four civil society groups were involved in the process: the Rujak Centre for Urban Studies (RCUS); students and lecturers at the Department of Architecture, University of Indonesia; Architecture Empowerment and Facilitation (ASF), and journalists. JRMK also received data regarding land and housing issues, campaigned for the housing rights of members, and offered

alternative discourses regarding poverty and environmental disasters.

A Political Contract through Voter Organisation

First Round

Jakarta's 2017 gubernatorial election was contested by three candidates: Basuki Tjahaja Purnama (Ahok), Anies Baswedan, and Agus Harimurti Yudhoyono. In the first round, these candidates received 42.9%, 39.9%, and 17.2% of the vote, respectively. As such, Ahok and Anies went on to the second round, during which JRMK signed its contract with Anies Baswedan.

In the first round, JRMK had allowed members to vote for whomever they pleased, so long as they did not support Ahok. In the lead-up to the second round of voting, the organisation began communicating with Ahok's expected opponent, Anies Baswedan. During a meeting with representatives in October 2016, JRMK identified the organisation and candidate as sharing three principles: development need not involve eviction; houses are not mere homes, but sources of livelihood; and eviction has significant detrimental effects on residents' lives and livelihoods. The organisation and candidate agreed that livelihood security was an integral part of housing security, especially for informal labourers such as street vendors and pedicab drivers. During the meeting, Anies Baswedan stated that he would sign a political contract with JRMK if the organisation gave him its formal support.

In order to achieve its practical goal of promoting housing security, JRMK had begun organising its members during the first round of voting. Members were asked to come to their communities, visit street

vendors, and use social media to spread the message "Evict Ahok in the First Round". JRMK members served as unpaid witnesses and election monitors in their villages, seeking to ensure fair and honest elections.

Such organisational activities continued during the second round of voting, when JRMK focused on 125 polling places in 40 communities; some of these polling places were in members' *kampung*, while others were in new communities. JRMK spoke with local communities, attempting to convince them to join the political contract. Ultimately, 31 communities—26 *kampungs*, 1 apartment tower, 3 street vendor groups, and 1 pedicab driver group—agreed to sign the contract. In 9 communities, leaders refused to sign the contract, believing that they were able to access candidates through their political parties, campaign teams, or volunteer organisations (Dedi⁴, personal communication, April 1, 2019).

In some *kampung*, residents joined even though their leaders were unwilling. In other *kampung*, leaders agreed to join but lacked the ability to consolidate residents. Owing to time constraints, JRMK allowed residents to choose whether or not they would join the political contract, so long as the decision was made democratically. Many *kampungs* signed the political contract owing to residents' own initiatives, rather than under the instruction of their formal leaders. Local residents sought to gather the support of their neighbours and make joint decisions. In other words, a bottom up approach—rather than a top-down one—was used to attract support. People who perceived their fates as being at stake in the gubernatorial election

⁴ Tongkol Kampung coordinator.

sought to organise their neighbours; they did not simply obey the instructions of their elites or leaders.

In mobilising others, individuals used their personal funds to cover their expenses, including food and gasoline (Eny⁵, personal communication, August 11, 2017). JRMK refused all forms of financial support, as by doing so it positioned itself as equal to its favoured candidate. Other expenses were covered through money collected from members during regular meetings; at each meeting, members were expected to contribute Rp 15,000 to cover the cost of food, snacks, and drinks. Local residents contributed their labour and energy to cook for these meetings. The printing and duplication of materials, meanwhile, was funded through contributions from participating *kampung*. Members thus funded the entire movement by themselves, despite their everyday economic difficulties.

Second Round

Before the second round, organisational activities intensified. Community members held a series of meetings between May and June 2015, distributing a list of the political promises broken by Ahok and attempting to consolidate voters. For example, in Lodan—a *kampung* in Ancol, North Jakarta—the regional coordinator Dedi explained to members the potential consequences of Ahok's re-election (Dedi, personal communication, April 2, 2019). Local residents believed that their collective fate depended on the results of the gubernatorial election. Meanwhile, in Kali Apuran, West Jakarta, a series of meetings

⁵ JRMK coordinator.

were held (Pras⁶, personal communication, April 1, 2019)

Political communication was also conducted with Anies Baswedan's campaign team. Working with one campaign staff tasked with handling programmes, JRMK drafted a political contract in March 2017. RCUS presented evidence-based data and information, including studies of legal instruments, to argue in favour of settlement rights. Both JRMK and the campaign staff agreed that land was not merely an asset, but also a production tool, and thus needed to be protected.

Pursuant to the terms of the political contract, JRMK and its members would support Anies Baswedan and his running mate Sandiogo Uno, while the candidates would fulfil their political promises. JRMK promised an Anies victory in 125 specific polling places throughout Jakarta, offering voter support in exchange for political promises. This was received positively by the campaign staff, who appreciated the specificity of the offer; most contracts to that point had merely offered a non-specific commitment of voter support. Both parties agreed that, if these commitments went unfulfilled, both parties would attempt mediation and arbitration. If this failed, only then would the breach of contract be brought to court. At the end of the meeting, a nineteen-page draft was printed and distributed, with a promise to discuss specific issues after the governor and his staff had examined the contract. Ultimately, the political contract was signed on 8 April 2018 in Muka, a *kampung* in North Jakarta.

Collaborations with civil society

⁶ Kali Apuran *Kampung* activist.

As stated above, elements of civil society were also involved in JRMK's social movement. Ensuring high levels of participation required significant knowledge of administrative and technocratic affairs, as well as powerful and passionate advocacy. As such, the social movement required the support of various parties to achieve its goals. The urban poor were thus supported by various organisations involved in urban development.

RCUS, UI, and ASF all supported members in their mapping and evaluation of spatial planning policies in Jakarta, including the Law on Spatial Planning, the Bylaw on Regional Spatial Planning, the Bylaw on Spatial Planning and Zonation, and the Bylaw on Public Order. Other legal practitioners voluntarily used their time to clarify existing laws. At the same time, referring to available data, these civil society elements sought to educate voters about their rights, including the various land rights, certificates, taxation, and payment receipts.

Academics with a background in law helped members prepare a formal political contract (informal communication with a lecturer at the Jentera Legal School, Jakarta, July 2018). Junior lecturers at the Department of Architecture, University of Indonesia, as well as participants in the Indonesian Architecture Students Congress (TKIMAI), worked to gather data; Lab Tanya, ASF, "Kampung Kota Merekam", and "Islam Bergerak" similarly contributed to the movement in their own ways. Also contributing to this movement were journalists from various media in Jakarta, who volunteered their free time to support the movement (Siti May, personal

communication, April, 2, 2019) by working with local youths to gather and report information. Data were published online through <https://medium.com/kampung-kota-merekam>.

Contents and Legal Aspects of the Political Contract

There is no universal academic definition of "political contract", as the concept is heavily informed by the Indonesian electoral context. Most relevant literature deals with citizen charters, particularly as related to public services. In such agreements, residents pressure the state to fulfil its obligation to provide basic public services. When agreements are reached during elections, they may be identified as "political contracts" between candidates and voters. Such political contracts are not legal documents, and as such they are not legally binding. The Indonesian legal system only recognises the validity of contracts that conform with the third volume of the Indonesian Legal Code, and as such political contracts have no basis in positive law, and are thus simply informal agreements. Where their points are violated, or their terms are breached, legal sanctions cannot be readily imposed.

This was seen in Jakarta's 2012 gubernatorial election, during which JRMK had signed a political contract with Joko Widodo and Basuki Tjahaja Purnama. When the terms of this contract were breached, JRMK had had no legal recourse, and was thus limited to using informal mechanisms such as demonstrations, audiences, mass media campaigns, and lobbying. These mechanisms were ultimately ineffective, and forced evictions continued unimpeded.

Learning from these experiences, JRMK had created a legally binding contract, one that offered a legal recourse in case its terms were breached. This was realised through several aspects of the contract: a) it involved an agreement between all involved parties; b) all involved parties had the capacity to enter a contract, and c) it identified specific terms and issues, rather than general prohibitions. These aspects were studied in detail by JRMK as well as its academic allies, with knowledge then being distributed to members through meetings. In principle, a political contract is an agreement, and in order to have legal force it must fulfil the requirements specified in the Indonesian Legal Code. In this case, JRMK experimented by creating a political contract that resembled a legal document, even though there was little chance it would be legally binding (Legal Aid Institute activist, personal communication, July 21, 2017).

In its content, this contract was essentially the same as the one signed in 2012. This contract differed mainly in the level of detail it provided as well as its legalistic format. This document clearly identified its signatories, their *kampung*, and the locations affected. Before being identified in the contract, the organisation ensured that each *kampung* conformed with the applicable zoning law and the National Land Agency's online map.

Where *kampungs* failed to comply with applicable law, negotiations were conducted. For instance, the *kampung* of Lodan in North Jakarta sat upon a 15-metre wide strip of land that was zoned for an inspection road; as such, JRMK suggested that the road be reduced in width. Similar proposals were put forth by knowledgeable civil society elements, with the expectation

that each proposal meet three criteria: *first*, residents' right to land, housing, employment, and livelihoods must be protected; *second*, proposals could not exceed the authority of the governor; and, *third*, proposals could not violate applicable law. All proposals were finalised by the campaign team before being included in the draft.

Breaking Through the State

Anies Baswedan won the gubernatorial election, receiving approximately 58% of the vote. JRMK soon began monitoring the implementation of its political contract. This was critical, as it was possible that the new governor would attempt to breach the contract or break his promises—as had occurred after the 2012 Jakarta gubernatorial election, 2014 Presidential election, and elsewhere. Monitoring was thus no less important than organising voters.

During this stage, JRMK's activities differed significantly than before the election. Before the election, the movement had sought to organise voters and prepare strategies for implementing promises. As such, its greatest challenge had come from voters who refused to support its favoured candidate. After the election, however, JRMK's greatest challenge was the bureaucracy's unwillingness to implement new policies and uphold political promises. Policymaking involves a lengthy and complicated technocratic process. As such, although the governor had signed a political contract, his ability to uphold his promises were limited by the bureaucracy. New strategies were thus required.

After the election, JRMK faced three major challenges. *First*, Indonesia's bureaucracy is a highly sectoral. Housing

and livelihood are cross-sectoral issues that involve the Office of Housing, Office of Public Works (i.e. infrastructure), Office of Social Affairs, and Office of Small Enterprises. This creates complexity on coordination among the two offices. *Second*, the Indonesian bureaucracy tends to be elitist, citing "increased inefficiency" to justify its unwillingness to involve citizens in policymaking processes—even though non-participatory processes are ultimately more time consuming, requiring more negotiations and often failing to realise their goals. *Third*, the bureaucracy is oriented towards more pragmatic and administrative goals, seeking only to "do its job" rather than realise substantive empowerment.

Another legal challenge faced by members was the need to limit the content of the political contract to those areas that were under the purview of the Jakarta Provincial Government and reflected its duties and functions. This required members to identify existing policies as well as their budgets. Although new policies could be made, this would be a longer and more involved process than revising existing policies to reflect the Community Action Plan (CAP) desired by JRMK. Such CAPs were permitted under Regulation of the Minister of Public Works No. 06/PRT/M/2007 regarding Public Development and Spatial Planning, as well as under relevant bylaws (under the authority of the Office of Housing and Settlements). However, at the time the political contract was signed, the CAP registered with the provincial government was unclear. It offered not a programme, but a method. A new CAP was thus necessary for the political contract and to promote housing security.

In order to use funds, JRMK proposed new guidelines for CAP. In this, it again collaborated with civil society elements such as ASF, University of Indonesia, and RCUS. Materials were not based in theory, but rather in the experiences of residents, architects, community organisers, and academics. CAP also tested its guidelines in the field and sought to ascertain the challenges and difficulties that could potentially occur.

After Anies Baswedan was inaugurated by President Joko Widodo on 16 October 2017, he required technical input regarding the urban planning process and the involvement of the urban poor. At the same time, civil society components sought to ensure that the Jakarta government promoted the interests of the urban poor (Kampung kumuh, 2019). The policymaking process was monitored by a team of civilians, backed by JRMK; political pressure was also applied.

The governor agreed to incorporate the CAP programme into the 2018 regional budget, which was formally inaugurated in mid-January 2018 (Taylor, 2018). Sixteen *kampungs*—all of which had signed a political contract with Anies Baswedan—were targeted by this programme: Aquarium, Lodan, Muka, Marlina, Gedung Pompa, Elektro, Kunir Pinangasia, Nelayan Kerang Ijo, East Rawa, West Rawa, Tongkol, Krapu, Tembok Bolong, and Baru Tembok. This programme, however, was criticised by members of the Jakarta Parliament, who viewed the programme's budget—particularly its consultant fees—as excessive (Prabowo, 2019)

To welcome the CAP programme, preparations were undertaken in every *kampung*. Nine *kampungs* received support from RCUS, four *kampungs* received support from the University of Indonesia,

and two *kampungs* received support from ASF. As of writing, consultants are continuing the CAP programme, albeit quite differently than initially planned (*Residents criticize Anies*, 2019).

Conclusion

This article has examined the political participation of the urban poor and their efforts to advocate for their housing and livelihood rights during Jakarta's 2017 gubernatorial election. Setting up is one of the strategies that urban poor movement utilizes to access their housing rights. The above discussion has offered three reasons for the signing of a political contract. *First*, the political contract was more legalistic and binding than that used unsuccessfully during Jakarta's 2012 gubernatorial election, being distinguished a) in its greater ability to apply pressure to politicians; b) in its involvement of broad networks of civil society actors; and c) in its concrete response to the continued threat of forced eviction under incumbent Basuki Tjahaja Purnama. JRMK may thus be identified as an "electoral movement", as argued by Tomsa and Setijadi (2018), as it used the momentum of the election to advocate for specific post-election policies.

Second, decision to use electoral strategy was chosen owing to the movement's materiality, particularly its focus on housing and livelihood rights; both of these were issues were related to land, a complex structural issue in Jakarta involving a multitude of economic and political actors. The movement recognised that previous regimes had employed a formal and legalistic approach, one that failed to promote the interests of the urban poor. Drawing on its previous experiences,

particularly over the course of 2016, the movement also recognised that forced eviction would continue if the incumbent were re-elected. This complexity and urgency underpinned the urban poor movement in Jakarta.

Also important were the historical experiences of the urban poor, particularly in the previous decades. Through this historical struggle, the urban poor were able to develop broader networks than those who lacked such experience. These experiences also provided the urban poor with a knowledge base for choosing appropriate strategies and establishing

consolidated networks with other civil society activists. The poor then expanded their networks further, enabling them to establish stronger coalitions.

Third, and related to the first argument, there were political opportunities for the urban poor to connect with the victorious gubernatorial candidate and monitor his policymaking and implementation. Such materiality was only available in Jakarta, not being available elsewhere in Indonesia. As such, this factor contributed to the materiality of the urban poor movement, its advocacy for housing and livelihood rights, and its strategies.

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Right-to-water Alliances in Indonesia and Two Critical Disjunctions

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Abstract

Discourses on the right to water have shaped the opposition movement against Indonesia's market-oriented approach. We document how global debate against the privatisation of water has influenced discourses in this sector since 1998, and how activists have utilised such discourses in the context of national and provincial water policy. Our observations and analyses are centred on the decision of the Indonesian Constitutional Court February 2015 to annul the 2004 Law on Water Resources (UU No 7 Tahun 2004 tentang Sumber Daya Air), the legal umbrella under which private water concessions were sanctioned. We seek to understand discourse formations before and after the decision that helped end Indonesia's partial water privatisation. By deploying a textual-oriented discourse analysis of the pros and cons of the right-to-water and market-oriented approaches, this article examines the trajectory of Indonesian social movements opposed to water privatisation. It draws on leading Indonesian newspapers, grey literature—works produced outside academic and commercial publishing—and scientific publications. This article shows that there are limits to the use of the right-to-water discourse among activists, resulting in two critical disjunctions. First, an excessive focus on normative struggles against the privatisation of piped-water services has hindered more progressive, community-oriented responses to market-oriented water policies. Second, social movements in this sector have been disconnected from more recent global agendas for just water governance.

Keywords: human rights to water, Indonesian water law, civil society coalitions

Introduction

Indonesian civil society movements in the water sector are relatively new compared to those in the labour, peasant, and environmental sectors (see Peluso et

al., 2008; Beers, 2013). Such movements first emerged in the 1990s, when municipal water concessions were given to private enterprises under a market-based modernisation strategy; this included, for

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example, Lyonnais des Eaux in Jakarta (Argo & Firman, 2001; Ardhanie, 2005; Hadipuro & Ardhanie, 2011). They became nationally visible in 2003 (“RUU Sumber Daya Air rawan KKN”, 2003, p. 10), when several non-governmental organisations—mainly based in Jakarta—consolidated to oppose the Draft Law on Water Resources, in which water was identified as a private good rather than a public one.

Since their inception, these civil society movements in the water sector have replicated the common pattern of major Indonesian social movement trajectories during and after the authoritarian New Order: being highly influenced by global human rights discourses and, to a certain degree, dependent on international donors and influenced by their agendas (Antlöv et al., 2005; Nomura, 2007). This article reveals the processes through which global discourses on the human right to water entered the Indonesian water sector, and how activists used it to normatively challenge water privatisation. It seeks to explain the application of the right-to-water concept to counter the privatisation and pro-market discourses in policy arenas.

Global discourses in the water sector have evolved as societal development practices have changed. Among the varying historical trajectories of diverse water-related discourses—from *water sustainability* to *water security*—this article discusses a partial trajectory of *right to water*. Following the peak of industrial modernisation from the 1960s to the 1970s, environmental and community activists worldwide raised the issue of sustainability, which became a dominant concern within global development sectors in the 1980s. This *environmental awareness* also influenced the water sector. Many

nation states, as well as private sector actors and multinational water organisations, began promoting the concepts of sustainable water provision and resources, and mainstreaming these concepts within water policies as a means of tackling the problems of water scarcity and depletion (Allan, 2006). The sustainability discourse has become hegemonic since the 1980s, being the underlying principle of water service privatisation and commercialisation (Bakker, 2003b; Allan, 2006). It is against the privatisation and commercialisation of water that the right-to-water has been mobilised as a counter-hegemonic discourse and practice (Baer & Gerlak, 2015; Karunanathan, 2019).

Scholars have debated the problematic use of right-to-water as an alternative to market-oriented water governance (Bakker, 2007; Parmar, 2008; Harris et al., 2015; Sultana & Loftus, 2015; Karunanathan, 2019). The concept has often been reduced to the fulfilment of basic water needs, and consequently it has been easily abused within the neoliberal development agenda and used to legitimise the role of private firms in fulfilling basic human needs (Bakker, 2007; Harris et al., 2015). Such a right-to-water approach holds that water is an essential material for economic development, as understood within the Western liberal concept of modernisation (Parmar, 2008). Despite its ambiguity, however, the concept has the potential to create new political spaces for challenging the pro-market approach to water policy (Sultana & Loftus, 2015; Angel & Loftus, 2019; Karunanathan, 2019). Aligned with this later proposition, we seek to understand how efforts to defend the right-to-water in Indonesia could be improved.

Water is an essential material for life, in its diverse conceptions and practices. As such, the right to water should encompass the multiple ontologies of water within the lived experiences of different communities (Parmar, 2008; Yates et al., 2017). It is unfortunate, however, that the Indonesian right-to-water movement is distanced from the complex needs and problems within diverse grassroots communities, and from the more elaborate discourses and agendas of current global struggles for just water governance. These shortcomings have limited international solidarity and supportive networks for sustaining the movement in the country.

Four main sections follow this introduction. The second section briefly explains what we refer as discourse analysis and the research method we use. In the third section, we discuss discourse formulations before the enactment of the pro-market Water Law in 2004. The fourth section reveals the fictitious reform within the Water Law, and discusses the continuing struggle that ultimately resulted in the law's annulment in 2015. Last, we discuss our initial observations about civil society coalitions following the annulment of the 2004 Water Law. In our conclusion, we reflect on the achievements, limitations, and challenges of civil society struggles for just water governance in Indonesia.

Discourse Analysis and Research Method

The arguments in this article are developed mainly based on textual-oriented discourse analysis. Discourse analysis addresses not only statements, but also the mental frameworks (Fairclough, 2003) or belief systems that frame them. It seeks to understand the complex mix of theories about how the

world works, how it should work, and what we should do to bring the former closer to the latter (Cairney, 2012). In other words, a discourse is an ensemble of ideas, concepts, and categories with which meaning is given to social and physical phenomena (Hajer & Versteeg, 2005). Discourse analysis plays a prominent role in environmental politics and policy making because it allows one to see how diverse actors actively influence the definition of problems, their contestation, and their regularisation practices.

Of the five traditions of discourse analysis presented by Wetherell et al. (2001)—conversation analysis, sociolinguistics, discursive psychology, critical discourse analysis, and Foucauldian analysis—we refer to Hajer (2002) and Hajer & Versteeg (2005), which are highly influenced by Foucauldian analysis. Two premises underly their works. First, knowledge is significantly produced through discourse formulations. Second, in this context of knowledge production, reality is socially constructed when actors persuade others to shape reality in the light of their perspectives. In our case study, the reality at stake is whether water is a human right or a commodity. Unlike Hajer (2002), who uses the term *story-line*, or Wodak & Meyer (2001), who use the term *discourse topic*, we also apply the term *discourse* to the expression and representation of actors' concerns and positions on water privatisation in Indonesia.

For our discourse analysis, we do not only observe scientific publications, but also refer to some overlooked *grey literature* (McKimmie & Szurmak, 2002; Mahood et al., 2014), particularly materials published by non-governmental (NGOs) and civil society organisations (CSOs) in Indonesia, reports published by leading

Indonesian newspapers between 2003 to 2018, as well as materials published by donor agencies through their websites. In addition, we develop our arguments based on our observations of activists' discourses within the water sector in their interplays with those of the state; we participated and observed several Indonesian social fora for water justice, using them as sources of data.

The keywords we used to trace materials for discourse analysis were *water as human rights*, *water as commodity*, and *water privatisation*. However, as we found

only a few scientific publications with those keywords after 2015, we added *water* in tracing scientific publications through the Scimago Journal Ranking website. For donor agency publications, we focused on those organisations that provided financial support to Indonesia's water movements and we analysed the publications on their websites. In addition, we used keywords 'NGO/CSO name + publication'. Table 1 summarises the materials that we used for analysis.

Table 1. Materials for Discourse Analysis

Source	Keywords	
	2002-2015	After 2015
Scientific publications	'water as human rights', 'water as commodity', and 'water privatisation'	'water as human rights', 'water as commodity', 'water privatisation', and 'water'
NGO and CSO publications	'water as human rights', 'water as commodity', 'water privatisation', and 'the name of NGO/CSO + publication'	
Newspapers	'water as human rights', 'water as commodity', and 'water privatisation'	
Donor Websites	'the name of the donor'	

Source: the authors

After gathering materials from the above sources, we grouped the story-lines and discourse topics found in these sources. In parallel, we linked these materials to our analysis of Law No. 11 of 1974, Law No. 7 of 2004, and the drafts of the new water law. This article mainly serves to apply discourses analysis to understand the empirical case. Indeed, there remains much to do in using the case study to enrich the theoretical discussion of discourse analysis, to which we hope to contribute on another occasion.

Right-to-water Discourses Before the 2004 Pro-market Water Law

The replacement of Law No. 11 of 1974 regarding Irrigation with Law No. 7 of 2004 regarding Water Resources marked a new era for the Indonesian water sector, one highly dependent on foreign public and private funds for sector development. The enactment of the 2004 Water Resource Law was initially endorsed by the World Bank, in accordance to the Bank's 1993 policy of promoting pro-market oriented water sector (World Bank, 1993). The Bank provided a three-phased Water Sector Adjustment Loan (hereafter the Water

Loan), valued at USD 300 million, intended to *improve* water policy in Indonesia—i.e., to implement a pro-market water policy and implementation plan that was **acceptable to the Bank** (authors' emphasis). This statement was mentioned in the Report and Recommendation of the International Bank for Reconstruction and Development (Hadipuro, 2010).

Prior to the enactment of the Adjustment Loan, the Indonesian government's Inter-Agency Task Force on Water Sector Policy Reform prepared an analysis. It invited two respected non-governmental organisations (NGOs), the Center for Economic and Social Research, Education, and Enlightenment (Lembaga Penelitian, Pendidikan dan Penerangan Ekonomi dan Sosial, LP3ES) and the Secretariat for the Preservation of Indonesia's Forests (Sekretariat Kerjasama Pelestarian Hutan Indonesia, SKEPHI), to partake in the public consultation process. The involvement of LP3ES and SKEPHI, along with other *local* NGOs in West Sumatra, West Java, and South Sulawesi, fulfilled the public consultation criterion mandated by the Bank. However, this pro-market coalition was not without opposition. During the third phase of the loan's realisation, the Indonesian Government had to enact a water law that promoted a pro-market approach. The Indonesian government failed to do so as scheduled (World Bank, 2005), facing massive resistance from the anti-debt civil

society movement. The planned law sparked debate across the country, providing momentum not only for criticising southern countries' dependence on foreign loans, but also the privatisation of public services, i.e. clean water.

The drafting of a market-driven water law led to the rise of a coalition of NGOs that promoted a wider social movement opposed to the water privatisation mentioned in the draft. This movement was driven by three organisations: the Indonesian Forum on Globalisation (Infog),³ the International NGO Forum on Indonesian Development (INFID), and the People's Coalition for the Right to Water (Koalisi Rakyat untuk Hak atas Air, KRuHA). Their views on water debt and water privatisation were at the centre of mass media coverage,⁴ and they organised several public discussions to mobilise the public against the pro-market water law. Interestingly, this coalition also served as a *broker*, minimising conflict by negotiating with a coalition of pro-market NGOs that supported the water law (Cairney, 2015). State agents, such as members of legislature (which had been politically mandated to sanction the drafting of the water law), the Ministry of Public Works, and the World Bank were also invited to discussions by the generators of this social movement. Furthermore, academics from such institutions as the Soegijapranata Catholic University, Universitas Gadjah Mada, Bogor Agricultural Institute,

³ In 2006, Infog's role was taken over by the Amrta Institute, which had been established by Infog's former director.

⁴ See "RUU Sumber Daya Air rawan KKN", 2003; "Merebut air merebut kehidupan", 2003; "Koordinasi sumber daya air lemah", 2003; "DPR jangan tergesa-gesa sahkan RUU SDA", 2003; "RUU SDA lebih menguntungkan pengusaha swasta

asing", 2003; "Hal negatif RUU SDA", 2004; "Kekeringan di Jawa kian menghebat", 2003; "Water resource bill needs examining", 2003; "RUU Sumber Daya Airancam nasib 100 juta petani", 2003; "RUU Air bisa picu konflik antar daerah", 2003; and "RUU SDA sarat privatisasi implikasi buruk bagi kaum miskin", 2003.

Airlangga University, and Mercu Buana University were involved, as were independent researchers, social foundations (e.g. Geni Foundation) and peasant unions (e.g. Klaten Free Farmers Association).

The coalition opposed to the pro-market water law and development strategies—the three NGOs, the academics, and the other civil society organisations—developed counter-discourses under the paradigms of political economy, developmental ethics, and the underlying concept of human right to water. Their right-based discourse formulations were also seemingly influenced by, or corresponded to, international academic and non-academic publications and donor policies. In the following section, we summarise the counter-discourses to the pro-market approach.

When Water is a Commodity: Privatisation of Water Service Provision

The pro-market law framed water as an economic good, meaning that it identified profit as a target of water services. The counter-coalition viewed such a pro-market approach as prioritising the interests of industry and private water companies over citizens' needs. In practice, the attribution of economic value to water would allow companies to extract profit from higher water service tariffs, as well as export water by selling water to other regions or trading it through agricultural and food products (Hoekstra, 2003). Such water commercialisation often happens at the expense of peasants and other poor communities, who pay lower tariffs or even no tariff at all (Hadipuro, et al., 2014).

The civil society coalition identified such commercialisation as water

liberalisation, with the support of the World Bank, International Monetary Fund, and transnational corporations (see Public Citizens, 2003; Grusky, 2003; Bakker, 2003a). Such support was not without cost. Water liberalisation meant increasing dependency on foreign debts. INFID, one of the three initiators of the counter-coalition, translated and re-published Patricia Adams' *The Odious Debt* (2002) and showed that the loans taken by the Indonesian government (such as the Water Loan) would become a long-term burden. It argued that such loans would be *odious*, being not to advance public interests but to create profit; long-term loan instalments were the obligation of the public sector (i.e. the state) (Adams, 2002). Based on this framework, the counter-coalition rejected all statutory regulatory products related to the Water Loan, as we explain further in Section 5.

By framing water as a source of profit, the private sector applies a cherry-picking approach and only serves the most profitable areas (Swyngedouw, 2003). This is why most water concessions in the past three decades have happened in urban areas, where the services become more efficient through large-scale provision (Bakker, 2003a). Pro-market law treats water as a commodity, allowing the private sector to sell water to consumers on the basis of *willingness-to-pay* instead of *ability-to-pay* ((Bakker, 2003a). Moreover, with a market-oriented approach, it is impossible to reconcile the commitment to universal water provision, as in the case of sub-Saharan Africa (Jaglin, 2002). The private sector concentrates on wealthier, more populous, and more urbanised regions, cities and neighbourhoods to the detriment of low-income areas (Budds & McGranahan, 2003). This brings the right to water (Castro, 2004), as well as the

achievement of environmental justice among urban and rural regions, into question. This was highlighted by the right-based coalition through its advocacy of peasants' right to water (see Hadipuro et al., 2014).

When Water is a Social Asset: A Rights-based Approach to Water

Water privatisation invites several technical and managerial problems: maintaining existing networks, creating new investments for network expansion, and improving accountability to consumers (Jaglin, 2002; Bakker, 2003b). As the Indonesian counter-coalition to pro-market approach has observed, it is not sufficient to address these issues through formal sanction mechanisms, public participation obligations, or improved coordination among statutory institutions—what are normally prescribed as the panacea for the social-institutional costs of water privatisation. Countering the idea that water is a commodity, the rights-based coalition promoted water as a social asset. It argued that there are embedded social practices for treating water as commons, for using a common pool resource approach with a spirit of participatory and socially sustainable water management. Although the practice of water as a common pool resource is never free from contestation, and continuously requires certain institutionalisation processes in order to avoid inter-community conflict, privatisation jeopardises communities' political space in water management and increases the possibility and probability of conflict—especially between concession right-holders and peasants/other collective entities. The coalition's view of water as commons was aligned with the thoughts of activists worldwide, including Vandana

Shiva. Her book *Water Wars*, which documents increased conflicts over water due to the expansive involvement of private companies in the sector, was translated and re-distributed in Indonesia for public education by Insist and Walhi (Shiva, 2002), two leading Indonesian NGOs that fight for social and environmental justice.

The premise of water as social asset was supported by the arguments about the failure of water privatisation. The counter-coalition argued that, with the exclusive allocation of water-use rights, there would be more opportunities for corruption, collusion, and nepotism within statutory practices. Corruption would occur as private companies competed to obtain concession rights (Swyngedouw, 2003). Once a concession was given, private water management would operate on a monopoly basis rather than market competition. For example, the privatisation of water services in Buenos Aires, Argentina, failed to reduce household water expenses as Aguas Argentina's monopoly was inconducive to water tariff reduction (Loftus & McDonald, 2001; Grusky, 2003). This was similar to the Indonesian case, when Suharto's New Order regime invited two multinational water companies—the Thames Water and Suez Lyonnaise des Eaux—to sign contracts with the state to supply water to Jakarta's residents (Harsono, 2003). Social assets were transformed into private assets, while simultaneously facilitating corruption, collusion and nepotism (popularly known in Indonesia as *korupsi*,

kolusi and *nepotisme*, or KKN)⁵ in the water sector.

The right-based coalition furthermore sought to promote the improvement of the public sector. Public water management has proven to be more efficient and accountable, as cases from Brazil, Hungary, Malawi, and Honduras show (Hall, 2001). It is believed that public water management allows the application of a holistic view of social and environmental conflicts over water resources, as the management is not primarily concerned with profit (see also Grusky, 2003 for several case studies worldwide).

The Fictitious Reform of the Pro-market Approach in the 2004 Water Law and The Continuous Struggle Against It

Despite the objections from the civil society movement, the pro-market draft of the water law was enacted in 2004. Interestingly, some anti-privatisation discourses were accommodated in the law, indicating that civil society opposition did not face a complete loss. However, theirs was not an ultimate victory either. Civil society initiatives were fundamentally defeated by legislative and executive power, mostly because public participation was reduced to a limited and formalistic *public consultation* (Susilo et al., 2016). As a result, the accommodated discourses did not deal with *progressive* issues, which were over-ruled by pro-privatisation articles. This *reform of the pro-market approach* dominated the 2004 Water Law.

⁵ Harsono (2003, p. 71) identifies this as *A Sweetheart Deal*, mentioning that 'In alliance with the Suharto family Suharto cronies, Thames and Suez won favourable concessions without public consultation or bidding'.

For instance, the 2004 Water Law mentions that the state must guarantee citizens' right to live healthy and productive lives in a clean environment and to access water for their everyday needs (Article 5). This can be identified as a victory for the counter coalition. Nevertheless, the substance of this article is eroded by the pro-market and pro-privatisation spirit that permeates other articles. The law fails to clearly identify how the state would, in practice, protect communities' use of water in a pro-market and pro-privatisation environment; rather, it allows private companies to *participate* in the development and management of water provision systems (Article 40:4). In addition, specific articles providing private companies with a privileged role in climate modification (Article 38:2), sea-water utilisation (Article 39:2), and river basin appropriation—all of which were opposed by the anti-privatisation movement—had been omitted from the latest revision of the law before its final enactment. The pro-privatisation coalition argued that the main goal of the privatisation was to allow private companies to participate in water provision systems, while the omitted roles were considered minor. In Law No. 11 of 1974 regarding Irrigation, private participation had only been guaranteed through the involvement of community cooperatives (see Article 11). The replacement of the 1974 Law with the 2004 Law was intended to provide significant space for private companies' participation in water supply systems, which had

Ardhianie identifies this as having occurred *through closed-door negotiations* (Ardhianie, 2005, p. 227), which can be categorised as collusion and nepotism.

previously been run by public institutions or cooperatives.

The 2004 Law did not include the words *commodity* or *commercial use*, both of which had been rejected by the counter-coalition. However, the term *water use rights* is used to refer to the commercial appropriation of water (Article 1:15)—see the case of Turkey for an example of how the term is used to blur water privatisation practices (Islar, 2012). Moreover, although the term *water export* was omitted from earlier drafts, the enacted law allows *water-*

use appropriation for other countries if the state has met its basic obligations (Article 49): i.e. provided enough water for basic domestic needs, environmental sanitation, agriculture, energy, industry, mining, transportation, forestry and biodiversity, sports, recreation and tourism, as well as environmental protection (Article 29:2). The exclusion of the term *commercial use*, and the omission of articles that were considered minor by private companies, simply provided a symbolic accommodation of counter-coalition discourses.

Table 2. Substantial Differences between Irrigation Law 1974 and Water Law 2004 from the Perspective of the Right-Based Coalition

Issue	Irrigation Law 1974	Water Law 2004
Provision guaranteeing citizens' right to access water	Central (Article 11 (1))	Central (Article 5)
Role of private sector	Article 11(2): no space for private sector involvement except for cooperatives	Article 40(4): private companies can <i>participate</i> in developing or managing water provision systems
Role of the state	Central (see Article 11(1) above)	Partial (Article 40(4) above; Article 77(3) allows private sector funding)
Principles on commercial use	Through cooperatives (see Article 11(2) above)	Participation of private companies (Article 40(4)), water use rights (Article 1(15)), and water export (Article 49)
Functions of water	Social function (Article 2)	Social, ecological, and economic functions (Article 4)

Source: the authors

Generally, the final 2004 Law effectively echoed the discourse that proponents of pro-market water law had developed over time. It also rationalised privatisation as a *harmless* part of

development, arguing that: i) privatisation would affect only the remaining available water resources after basic community needs were fulfilled; ii) water-use rights refer to a particular quota, and thus a

limited amount is subject to regulation; and iii) conflicts and potential conflicts over water could be addressed by scaling use and management according to municipal, provincial, and national regulations.

Despite the ambiguous adoption of the counter-coalition's discourses within the Law, there were substantial positive precedents for the Indonesian social movements beyond the water sector. The society movement continued its struggle, not only using its previous lobbying strategies (as observed by Susilo et al., 2016; Cairney, 2015) but also by instigating a judicial review of the law. The civil society movement, with the support of Muhammadiyah—one of Indonesia's largest Muslim organisations—filed a case with the Constitutional Court of Indonesia against the enactment of the 2004 Water Law.

Struggles through Legal Channels

In 2005, the civil society coalition filed its first request for a judicial review of the Water Law. This was denied by the Constitutional Court, which concluded that the 2004 Law was consistent with the National Constitution and its requirement for the state to promote the public welfare (Article 33 of the Constitution of 1945). Only two of the nine judges supported the civil society movement.

Nevertheless, the anti-privatisation movement persisted and pursued another judicial review. At that time, such a measure was uncommon, as regulations only allowed for enacted laws to be reviewed once by the Constitutional Court

⁶ While this article was being written, the Government of Indonesia issued a new water law, Law No. 17 of 2019 on Water Resources, on

(Article 60 of Law No. 24 of 2003 regarding the Constitutional Court). For a second judicial review, the Constitutional Court would have to first provide an interpretation of the 2004 Law and conclude that another judicial review was necessary as the government lacked the appropriate legal framework for protecting the public welfare. Ultimately, the Court deemed that Government Regulation No. 16 of 2005 on Drinking Water Provision System—the implementation act for the Water Law—violated the constitutional requirement that the government protect the public welfare as it allowed for-profit water tariffs. Based on this reasoning, among others, the pro-market Water Law was annulled on 18 February 2015.

Discourse Formulations and Policy Struggles after the 2015 Annulment of the 2004 Water Law

Following the 2015 judicial review and the annulment of the 2004 Water Law, the counter-privatisation coalition's major activities were limited to influencing the drafting of a new water law. Two drafts were prepared, one consisting of 50 articles and another consisting of 69 articles; this second version became the basis for public hearings. However, tension has remained between right-to-water and market-friendly approaches.

The first, or market-friendly version, identifies the private sector as playing a positive role in water provision.⁶ Although it seemingly protects the basic right to water by endorsing the use of water resources for humanitarian purposes (Article 28:1), and even then only through public consultation

15 October 2019. This new law is similar to the market-friendly version discussed here.

(Article 28:4), it still allows international partnerships. As stated in Article 35(6), '*Penyediaan prasarana sumber daya air dapat dilakukan melalui kerjasama pembiayaan dengan badan usaha swasta atau pemerintah lain*' (The provision of water resource infrastructure can be done in financial partnership with private enterprises or other governments) (authors' emphasis). At the same time, this draft has redefined the right to water as mere usage rights, as implied through the terms *permit* and *sanction* (see also Article 7:4 about '*izin perusahaan sumber daya air*' or permits for commercial water utilisation).

The second version strongly promoted the right-to-water concept, specifically referring to it in four articles and obligating the State to protect these rights (Articles 6–9). Article 6 of the draft states '*Sumber Daya Air dikuasai oleh negara dan dipergunakan untuk sebesar-besarnya kemakmuran rakyat*' (Water Resources are under the auspices of the state and to be used and utilised for the public welfare); Article 7 asserts that '*Negara menjamin hak rakyat atas air secara cukup, aman, dan terjangkau*' (The State guarantees sufficient, safe, and affordable access to water in fulfilling the public right to water). Article 8 declares that '*Sumber daya air tidak dapat dimiliki dan/atau dikuasai oleh perorangan, kelompok masyarakat atau badan usaha*' (Water resources cannot be owned and controlled by individuals, communities, or enterprises). Article 9 offers a specific point regarding the right-to-that was absent in the market-friendly law draft: Point (1) mentions that '*Hak rakyat atas air sebagaimana dimaksud dalam Pasal 7 meliputi hak untuk menggunakan air bagi pemenuhan kebutuhan pokok minimal sehari-hari, pertanian rakyat, dan kegiatan*

bukan usaha' (The right to water, as mentioned in Article 7, includes the right to use water for basic daily needs, community-based farming, and non-commercial use). Moreover, Article 43 of the second draft limits the allocation of water resources for commercial purposes by referring to the state obligation to protect the people's right to water (*hak rakyat atas air*).

We observe that, since the annulment of the 2004 Water Law, several critical junctions have remained overlooked by normative struggles. Outside of advocacy strategies for influencing the law, Indonesian water social movements have focused narrowly on privatisation and commodification discourses by mainly dealing with the privatisation of piped water services.

In the 2000s, the two global players within the Jakarta water concessions (Thames Water and Suez Lyonnaise) slowly left their water concession contracts. With less pressure from global actors, it was relatively easier for the counter-coalition to advocate for the incorporation of right-to-water discourses within the new draft. Still, the privatisation of Jakarta's water utilities continues to be deemed crucial by the coalition, because Thames Water and Suez Lyonnaise released their shares to domestic and regional private companies rather than the public. At the same time, the issues of privatisation and commodification have gone beyond the technological, and as such the social movement must also needs to tackle these changes (which will be elaborated upon below). Unfortunately, as far as we have observed, the counter-coalition has yet to keep pace with private-sector *innovations* in water commodification—i.e. water grabbing for and through infrastructure

development, bottled water and other non-networked water services, and massive water engineering for plantations, mining, and agriculture.

Bottled water industries in Indonesia have been very active in influencing the drafting of the new water law. During the public hearing of the second draft version of water law,⁷ bottled water companies criticised the draft and introduced their own version.⁸ These actors seem to have significant political opportunities, as they have the support of the Ministry of Industry. In 2002, the People's Coalition for the Right to Water (KRuHA), one of the key members of the counter-privatisation coalition mentioned above, advocated against Aqua Danone's water grabbing practices in West Java.⁹ However, the organisation did not manage to transform this grassroots struggle into a national advocacy campaign, let alone a new water law. It played a peripheral role in the aforementioned discussions of privatisation and commodification, playing a supporting role rather than leading public discourse. This led to the silencing of human-right-to-water discourses. In one discussion, for example, with key speakers from BPP SPAM (the government body for drinking water infrastructure development), the Ministry of Public Works, the Jakarta State Water Company, Aspindo (the Indonesian Mining Service Association), Aspadin (the Association of Bottled Water Companies), and KRuHA, as well as two public policy experts and a member of

⁷ It was organised at the National Parliament in May 2017 and attended by both authors; the first author also presented some critical views and recommendations for some fundamental transformations within the public sector.

⁸ Their discourse managed to gain wider attention through mass media coverage. (See,

national parliament, the forum concluded that the private sector would still play a crucial role in the development of the water sector ("Private sectors still needed", 2017).

Pro-market coalitions have shown a more advanced standpoint in the first draft of the new water law, for example in anticipating the issue of climate change. Article 25, Point 11, of their proposal addresses issues of climate change mitigation and adaptation by allowing the private sector to play a positive role in providing necessary infrastructure and restoring rivers (such as in the case of Payment for Environmental Services). They present themselves as more *progressive* than the counter-movement, which is meant to support grassroots but remains focused on the privatisation of piped drinking water systems.

As shown by the Jakarta water concessions, such privatisation is no longer the main interest of global capitalists. As such, civil society movements should focus on crucial issues such as big infrastructure, socially-and-ecologically unfriendly river restorations, massive ground water extraction, alternative means of achieving Sustainable Development Goals, as well as pro-poor water governance. Such issues are not accommodated within the second draft version of new water law; a critical push is necessary so that such issues are

for example "Kemperin minta industri AMDK", 2018).

⁹ See http://www.kruha.org/page/id/document_detail/2/14/Paper/RUNTUHNYA__MITOS__NEGARA__BUDIMAN_.html (accessed on 29 July 2019).

anticipated in a manner that benefits the public.

Shifting Global Discourses and a New Need to Respond to Grassroot Struggles

Looking beyond Indonesia, there have been many changes in global struggles for just water governance. In demanding universal recognition of humans' right to water, global movements have reached beyond piped and networked water services, also dealing with food and energy matters. Global discourses on private sector involvement within the water sector have also shifted, a fact driven primarily by the behaviour of the private sector (see for example in Bakker, 2003b). Investment in piped water systems is no longer attractive for foreign private companies, and as such the issue of commodification has not been emphasised. Discourse formulation and critical attention have been directed to the virtual trading of water, for example through food and agricultural products. This offers a more comprehensive approach to human rights.

Given that the private sector has much less interest in piped drinking water systems, especially given the model's failure in England and Wales, many international donors have also shifted away from advocating *the right to water*. Issues that have drawn international attention include *a fair world without poverty, access to clean drinking water beyond the networked system/decentralised water and sanitation provision systems, forest protection, and tackling climate change through the water sector*. Below are some recent key discourses employed by leading international donors and scientific publications.

The Trans National Institute (TNI) still deals with issues of *privatisation, remunicipalisation of piped drinking water system, and water justice*. However, it has re-articulated the issue of privatisation by offering public alternatives that explore *the potential of other state-owned enterprises to lead an alternative, more human-centred, and environmentally-sensitive development approach* (see <https://tni.org/>). The organisation also campaigns against water grabbing, seeking to build a just, democratic, and sustainable planet; this is also linked to the food and agriculture sector, the mining sector, and the issue of deforestation. The Rockefeller Foundation has been promoting *health for all, and the well-being of humanity throughout the world*, see Rockefeller foundation (<https://www.rockefellerfoundation.org/>) with its approach being closely linked to urban development programmes such as the Asian Cities Climate Change Resilience Network, Fresh Water, and Resilient Cities.

Meanwhile, water discourse is not an issue for the Centre of Public Integrity (<https://publicintegrity.org/>), which has focused on *Protecting Health, Safety, and Democracy*. Triple eleven (11.11.11) (<https://www.11.be/en/>), another donor agency, still provides support for access to clean drinking water. However, its main vision is *a fair world without poverty*, and especially for Indonesia, one of the countries it supports, *saving the forests benefits for everyone*. Some organisations, such as the Public Services International Research Unit and Pacific Institute, do continue to focus on *privatisation, the human right to water, and water and conflict*. Pacific Institute in particular has aligned its discursive strategies with publications in academic journals, dealing with such key issues as *climate change vulnerability and resilience, water and*

poverty, water-energy nexus, and water, food and agriculture.

The changing concerns of international donors are echoed within the academic literature, international journals as researchers have paid attention to the changes in the water sector and critically reacted to that. Reviewing the Scimago Journal Ranking System for journals on water, we can see publications have focused more on the topics of *big infrastructure* (*Water Alternatives*, 2016–2018), *dam removal* (*Water Alternatives*, 2017), and *river restoration* (*Water Alternatives*, 2017, and *Water Resources & Economics* 2017). The topic of *sustainability* has drawn serious attention, as has *water security* (*Water Environment Research*, 2018, and *Water Resources Planning and Management*, 2018 and *Water*, 2015). Other leading topics within the research sphere include *water, food and energy nexus* (*Advances in Water Resources*, 2018, and *Water*, 2016), *virtual water* (*Water Resources Management*, 2018), *climate change* (*Water SA*, 2018), *resilience* (*Journal of Water, Sanitation, and Hygiene for Development*, 2017, and *Urban Water*, 2018), *pro-poor implementation of Sustainable Development Goals* (*Journal of Water, Sanitation and Hygiene for Development*, 2018); *water and health nexus* (*Water Resources Management*, 2018, and *Water SA*, 2018), and *digital network governance* (*Advances in Water Resources*, 2018, and *Water Alternatives*, 2015). Although this does not represent all academic discourse worldwide, this summary does show the link between academia and international donor organisations' tendencies.

To a certain extent, recent global discourses represent the need to connect the water sector with other development

sectors, and to represent the interconnectedness of these aspects within humans' everyday lives. Our main concern remains the extent to which Indonesian social movements can emphasise interconnectedness among sectors in a manner that is based on the grounded reality of peoples' needs and ongoing conflicts among users, rather than merely follow contemporary trends. Indonesia is facing many sectoral struggles regarding water-related problems beyond those commonly identified as part of the water sector: the peasant movements against cement factories to protect karst water resources, the struggles of fisher folks against sea reclamation, and communities' struggles against bottled water companies. As the anti-privatisation movement continues within the trajectory of the counter-coalition, isolating it from the grounded needs of struggling communities across the archipelago, the movement will lack the solid grassroots support it needs.

It is necessary to translate the meaning of normative struggles for just water law into a good law that can provide a normative instrument against undemocratic state and capital interests while simultaneously protecting heterogenous communities. At the pragmatic level, it is unfortunate that counter-movements have not been able to follow international discourses even as they have remained dependent on foreign donors. This is another challenge: if foreign donors remain the backbone of counter-movements, their strategies need to be balanced with grassroots aspirations, which should be the main driver for directing campaign and advocacy issues. This is necessary to stave off the decline of social movements in the Indonesian water

sector, which were quite strong in the early 2000s.

Conclusion

The drafting of Indonesia's Water Law (Law No. 7 of 2004 regarding Water Resources) provided an impetus for the emergence of civil society movements that opposed water privatisation, an agenda that was clearly articulated within the draft Law. Three civil society organisations—Infog, INFID and KRuHA, without dismissing others—motored this anti-privatisation movement. However, rather than acting antagonistically, these three organisations also served as *brokers* between two existing coalitions: those opposed to privatisation and those promoting water commodification. As a crucial step, they pressured the government to incorporate human rights principles into its draft Water Law. Although the law that was ultimately enacted did adopt some of the anti-privatisation movement's discourses, these elements were only minor, and did little to curb the grand discourse of water privatisation. These accommodations were merely intended to reduce potential conflict and to give the process a semblance of democracy.

The anti-privatisation movement persevered, and in 2015 the Constitutional Court of Indonesia annulled the Law after a second judicial review—the first instance of multiple judicial reviews in Indonesian history. The anti-privatisation movement gained new political recognition and created new opportunities to promote what it identified as public interests. Challenges, however, remained, as contestation

continued over normative and regulatory frameworks. Unfortunately, privatisation discourses have continued to dominate policymaking processes.

Our textual-discourse analysis of Indonesian mass media, grey literature, academic studies, and publications of (international) donor organisations found that early anti-privatisation activities were coherent, to an extent, with global discourses on the right to water. As such, there was a degree of solidarity and international support for the anti-privatisation and anti-commodification movements in Indonesia. Such coherence with critical global discourses has been lacking in recent years, and as such there has been international support for the national movement. Civil society movements worldwide fight for just water governance by tackling the issues of climate change, big infrastructure, river restoration, dam removal, water-food-energy nexus, health-for-all, virtual water grabbing, and digital network governance. The weakening of anti-privatisation since the annulment of the 2004 Water Law can also be attributed to the fact that they have limited their focus to the issue of water privatisation and commodification within the piped-water sector, even though these issues expand beyond piped water and affect all dimensions of community life. It is a challenge to re-connect civil society struggles in the Indonesian water sector with more recent global struggles. No less important, there is a need for the anti-privatisation movement to recognise the everyday problems faced by grassroots communities to ensure said communities' access to and management of water and water resources.



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The Precarity of Peri-urban Resistance: A Resistance to the Forced Eviction of Pasar VI Village and the Development of Kualanamu International Airport, North Sumatera

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Abstract

*In 1997, Kualanamu was chosen as the site of a new airport in North Sumatra. The central government's unilateral decision created new agrarian conflict and complicated the agrarian issues that had plagued the region since the colonial era. The accumulated conflicts and structural issues left local residents in a precarious state as they became integrated into peri-urban society. This article highlights the complexity of the conflict, the agency–institutional–structural relations that underpin it, and **peri-urban resistance** within the context of urbanisation and its marginalisation of rural communities.*

Keywords: *peri-urban, eviction, rural–urban problems, resistance, agrarian change, urbanisation*

Introduction

The development of the Kualanamu International Airport resulted in the forced eviction of Pasar VI Village, Kualanamu, Beringin District, Deli Serdang Regency, North Sumatra, approximately 25 kilometres east of Medan. Consequently, the majority of villagers lost their access to resources and their livelihoods. The wall constructed by airport authorities has physically segregated residents, dividing them between those *within* and those *without*. Consequently, residents have lost their sense of solidarity, and thus had

difficult working collaboratively to address socio-ecological issues as well as mitigate the influence of commercialisation.

This article employs a historic-geographic analysis to examine the structural experiences of the residents of Pasar VI Village, Kualanamu. In this, it relies on an institutional dynamics perspective, viewing institutions as the operational entities that link structures and agencies (Hodgson, 2004; Jessop, 2001; Moulaert et al., 2016). This perspective is useful for understanding the diverse structural

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issues, their historical evolution over the decades (or even centuries), and the institutions involved in the shorter-term reproduction of issues. This institutional perspective offers a broad and flexible analytical framework (see, for instance, Healey, 1999; Ostrom, 2005; van der Heijden, 2011). This article uses the *stream of thoughts* of institutionalism to address the grand structure of political economy while simultaneously recognizing the relationship between political, cultural, and social structures, thereby avoiding the trap of economic determinism (Bakker et al., 2008; Hadiz, 2004; Jessop, 1996; Lambooy and Moulaert, 1996; Moulaert et al., 2016; Moulaert and Mehmood, 2009). This approach is particularly useful for understanding the extent to which social movements and their agents can erode the pillars of the dominant structures by promoting shorter-term institutional change.

Through this case study, we show how the agrarian transformation has produced institutions and structures that stymie efforts of the inhabitants to claim access to resources and livelihoods. The development of Kualanamu Airport, as well as the forced evictions that accompanied it, cannot simply be reduced to a conflict between PT Angkasa Pura and evicted residents. To understand this case structurally, we position the agrarian conflict within two interrelated structural-historical trajectories. *First*, this case is inexorably related to the agrarian history of Java and Sumatra since the colonial era. The colonial system's control of land and labour created poverty in traditional agrarian communities, with peasants being dispossessed of their land and assets through transmigration, relocation, and the informalisation of the workforce (Alexander & Alexander, 1991; Elson, 1986;

Stoler, 1986, 1995). *Second*, this conflict is part of global urbanisation processes (Brenner & Schmid, 2014; Harvey, 2003, 2012; Ruddick, 2015), which have precipitated the creation of an informal *precariat* not only in major economic centres but also in smaller cities, townships, and rural/peri-urban communities (Cuevas et al., 2009; Li, 2010).

Popular efforts to guarantee access to resources and to defend the right to housing and livelihood have often been stifled, particularly in the face of deep-rooted structures and institutions. They face such obstacles as pro-market and pro-urbanisation development processes, ineffective democratic systems that are incapable of representing popular aspirations; as well as financial constraints that limit popular organisational and oppositional capacity.

This article departs from lengthy experience in the field. Especially, the first author, working in conjunction with BITRA Indonesia, spent more than ten years actively organising, guiding, and advocating for the residents of Pasar VI Kualanamu. BITRA Indonesia employed a participation action research (PAR) to help villagers campaign for the fulfilment of their fundamental right to be relocated to a new settlement with sufficient fertile land for subsistence farming. This article is divided into six sections, each of which employs a specific conceptual framework to analyse data collected in the field. After this introduction, the *second* section discusses agrarian transformation and urbanisation using an institutional dynamics approach. The *third* section presents our reading of the impoverishment of Kualanamu and its transformation into a peri-urban village. In the *fourth* section, we present the context of the Kualanamu

International Airport and the structural persistence of dispossession. The *fifth* section narrates the process through which the people of Kualanamu became *agents* who actively campaigned against forced eviction and the violation of their rights. The *sixth* section summarises the rural–urban issues and draws a general conclusion regarding the precarity of rural and peri-urban resistance within the context of urbanisation and globalisation.

Understanding Agrarian Transformation: Historical and Geographic Factors from An Institutional Dynamics Perspective

Social relations have long been conceptualised through analysis of the interactions between individuals and collective entities known as *society*. The concepts of *agency*, i.e. individuals who actively undertake action to influence their social environments, and *structure*, i.e. transformative entities that operate beyond the influences of individuals and groups, are not free from ontological, epistemological, and methodological problems (see Hodgson, 2004; Jessop, 2005; Moulaert and Mehmood, 2009). From a critical realist perspective, reality consists of layered structures (social, natural, e.g. biological and physical worlds) with different influential potential; each the structural layers has its own *emergent properties* that are evident in specific times and spaces. These layers are relatively stable and independent, but nonetheless mutually influential (Hodgson, 2004; Jessop, 2005). The relationships between structures and agencies are not mechanic, regular, or predictable. Similarly, they are not unilateral; structures, for example, do not fully determine the actions of agents, and agents' actions cannot wholly transform structures and their

mechanisms (Hodgson, 2004). Not to weigh only to one dimension of the relationship, whether agencies or the structure solely directing the social relations and transform the other, a framework that allows adequate explanation for both structural and individual transformation is needed (Hodgson, 2004).

The analytical components of *institutions* and *institutional dynamics* provide a more comprehensive understanding of the mutual relationship between *agencies* (also known as *actors*) and *structures* (for surveys, see Jessop, 2005; Moulaert & Mehmood, 2009). Within academic traditions that depart from micro analysis, expanding from the community level to the urban and national levels, *institutionalism* offers an understanding of social interactions with the following, but not only, fundamental premises: 1) structural issues affect some individuals and groups more significantly than others; in other words, different individuals and groups experience structural issues (capitalism, militarism, feudalism, gender bias, etc.) through different processes and with different effects; 2) different individuals and groups have different capacities to deal with structural transformations as they are influenced by different institutional settings (i.e. social welfare, healthcare, education, law, traditions, etc.); 3) individuals may stabilise, challenge, or even dismantle existing systems through collective agreements, socio-political contracts, and new norms, and over time this may create new institutions with structural impacts that can affect individual and collective behaviour.

In this article, we focus on how the agrarian structure has adopted its current

format under the influence of global urbanisation as well as how agents (victims of forced eviction and their allies) created the momentum necessary to oppose to development of an international airport. The processes of agrarian transformation, urbanisation, and industrialisation are far from uniform, being influenced by market and non-market mechanisms as well as state and civil institutions that emerged within specific economic, social, and political contexts (Byres, 2016; McMichael, 1997; Mingione, 1991; Swyngedouw, 2004). Indonesia and other nations in the Global South have had different experiences than western industrialised countries, and as such their situations cannot be readily explained by the theories that are commonly used in Europe and North America (see Hadiz & Robison, 2005; Li, 2010; Watts, 1989).

We do not intend to formulate a new theory of social transformation to analyse the specific case of Indonesia. Rather, we will discuss a specific case that reflects one characteristic of the Global South that has been rarely discussed: the complex aggregate of both *the agrarian problem* and *the urban problem*, which used to be addressed separately within different scholarly traditions. This approach is particularly useful for understanding the perpetuation of poverty amongst peri-urban poor communities through sustained processes of dispossession. In such communities, post-colonial agrarian transformations have intersected with accelerated global urbanisation to create conflict (the emergent properties) within a new spatial entity, what we term the *peri-urban village*. Such structural issues have also stimulated new patterns of resistance, which have unfortunately been smaller and more sporadic than the former traditions of

social movements that were concentrated in rural or urban areas.

The Impovertisation of the Rural and the Creation of the Peri-urban

Pasar VI Village, Kualanamu, was created as a result of transmigration. Initially, residents' economic and social relations were predominantly informed by labour-contract in tobacco plantation industries, social isolation, and a subsistence agricultural system used by the poor residents of Deli. This colonial-era impovertisation continued to shape post-independence communities as various marginalising socio-economic institutions keep being reproduced. This section discusses several of the institutions that have been involved in Kualanamu's historic and geographic development. Although this discussion is presented chronologically, this does not mean that institutions' emergence and development have been linear; indeed, in the contemporary era they operate simultaneously.

The Expansion of Plantations and Informalisation of Employment

The passage of the Agrarian Law (*Agrarische Wet*) in 1870 marked a new era of Dutch colonialism in the Indonesian archipelago, as this law stipulated that all land should be used to promote the colonial economy and provided legal protection to the plantation sector (Siyu et al., 2008, pp.72-74). When small-scale plantations were destabilised by an economic crisis in the mid-1880s, large corporations began consolidating their capital and taking control of these plantations' assets. Ultimately, between the 1890s and the 1930s, numerous

onderneming (large plantations) were opened by European, American, and Japanese corporations, being used to cultivate tobacco, rubber, tea, and oil palms (Stoler, 1995, pp.16-21).

These plantations were made possible by the land concession system, which primarily benefited private-sector actors with *erfpacht* rights.³ Under this system, land concessions were granted for a period of 75 years, with the option to extend the concession for fifty years if necessary. In return, private-sector actors were required to pay *cijns* (feudal taxes) of one rupiah per hectare per annum to the Sultan of Deli; this amount could be reduced if deemed necessary.⁴

When tobacco plantations proved capable of producing quality leaves, new plantations were opened in East Sumatra, or Deli (now North Sumatra). Other private-sector actors began cultivating rubber and oil palms. The following table summarises the data presented by Kasimo during a 1953 congress of the Parliament of the United States of Indonesia. In the colonial era, East Sumatra had covered an area of 3,031,000 hectares (significantly smaller than modern-day North Sumatra, which covers an area of 7,298,100 hectares). Of this land, almost 30%—888,000 hectares—was being cultivated by foreign corporations; less than 10% of this land was being used for subsistence farming by local residents.

Table 1. Land Usage Before Independence

No	Type of Land	Area	Sub-Area	%
1.	Forest	1,891,000		62.4
	a. Reserve forest		519,000	
	b. Jungle		1,372,000	
2.	Concession land	888,000		29.3
	a. Tobacco		261,000	
	b. Planted perennials		394,000	
	c. Unplanted perennials		233,000	
3.	Subsistence farming	252,000		8.3%

³ One of the largest and earliest concession holders, or *erfpacht*, was NV Deli Maaschappij (120,000 ha), which was established by Jacob Nienhuys and Peter Wilhelm Janssen in 1869 in Deli, East Sumatra. In 1889, NV Deli Maaschappij acquired stock in the firm Naehér & Grob, rebranded itself as NV Senembah Maaschappij, and expanded its plantation past the Serdang River.

⁴ Concessions were provided by the sultan, who also provided the necessary documents and agreements. Such concessions also included

rural villages, with residents whose rights had to be protected; this meant that, in practice, the sultan entrusted the fates of the common people to the *onderneming*. Initially, each region had its own regulations; standardisation only occurred once the government became involved. Concessions were provided for a maximum of 75 years, with the potential of extending the concession for another fifty years. For each hectare of land, a *cijns* (feudal tax) of Rp 1.00 had to be paid every year; this amount could be reduced if necessary.

a. Rubber	60,000	
b. Coffee	500	
c. Coconut	15,000	
d. Sugar Palm	500	
e. Fruit	7,000	
f. Irrigated rice	19,000	
g. Non-irrigated rice	28,000	
h. Vegetables and tobacco	2,000	
i. Other/mixed	120,000	
Total	3,031,000	100

Source: Compiled by first author from Kusbianto (2016).

Formal institutions affected the social structure through their regulation of land use and their practices of dispossession and informalisation. This informalisation reproduced subsistence production mechanisms, and as such could not create a proletariat—a class of labourers who rely on their wages for survival. It was perpetuated not through a failure to create consolidation, but because of political considerations. Plantations deliberately maintained the *peasant* class, which was subjugated by bureaucrats, thugs, and brokers with a specific interest in maintaining the existing system (compare Akram-Lodhi and Kay, 2010a, 2010b).

As new lands were opened for tobacco farming in East Sumatra, demand increased for workers (*koeli*)⁵ who could be cheaply employed and easily controlled. These workers were imported from Java, having been deceived by the promises of great wealth and glorious opportunities in a land where *money grew on trees* (referring to the tobacco leaves that were sold at high

prices in Europe), (Aulia, 2006). The first migrant workers—150 farmers from Bagelan, Purworejo, Central Java—arrived in Deli in 1880. The flow of labour continued, with workers coming not only from Java but also China and India. By 1905, Deli was home to 33,961 Javanese *koeli*, including 6,290 women (Bremen, 1997, p. 67).

Before migrating to Sumatra, these Javanese workers had lived in great poverty. Many experienced malnutrition and even famine owing to their lack of land; the colonial government had used most arable land to cultivate cash crops such as sugar, coffee, tobacco, tea, rubber, quinine, and coconuts. These precarious peasants—blinded by the promise of a better future—found only new tragedy when they migrated to Deli. In their new homes, these migrants faced deplorable conditions, low wages, and violence at the hands of their foremen and the foreign plantation owners. Women workers were even more vulnerable, being subjugated

⁵ The term *koeli* is thought to have originated from the English-language term *coolie*, which

itself is derived from the Tamil *kuli* (the wage paid to manual labourers).

through sexual abuse, forced marriage, and domestic slavery (Stoler, 1986, pp. 31–35).

As a means of controlling workers, companies forced their employees to live in barracks. Contracts were far from just, being short-term and offering no legal protection (see Stoler, 1986). Workers' wages were only sufficient for survival, and even this was not guaranteed; malaria and cholera were endemic. Arguing, fighting, and even killing were all part of workers' everyday lives (see Stoler, 1992; Stoler, 1995).

Plantation owners and administrators, popularly known as *Toean Keboen*, manipulated their workers into signing new contracts every three years. Shortly before the end of the current contract, plantation owners would sponsor performances of Javanese art as a means of taking workers' wages and savings. Shortly before these performances, the *Toean Kebun* and their associates would visit the barracks and offer loans. This mechanism was used to systematically impoverish workers, thereby ensuring that workers would extend their contracts rather than use their savings to return to Java. To this day, such stories continue to be shared and transmitted amongst local residents.

In 1891, there were 169 plantations in Deli (Schadee, 1919, p. 191), and at the dawn of the 20th century, an average of 7,000 Javanese workers were being brought to East Sumatra every year (Breman, 1997, p. 68; Sihaloho, 2004, p. 430). The number of Javanese in East Sumatra (353,551) surpassed the number of Malays (285,553) in 1920. When World War II broke out, 60% of East Sumatra's

residents were Javanese (Sihaloho, 2004, p. 430). These figures include not only the Javanese working on the plantations—in 1926, East Sumatra was home to 142,000 male workers and 52,400 female workers—but also those who were forced by their circumstances to remain in Sumatra.⁶

In the 1930s, the Great Depression forced the closure of numerous plantations in East Sumatra (Breman, 1997, p. 1). This resulted in the firing of numerous workers. Some chose to return to Java, but the majority decided to remain in East Sumatra. The 1930 census in East Sumatra (as cited by Stoler, 1986, p. 35) identified 1,500,000 Javanese in the region, with more than half of them living outside plantations. A few established informal communities in trade centres such as Medan, Pematang Siantar, Tebing Tinggi, and Kisaran, but most established *underground* settlements around the plantations, existing outside the authority of the colonial government and the Malay Sultanate (Stoler, 1986, p. 36). The peri-urban villages around the Kualanamu International Airport grew from such settlements.

In short, the large plantations and their workforce management created new institutions that contributed to the creation of peri-urban communities and the precariat inhabiting them. Historical conditions, including plantations' dependence on informal labour, lack of commitment to workers' welfare, and their desire to create a modern industry, shaped the everyday social relations of rural communities. Ultimately, these institutions reached past the plantation industry, informing villages' built environments and

more than half of whom lived outside of plantations.

⁶ Contrast with the 1930 census (as cited by Stoler, 1986, p. 35), which identifies the region as home to 1,500,000 Javanese,

their use of space, land, and natural resources. Such institutions, thus, were not shaped solely by specific local conditions, but also by broader trends in migration and spatial production (Leaf, 2002; Narain, 2009).

Creating Peri-urban Villages through Four Waves of Post-Independence Migration

The first wave of migration from Java occurred in the colonial era, as discussed above. Migration continued after Indonesia's independence, increasing when the country experienced food insecurity under the Old Order regime. Such migration was formalised by the New Order government through its transmigration program, which it intended as a means of avoiding overpopulation in Java and improving development in Sumatra.⁷ This may be identified as the second wave of migration. The third wave occurred in the 1980s, and involved white-collar workers and university students who sought employment and knowledge in Sumatra. Rapid industrial growth has made North Sumatra a magnet for entrepreneurs seeking to establish service companies and merchants desiring new trading opportunities; this may be categorised as the fourth wave. Through these waves of migration, peri-urban villages such as Pasar VI Kualanamu, grew rapidly.

Unlike villages that had been established informally, Pasar VI Kualanamu had been founded on land owned by NV Senembah Maaschappij (later renamed PT Perkebunan Nusantara II, or PTPN II, after

being nationalised in the 1950s). Villagers were descended from the Javanese labourers who had travelled to North Sumatra during the first and second waves of migration.

The village's name, "Pasar VI", traces its roots to historical plantation activities. In the local language, the word *pasar* means *path*, and is used to refer to the footpaths used by workers to collect crops (tobacco, rubber, oil palms, etc.) These *pasar* were numbered based on their position relative to the plantation's main office. "Pasar I" was the path closest to the office, while "Pasar XI" was located at the very edge of the plantation. Over time, as plantations grew, they were divided further, with each division given its own name (for example, "Kwala Namu").

The *Javanese villages* established within and without plantations share several characteristics. These villages tend to be more densely populated than those established by indigenous populations. Houses and other structures are built close to the ground, rather than on stilts. Families do not rely on one source of income, but earn money through several means, as the main source of income—plantation work—cannot provide for families' needs. Traditionally, houses have had their own plots of land for growing their own food. As villages have become more urbanised, trade and services have contributed further to families' incomes, with many residents acting as seasonal workers. For families in Javanese villages such as Pasar VI Kualanamu, subsistence agriculture remains necessary for survival.

⁷ Quoting Mohammad Hatta in the Economic Forum Meeting (3 February 1946) as cited in Ministry of Villages, Development of

Disadvantaged Regions, and Transmigration R. I (2015).

This economic structure has remained relatively stable even as political systems have transformed. Residents of colonial East Sumatra often experienced famine as the most fertile land was being used for cash crops (Stoler, 1986, p. 41). In the colonial era, subsistence farming had to be done furtively, as this was prohibited by the plantation companies, which were unwilling to allocate land for cultivating foodstuffs. Conversely, the Japanese occupation government not only allowed such farming, but required it (Stoler, 1986, pp. 95–102). Populist policies in post-independence Indonesia continued promoting public access to land, particularly after the Sukarno government passed the Basic Agrarian Law (UUPA) and initiated land reform (See Rachman, 2012). As farmers' unions grew, villagers were able to enjoy the fruits of its struggle: the formalisation of employment and the usage of plantation land for public needs. As the availability of land increased, subsistence farming became increasingly prevalent.

This situation reversed after 1965, when villagers' occupation and use of land was staunchly opposed by companies and the state (including the military). The agriculture sector again became informalised, with workers signing short-term contracts and receiving low wages (Stoler, 1986, pp. 168–172). However, to reduce potential conflict, workers with families were provided with accommodations for the duration of their employment. Families were provided with wood panel houses measuring six-by-six metres and 1,000 square metres of land, upon which they could cultivate additional foodstuffs to support their families (Kaputra et al., 2015, p. 79). Workers grew rice in nearby swamplands, and planted corn, vegetables, and beans in dry lands. In

the waterways around their villages, residents sought fish to ensure their protein needs were met; where possible, they would also hunt animals. It may thus be summarised that, under the New Order government, the agrarian system was one of massive monoculture plantations, with a population that was larger than workplace demand. The dominant political structure sought to maintain this surplus population as a means of ensuring economic growth (Li, 2010). This situation perpetuated low wages and informal labour (Bhalla, 2017).

At the grassroots level, villagers created various survival mechanisms within spaces that were not formally controlled by the existing infrastructure; in other words, they seized the opportunities that had been created by gaps between the policies of different regimes. The spatial structure of peri-urban villages remained shaped by the informal economic landscape, which offered access to micro-level production, trade, and service activities while still leaving villagers in a precarious situation (see also Akram-Lodhi & Kay, 2010b). This precarity was rooted primarily in the instability of the 'commodity' produced by villagers and in villagers' reliance on dominant economic institutions (i.e. plantations) and political systems.

The Development of Kualanamu International Airport and the Structural Persistence of Dispossession

In this section, we will discuss how agrarian transformations have created a new situation in which dispossession not only affects agricultural communities, but also those that rely on informal or mixed economic systems. Citizens lose their access to informal production

mechanisms, especially those that facilitate subsistence farming. Peri-urban villages, once shaped predominantly by the plantation system, became diversified with the construction of an international airport.

The Kualanamu Airport was constructed approximately 25 kilometres east of Medan, taking land from the villages of Beringin and Kualanamu, in Beringin District, Deli Serdang Regency, North Sumatra.⁸ Planning for this project began in 1994, following the passage of Presidential Decree No. 76 of 1994 regarding the Establishment of the Committee for Relocating the Polonia Airport, Medan. The state-owned enterprise PT Angkasa Pura II subsequently signed a memorandum of understanding with PT Citra Lamtoro Gung Persada (a company owned by Siti Hardiyanti Indra Rukmana, the daughter of President Soeharto). However, after Indonesia was struck by the Southeast Asian Economic Crisis in 1997, this project was delayed. Construction only began in 2007, with the Kualanamu International Airport being part of the Soesilo Bambang Yudhoyono (SBY) government's Masterplan for Accelerating and Expanding Indonesia's Economic Growth (MP3EI). Pursuant to this master plan, the government sought to improve the North Sumatran economy by facilitating the transportation of people and goods. The intent to promote economic growth resonated with the desire to improve available infrastructure. North Sumatra already had an airport, Polonia, but it was significantly over capacity; in 2012, for

example, the number of passengers exceeded the airport's capacity by 800% (Grahadyarini, 2013).

The construction of new airports tends to involve the massive repurposing of land, and North Sumatra was no exception. The former airport in Polonia was transformed into a shopping centre, with commercial and economic activities being prioritised over the victims of development. According to Batara Taher, who was serving as the Director of the North Sumatran Agriculture Office at the time, the construction of the Kualanamu Airport and supporting facilities necessitated the appropriation of more than 3,000 hectares of productive farmland (Bitra & Muhammad, 2007).⁹ This compulsory acquisition was mediated by the State, which perceived land as a purely economic asset and failed to consider its socio-cultural importance to residents. Ultimately, as common in airport construction in Indonesia (see the cases of the Kertajati Airport, West Java, and the Kulonprogo Airport, Yogyakarta), farmers lost both their livelihoods and a major element of their culture.

In 1997, PT Angkasa Pura II received permission to begin constructing an airport on 1,320 ha of land. The majority of this land—1,126.77 ha—had been held by PTPN II under cultivation rights. Of this, 891.3 ha was used for the construction of the airport; the remaining 235.47 ha was located outside the airport walls. For this, Rp 61 billion in compensation was paid to PTPN II, with the expectation that the

⁸ The official website of the Department of Transportation (<http://dephub.go.id>) does not identify Kualanamu Village/Sub-District as the location whereupon the Kualanamu Airport was constructed, even though the name of the

airport is taken from this village. (See *Pembangunan bandar udara*, 2006)

⁹ Interview by BITRA Media Syndication with Bintara Taher, Director of the North Sumatra Office of Agriculture..

company would address ongoing land issues, including in Pasar VI Village. Conflict and opposition emerged when the company failed to do so, as discussed below.

Occupation, Resistance, and the Struggle for Relocation

Forced Eviction and Conflict

After several years of delay, Kualanamu was chosen as the site for the new airport in 1998, with its development plan being approved through Decree of the Minister of Transportation no. 40 of 1998. The tranquillity of Pasar VI Kualanamu was soon disrupted. The developers working on the airport, as well as PTPN II—as the provider of land—used pressure and repression to force residents to abandon Pasar VI Kualanamu. The district chief issued a decree requiring all residents to leave the land, and informal actors ('unknown persons') demolished the elementary school; its staff, meanwhile, were sent to teach elsewhere (Kaputra, 2015, p. 53). Residents were prohibited from cultivating the land or catching fish, even though construction had not begun. Their access to electricity was severed, and they experienced difficulty accessing public services.

In the contract between PTPN II and PT Angkasa Pura, it is stated that the plantation company was responsible for *clearing* the land of its occupants, including Pasar VI Kualanamu Village. As compensation, PTPN II offered Rp 2,350,000 to its labourers and Rp 4,292,000 to retired workers. With such a miniscule amount, villagers could not relocate and maintain the same quality of life; it was insufficient to purchase land elsewhere, let alone in an area near the city. Even worse,

residents of Pasar VI Kualanamu who were descended from plantation labourers—but who had never worked for the company themselves—were not provided compensation, despite having occupied the land for generations.

Residents of Pasar VI Kualanamu Village firmly rejected the offered compensation. However, their protests and complaints fell on deaf ears. PTPN II, developers, and the district, regency, provincial, and central governments continued development, building walls, inspection roads, security posts, and offices for the project consultant and the project implementation unit (PIU). The construction of the walls resulted in the division of Pasar VI Kualanamu; 71 households (237 individuals) lived within the walls, and refused to move until they were relocated and provided proper relocation, while 97 households lived outside the walls. This physical division had a significant effect on villagers' psyches, solidarity, and harmony. The population, despite sharing kinship bonds, became fragmented. Those living within the walls refused to move, and rejected the construction of the airport, while some of the villagers living outside the walls supported the project. This fragmentation was exacerbated by the divide-and-conquer approach used by developers and their allies (Kaputra, 2015, p. 85).

Even when construction was delayed by the Southeast Asian economic crisis, as mentioned above, forced eviction continued. Construction efforts continued

in 2002,¹⁰ when the economy had stabilised. Interestingly, while PT Angkasa Pura II provided Rp 1.2 trillion for construction, the majority of funding (USD 225 million) came from foreign loans. Domestic investors were unwilling to fund the project, fearing the potential consequences of Indonesia's ongoing socio-political instability (including widespread protests, which were supported by domestic and international organisations). The link between social movements and socio-political instability was widely debated, as was the need for foreign loans. It was clear, however, that villagers were seeking to maintain their own quality of life and defend their rights. Several of the strategies used by villagers in Pasar VI Kualanamu Village are discussed below.

Public Efforts to Deal with Conflict

Recognising their weak bargaining position, the villagers who were opposed to the development of the Kualanamu International Airport sought to create solidarity and defend their rights. Supported by several non-governmental organisations (NGOs), primarily the Activators for Rural Progress (Bina Keterampilan Pedesaan, BITRA), activists sought to increase residents' awareness of their rights as citizens. To legitimise their struggle, villagers created their own organisation, the Concord of Weak Peoples (Kerukunan Warga Masyarakat Lemah, KWML). KWML sought to increase its members' intellectual capacity, including their ability to analyse structural conflicts and use participation action research to

¹⁰ Presidential Decree No. 15 of 2002 permits the continued construction of the Kualanamu Airport upon the completion of three studies:

identify the causes of their disenfranchisement. In this, they were supported by national and international social movements and social networks. For example, the late George Junus Aditjondro—at the time, a professor at Newcastle University, Australia—contributed to the movement by employing an ethnographic approach to understand and analyse the issues it faced.

Analysis indicates that no fewer than 34 actors, institutions, and organisations had an interest in the airport's construction and were involved in the decision-making process. These included private-sector actors/investors, state-owned enterprises (PTPN II, PT Angkasa Pura, PT Kereta Api Indonesia), security forces (the police and military), youth organisations, the Plantation Workers' Union, local legislators, the central government (including both ministries and the National Land Agency), the regency government, and the district government. Of these, sixteen opposed villagers' demands for relocation, twelve supported the popular movement, and six were neutral, sometimes supporting villagers' efforts and sometimes opposing them ("Strategi Perjuangan KWML Menuju Relokasi & Distribusi Lahan", prepared in conjunction with Solidarity for Victims of the Development of Kualanamu Airport [SORAKKAN] Coalition, August 2007). Among those supporting popular efforts were politicians from certain parties, national and international NGOs, mass media, members of the North Sumatra Parliament, the SORAKKAN Coalition (consisting of both civil society organisations and student organisations), the National Human Rights Commission,

necessity, funding availability, and special criteria and project characteristics.

the Supreme Court, and several members of the Indonesian Parliament and the Regional Representation Council. Meanwhile, the Prosecutor General, Ombudsman, Expert Staff of the Vice President, academics, and intellectuals acted neutrally.

Villagers organised themselves through KWML to conduct demonstrations, seek audiences, undertake mediation, and create alliances with political parties, academics, and other civil society organisations from the village level through the national level. Activists also sought to create international solidarity by working with the Asia Pacific Foodfirst Information and Action Network (FIAN), a German food and human rights organisation. After several fact-finding visits, FIAN brought the Kualanamu case to the United Nations' Human Rights Council, the organisation's highest forum for human rights advocacy and protection; Indonesia is one of the council's forty-seven members.

Residents identified their movement as an agrarian political struggle,¹¹ one seeking only to ensure that affected families received homes and 2,000 m² of agricultural land in compensation.¹² Villagers chose not to use litigation or other legal channels, perceiving the courts as having failed to resolve previous agrarian conflicts in Indonesia and as consistently siding with capital-holders and investors

¹¹ Urip Santoso (2012, p. 24) defines agrarian politics as involving the body of state policy regarding the use, preservation, exploitation, administration, and distribution of land and natural resources for the betterment of the populace and the state. In Indonesia, agrarian policy must be based in the national philosophy of Pancasila and the Constitution of 1945.

(Sudjono¹³, personal communication, June 9, 2015). Villagers' allies were likewise unwilling to recommend litigation, arguing that a legal approach would only provide a legal basis for subjugating victims. These allies recommended a different approach, one that would benefit villagers and advance their interests.

Four strategies were used to extent the movement's reach ("Strategi Perjuangan KWML Menuju Relokasi & Distribusi Lahan", KWML – SORAKKAN, August 2007). First, it relied heavily on the mass media for its campaign activities. The case was regularly covered by local and national print and broadcast media. On several occasions, it also drew the attention of international media, such as when FIAN activist Yifang Tang visited Kualanamu when preparing a report about the violation of villagers' food rights for the United Nations.

Second, residents and their allies sought to expand their reach through SORAKKAN (an alliance of residents, NGO activists, and students). This organisation was intended to increase solidarity, improve organisation, and provide guidance through routine discussions and training sessions. SORAKKAN was also intended to improve villagers' awareness, understanding, critical thinking, courage, and skills.

¹² This demand has two justifications, namely residents' homes and their cultivated land (a maximum of 2,000 m²). During the colonial period, and until nationalisation, workers were generally given money and 2,000 m² of land upon retirement so that they could continue to cultivate vegetables and other crops in their old age.

¹³ Chairman of KWML.

Third, various advocacy efforts and processes were used to put pressure on developers, including audiences, delegations, demonstrations, and networking with national institutions such as the National Human Rights Commission, the National Parliament, the Ombudsman of Indonesia, the Prosecutor General's Office, the Supreme Court of Indonesia, and the Office of the Vice President of Indonesia.

Fourth, academic research, surveys, and legal reviews were conducted in order to provide a basis for strategy selection and relocation site proposal. Small breakthroughs were made; for instance, the residents of Pasar VI Kualanamu participated in the North Sumatran Development Planning Meeting and urged provincial officials to incorporate the relocation of residents in their development and budgeting activities. At the same time, to improve villagers' economic status, KWML and its allies planted corn and other crops on the contested land.

Activists required a dynamic approach to advocacy, one capable of adapting to their ever-changing situation. They regularly corrected, updated, and revised their concepts, strategies, and approaches. In August 2007, for example, activists documented their revised strategies in a document titled "Strategi Perjuangan KWML Menuju Relokasi & Distribusi Lahan" and highlighted their ultimate goal: the relocation of residents to a new village and the provision of at least 2,000 m² of land and simple homes to 71 families. The movement hoped that such new approaches would facilitate advocacy efforts.

Villagers, with the support of their allies, attempted to improve solidarity and consolidate support. They established a

shared identity, seeking to position residents as the developers' equals in the public eye. Through their campaign and advocacy activities, as covered in media publications, activists pressured the company to resolve the conflict. As part of new strategy, activists reduced their demand to 20 ha, a goal that they deemed more achievable. Their desired parcel of land was within Kualanamu Village, and held by PTPN II under cultivation rights ("Strategi Perjuangan KWML Menuju Relokasi & Distribusi Lahan", August 2007).

As of the time of writing, residents have yet to achieve their desired results. When Kualanamu International Airport was inaugurated in 2013, only a few residents had received compensation—a minimal amount of land, of unclear tenurial status, that was barely sufficient for building a house. Such compensation has been insufficient to reduce peri-urban villagers' precarity in the face of aggressive urbanisation. Residents are still continuing their advocacy, seeking land with clear tenurial rights. As we will discuss below, the case of Kualanamu offers an important lesson for strengthening popular movements, promoting social justice, and creating rural–urban solidarity in Indonesia.

Framing Problems and Conflicts within an Ecosoc Perspective

"Human rights are premised on the notion of human dignity; human dignity requires that individuals be treated as autonomous beings, living in societies where they are recognized as persons of value, where they do not suffer from discriminatory legislation, where they are able to participate in collective decision-making, and where they can freely pursue their

interests." (Howard-Hassman, 2000, p. 289).

Economic, social, and cultural rights are enshrined within the International Covenant on Economic, Social and Cultural Rights (henceforth ICESCR), which was adopted by the United Nations General Assembly in 1966 together with the International Covenant on Civil and Political Rights. As of writing, 164 countries have ratified the ICESCR, including Indonesia, which ratified the covenant through Law No. 11 of 2005 regarding the Ratification of the International Covenant on Economic, Social and Cultural Rights.

Referring to these legal documents, the forced eviction of Pasar VI Kualanamu Village may be identified as a violation of residents' economic, social, and cultural rights. Such a finding was also made by the National Human Rights Commission (Komnas HAM RI) through letter 042a/R/Mediasi/VI/09, dated 29 June 2019. Similarly, residents' situation since the area was chosen for airport construction is also a violation of their human rights. Since 1997, villagers have been unable to fulfil their everyday needs, as they have been prohibited from using the land that they have traditionally cultivated.

Furthermore, the state has failed to recognise that its citizens were living in simplicity and harmony, without state facilitation. Likewise, the state has failed to respect that villagers were living independently, without disturbing or being disturbed by others. The state has failed to protect residents' land and their ability to survive without being hassled by others. Finally, the state has failed to fulfil citizens' need to be protected in a time of crisis and panic, as well as their need for farmland and food security.

For villagers and their allies, a rights approach was necessary for organisation. Furthermore, this rights approach offered a material basis for the mobilisation of a social movement. The state did not act as an abstract entity, but as a concrete institution that was manifested through specific actors whom residents had identified (see above). The movement thus sought to address 'state failures' from below. This approach was transformed into a specific strategy for improving political participation and achieving concrete goals through non-litigation means.

Nonetheless, private-sector actors prioritised the transformation of land into a profitable airport. Land is necessary for the operations of any business, and the building of a new airport—which served thousands of passengers every day—implied the expansion of business interests. The price of land around the new airport skyrocketed, reaching hundreds of times its original value. In 2018, commercial developers began utilising the remainder of PTPN II's land to develop a service-based *airport city*, building hotels, hypermarkets, office buildings, a theme park, golf course, food arcade, convention centre, hospital, and cinema (Simorangkir, 2018). This bodes ill for the future of those living outside the airport walls is ominous, and a rights-based approach will remain relevant for residents of this peri-urban village.

Conclusion: The Precarity of Resistance

Persons who were evicted during the construction of the Kualanamu International Airport, as well as those living in the surrounding area, have faced diverse yet simultaneous structural problems. They have lost their access to land and their

ability to cultivate necessary foodstuffs as the village has become increasingly urbanised. This disparity in development is rooted in the inequal social relations inherent to the plantation economy. The government, PT Angkasa Pura, and PTPN locked residents of Pasar VI Kualanamu Village in informal work relations that prevented retirees and their descendants from enjoying a good quality of life. Villagers' rights to land and a livelihood, recognised by the Convent on Economic, Social, and Cultural Rights and the Convent on Social and Political Rights, have been ignored. Villagers' *de facto* land and livelihoods have not been given *de jure* recognition, a situation common in peri-urban communities—i.e., amongst those whose traditional economy has been disrupted by the global processes of urbanisation and modernisation.

From a historical perspective, the plantation economy eroded traditional relations and created inequality; at the

same time, the monoculture cultivation inherent to this system caused significant environmental degradation (Li, 2010). Unprecedented urbanisation has exacerbated the situation, harming existing socio-economic relations while simultaneously creating new inequalities. At the same time, spatial organisation and land management systems have further marginalised villagers. Lacking ready access to income and livelihoods, villagers have limited capacity to consolidate themselves in resistance to state institutions' governance of land and space.

Many of Indonesia's social movements have faced similar obstacles, being forced to endure eviction after eviction as urbanisation has driven rapid economic and urban development. Reflecting on peri-urban communities' attempts to resist forced eviction and dispossession, we argue that it is necessary for social movements in diverse areas and sectors to create solidarity in their opposition to the continued pressures of development and urbanisation.

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Gold Mining and Political Struggles for Access in Banyuwangi, East Java

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Abstract

This article explores how the materiality of natural resources influences social movements. Applying a relational paradigm and new materialism approach, this article explores the materiality of gold as a vital element of actor–network linkages, organisation, framing mechanisms, and recruitment. The transformation of gold from an ore into a mechanism for commodification reflects the interactions between capital holders, scientists, political actors, and legislators. This socio-material formation has limited residents' access to such resources as gold, water, land, wood, and clean air, and this momentum has given rise to a social movement in opposition to gold mining activities.

This article shows that social movements are not monolithic, but rather dynamic movements that consist of various actors, issues, narratives, and strategies. This study focuses on the anti-mining movement in Tumpang Pitu, Banyuwangi, East Java, and its two decades of struggle to illustrate how the formation, networking, fragmentation, and evolution of social movements is influenced by their materiality (in this case, gold). This article finds that the commodification of gold influences movements' repertoires. This offers an alternative explanation for social movements, which have long been dominated by an actor–structure approach that views social movements as linear, monolithic, and constant collective actions that respond to marginalisation and injustice.

Keywords: *materiality, social movements, gold mining corporation, access, Tumpang Pitu, Banyuwangi*

Introduction

This article discusses a social movement active within the mining sector. The extraction of natural resources is often

rejected by local residents, who mobilise themselves in opposition to mining and other exploitive activities (Urkidi, 2010; Grugel et al., 2017, pp. 1-19). The Mining Advocacy Network (Jaringan Advokasi

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Tambang, Jatim) reports 71 cases of protests in opposition to mining and the government's issuance of permits in Indonesia between 2014 and 2019; most occurred in East Kalimantan (14 cases), East Java (8 cases), and Central Sulawesi (9 cases) (Thea, 2020).

Tarrow & Tilly (2015) offer an important approach for analysing social movements as part of the struggle for power and within the context of contentious politics. The literature has identified social movements as resulting from the complex relations and networks with historical (rather than universal) roots (Tarrow & Tilly, 2009; Tilly & Tarrow, 2015, pp. 10–11). It has also underscored the importance of marginalisation and injustice as powerful tools for constructing the political agency and activism of social movements (i.e. Özen & Özen, 2009; Samorna, 2013; Grugel et al., 2017). Nonetheless, the literature has failed to identify the specific mechanisms that connect networks and facilitate collective recruitment (Tilly & Tarrow, 2015).

In order to fill this gap, this study identifies the materiality of natural resources as having affecting social and political relations and connecting actors–network through collective action. Such an approach is rarely used, as the actor–structure approach is dominant (Tarrow & Tilly, 2009; Tilly & Tarrow, 2015).

Materiality has been used by new materialists to explain the implications of the capital–nature relationship for commodification, the mechanism through which natural resources are transformed into economic commodities (Bakker & Bridge, 2006). This approach can be used to explain how the material characteristics of gold can influence the socio-material aspects of actor–network relations, capital,

technology, and knowledge, as well as resource legislation and policy. Such socio-material aspects also influence social movements (Bennett, 2004; Law, 2009; Callon, 2017). According to Dougherty (2013), the material politics approach holds that gold has specific characteristics as a global and strategic commodity that inspires competition and rent-seeking behaviour. Its mining, meanwhile, has significant ecological implications (Mudd, 2007). On the one hand, competition prioritises actors–networks with strategic political relations that they can exploit as they seek to maintain access (Bakker & Bridge, 2006; Ribot & Peluso, 2009). On the other hand, such competition results in the marginalisation of ordinary people and limits their access to nearby natural resources (including water, land, and wood). This drives the creation of collective movements in opposition to mining activities.

Employing a relational paradigm and new materialism approach, this article explores how the dynamics of contestation and commodification affect social movements. Changes in materiality can influence actors and networks, as well as their organisational evolution, framing, and recruitment mechanisms. Ultimately, social movements processually undertake collective action, experience multiplicity in their motivations, agendas, narratives, and face significant uncertainty.

To illustrate the formation, fragmentation, and evolution of collective action, this article takes the case of the anti-mining movement in Tumpang Pitu, Banyuwangi. For two decades, this movement has used different approaches and formations to oppose gold mining. The latest formation is a civil society alliance, the People's Forum for Banyuwangi (Forum

Rakyat Banyuwangi, ForBanyuwangi), that has organised members in opposition to PT Bumi Suksesindo (PT BSI) and its mining activities. Since 2012, PT BSI has held a permit (IUP OP) to exploit 5,000 hectares of land in Sumberagung Village, Pesanggaran Regency, including 1,942 hectares of which is in Tumpang Pitu. This case shows how gold extraction and commodification requires not only significant capital, technology, and labour, but also close relations with political actors and policies that permit mining within protected forests.

The opposition to mining in Tumpang Pitu shows another face of Banyuwangi Regency, which in recent years has become known nationally as a tourist destination—the "Sunrise of Java". Since being elected in 2010, Regent Azwar Anas has implemented new and innovative development policies to expand the tourism sector, ultimately receiving an award from the United Nations World Tourism Organisation (UNWTO) in 2017. In 2015, these policies resulted in the funding and construction of an international airport with direct flights to Jakarta and Kuala. Investment in Banyuwangi soon followed, with new hotels and restaurants being built and various international congresses being held in the regency. The expansion of the tourism sector was also used to promote a narrative of environmentally sound mining (Ilhami,³ personal communication, January 3, 2017); The Banyuwangi Office of Tourism designated Merah Beach and

Merah Island, located less than five kilometres from the gold mine in Tumpang Pitu, as natural tourism attractions (Director of Mining, Office of Industry, Trade, and Mining, personal communication, January 5, 2017).

This study employs various qualitative approaches to collect data, including in-depth interviews conducted between January and December 2017.⁴ Interviews were conducted with anti-mining activists, government officials tasked with handling mining and forestry, members of pro-mining civil society organisations, as well as local residents. Data were also collected through observation of anti-mining activists' activities. Government documents produced between 2015 and 2018 were also reviewed, as were mass media coverage, statistics, and social media.

This article builds its argument through four stages: a theoretical discussion of gold and social movements, a history of gold commodification at Tumpang Pitu, a discussion of the politico-economic capacity involved in commodification mechanisms, and finally a discussion of the anatomy, repertoire, and mechanisms through which social movements have conducted framing and recruitment at Tumpang Pitu.

³ Pseudonym

⁴ Data used in this article were collected through a collaborative programme involving the Faculty of Social and Political Sciences, Universitas Gadjah Mada, and the University of Melbourne titled "Adaptive Resource Conflict Management Strategies in Decentred and Multi-

level Governance Contexts" (2017). The authors would like to express their gratitude to the programme director, Dr Nanang Indra Kurniawan, for his permission to use the data. The authors are responsible for the contents of this article.

Social Movements and the Materiality of Gold

Studies of social movements tend to employ a structuralist paradigm and depart from narratives of marginalisation and injustice. Consequently, such studies tend to be deterministic in nature, viewing the unequal redistribution of economic resources as the main cause of social movements (Pichardo, 1997). In their analysis of social movements, structuralists tend to employ one of two models: the social structural model that defines social movements as the products of structural inequality or the political structural model that perceives social movements as resulting from political mobilisation (Tarrow & Tilly, 2009, p. 12).

Such a structuralist approach was ultimately challenged by the new social movement approach, which—while still attributing social movements to marginalisation and injustice—focuses more on the values and beliefs that create collectivity (Melucci, 1996). Langman (2013), for instance, argues that cultural filters such as emotion, morality, and spatial interactions contribute to the formation of collective identity. By recognising such cultural aspects, this paradigm tends to be more fluid, open, and decentralised in its framing of social movements (Pichardo, 1997). Grugel et al. (2017) argues that narratives of marginalisation and injustice are powerful tools with which political agents who wield the power of rights-based claims can create collectivity and design resistance movements (Tarrow & Tilly, 2009; Grugel et al., 2017). Samorna (2013) explains that framing may be recognised as part of how political agents discursively construct collectivity.

The new social movement offers an understanding of the lengthy process through which socio-political constructs are integrated into people's everyday lives and collective action is created. However, this literature tends to be static in its discussion of the actors and structures involved in social movements. Tarrow & Tilly (2015) argue that it is necessary to enrich the structuralist–constructivist approach by recognising the dynamics of contentious politics and its effect on social movements. Tilly and Tarrow define contentious politics as follows:

"We call contentious politics, that actors made claims on authorities, used public performances to do so, drew on inherited forms of collective action (our term for this is repertoires) and invented new ones, forged alliances with influential members of their respective polities, took advantage of existing political regime opportunities and made new ones, and used a combination of institutional and extra institutional routines to advance their claims." (Tilly & Tarrow, 2015, p. 7).

Tarrow (2011) explains that contentious politics occurs when ordinary people, allied with individuals with the capacity to shape public opinion, confront those with power and their supporters. Such a situation is made possible by opportunities and obstacles that incentivise actors to take action with the limited resources available to them (Tarrow, 2011, p. 6). Contentious politics involves three aspects of struggles for power: contention, politics, and collective action (Tilly & Tarrow, 2015, pp. 7–14). Contention is an integral part of claim making, as well as the restriction of others' activities, while politics involves interactions with government actors and institutions with significant political

capacity (such as corporations); these intersect in such diverse fields as regulation, licensing, and property rights. Collective action, meanwhile, is a means of organising communities and stakeholders to promote their shared interests and desires.

This framework contributes a means of understanding social movements as having historical rather than universal roots (Tilly & Tarrow, 2015), wherein collectivity is interpreted and translated through a framing mechanism. Such an approach underscores the importance of socio-political relations in everyday interactions, with the formal approach being used to articulate interests through government institutions and the informal approach being used to conduct extra-bureaucratic negotiations (Tarrow & Tilly, 2009; Tarrow, 2011). Such an approach holds that social movements have their own repertoires, i.e. collective action strategies that are produced through reflection upon and knowledge of relevant issues (Tilly, 2005). Tarrow & Tilly (2009; 2015) recognise that the literature has failed to provide a clear explanation of recruitment and networking mechanisms. Several causes have been proposed, including access to information, solidarity, and social control (Tarrow & Tilly, 2009, p. 12; Tilly & Tarrow, 2015).

This study seeks to address this issue by investigating materiality and its transformation in the commodification of gold, with a specific focus on the interactions between networks, actors, information, reports, policies, and discourses through which collective action is created. Following Sørensen (2009), this article explores materiality to understand the economic and political dynamics of natural resource exploitation and social movements (Bebbington et al., 2008).

According to Dougherty (2013), the particular characteristics of gold drives competition for direct access of this resource as well as rent-seeking behaviour (Dougherty, 2013). Ultimately, the commodification of gold shapes the struggles and contestations between capital holders, labourers, and technology (Castree, 2003).

Gold has become part of the global commodity chain, wherein natural resources are extracted from particular locales before being processed and traded across space and time. Since at least the 16th century, gold has been a symbol of wealth and prosperity (Braudel, 1992). According to Singh & Bourgouin (2013), the global commodity chain requires governments to become involved in extractive industries to reduce risks and promote investment in extractive industries (Kaup, 2008). States thus act as custodians, having the authority and capacity to manage resource exploitation and commodification while restricting movements and activities that could potentially disrupt investment (Özen & Özen, 2009).

Owing to its material characteristics as a strategic global commodity, gold has a particular resource access priority (Bakker & Bridge, 2006). Ribot & Peluso (2009) emphasise that access is capacity, the *power* to benefit from resource exploitation. Unlike the property regime, which is rooted in ownership and legalisation processes, the access regime involves networks of actors with access to natural resources within political, economic, and cultural structures (Ribot & Peluso, 2009). Richardson & Weszkalnys (2014) argue that contestation is caused not only by states, companies, and citizens' different levels of access, but also by their

different perspectives of gold and other natural resources. Under the dominant extractivist paradigm, other views of gold are ignored, including that which Carreño (2016) identifies as an *ecological paradigm* wherein gold has a living materiality and is closely intertwined with the water, wood, air, land, and people surrounding it.

In this article, this theoretical framework is used to understand how the shifting materiality of gold at Tumpang Pitu has limited residents' involvement in extractive industries as well as their access to nearby natural resources (such as water, land, fish, and wood). As a result, contentious politics has emerged, with residents and activists working together to claim access.

History of the Extraction and Commodification of Gold at Tumpang Pitu

Gold is a material that has long been used as part of global trade (Hartwick, 1998). Today, the gold market consists of three main segments. Almost half of gold is produced to meet consumer demand (48.7 per cent), being used for jewellery and information technology; another 34.5 per cent of gold is mined for investment and currency (bars, coins, etc.); the remainder is used by central banks (PT MDKA, 2015). Indonesia contributes significantly to this market, having produced 109 tonnes of gold in 2014 (mostly from Grasberg in Mimika, Papua) (Emas, 2015). Ongoing efforts to discover alternative sources of gold have identified veins at Tumpang Pitu, in southern Banyuwangi Regency. This hill was previously part of Meru Betiri National Park, a protected region since the colonial era (Maimunah & Muhammad, 2002).

Exploration and exploitation activities in Banyuwangi show what Castree (2003)

identifies as the intersection of capital and nature in the commodification of natural resources. This commodification has influenced the policies and regulations produced by national, provincial, and municipal governments, which have converted protected land, violated the principle of informed consent, and excluded local residents from decision-making processes. Consequently, natural resource exploitation is frequently protested.

Owing to the value of gold, capital, labour, and technology are invested to identify the location and availability of gold ore. Between 1991 and 2000, a number of companies—both domestic and international—began seeking new sources of gold in Indonesia, including PT Gamasiantara (Golden Eagle Indonesia), Korea Toosun Holding, Golden Valley Mines, Placer Domen, and Hakman Group JV. In 2006, PT Indo Multi Cipta (IMC)—later renamed PT Indo Multi Niaga (IMN)—continued these explorations, as did PT Hakman, PT Jember Metal (PT JM) and PT Banyuwangi Mineral (PT BW). These explorations show the significant capacity and capital of these companies, which received permission to explore protected forests from the Ministry of Environment and Forestry.

The exploitation of these resources, however, only became possible following the commencement of decentralisation in the early 2000s. After the implementation of regional autonomy, local governments were granted the authority to manage mining and other extractive activities. On 7 September 2000, the Regent of Banyuwangi granted a mining permit to PT BW; similarly, the Regent of Jember provided PT JM with the opportunity to begin investment. Both companies were

granted access to parts of the Meru Betiri Forest, which spans from southern Banyuwangi to Jember. In 2006, the Regent of Banyuwangi Ratna Ani Lestari (2005–2010) cancelled the Hakman Group's permission to explore Tumpang Pitu (Walhi Jatim, 2018b), ultimately granting a mining permit to PT Indo Multi Niaga (IMN) in 2007. PT IMN also received permission (Izin Pinjam Pakai Kawasan Hutan/IPPKH) from the Ministry of Forestry, after the ministry converted the status of protected forest into the production forest, as this mineral was perceived as strategically important (Walhi Jatim, 2018a)

The decision to begin mining in Meru Betiri National Park, including Tumpang Pitu, was broadly protested. Environmental activists and conservationists argued that previous explorations of the region had resulted in draughts (Walhi Jatim, 2018b). They also questioned the land's dual status as protected forest and mining district.

The situation was further complicated by competition over gold, as multiple government agencies were involved and thus regulatory and geographic lines were blurred (Dougherty, 2013; Bakker & Bridge, 2006). This is evident in PT IMN's interactions with the local and national government. Although Regent Ratna Lestari had permitted mining in 2007, this permit was revoked by her successor Azwar Anas. Likewise, PT IMN fell afoul of Law No. 4 of 2009 regarding Mineral and Coal Mining as most of its stock was owned by foreign investors. Consequently, without the knowledge of PT Intrepid—its largest shareholder—PT IMN sold its stock to PT Merdeka Copper Gold,

resulting in conflict between PT IMN, PT Intrepid, and the Banyuwangi Regency Government. After international arbitration was conducted in 2012, the Banyuwangi Regency Government decided to issue a permit to PT Bumi Suksesindo (a subsidiary of PT Merdeka Copper Gold), as this would ensure that the gold mine remained under Indonesian control (Director of Mining, Office of Industry, Trade, and Mining, personal communication, January 5, 2017).⁵

PT Merdeka Copper Gold (henceforth PT MDKA) established networks with actors who had the authority to control access to gold and forests (Ribot & Peluso, 2009). PT MDKA is a holding company established 2012 by PT Saratoga Investama Sedaya and Provident Capital Indonesia, companies that were founded by Sandiogo Uno and Edwin Soeryadjaya. One significant stakeholder, holding 3.2% of shares, is Sakti Wahyu Trenggono, a politician who backed Joko Widodo during the 2014 presidential election after having served as the National Mandate Party's treasurer. Its commissioners are individuals with significant economic and political influence. These include Edwin Soeryadjaya, the President of the Board of Commissioners; Garibaldi Thohir, a coal businessman from Grup Adaro Energy; Richard Bruce Ness, a commissioner with PT Indika Energy and PT Petrosea who had led PT Newmont Minahasa Raya between 1997 and 2004; and Dhohir Farisi, a Gerindra Party politician, member of Indonesian Parliament's Commission VII (responsible for natural resources, environmental affairs, and conservation), also husband of influential Nadhlatul

BSI granted the government a golden share of 10 per cent in December 2012.

⁵ The Government of Banyuwangi issued No.188/547/KEP/429.011/2012 on 9 July 2012 issued a mining permit to PT BSI. In return, PT

Ulama figure, Yenny Wahid. Mining was facilitated by the close relationship between Regent Azwar Anas and Minister of Forestry Zulkifli Hasan, who supported the regent's proposal to convert 9,742 hectares of protected forest into productive forest through Ministerial Decree 826/Menhut-II/2013; this decree released 1,942 hectares of protected forest, thereby allowing mining to occur (Martadi, 2015).

A relational process was also used to influence political actors and shape policy, thereby enabling PT Bumi Sukses Indo (BSI), a subsidiary of PT MDKA, to begin

operations in 2017. PT MDKA has since become the fourth largest extractor of gold in Indonesia (as seen in Table 1). To secure gold production, the national government identified the Tumpang Pitu gold mine as a vital national object through Regulation of the Minister of Energy and Mineral Resources No. 651 K/30/MEM/2016. The national government thus identified gold as a strategic commodity, with the implication that its production and distribution had to be protected by the military and the police.

Table 1. Gold Mining Contracts in Indonesia

Corporation	Production (2014, kg)	Location of Production Mining Business License
Freeport Indonesia	36,256	Papua
Nusa Halmahera Mineral	10,255	North Maluku
Agincourt Resources	8,566	North Sumatra
Merdeka Copper*	4,800	East Java
J Resource Bolang Mongondow	2,770	North Sulawesi
Tambang Tondano Nusajaya	2,437	North Sulawesi
Newmont Nusa Tenggara	2,436	West Nusa Tenggara
Aneka Tambang	2,334	West Java
Meares Sopotan Mining	2,208	North Sulawesi
Kasongan Bumi Kencana	1,518	Central Kalimantan
Indo Muro Kencana	675	Central Kalimantan
Natarang Mining	435	Lampung
Ensbury Kalteng Mining	34	Central Kalimantan

Note: *Operations began in 2017; figures represent the 2018 production target

Source: Derived from Indonesia Mineral and Coal Information (2015)

Materiality and Politico-Economic Capacity

This study shows that gold not only has the economic capacity to attract capital, labour, and technology, but also the political capacity to attract diverse actors. Through its involvement of material (capital, labour, and technology) and non-material (prosperity and regional development discourses), gold creates a

socio-material formation of *governable space* with specific and complex values, order, and power relations (Watts 2003, 2004). It thus has the politico-economic capacity to influence power relations and blur the boundaries between the global and the local, the public and the private (Allen, 2016)

Gold governable space is first created when gold ore is extracted from the ground,

separated from other minerals, and transformed into granules of 20% gold and 80% silver. Ore is thus associated with *capital*, technology, and expert technicians with particular skills and knowledge. In 2014, it was estimated that Tumpang Pitu held 898,262 oz of gold ore and 21,644,984 oz of silver ore. In its initial public offering, PT MDKA stated that the ore was so extensive that its extraction would take between eight and nine years (PT MDKA, 2015).

The company identified its ore extraction and production processes as good mining practices (Sodiqin, 2018). PT BSI has adopted heap leaching, a tailing-free approach that it claims is environmentally sound (Aini, 2018). According to PT MDKA (2015), it employs a barren leach solution (BLS) to separate gold ore from other minerals within a holding pond of dilute alkaline cyanide solution. After a series of carbon and electrochemical processes, a pregnant solution of gold and silver is produced. These precious metals are then melted into granules and sent to Antam, a government-owned enterprise in Jakarta, for purification. This process results in gold bars that meet London Bullion Market Association (LBMA) standards (PT MDKA, 2015).

This *gold governable space* has been incorporated into the power structure and its narratives of mining and development. PT BSI has linked its gold mining with regional development, prosperity, and job-creation. The company employs 1,500 people, 65 per cent of whom are Banyuwangi natives (<https://bumisuksesindo.com/>). It has also given a *golden share* of stock—10 per cent—to the Banyuwangi Regency Government. At the initial public offering, this stock was

valued at approximately Rp 22 billion; according to PT BSI (2017), since then this stock has increased in value to Rp 440 billion. PT BSI also uses 1.5 per cent of its total income for its corporate social responsibility activities, through which it seeks to empower the people of Banyuwangi through education, healthcare, and economic support. The Banyuwangi Regency Government, meanwhile, has linked gold mining with regional development and welfare, with the *golden share* forming part of the regional budget and mining jobs providing tangible benefits to residents (Director of Mining, Office of Industry, Trade, and Mining, personal communication, January 5, 2017).

Such framing of gold extraction is closely linked to its materiality, its ability to connect to political agents and create opportunities for the populace. Regent Azwar Anas has played a key role, working through formal and informal mechanisms to create support. The local government has disseminated pro-mining developmentalist narratives through its official forums, including those for environmental impact analyses.

Informally, meanwhile, Azwar Anas—an activist with Nadhlatul Ulama (NU), the largest Muslim organisation in Indonesia—has communicated pro-mining ideals in religious forums. This has been important in Banyuwangi, as most residents are NU-affiliated Muslims. This religious organisation is influential at the village level, and alumni of its boarding schools have created informal networks through which they have promoted pro-mining developmentalist narratives at the grassroots level. In their sermons, they urge the faithful to enjoy Allah's blessings and interpret the Qur'an as promoting the exploitation of natural resources such as

gold (*Pesantren* administrator and NU activist, personal communication, January 6, 2017).

Another religious organisation that has supported gold extraction is the Blambangan Forum (Forsuba), which was established by a former Multipurpose Ansor Front (Banser) officer in 2004. This forum has received funding from several mining companies, including IMN and BSI; in return, it has been asked to communicate the companies' intentions to its members and their peers (Ahmad⁶, personal communication, December 19, 2017). For instance, in 2015, PT BSI used Forsuba to mediate its conflict with local residents. Two years later, Forsuba confronted anti-mining activists and was the only civil society organisation urging the immediate prosecution of protestors who had waved a hammer-and-sickle banner.

Village level dynamics have also been influenced by NU members at the national level. In 2015, Yenny Wahid—the daughter of former President of Indonesia Abdurrahman Wahid and a prominent NU leader—was made an independent commissioner of PT BSI. After some of the company's facilities were razed by local residents, she was replaced as commissioner by her husband, Dhohir Farisi, who similarly occupies an important position within NU.

Nonetheless, it must be recognised that NU is not a monolithic organisation. Indeed, the pro-mining positions of senior NU members in Banyuwangi have been opposed by their juniors in the Nahdliyin Front for Natural Resource Sovereignty (Front Nahdliyin Untuk Kedaulatan Sumber

Daya Alam, FNKSDA) (NU activist, personal communication, December 16, 2017).

This situation illustrates the politico-economic capacity of gold and its extraction (Dougherty, 2013), which simultaneously stimulates competition while consolidating capital, labour, and political agency into a *gold governable space* (Castree, 2003; Watts, 2003, 2004). At the same time, however, some local residents have seen Tumpang Pitu as a living material (Carreño, 2016), translating their different ontology into a struggle for access.

Understanding the Anti-Mining Movement

Social movements are produced through historical processes, the everyday mechanisms through which everyday challenges are overcome—including making demands, organisational strategies, and collective action (Tarrow & Tilly, 2009; Tilly & Tarrow, 2015). This study finds that these framing mechanisms are complicated and extended by the materiality of gold, including the capital, technology, labour, political agency, regulations, and prosperity narratives involved. Near Tumpang Pitu, the anti-mining movement has resulted from the consolidation of diverse initiatives, motivations, and interactions into collective action.

The specific actors, strategies, narratives, framing mechanisms, recruitment mechanisms, and networks of the anti-mining movement have been determined by the materiality of gold. This is evident from three pillars of the movement: its repertoire, including its strategies and action plans; its framing

⁶ Pseudonym, Forsuba.

mechanisms and means of creating collective solidarity; and its recruitment mechanisms.

Creating a Repertoire

A repertoire is not a partial strategy or action, but rather an organised and consolidated collective movement with a specific goal. Near Tumpang Pitu, the anti-mining movement's repertoire has developed as residents have improved their knowledge of mining and interacted with others in their everyday lives. As Tarrow argues:

"People do not simply 'act collectively' [...] Contentious politics is not born out of organizers' heads, but is culturally inscribed and socially communicated. The learned conventions of contention are part of society's public culture. Social movements are repositories of knowledge of particularly routines in a society's history, which helps them to overcome the deficits in resources [...]" (Tarrow, 2011, p. 19).

Tilly (1995, pp. 41-44) argues that contention and collective action intersect in a *repertoire of contention*, with ordinary people sharing their understandings and perceptions to work collectively towards a mutual goal. Since the 1990s, the commodification of gold in Tumpang Pitu has limited local residents' access to such natural resources as water, land, air, and wood. This was their primary motivation for developing collective approaches and strategies.

However, owing to the materiality of gold, activists' efforts to develop a repertoire have been difficult and lengthy. As residents' perceptions of gold have changed, so have their views of its extraction and mining. The most recent approach, ForBanyuwangi, has been used

to consolidate residents who have developed diverse interests, goals, motivations, and understandings. Since the initiation of political reform in 1998, as well as the subsequent implementation of decentralisation afterwards, activists have had more opportunities to articulate their opposition to (or acceptance of) gold mining.

The anti-mining movement traces its roots to Pancer Hamlet, Pesanggaran Village, which is located approximately five kilometres from the mine. Owing to its coastal location and its proximity to productive forests, this hamlet occupies a strategic position. Most of its residents work in the tourism industry on nearby Merah Island or as fishermen; to support the latter, in the 1970s the national government provided Pesanggaran with a dock for landing and transporting fish (Administrator of Pancer Hamlet, personal communication, January 5, 2017). In 1994, Pesanggaran was hit by a tsunami. Residents believe that the brunt of the tsunami was borne by Tumpang Pitu, (Administrator of Pancer Hamlet, personal communication, January 5, 2017) and fear of similar environmental disasters was a major driver of their opposition to gold mining in Tumpang Pitu.

Nonetheless, residents are not united in their beliefs. For instance, some welcomed the construction of PT BSI's facilities in 2013, asking only that each household receive Rp 1 billion to compensate them for their loss of income. Fishermen, both those who supported mining and those who opposed it, feared that the gold mine would pollute the ocean with its dilute alkaline cyanide, as had occurred in Buyat Bay in North Sulawesi. Fish populations would scatter, and this would endanger their livelihoods.

Owing to the commodification of gold, as well as the accompanying prosperity narrative, residents have taken diverse views of mining. Nonetheless, general trends can be identified in specific locales and within particular sectors. Those who accept mining tend to live in the highlands and work as farmers; a small minority are employed at the gold mine. Conversely, those who oppose the mine tend to live along the coast, and most are involved in the fishing and tourism sectors (Administrator of Pancer Hamlet, personal communication, January 5, 2017). Residents who accept the mine tend to perceive it as offering them an opportunity to increase their incomes and improve their economic situation. Through the multiplier effect, entrepreneurship has become increasingly common in the highlands, with local residents supplying food to miners, selling heavy equipment, working at the mine, or receiving financial support. Reflecting trends elsewhere (Dougherty, 2013), these pro-mining activists tend to compete to access company projects and funds.

This diversity has made it difficult to mobilise and organise residents into a consolidated anti-mining movement. Observations in the field identified three types of repertoires, which were used during three different periods in response to extractive activities in Tumpang Pitu.

The anti-mining movement was initiated by a group of fishermen in Sumberagung Village, Pesanggaran District, in the 1990s. These early activists worked in conjunction with fishermen from Kedungrejo Village, Muncar District, from whom they were separated by a peninsula located, as well as the Sumberagung Village Government, the Banyuwangi Forum for Environmental Learning (Baffel),

and environmental activists. Despite its opposition to modern gold mining, these early activists affiliated themselves with local strongmen who operated artisanal mines in the Wringinagung Hamlet; this indicates that activists were driven by different motives and ideologies.

In its earliest stages, the anti-mining movement opposed the exploration of Tumpang Pitu by PT Hakman and PT IMN (Chief of Sumberagung Village, personal communication, January 6, 2017). Residents used mass actions and demonstrations to show their consolidated opposition to mining, even though they were organised in separate associations. Fishermen, farmers, and artisanal goldminers all feared that their livelihoods would be disrupted and that corporate mining would pollute the natural environment upon which they depended. Although these activists were unable to stop exploration, they were able to effectively use blockades and other mass actions to force negotiations and guarantee the creation of jobs and the provision of corporate social responsibility.

Exploration continued between 2000 and 2015. However, in 2012 the government granted PT BSI permission to mine 5,000 hectares of land in Sumberagung; in 2013, Ministry of Forestry converted 1,942 hectares of land of protected forests in Tumpang Pitu into productive forests allocated for PT BSI's mining area. These events provided the movement with the momentum needed to strengthen its bonds. Unlike previously, when activists had exhibited no collective identity, activists—be they entrepreneurs, artisanal miners, farmers, and tourism professionals—identified themselves collectively as the People's Anti-Mining

Movement (Gerakan Rakyat Anti Tambang, Geramang).

In the Banyuwangi dialect, the word *geramang* denotes *large red ants that live in wood*. Activists thus implicitly likened themselves to ants, working collectively to overcome threats and dangers. Geramang established networks with local and national politicians, including members of the Indonesian Parliament from the Democratic Party of Indonesia –Struggle and members of the Banyuwangi Local Parliament from the Nasdem Party. Activists held joint prayers, blocked roads, and besieged the company's offices. Although these activists successfully showed their collective strength, they were easily provoked, and two separate demonstrations (in 2011 and 2015) became clashes between protestors and company strongmen.

Political parties became involved when a number of activists were accused of destroying PT BSI property and arrested by the East Java police on 25 November 2015.⁷ NS, a member of parliament from the Democratic Party of Indonesia – Struggle, retained a lawyer to defend these activists. Activists and their allies also reported the police to three intermediary institutions: the Commission for Disappeared and Victims of Violence (KontraS), the National Human Rights Commission (Komnas HAM), and the Witness and Victim Protection Agency.

⁷ Twelve representatives of the organisation, accompanied by their lawyer Amrullah, went to KontraS' offices in Surabaya as well as Komnas HAM and LPSK's offices in Jakarta. They reported that the police had come to the village and arrested residents accused of participating in the riot. This had included several activists who vocally rejected the mine, including Ari,

Komnas HAM send a team to investigate allegations, but never released its findings to the public. Ultimately, the movement became fragmented as activists perceived themselves as having been exploited to advance politicians' personal interests (Ilhami,⁸ personal communication, January 3, 2017).

Between 2016 and 2018, activists began organising themselves intensively in response to PT BSI's construction of new facilities, the identification of Tumpang Pitu as a vital national object, and the commencement of mining in 2017. Opposition intensified after one activist, Heri Budiawan (better known as Budi Pego), was accused of having spread communist teachings during an April 2017 demonstration. The criminalisation of this dragon fruit farmer from Sumberagung Village gave the movement the momentum necessary to consolidate itself into a civil society coalition. Ultimately, although the hammer-and-sickle banner was never found (let alone introduced into evidence), Budi Pego was sentenced to ten months' imprisonment. This decision was appealed by the Advocacy Team for Agrarian Sovereignty (Tim Advokasi Gerakan Rakyat untuk Kedaulatan Agraria, Tekad Garuda), but this appeal was rejected by the Supreme Court of Indonesia, which ultimately added another four years' imprisonment to Budi Pego's sentence (Walhi Jatim, 2019).

Fitri, and Edi Laksono. As evidence, the police presented four cartridges. Ultimately, two of these people (Fitri and Edi Laksana) were identified as suspects in the riots, but cleared of all charges. Meanwhile, Ari did not experience any legal repercussions.

⁸ Pseudonym.

At this time, the anti-mining movement adopted a new repertoire. Responding to the commencement of mining, activists allied themselves with various civil society organisations in Banyuwangi (Ilhami,⁹ personal communication, January 3, 2017). Allying itself with other organisations, including the Nahdliyin Front for Natural Resource Sovereignty, the Indonesian Forum for Environment (Walhi), and Tekad Garuda, the movement established ForBanyuwangi. Recognising the ineffectiveness of allying with political parties, activists determined that an alliance with non-governmental organisations would better advance their goals and promote greater consolidation (Ilhami,¹⁰ personal communication, January 3, 2017).

ForBanyuwangi enacted a long-term strategy to increase support at the village level. Members have continuously urged, particularly women, to openly articulate their opposition to mining. Several of the activists involved in the Budi Pego case were produced through this cadreisation process. ForBanyuwangi has also worked in conjunction with local artists to design attractive media that could be distributed through social media and performances to attract the attention of the general public.

Framing and Shaping Collectivity

Before adopting the name ForBanyuwangi in 2017, the anti-mining movement had created collectivity through a lengthy process. Tarrow (2011) identifies framing as an important component of creating solidarity within the context of *contentious politics*. Such framing is not

static, but rather dynamic and processual, changing along with its socio-cultural context (Benford & Snow, 2000; Urkidi & Walter, 2011). In this case, framing mechanisms enabled activists and their allies to spread specific views of gold while simultaneously incorporating diverse motives and goals into a singular movement.

In the 1990s, the anti-mining movement framed exploration activities as threatening the environment and the livelihoods of local farmers and fishermen. They attributed the pollution of local springs as well as the land's reduced arability to the ongoing gold exploration. Such a livelihood narrative not only promoted solidarity amongst farmers and fishermen, but also attracted the support of artisanal miners.

Environmental and livelihood narratives continue to be used to create collectivity, albeit with some modifications. Since 2015, activists have linked these narratives to local wisdom (Polgov-KSI, 2016), using their collective memory of the earthquake and tsunami of 1994 to promote a shared understanding of the importance of preserving Tumpang Pitu. Activists argue that open pit mining and heap leaching will erode Tumpang Pitu and reduce its windbreaking ability, thereby resulting in stronger winds and waves. Anti-mining activists have also embraced the rituals that were traditionally used to promote good harvests and catches, arguing that the environmental impact of mining would reduce harvests and otherwise harm the community (Suni,¹¹ personal communication, December 17,

⁹ Pseudonym.

¹⁰ Pseudonym.

¹¹ Pseudonym, Geramang activist.

2017). Activists have also incorporated traditional communal prayers (*istigoshah*) in their activities.

As PT BSI's facilities were constructed between 2013 and 2015, government security forces became increasingly prevalent, as did local resistance. Activists responded to this situation by emphasising security forces' violations of human rights and repression of activists. This became particularly prominent after the destruction of PT BSI property on 25 November 2015, when it was used to counteract the police narrative that activists had promoted unrest and chaos. Activists used this approach again in 2017, after Budi Pego was prosecuted for spreading communist teachings.

After PT BSI began production in 2017, ForBanyuwangi—the latest permutation of the anti-mining movement—strengthened itself by establishing alliances with civil society organisations. ForBanyuwangi spread a narrative of environmental justice, focusing particularly on mining's deleterious effect local residents' access to economic, social, and cultural resources. This narrative was used to counteract the prosperity and regional development narratives promoted by the Banyuwangi Government and PT BSI. ForBanyuwangi also strengthened its bonds with other movements by participating in anti-development activities around Indonesia, protesting (among other things) the reclamation of Benoa Peninsula in Bali and the construction of coal-fired power station in Indramayu. Since 2017, ForBanyuwangi has also utilised its agrarian justice narrative to increase solidarity with forest communities elsewhere. As stated by Tarrow (2011), such framing and narratives offer mechanisms for increasing collectivity.

However, in employing these strategies activists position themselves as the opponents of the state, the mass media, and the company. Such contestation has perpetuated the practice of *contentious politics* in and around Tumpang Pitu.

Recruitment and Expansion

Activists have used their narrative of gold mining and its deleterious effects to create new networks and expand their reach. This narrative draws on the collective belief that the commodification of gold is prioritised over residents' access to natural resources. Such harm may occur anywhere, and may affect anyone.

Several factors have contributed to the successful use of this mechanism. First is the very materiality of gold. As it is transformed from ore to granule, gold is continuously commodified. This reality has significantly intensified anti-mining activities. As capitals, technologies, actors, regulations, and policies were consolidated before ore was extracted in December 2016 (marking the shift from construction to production), recruitment increased significantly. In the first quarter of 2017, PT BSI produced 25,063 oz of gold and 6,420 oz of silver (PT BSI, 2015). At the same time, PT MDKA conducted an aggressive initial public offering (PT MDKA, 2015). This escalated the conflict in Tumpang Pitu, resulting in riots (2015) and the criminalisation of anti-mining activists (2015, 2017).

The second element that has facilitated recruitment is the actor networks, derived from the individual friendships of activists as well as their organisational web of networks with NGOs. ForBanyuwangi was established with the support of numerous NGOs who had

consistently opposed the commodification of gold in the Meru Betiri Protected Forest since the 1990s. These activists had their own networks with environmentalist groups, agrarian organisations, and legal aid organisations such as Jatam, Walhi, and the Legal Aid Institution. Such support facilitated the establishment of ForBanyuwangi.

Recruitment was also facilitated by digital media campaigns on social media. ForBanyuwangi intensively used Facebook and Instagram to campaign for agrarian and environmental justice. The criminalisation of Budi Pego, for instance, was frequently mentioned in its social media posts.

Recruitment may be understood not only through the elements that facilitate it, but also the spatial expansion of the organisation and its networks. This organisation, which began at the village level, grew to the district, regency, and ultimately provincial level. This new scope was made possible by its networks and its narrative of access, through which the movement expanded and found new bases of support (Allen, 2016). The first of these was Songgon District, where Satumin—a coffee and ginger farmer—was sentenced to 3.2 years imprisonment after being found guilty of entering a state-owned forest without permission. ForBanyuwangi used its narrative of agrarian justice to advocate for Satumin and claim access to these forests. Although the Banyuwangi State Court ultimately found Satumin guilty, this advocacy was an effective means of accumulating support and opposing the criminalisation of small farmers (Arifianto, 2018).

Spatial recruitment mechanisms were also evident in ForBanyuwangi's alliance with civil society organisations in

Surabaya. These associations had been established to advocate for Budi Pego, a dragon fruit-farmer who was accused of spreading communist teachings during a protest. With the establishment of Tekad Garuda, an alliance of Walhi, Kontras Surabaya, and the Legal Aid Institution, Surabaya became the new centre of the anti-mining movement.

The proximity of Banyuwangi and Bali also enabled ForBanyuwangi to establish a formal alliance with the Balinese People's Forum against Reclamation (Forum Rakyat Bali Tolak Reklamasi, ForBali). Both forums received national and international support as they advocated for justice in development projects. In 2018, for example, ForBanyuwangi worked together with ForBali to facilitate the arrival of Greenpeace's *Rainbow Warrior* in Benoa, Bali (Konferensi pers, 2018). The arrival of this ship symbolised the international environmentalist group's support for ForBali and its cause.

This spatial expansion coincided with the broadening of the movement's organisational identity. New networks meant new collective identities, as the social movement began representing not the interests of one specific group but rather the broader desire for access. By becoming involved in the case of Satumin in Songgon, Banyuwangi, the anti-mining movement expanded itself from mining to agrarian justice.

As its scope expanded, the movement continuously renamed itself. Initially, it identified itself as representing the residents of Pancer Hamlet, most of whom were fishermen. In the early 2000s, it rebranded itself as the People's Anti-Mining Movement (Gerakan Rakyat Anti-Tambang, Geramang). As it continued to expand, and as it began focusing on broader narratives

of justice, in 2017 the movement became the People's Forum for Banyuwangi (Forum Rakyat Banyuwangi, ForBanyuwangi).

Conclusion

This article has shown how the evolution of gold's materiality through commodification shapes the actor–network linkages and recruitment mechanisms of social movements. The transformation of gold from ore to granule is inexorably linked with capital, technology, labour, political agency, and regulation. Through this process, residents' access to gold and other resources is limited, providing a basis for contentious politics and anti-mining activities.

Unlike the dominant actor–structure approach, which tends to reduce social movements to static and linear collective action, this article has illustrated how social movements evolve and adapt to the shifting materiality of their objects. Gold has particular economic and political value,

and as such the anti-mining movement is a processual one that experiences fragmentation and reformation. The anti-mining movement also unites persons with different motives, agendas, and discourses, uniting them in a shared narrative of livelihood rights, human rights, natural disaster, conservation, and environmental justice. Through their recruitment mechanisms, such movements reach people from different areas and from different social backgrounds. This is closely related to the political agency of residents, activists, professional associations, non-governmental organisations, and religious organisations, as well as non-material factors such as motives, goals, narratives, discourses, and identities. At the same time, however, uncertainty also drives movements' continued evolution. As the materiality of gold continues to evolve and create contentious politics, ForBanyuwangi will respond to new actors, narratives, strategies, and actions by continuously adopting new repertoires and strategies. (*)

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A Sustainable Ecology Movement: Catholicism and Indigenous Religion United against Mining in Manggarai, East Nusa Tenggara, Indonesia

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Abstract

This article examines and discusses a sustainable ecology movement that has protested the mangan mine in Manggarai, East Nusa Tenggara, since 2000. This movement has united Catholicism and indigenous religion in an effort to promote sustainability, conservation, and environmentalism. Using the institutions of tradition and religion, this movement has negotiated with the State and the private sector and advocated for a moratorium in mining. This article is a qualitative one, employing interviews and focus group discussions as well as a review of documents and previous research into Manggarai and mining conducted by the Research Centre for Politics and Government (PolGov). This study seeks to understand how tradition and religion have been consolidated in their efforts to stop mining in Manggarai. It makes four important findings. First, although manganese does not have much economic value, it is important for poor provinces such as East Nusa Tenggara. Second, Catholicism and indigenous religion have united to advocate for ecological sustainability and oppose manganese mining. Third, traditional and Catholic institutions have strengthened the bonds between members. Fourth, in a literature dominated by studies of religious movements and extractivism, this article contributes a fresh perspective on extractivism and political ecology.

Keywords: *religious politics, environmental sustainability, political ecology, anti-mining advocacy*

Introduction

This article discusses an anti-mining movement in Manggarai, East Nusa Tenggara, Indonesia. It elaborates upon the unique characteristics of this movement,

particularly those that support its efforts to promote ecological sustainability and oppose mining. This movement has been influenced by several factors. *First*, the materiality of manganese, which necessitates open-pit mining. *Second*, the

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developmentalist ideology of a centralistic, authoritarian, and pro-economy government, which has exacerbated the environmental degradation in Manggarai. *Third*, the combination of Abrahamic and indigenous religions in an effort to promote ecological sustainability and conservation, being open to change rather than trapped by literal and dogmatic interpretations.

For more than a decade, a movement has fought against manganese mining in Manggarai, East Nusa Tenggara. This movement has involved broad elements of civil society, including churches, pastors, and traditional communities, all of which have perceived mining as harmful to the environment and to ancestral lands. Exploration of East Nusa Tenggara has occurred since the Dutch colonial era, when JP Freijs showed that Manggarai held such material resources as gold and tin; he highlighted Wae Pesi River as particularly rich in metal ore (Dietrich, 1983). A century later, manganese ore was discovered in East Nusa Tenggara, amidst limestone and volcanic rocks. This mineral became a prime target of exploration and exploitation. Western Timor and Flores have particularly high quality ore (48%), and as such have dominated the world market (Gulf Manganese, 2018). The ore in Manggarai is of slightly lower quality, with content ranging from 30–45% (Pemerintah Manggarai, 2011).

In Indonesia, manganese exploration and mining has been relatively uncommon, and there has thus been a significant gap between production and potential production. According to data from the Ministry of Energy and Mineral Resources (2017 (Dirjen Mineral dan Batubara, 2016; Beritagar.id, 2015), 15.5 million tonnes of manganese could be produced, with another 4.4 million tonnes of other metals

(and 5.78 million tonnes in reserve). Production, conversely, has been significantly lower—only 155,000 tonnes in 2019. For comparison, Australia—the world's third largest producer of manganese, after South Africa and China—produces three million tonnes of manganese per annum (National Minerals Information Centre, 2016).

Recognising the significant potential of East Nusa Tenggara, in 2018 PT Gulf Mangan Grup—based in Perth, Australia—signed an agreement with the East Nusa Tenggara government to construct a smelter in the Bolok Industrial Complex, Bolok Village, West Kupang District, Kubang Regency, East Nusa Tenggara (Kaha, 2018). This shows the local government's interest in using manganese mining to improve the local economy as well as its disagreement with protestors.

Churches, traditional institutions, and civil society organisations have opposed manganese mining for both ideological and ecological reasons. The deleterious effects of mining are not only limited to ecological issues, but also health and environmental ones. Open mining has significant consequences, causing air and water pollution. A 2015 WHO report shows that manganese mining can damage the nervous system, disrupt respiration, decrease fertility, and stifle child development. When inhaled, manganese particles directly affect the mind and the liver. Manganese-related ailments, known collectively as *manganism*, cause a variety of psychiatric and motor disturbances, including reduced response speed, irritability, mood changes, and compulsive behaviours. Sufferers' lungs are inflamed, and they experience bronchitis. Manganese poisoning also disrupts the reproductive system, affecting

men more than women. Sperm mobility and libido decline, resulting in impotence. Children, meanwhile, tend to be more aggressive and hyperactive, with their motor development and neurological development being stymied (ATSDR, 2015); (World Health Organization, 2015); (Williams, Todd, & Roney, 2012). Studies by WHO (2015), Williams (2012), and Huang et al. (2016) have likewise shown that manganese mining pollutes local ecosystems, ecologies, and water systems.

This issue has positioned the traditional communities of Manggarai in opposition to the local government. The people of Manggarai believe that humans should maintain harmony with their environment, with their peers, and with God. Conversely, the local government has been oriented towards economic growth and development. At the same time, liberation theology has brought reform to the Catholic Church, infusing religion with a spirit of human rights and environmentalism. This has brought Catholicism in line with indigenous movements that against mining.

This article seeks to understand how indigenous religions and Catholicism have intersected to address the issue of mining in Manggarai. How do such movements oppose mining? To realise this goal, this article is divided into three sections. *First*, it provides a theoretical framework for ecological transformation in Manggarai. *Second*, it discusses the local government's use of manganese mining for regional development. *Third*, it discusses how ecological movements have opposed manganese mining. It closes by drawing several conclusions.

Religion as a Transformative Agent for Ecological Change: The Intersection of Catholicism and Indigenous Religion

Religion's involvement in socio-political change is not new. Both Abrahamic and indigenous religions—often identified as cultural systems that embody local philosophies—have often played a transformative role. This article borrows its conceptual framework from Johnston (2010; 2013), who describes the intersection of religion and sustainability. To become a transformative force, Abrahamic religions must be capable of redefining two important relationships: the relationship between religion and humanity and the relationship between religion and politics. In this, they can work with indigenous religions to promote ecological sustainability.

Capitalist Culture and Religion

Religions have long incorporated transformative agendas in their social values and their political activities. In critical situations, religion offers a spirit and agenda for mobilising ideas and agents to promote economic, social, political, and environmental change. Religion is not static, but dynamic. Sachs (2019) argues that religion's ability to promote critical reflection and initiate transformative change. Religion is capable of promoting change, reflective evaluation, systemic internal reform, and sustainable development.

Western capitalist systems, including their pro-growth, pro-development agendas, cannot be separated from the Protestant ethos that has permeated individuals and institutions (Blanchard, 2010; Beckford & Demerath III, 2007; Rashid, 1996; O'Brien, 1926). For Weber

(2001) and Rashid (1996, p. 15), capitalist culture, including its legal and ethical structures, is deeply rooted in this ethos. Collins (1986), conversely, argues that Western capitalist systems trace their roots to the Catholic Church and its institutions. According to this model, Catholicism provides liberty and security for everyone from farmers to merchants, under the guidance of their local monasteries. It may thus be surmised that religious institutions, be they Protestant or Catholic, have reinforced the European capitalist systems that promoted colonialism (Melvin & Sonnenburg, 2003).

Developments in Europe, particularly since the French Revolution, have resulted in secular approaches being used to separate religious institutions from state institutions. Religion has been perceived as a curse, as something that must be removed entirely from European culture (Beckford & Demerath III, 2007). Religious institutions have lost their ability to promote social change and to control society. Consequently, approaches to religious studies have become more traditionalist, literal, and dogmatic (Johnston, 2010). Religion is no longer an integral part of the social and political system; it is solely a means of regulating humans' relationship with God. Religion has thus experienced the dual processes of secularisation and sacralisation (Swatos & Christiano, 1999; Demerath III, 2007).

As an implication of this secularisation and sacralisation, there have been efforts to redefine humanity's relationship with nature. According to Baskin (2015), this concept—the Anthropocene—has provided a radical reconceptualisation. Simply put, the Anthropocene concept holds that all on earth and in nature is intended to fulfil

humans' needs and to advance their interests. The industrial revolution and expansion of capitalism have contributed to this concept (Crutzen, 2002). Humans, rather than protecting the biosphere, have caused severe pollution and environmental degradation.

One implication of capitalism and the Anthropocene concept has been the colonisation of countries in the Global South. Churches, as religious institutions, likewise advanced Western colonial interests. As Demaria and Latouche write: "Religion was used to promote economic growth, rather than oppose pollution and ecological degradation" (2019, p. 149).

Religion's ability to redefine itself is closely related to three important elements: the correlation between religion and humanity, the correlation between religion and politics, and the correlation between religion and politics. Repositioning religion vis-a-vis other social elements requires reflection, which has been made possible in Catholicism through liberation theology. This has promoted a new environmentalism, one in which the Catholic Church shares the same goals as indigenous religions.

As an agent of change, religion is political; likewise, religious activities are political activities. Johnston (2010), Benthall (2008), and Chidester (2013) agree that religion can advocate political agendas through its dogmas, and thus is inherently political. Such politics are not formal or procedural; rather, they occur when religions activities are used to create change (Johnston, 2010), cultivate discourse (Benthall, 2018), promote active political and community involvement (Benthall, 2008; Chidester 2005), legitimise claims (Benthall, 2018), and establish public spaces for negotiating and

advancing shared interests (Chidester, 2005). Chidester (2005) even goes so far as to identify religious political activities as part of religion's mission.

In Catholicism, religious institutions have been redefined and repositioned through liberation theology, which has redefined how religion is positioned vis a vis humanity and politics. The relationships between religion and humanity, as well as between religion and politics, have been reformed. No longer does the church advocate for the interests of the elites, as in the colonial era; it promotes human rights and welfare (Philpott, 2007, p. 511; Planas, 1986, pp. 6–7; Prokopy & Smith, 1999, p. 3; Betances, 2007, p. 53).

Liberation theology has created a new mindset, one known as *insurgent consciousness*, which has produced collective action and values (Smith, 1991; Philpott 2007, p. 511). Religious institutions' criticism of capitalism and colonialism can be seen, for instance, in the *Quadra Gesimo Anno* (Pius XI, 1931), which identified the Church as doing more than mediating the relationships between humans and God; it also opposes any systems that injure the marginalised and downtrodden (Smith 1991, pp. 58–59). To borrow from Johnston (2010), Catholicism has positioned itself as more than a religion; it is also a political entity that can advocate for the marginalised and promote active political participation (Benthall, 2008).

Ecological Sustainability: Where Catholicism and Indigenous Religion Meet²

Sustainability is a key part of agrarian transformation. Interestingly, sustainability is not only foundational for Abrahamic religions, but also part of indigenous religions. According to Johnston (2013), sustainability is necessary for religion, as it highlights the affective and emotional dimensions of political issues such as extractivism. Religion offers a means for promoting sustainability in public spaces. As Johnston (2013) states, religions—both Abrahamic and indigenous—offer public spaces for important discourses.

Narratives of ecological sustainability have long borrowed from religious teachings and materials, even those voiced by secular groups. Such narratives have been used to underscore the importance of maintaining a close relationship with nature (Johnston, 2013, p. 55). According to Chidester (2013), ecological sustainability is an important part of religious activities and expressions. Being ecologically minded means showing one's dedication to one's faith and one's God.

The importance of sustainability has been underscored in multiple studies into the social, economic, and political injustices that have plagued marginalised communities and the Global South. Such studies have employed a range of theories, including post-developmentalism (Escobar, 1992; Sachs, 2019), postcolonialism (Mohanty, 1998; Escobar, 1992), political ecology (Verschuuren et al., 2010; Dudley et al., 2005; Guha & Martinez-

² Indigenous religion refers to the localised belief systems of indigenous people.

Allier, 1997), ecofeminism (Shiva, 2019; Sachs, 2019), and feminist ecology (Stevens, Peta, & Denise, 2018 Harcourt & Nelson, 2015). The link between political and economic issues has also drawn significant attention, particularly within the context of conservation and environmentalism (Verschuuren et al., 2010; Dudley et al., 2005).

Catholicism and indigenous religions have united not only in their support for ecological sustainability, but also for the UN Conference on Environment and Development (UNCED). Shortly before the conference was held in Rio de Janeiro in 1992, the World Conference of Indigenous Peoples on Territory, Environment, and Development was held in Kari Oca. This conference provided alternative channels for understanding the environment and for expressing religious beliefs (Harcourt & Nelson, 2015). The Catholic Church subsequently transformed itself, adapting its social curriculum to promote environmental justice (Erb, 2003). This enabled the Church to establish close ties with indigenous religious communities, conducting joint religious activities to advocate for ecological change and shared interests. Religious institutions, both indigenous and Abrahamic, have been used for such activism.

Abrahamic and indigenous religions have collaborated around the world, not only in Manggarai (Cleary, 2004; van Cott, 1994; van Cott, 2000; Yashar 2005; Trejo 2009; Gill, 1998). In Latin America, for example, religious activities crossed the boundaries between religious and secular institutions (Gill 1998), with bishops, pastors, indigenous leaders, and secular leaders working in collaboration to promote change and oppose authoritarianism (Gill 1998; Smith 1996).

Manganese Mining and Regional Development

After East Nusa Tenggara became part of the Unitary Republic of Indonesia, *lingko*—the customary forests of the archipelago—were converted into state forests. This represented a shift in authority, from customary to formal. This was intended to promote conservation and protect forests from exploitation (Martinus, 2015 Suban, 2009).

For the people of Manggarai, the *lingko* has an economic, social, and conservation function, being used to fulfil their food needs, improve water absorption, and establish homes. Since the colonial era, the *lingko* has provided people with resources as well as space for cultivating coffee, cloves, and vanilla—all of which have traditionally been important parts of Manggarai life (Advocacy Team for the People of Manggarai, 2003).

The developmentalist New Order government transformed the *lingko* and its use, beginning to open this conservation area to mining exploration. The centralistic and authoritarian tendencies of the New Order (Mas'oed, 1989) influenced its management of the manganese mining industry, and companies operated under the coordination of the Central Government. Since the 1980s, dozens of companies have conducted exploratory and mining operations in Manggarai. These included PT Aneka Tambang, which conducted its first explorations in Customary Forest No. 103 and began operations in the 1980s; PT Nusa Lontar Mining; PT Flores Indah Mining (Biliton); and PT Istindo Mitra Perdana in Reo. In 1997, this company began mining in Torong Besi, Soga I Block, and Soga II Block in Wangkung, Jengkalang, and Gincu Village. Other companies included PT

Flores Barat Mining (Singapore & PT Aneka Tambang), operating in Manggarai Regency; PT Istindo Mitra Perdana, conducting explorations in Lambaleda District; PT Sumber Jaya Asia, operating in Reok District; and PT Sumber Jaya Asia (PT SJA), which took over the operations of PT Istindo Mitra Perdana (Regus M. , 2011, p. 10).

Mining concession areas (such as those shown in the map below) continue to be traded and sold in Manggarai.

Companies with registered concession areas include PT Sejahtera Prima Nusa (DPE.540/382/XII/2009), PT Grand Nusantara (DPE.540/381/XII/2009), PT Bangun Usaha Mineral Indonesia (DPE.540/196/VIII/2009), PT Prima Komotindo Utama (DPE.540/386/XII/2009), PT Indomineral Resources (HK/244/2009), PT Sumber Jaya Asia (HK/72/2009), PT Bajawa Resources (76/KEP/DESDM/2010), and PT Adhiyasa Utama Reka Ventura (44.H/KEP/HK/2010).

Figure 1. Map of Mining Concession Areas in Manggarai



Source: www.indominatingmap.com (2019)

Developmentalist ideologies, as well as authoritarian tendencies, have continued in the Reform era. Studies by Erb (2010), Erb & Widyawati (2018), Regus (2017) , and the Advocacy Team for the People of Manggarai (2003), the state has continued to use repressive approaches in its "greenification" programmes. In 2002, the regency government began its Green Forests Programme to promote conservation and reduce conflict between farmers and governments. Other greenification programmes have been implemented by the national government to prohibit people from occupying forested areas, including removing the coffee plants that they deemed to reduce the fertility of the land (Advocacy Team for the People of Manggarai, 2003, p. 10; Erb & Widyawati, 2018).

This greenification program first targeted Western Ruteng. The local government, military, police, and hundreds

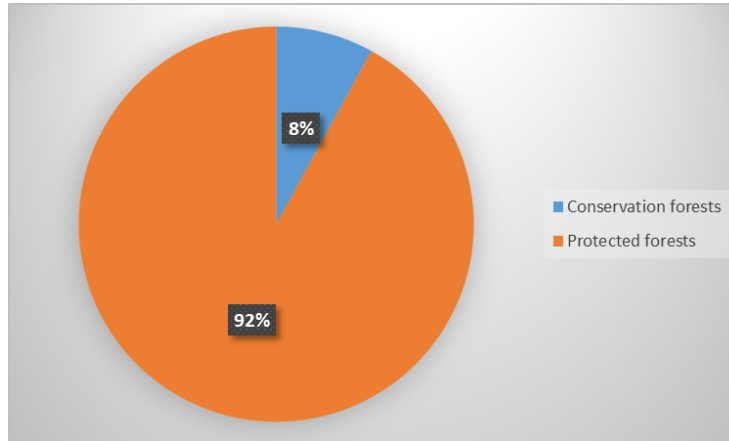
of students travelled to forested areas, felling coffee, clove, and vanilla plants and burning homes. More than 2,000 hectares of land was cleared. Together with affected citizens, NGOs protested the government's action. However, activists were subsequently arrested and imprisoned (Erb & Widyawati, 2018).

The Government Greenification Programme had two implications. *First*, it showed that mining had penetrated even further into protected forests. One year after this programme was initiated, WALHI (2003) found that 39.8% of mining activities in Manggarai occurred in forests, with 30.2% occurring in protected forests, 1% in nature reserves, and 23.7% in national parks. Eleven years later, the Directorate General of Forest Planology at the Ministry of Forestry found that mining permits covered 71,483.13 ha of forest, including 5,620.26 ha of conservation forests and 65,862.87 ha of protected forests (Koalisi

Anti-Mafia Tambang, 2014). However, mining in conservation forests violates Law No. 41 of 1991 regarding Forestry and Law

No. 5 of 1990 regarding the Conservation of Natural Resources.

Figure 2. Area Covered by Mining Permits in East Nusa Tenggara, 2014

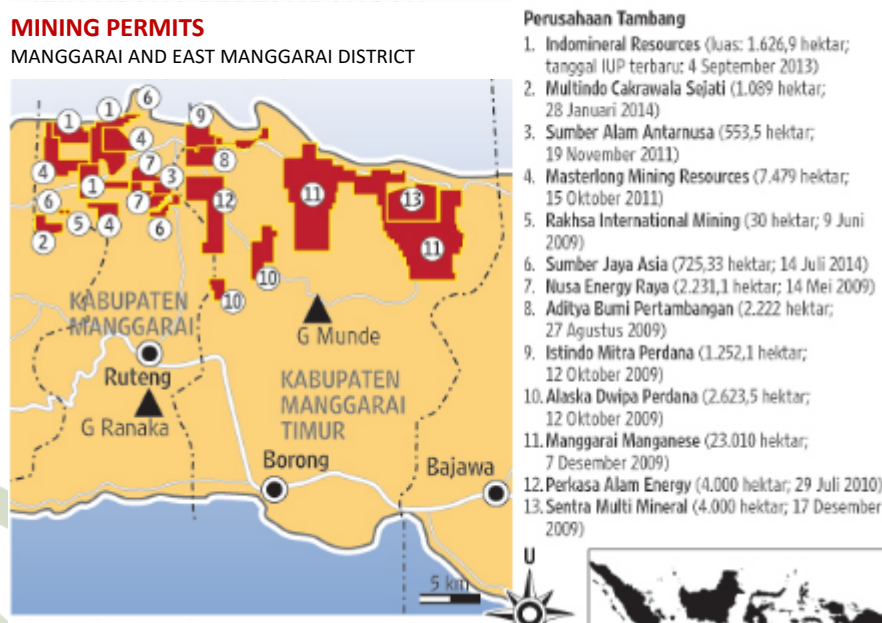


Source: Modified from *Koalisi Anti-Mafia Tambang (2014)*

In 2012, the Indonesian Way found that the Manggarai Regency Government had issued mining permits to eleven companies—PT Usaha Energi Raya, PT Indomineral Resources, PT Tamarindo Karya Resources, PT Multi Cakrawala Sejati, PT Sumber Alam Nusantara, PT Tribina Sempurna, PT Masterlog Mining Resources, PT Sumber Jaya Asia, PT

Rakhsa International, PT Menara Armada Pratama, and PT Wijaya Graha Prima—through 2029 (Indonesian Way, 2012). In 2013, the Regent issued another 22 mining permits (Hasiman, 2013, p. 87). As such, more mining permits have been issued since the fall of the New Order than during the regime.

Figure 3. Mining Permits in Manggarai and East Manggarai



Source: *"Tambang di Manggarai" (2015)*

Economic Value of Manganese Mining in Manggarai

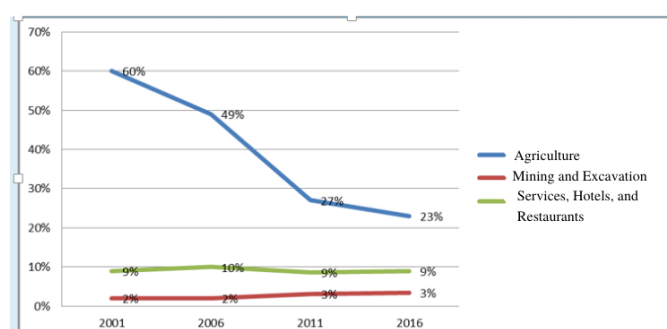
As manganese is of higher economic value than iron sand, it has become much in demand in Manggarai. It has become a major commodity, with potential production of 545,000 tonnes, with an average price of US\$32.98/tonne; conversely, iron sand has a potential production of 671,000 tonnes, with an average price of US\$28.59/tonne (East Manggarai Regency Government, 2016; Pablo, 2018). Manganese, therefore, is worth 125% as much as the next most valuable commodity in Manggarai.

Problematically, however, manganese mining in Manggarai has been small-scale. Between 2001 and 2016, the mining sector represented only 1% of the Manggarai economy. In 2008, the mining

sector contributed Rp 144 million to locally-generated revenue; in 2010, it contributed Rp 12 million; and in 2012, it contributed Rp 132 million (0.3% of Manggarai's locally-generated revenue) (Centre for Education and Training of East Timor, 2013). Owing to a lack of investment, manganese has yet to contribute significantly to the Manggarai economy.

According to the Data and Information Technology Centre at the Ministry of Energy and Mineral Resources (2017), manganese production and exports have dropped by 30% between 2010 and 2012. As mining is done at the small scale, it has not contributed much to the regional economy. In East Manggarai, agriculture contributes more to the local economy than mining (see Figure 4). Nonetheless, mining has continued, as has its negative effects.

Figure 4. Sectoral Contributions to the East Nusa Tenggara Economy (2001–2016)



Source: Compiled from Statistics Indonesia

The data above shows that the agrarian sector has continued to dominate Manggarai. Furthermore, it has continued to grow, albeit insignificantly (averaging 2%– 3% between 2006 and 2011). The services, hotel, and restaurant sector represents 9% of the local economy. Likewise, the agrarian sector employed 64% of the Manggarai workforce in 2013, while the mining sector only had a labour absorption rate of 1%.

A Sustainable Ecology Movement in Manggarai: Uniting Indigenous Religion and Catholicism

The indigenous religion of Manggarai is known as *gendang onè*, *lingko pe'an* (commonly abbreviated GOLP), which means “the village inside, the forest outside”. As an indigenous religion, GOLP employs a holistic perspective for understanding human–nature relations, including traditional homes (*mbaru tembong*), yards (*natas*), altar stones

(*compang*), water (*wae tek*), gardens (*lingko*), graves (*boa*), and villages (*beo*). These elements are integrated, being mutually supportive and complementary. GOLP seeks to promote ecological sustainability, as this is necessary to ensure the future of their communities and their children.

In their everyday religious activities, GOLP practitioners rely on an institution known as *Mbaru Gendang*. Several scholars have understood *Mbaru Gendang* simply as traditional homes (Lawang, 1999, pp. 53–54) (Latif, Hemo, & Darnys, 1990, p. 75) (Erb, 2010). However, *Mbaru Gendang* is more than a mere symbol of indigenous faith; it is a system of governance that is used to administer indigenous communities. In this, it utilises a legal system known *Mbaru Gendang/Bèò*, with *Golo* being the smallest administrative unit. Every *Golo* has the right to administer itself in accordance with customary law, which is formulated by a legislative body known as *Tu'a Panga/Uku* (Erb, 2010; Wardhani & Nudya, 2017).

Where administration is handled at the individual level, rather than the community level, it is difficult to maintain harmony in human–nature relations. *Lingko* is perceived symbolically as a spider web (*lingko/lodok*), a symbol of the earth and the sky. Where the *lingko* is violated, it symbolises disharmony in the social and spiritual lives of the Manggarai people (Dahus, 2017) (Marselus, 2013) (Bagul A. , 2008)). As part of the holistic whole, the degradation of *lingko* is detrimental to their religious practices and harmful to their spirit of sustainability. Mining has resulted in competing claims between land owners and communities (Regus, 2011, p. 18); as such, efforts to protect the *lingko* from

mining are also efforts to prevent its commodification.

Springs, which occupy a central role in *Mbaru Gendang*, have also dwindled significantly as a result of mining. For example, the Torong Besi Forest—a water catchment area in Manggarai that holds several sacred springs—has been used by PT Sumber Jaya Asia (PT SJA) for mining activities (Regus, 2011, p. 14). These activities have left large holes, filled with black mud. Activities by PT ABM in Satar Punda Village, Lambaleda District, has polluted farmland in Luwuk and Lengko Lolok (Regus, 2011; Suban, 2009).

The erosion of local belief systems has resulted in the polarisation of indigenous communities. Differences of opinion are no longer resolved through *Mbaru Gendang*; rather, mining has resulted in strict divisions between pro and anti-mining blocs. Embu and Mirsel (2004, p. 25) refer to this as the loss of Manggarai identity, (Amman, 2015) Conflict with the government and the mining companies has further eroded the State's legitimacy in Manggarai.

The Centrality of Catholicism in Manggarai

The rise of Catholicism in Manggarai may be attributed to three factors. *First*, Catholicism shares many beliefs with indigenous religion. Indigenous Manggarai religion, for instance, holds that there is a Father in the Sky; similarly, Catholicism believes in Our Father in Heaven (with heaven being identified with the sky). It was thus easy for the people of Manggarai to accept Catholicism and its teachings.

Second, the colonial government provided support for Catholic institutions, which enabled the Catholic Church to spread its teachings. This was facilitated

by the Treaty of Lisbon, signed by the Dutch and Portuguese in 1859, which allowed Catholic missions in Flores to continue (Prior, 1988). The Church also lobbied the colonial government to recognise the power of customary Manggarai institutions and the authority of the Manggarai Kings. Finally, in 1930, the Dutch inaugurated the King of Manggarai and granted him the authority to educate the common people (Lawang, 1989). This strengthened the relationship between the people of Manggarai and the Catholic Church. Furthermore, the Church advocated for financial institutions to be controlled by local people, an authority that was granted in 1924.

Third, the Catholic Church has been a major driver of change in the education, agrarian, socio-cultural, and infrastructure sectors of Manggarai. As such, the Church has continued to maintain a central role in local society. Formal education was introduced to Flores by Fr. Antonio da Cruz, who was instructed to establish a school in Larantuka in 1571 (França, 2000). Education efforts were supported by the Dutch colonial government through the Flores–Sumba Regeling Accord, which also provided the Church with a new mandate to promote change. Jesuits, having established seminaries, gained the authority to administer education in Flores and Sumba (Erb & Widayawati, 2018, p. 88). The Church also contributed to development efforts throughout East Nusa Tenggara, including in Flores. The Church has thus transformed various aspects of life in Flores (Prior, 1988, p. 19).

When the Dutch colonial government introduced its Ethical Policy in the early 20th century, it positioned the Catholic Church as a major agent of development in Flores. It constructed schools and

administered education throughout the island, introduced irrigation to rice farmers, campaigned against communal living, and constructed roads. The Church helped the colonial government to administer the region, and in return it was given the freedom to spread Catholicism throughout Flores (Erb & Widayawati, 2018).

The centrality of Catholicism in Manggarai can further be explained by its support for marginal communities. Liberation theology has focused the Church on helping the victims of injustice, promoting human rights, and defending the weak. As a result, the Church has received significant support from local communities and customary institutions. At the same time, the Church has adapted to local contexts. Since the 1960s, young pastors have promoted sustainable ecological change and argued for cultural sensitivity. This has only become more prominent since the Earth Summit was held in Rio de Janeiro in 1992 (Erb & Widayawati, 2018).

Mining: Environmental and Spiritual Degradation

The developmentalist ideology embraced by the Indonesian government differs significantly from the sustainability paradigm of the Manggarai people and the Catholic Church. The State has long promoted mining as a means of promoting the public welfare, and held that mining—though a minor part of the local economy—has made meaningful contributions. For the indigenous peoples of Manggarai, conversely, mining has been viewed as causing significant pollution and therefore not reflecting the local philosophy. The State holds that it is necessary to improve locally-generated revenue, while local communities and the Catholic Church have

underscored the importance of maintaining harmony with nature.

Manganese mining has been detrimental to protected forests, polluted water resources, and obscured the signs of seasonal change (KSI, 2015). The people of Manggarai have long looked to three mountains—Torong Besi,³ Torong Luwuk, and Golo Kantul⁴—to predict the weather. Torong Besi is located in Mount Robek, Reok District; Torong Luwuk is located in Satar Punda Village, Lambaleda District, East Manggarai Regency; and Golo Kantul is located in Toe Village, Reok District, Manggarai Regency. The coming of the rainy season is marked by thick fog and clouds around Torong Besi; once thick fog and clouds reach the other two peaks, the rainy season has arrived and the fishermen must ready to sail (Wardhani & Nudya, 2017). Such signs have become obscured since manganese mining began in 2005.

Likewise, residents have had difficulty accessing the water needed for irrigation and for everyday needs. Approximately 75% of Manggarai residents earn a living as farmers and as fishermen; as such, when the Manggarai Regency Government issued 19 mining permits (covering 18,800 hectares of land) in 2014, it limited their ability to earn a living (Manggarai, 2014). This has provided a significant impetus for anti-mining protests and demonstrations in Manggarai, which have been coordinated by customary and church institutions.

GOLP and Catholicism share the same ecological goal: to promote conservation and ecological sustainability.

³ *Torong* means 'hill'.

⁴ *Golo* means 'mountain'.

These institutions, including *Mbaru Gendang* and the Church, have contributed significantly to environmental management, social, and political activities in Manggarai. State efforts to promote welfare through manganese mining, conversely, have failed to involve these institutions. Consequently, these institutions have become agents of change and opposed mining in favour of a more ecologically sustainable approach.

Ecological Sustainability and the Anti-Mining Movement in Manggarai

Collaborative efforts to promote environmentalism in Manggarai have occurred in three periods: *first*, 2000–2004; *second*, 2007–2010, and *third*, 2010–2018. During the first period, practitioners of Catholicism and indigenous religion focused themselves on helping farmers and activists who were imprisoned and charged with using forests illegally. During the second period, activism focused on anti-mining efforts, a shift that may be attributed both to the loss of protected forests between 2005 and 2007 and to politicians' use of mining to gather voter support. In the third period, the movement expanded its reach, establishing networks with national and international efforts.

The environmentalist movement in Manggarai traces its roots to joint efforts by the practitioners of Catholicism and indigenous religion to oppose government greenification programmes. The leaders of one such organisation, the Manggarai Farmers' Association (Serikat Petani Manggarai),⁵ were arrested and accused of

⁵ A member of the National Farmers' Association (Serikat Tani Nasional).

provoking unrest (Warren, 2003). In the forced eviction of farmers from state-owned forests, six farmers died and twenty-eight were injured. Civil society and Catholic pastors worked collaboratively to establish the Advocacy Team for the People of Manggarai (Tim Advokasi untuk Rakyat Manggarai, TARM). This team subsequently established networks with The Indonesian Forum for Environment (WALHI), the Indonesian NGOs Network for Forest Conservation (SKEPHI), and the Legal Aid Institute (LBH).

On 10 March 2004, indigenous activists held a protest outside the Ruteng Police Office, demanding the release of elderly women and men who were accused of planting corn on land that they had cultivated for years (Advocacy Team for the People of Manggarai, 2003; Erb & Widyawati, 2018). The prosecution of these farmers provided activists the momentum necessary to unit traditional communities, NGO activists, and Church activists (Erb & Widyawati, 2018). Farmers were accused of violating the law against illegal mining, and the government held that prosecuting these farmers was necessary to protect the forest, promote water absorption, and ensure access to clean water (Erb, 2010).

Activists regretted the response of the Bishop of Ruteng, the highest Catholic authority in Manggarai, who was perceived as supporting the government's environmental policy. At the same time, however, they agreed with his condemnation of the violence perpetrated by state actors. Ultimately, many Catholic pastors—including members of the Jakarta-based Justice, Peace and Integrity of Creation network—chose to voice their individual support for farmers and indigenous communities (Erb & Widyawati, 2018; Suban, 2009).

The arrest of these anti-mining activists was used by politicians, both at the municipal and provincial level, to gather voter support. In 2005, one candidate for regent promised to put a hold on mining; after his election, however, this regent provided a concession to a Chinese mining consortium and allowed them to begin exploiting a protected forest. Consequently, the Bishop of Ruteng changed his position and provided full support to anti-mining activists and indigenous communities (Erb & Widyawati, 2018, p. 98).

Between 2007 and 2010, the ecological sustainability movement focused on three aspects. First, activists collected information on the effects of mining; second, activists held demonstrations in open spaces; third, activists used print media, seminars, and informal discussions to educate indigenous communities regarding the effects of mining. The main actors were pastors, indigenous leaders, JPIC, and *Societas Verbi Divini* (SVD) (Erb & Widyawati, 2018; Regus, 2011). They not only referred to examples from Lembata, but from elsewhere. Pastors similarly collected information regarding pollution and labour issues in Central Manggarai and East Manggarai.

Monks, nuns, and indigenous leaders, meanwhile, opposed mining through demonstrations, informal discussions, and the media. In this period, SVD members and pastors (Fr. Henri Daros, Fr. John Dami Mukese, Fr. Frans Ndoi) and non-church actors (Thomas Wignyanta and Valens G. Doi) established a daily, the *Flores Pos*, to convey information regarding mining and mining permits. Through the mass media, seminars, and informal spaces, pastors and indigenous leaders taught the people

of Manggarai about mining and exploitation (Erb & Widyawati, 2018; Hasiman, 2013; Kaha, 2018; NTT, Personal communication, 2019)

Between 2010 and 2018, activists focused predominantly on such issues as mining permits, environmental impact analyses, transparency, and mining moratoria. The coalition established in 2002 to address the criminalisation of indigenous communities expanded to the national and international level, including not only SVD and JPIC, but also indigenous organisations and anti-mining movements such as AMAN, JATAM, and PADMA Indonesia, as well as human rights bodies such as KOMNAS HAM, KOMNAS NGADA Jakarta, and VIVAT Indonesia and student organisations such as PMKRI, JPIC OFM, FKM Flobamora, and Formadda NTT. By including issues such as transparency, activists were able to expand their reach.

At the same time, the Catholic Church brought the environmental sustainability movement to the transnational level. Working with national and international environmentalist movements, the Church conducted anti-mining advocacy and reached out to the United Nations (Erb & Widyawati, 2018). In promoting transparency, the movement received support from PWYP (Publish What You Pay) Indonesia, Article 33, and the Corruption Eradication Commission (Komisi Pemberantasan Korupsi, KPK). It thus built upon the work done by Catholic Pastors between 2007 and 2010, conducting advocacy at the local, national, and international level. According to a working paper produced by Koalisi Anti-Mafia Tambang (2014), the Directorate General of Minerals and Coal found that more than half of mining companies in East Nusa Tenggara had yet to be certified clear

and clean. At the same time, 172 permit holders had yet to fulfil administrative requirements.

Negotiating a mining moratorium was important during this period, as social conflict between pro- and anti-mining groups was escalating. In 2010, for example, public attention was drawn to conflict in Tumbak Hamlet, Satar Punda Village, Lamba Leda District (Regus, 2011). The arrival of PT Aditya Bumi Pertambangan (PT ABP), as well as its purchase of *lingko*, resulted in the local community becoming fragmented. After a series of discussions, community members chose to lease a strip of land 5 km long and 16 metres to PT ABP for a period of thirty years. Pursuant to the initial terms of this agreement, every family would receive Rp 3 million. However, owing to opposition against Tua Teno Abdul Karim's decision to allow mining in the *lingko*, it was ultimately decided to provide Rp 25 million to every pro-mining family ("Konflik tambang di Manggarai", 2015).

The unilateral decision to allow the exploitation of the *lingko* violated customary law. Rikardus Hama, an indigenous leader, reached out to Tua Teno Abdul Karim and asked him to explain his decision; however, he received no reply ("Konflik tambang di Manggarai", 2015). Suspicion became widespread in Tumbak, and this ultimately resulted in physical violence and spatial segregation. Tumbak became fragmented, with proponents living in Waso—near the mine—and opponents living approximately two kilometres away ("Konflik tambang di Manggarai", 2015).

This case was reported to the National Commission on Human Rights, which recommended that PT ABP leave the area ("Konflik Tambang", 2015). Problematically, however, mining activities

also involved local strongmen and police officials (“Konflik Tambang”, 2015). Strongmen occupied managerial positions in the company (Regus, 2011, p. 11), while police had provided security and curtailed lobbying activities.

Rather than introducing a moratorium, the government instead issued more mining permits. Consequently, residents were disappointed and angered, and lost their faith in the State. On 13 September 2014, dozens of local residents and JPIC members demonstrated against PT ABP, blocking the company's heavy equipment and preventing miners from entering the forest. Demonstrators were met with violence, and one coordinator—Fr. Simon Suban Tukan—was reportedly choked by police. Nonetheless, the demonstration was successful. On 23 September 2014, Regent Yosep Tote issued a moratorium on mining and requested that PT ABP leave the area (“PT Aditya”, 2014).

Another large demonstration occurred in October 2014, when the Catholic Church of Manggarai mobilised activists in Manggarai, East Manggarai, and West. School children, pastors, nuns, and monks—together with hundreds of indigenous peoples—united to demand the end of manganese mining in Manggarai. The union of the Catholic and indigenous community was clearly evident in this demonstration; Church leaders wore their formal clothing, while indigenous activists work traditional clothing. Indigenous rituals were also conducted as part of demonstrations.

Finally, several years after the moratorium was promised, a path forward appeared. In the 2018 election, the people of East Nusa Tenggara elected a candidate who promised to use tourism as a means

of stopping mining. Upon election, on 14 November 2018, he issued Gubernurial Decree No. 359/KEP/HK/2018 regarding the Temporary Cessation of Mineral and Coal Mining Permit Issuance in East Nusa Tenggara. According to WALHI (2018), however, this decree simply regulates companies' administration and financial obligations (NTT, 2019). Nonetheless, the efforts of the Catholic Church and the indigenous community have borne fruit.

Conclusion

In Manggarai, the Catholic and indigenous communities have united in their anti-manganese mining activities. Activism has provided peoples of different religious backgrounds with a medium for promoting environmental conservation. In the context of extractivism, this movement is an interesting one. Unlike most Indonesian movements, which have been driven by resource or nationalist perspectives, the ecological movement in Manggarai has been driven by religious forces. Second, indigenous institutions (as manifestations of indigenous religion) and Church institutions have united in their anti-mining activities. Third, unlike coal (which requires significant swathes of land for extraction), manganese mining only requires minimal amounts of land.

Three material aspects of the anti-mining movement are worth particular mention. First, indigenous and religious institutions in Manggarai have been shaped by centuries of interactions. Second, despite the small scale of manganese mining, such mines still require government support and permission; at the same time, there are many problems with transparency and accountability. Third, owing to high levels of poverty in East Nusa

Tenggara, manganese is still important despite its limited economic value.

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