
GROUNDS OF CONFLICT, IDIOMS OF HARMONY: CUSTOM, RELIGION, AND NATIONALISM IN VIOLENCE AVOIDANCE AT THE LINDU PLAIN, CENTRAL SULAWESI

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"We have to fight and destroy them . . . The Christians massacred us
six months ago. It's time to take back our land."¹

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¹ *The Hindu*, September 14, 2000. [Untitled article forwarded as email message.]

Introduction: The Recent Context of Violence in Indonesia

The words in the epigraph cited above were attributed to a commander of a Muslim militia, based in Ternate, anticipating renewed operations in Halmahera in North Maluku, where over five hundred Muslims had been slaughtered in three days by local Christians of Tobelo subdistrict intent on reclaiming land they regarded as their own. That region has been but one of the sites where violent conflict between Christians and Muslims has erupted since the beginning of 1999. Similar utterances have been recorded from leaders, Muslim and Christian, in Ambon and its surrounding islands in Maluku, as well as around Poso in Central Sulawesi. They certainly reveal a religious framing of these conflicts, but they also indicate another aspect of these conflicts—the struggle over such resources as land. Popular media have sometimes portrayed these conflicts as instances of religious and sectarian strife, Muslims and Christians engaging in Holy War. The very title of the recent *National Geographic* treatment of this situation begins with the phrase “religious zealots,” and the article opens with the words of Christian refugees in a camp in Bitung, North Sulawesi, that present a mirror image of the Muslim sense of victimization in the quotation above:

“The Muslims burned our houses!” said a retired army sergeant. “They destroyed our churches!” the village English teacher chimed in. “We were massacred.”²

Yet, after emphasizing the religious dimension throughout its survey of conflict in Maluku, Aceh, and West Kalimantan, even this article admits the relevance of competition among groups for scarce resources: “. . . but basically it was the old, complicated story of Indonesia: too many fighting for too little.”³

Such admissions also bring to the fore the question of how best to characterize the groups that have been fighting with each other over these resources. Clearly, most reports have privileged religious attributions: Christian and Muslim. However, in many areas, these two categories tend to overlap with the categories of “indigene” and “settler,” where the latter category includes spontaneous migrants and their descendants, as well as those brought to the area, often more recently, under such government-sponsored programs as *transmigrasi* and *resetelmen*.⁴ Clearly, hostilities in West Kalimantan⁵ and Central Kalimantan⁶ have not been primarily religious in origin, especially since Muslim Malays have tended to align themselves with the predominantly Christian Dayak against the Muslim Madurese. As analyzed by Syarif Ibrahim Alqadrie, a sociologist at Tanjungpura University in West Kalimantan:

According to me, the conflict has been caused more by competition in the social-economic field between local inhabitants—both Dayaks and Malays—and the migrants from outside West Kalimantan, especially in the agricultural, plantation, forestry, mining, and informal sectors. Such competition is generally won by the

² Tracy Dahlby, “Indonesia, Religious zealots and regional separatists force the issue: Can this far-flung nation hold together?,” *National Geographic* 199,3 (2001): 80.

³ Dahlby, “Indonesia,” p. 101.

⁴ All italicized foreign terms are in Bahasa Indonesia, unless otherwise noted in following square brackets (e.g. [D] stands for Dutch, [L] for Latin, and [T] for Tado, the language of the “indigenous” Lindu people).

⁵ H. Y. W. Sudarsono et al., “Ketika Kerusakan Mengguncang Bumi Khatulistiwa,” *Forum Keadilan* 24,5 (1997): 12-16.

⁶ Anonymous, “The wild men of Borneo practise ancestral ways,” *West Australian*, March 3, 2001.

migrants. The issue is that they really do have more expertise, capital, and connections that reek of nepotism.⁷

Journalists have noted how companies with forest concession have tended to favor hiring outsiders, while local people have also tended to lose more political offices.⁸

Similar observations have been made in regard to the bloodshed in Ambon. The Human Rights Watch report *Indonesia: The Violence in Ambon*⁹ notes that the relationship between Christian and Muslim Ambonese had long been deteriorating, with the long lauded *pela* alliance system no longer functioning to sustain harmony between them. Whether or not provocateurs were involved there in the wake of the Ketapang incident in Jakarta,¹⁰ "tension between the two communities, Ambonese Christians, on the one hand, and Ambonese Muslims and Muslims from various migrant groups, on the other, was so high that it would have taken very little provocation to ignite an explosion."¹¹ Yet, the report emphasizes a few pages later the importance of the "influx of migrants," especially the ethnic Butonese, Bugis, and Makassarese¹² migrants from Southeast and South Sulawesi, who have settled in their own separate *kampungs* and come to "dominate small-scale retail trading and transportation networks."¹³ Not only are these Muslim migrants outside the traditional *pela* alliance system, but the dismantling of the traditional political system, based on clanship and territorial leaders called *raja*, by the imposition of a national system of uniform village governance has also opened up the political system to their rising influence. Backed by their current dominance in the transportation and small trading sectors, the Bugis, especially, have flexed their political muscle, "with tightly organized Bugis associations that local politicians ignored at their peril."¹⁴ While Christians' growing resentment of these economic and political competitors in Ambon was also linked to their perception of a general "greening" or Islamization of central government policy, their animosity did seem increasingly focused on the usurpations of the migrants:

As Christians were eased out of the positions they had traditionally held in the local government, the teaching profession, and police, they turned to the private

⁷ Syarif Ibrahim Alqadrie, "Pertikaian Antarsuku," *Forum Keadilan* 24,5 (1997): 20.

⁸ Sudarsono et al., "Ketika Kerusuhan Mengguncang Bumi Khatulistiwa," p. 16.

⁹ Human Rights Watch, *Indonesia: The Violence in Ambon* (Human Rights Watch Reports, vol. 11, no. 1 [C]) (New York: Human Rights Watch, 1999).

¹⁰ Kenneth Young, "Migration, Provocateurs and Intercommunal Conflict: Ambon and Kalimantan," Seminar given in the School of Social Sciences, Curtin University of Technology, Perth, Western Australia, September 1999; Human Rights Watch, *Indonesia: The Violence in Ambon*, pp. 7-9.

¹¹ Human Rights Watch, *Indonesia: The Violence in Ambon*, p. 2.

¹² This combination of migrants from South Sulawesi has been so commonly considered a factor in contexts of ethnic conflict that they are now often referred to by the term BBM. See Greg Acciaioli, "Principles and Strategies of Bugis Migration: Some Contextual Factors Relating to Ethnic Conflict," *Masyarakat Indonesia* 25,2 (1999): 240, 259.

¹³ Human Rights Watch, *Indonesia: The Violence in Ambon*, p. 5.

¹⁴ *Ibid.*

sector, only to find that migrant groups from Sulawesi, among others, had sewn up the market.¹⁵

Other observers have also opined that the conditions leading to the outbreak of the violence in Ambon and elsewhere in Maluku mainly concerned the way in which migrants, especially those from Sulawesi, had altered the balance of the local political economy, although subsequent polarization of opposing sides tended to develop along religious lines:

The social observer, Tamrin Amal Tomagola, has paid close attention to the roots of the conflict taking the form of economic and political injustice. "Its axis is the ethnic Bugis and Ambonese. Now it is spreading to religion."¹⁶

Even the head of the regional police who was replaced for failing to contain the violence in Ambon highlighted the "load of ethnic interests" mixed with "economic problems from the field of work,"¹⁷ while recognizing the religious dimension in the escalation of the conflict as well. Indeed, it is interesting to note the large proportion of specifically migrant targets, including "pedicabs (*becak*) owned largely by Butonese and Bugis," houses of "Buton, Bugis, Minang Sumatra, and Javanese, i.e. the migrants" in Kampung Paradeys,¹⁸ and "kiosks belonging to Bugis" in Batu Gantung,¹⁹ subjected to (counter-)attacks by Christian mobs in the early days after the original confrontation between a Christian Ambonese public transport driver and a Bugis youth (in some versions, the vehicle's conductor) in a transport terminal. Indeed, at a meeting of religious leaders held in mid-December 1998, even before the onset of intensified violence a month later, "the Muslims left convinced that the Christians had decided that the only way to address the problem was to rid the province of Muslim migrants."²⁰ Such accounts indicate that while the violence in Ambon certainly became channeled along a Christian-Muslim axis, in origin it had at least as much to do with tensions developing from an indigene-settler opposition concerning control of resources, such as economic niches and political offices.²¹

¹⁵ Ibid.

¹⁶ Sapto Waluyo et al., "Nusa Apono Berwajah Sarajevo," *Gamma* (March 14, 1999), p. 28.

¹⁷ Quoted in Acciaioli, "Principles and Strategies of Bugis Migration," p. 241.

¹⁸ Human Rights Watch, *Indonesia: The Violence in Ambon*, p. 13.

¹⁹ Ibid., p. 14.

²⁰ Ibid., p. 6.

²¹ A similar argument may be made for settings of violence in North Maluku as well. The burning of migrant Makian houses in the village of Malifut by indigenous farmers in Kao, a district on the east coast of Halmahera, can be seen as a response to intense competition between the two ethnic groups for jobs as laborers at a gold mine in Malifut. While the Makian are Muslim and the indigenous Kao are Christian, the territorial struggle between them seems to have more to do with the latter's resentment of the success of the former after they were transmigrated from their homeland on the island of Makian due to the threatened eruption of its volcano, Kie Besi. Subsequent actions involving Christian Tobelo and Muslim migrants on Halmahera could be interpreted analogously as stemming from indigene-settler tensions, although subsequently invoking religious difference to bring in wider support for each side. See Smith Alhadar, "The forgotten war in North Maluku: There's more than religion behind the troubles," *Inside Indonesia* 63 (2000): 15.

Within Central Sulawesi, the violence which has erupted around the city of Poso²² may also be regarded as stemming as much from an indigene-settler opposition as from Christian-Muslim hostility. As throughout eastern Indonesia, in the Poso region these dimensions are mutually entangled, as autochthones tend to be Christians and a large proportion of migrants to be Muslim. The mutual alignment of these oppositions renders problematic the analysis of the genesis and reproduction of such violence in terms of discrete elements of the SARA complex (*Suku, Agama, Ras dan Antargolongan*—Ethnic Group, Religion, Race, and Interclass Relations), since these factors emerge as mutually reinforcing parameters.²³ As in the case of Ambon, popular accounts have tended to elevate the second factor, *Agama*, to analytical prominence, but the way in which the indigene-migrant opposition in the Poso region also articulates cleavages of ethnicity and class centering on control of resources should not be neglected. In his thumbnail sketch of the region, David Rohde notes the effect not only of the influx of Javanese and Balinese due to transmigration, but also the influence wielded by spontaneous migrants moving in, as more land and other economic opportunities became available:

An isolated area once dominated by Christian members of the indigenous Pamona ethnic group was now the home of half a dozen large thriving ethnic groups. The Muslim population grew to equal the Christians . . . Over time, Muslim migrants aided by government resettlement programs and other settlers had gained economic and political power, prompting resentment among Christians native to the area. Muslim traders from South Sulawesi, members of the Bugis ethnic group, came to dominate the local market. Muslim farmers from Java prospered in villages around Poso.²⁴

Such a situation produced heightened competition among now neighboring groups for local economic and political resources, exacerbated by the sale of land to these migrants due to the difficulties experienced by local To Pamona after the onset of the economic crisis in 1997.²⁵

Yet, even given the catalyst of outside provocation, violence among these groups was not inevitable. Rohde's treatment of the Poso conflict poses a crucial question for analysis of the incidence of violence in the transitional Indonesia of the *Reformasi* era. Noting the lack of sustained violence in Manado, the capital of North Sulawesi four hundred kilometers to the north of Poso, despite the volatile situation in that city—which now hosts thousands of refugees, Christian and Muslim, from North Maluku, Maluku, and Poso itself—Rohde asks, "Why had one community been able to absorb provocation while the other exploded?"²⁶ Indeed, Ambon, North Maluku, West and Central Kalimantan, and Poso are not the only regions where Christian and Muslim orientations collide and indigenous and settler interests compete. My intention in this paper is to interrogate this situation by exploring the larger contextual dynamics of one

²² See Lorraine V. Aragon, "Communal Violence in Poso, Central Sulawesi: Where People Eat Fish and Fish Eat People," in this issue.

²³ Acciaioli, "Principles and Strategies of Bugis Migration," pp. 239, 241.

²⁴ David Rohde, "Indonesia Unraveling?," *Foreign Affairs* 80,4 (2001): 113, 121.

²⁵ *Ibid.*, p. 121.

²⁶ *Ibid.*, p. 112.

locale: the Lindu plain in Central Sulawesi, situated only about 250 kilometers west of Poso, where violence has not erupted despite the coalescence of many of the same factors treated in these other contexts.

The Lindu plain has been inhabited since at least the seventeenth century by an ethnic group known by the same name.²⁷ (I shall use the endonym To Lindu [*to* means person or people in the Tado language which they speak] to refer to this group, while using the term "Lindu people" to refer to all inhabitants of the plain, including subsequent migrants.) Migrant Bugis first began to settle the Lindu plain in the early 1950s in a process of chain migration,²⁸ beginning with an influx of refugees from the Kahar Muzakkar regional rebellion in South Sulawesi.²⁹ By the 1970s, the Bugis had established economic dominance in the plain, first by successfully marketing the fish of the lake located centrally in the plain and then by using the proceeds of such enterprises to obtain land from the Lindu people through a variety of "compensation of loss" (*ganti rugi*) transactions. The Bugis established wet-rice fields on land irrigable by water sources emptying into the lake, and they planted cash crops—coffee, cloves and cacao—on other land further in the forest. In addition, many of the Bugis began operating as intermediate marketers of the products not only of their fellow Bugis community members, but also of the To Lindu and of other migrants to the area. To Lindu resentment of their entrepreneurial success has manifested itself in scattered minor incidents involving stoning of Bugis kiosks at various times in the last thirty years. However, only more recently has more overt violence threatened.³⁰ Some To Lindu have urged the expulsion of the Bugis from the Lindu plain, while others, in the wake of reports on Poso and Ambon, now fear attacks from the Bugis community led by outside provocateurs from South Sulawesi. Understanding both the present context of fears of violence and the procedures invoked by the peoples of Lindu to avert it requires examining the larger context of regional autonomy in the *Reformasi* Era that has heightened competition among local groups for economic and political resources. We must also examine the competing frameworks for assessing rights to land and other natural resources³¹ that set the parameters for this competition among local groups.

²⁷ Walter Kaudern, *Migrations of the Toradja in Central Celebes (Ethnographical Studies in Celebes: Results of the Author's Expedition to Celebes 1917-1920, Vol II)* (Göteborg: Elanders Boktryckeri Aktiebolag, 1925), p. 8.

²⁸ Greg Acciaioli, "Searching for Good Fortune: The Making of a Bugis Shore Community at Lake Lindu, Central Sulawesi" (PhD dissertation, Research School of Pacific Studies, Australian National University, 1989).

²⁹ Barbara Sillars Harvey, "Tradition, Islam and Rebellion: South Sulawesi 1950-1965" (PhD dissertation, Cornell University, 1974).

³⁰ Acciaioli, "Principles and Strategies of Bugis Migration," p. 258.

³¹ Greg Acciaioli, "Bugis Entrepreneurialism and Resource Use: Structure and Practice," *Antropologi Indonesia* 57 (1998): 81-91.

Land Claims by the Customary Society (*Masyarakat Adat*) Movement in the Context of Regional Autonomy

The legislation concerning regional autonomy³² was introduced in the transitional era following the collapse of Suharto's regime as a response to the demands of various provinces to exercise greater control over their own resources and to receive a greater proportion of the revenue from their exploitation. Although most of the elements enumerated in the legislation are to be enacted at the level of the regency and province, one chapter of the legislation is concerned with reform at the administrative village (*desa*) level. In fact, in many ways this legislation defines the village level as that which most closely corresponds to an "autonomous region."³³ The village is characterized as a territory having agriculture as its main activity and responsible for the management of natural resources; it also provides a place of rural settlement and exercises a system of territorial functions, including the rendering of government services, social services, and economic activities.³⁴ This conceptualization of the village as itself an "autonomous region" has opened up the possibility of institutional reform enacted by villagers at this level, especially reform oriented to the control of local resources, including land for agriculture and other uses.

In some areas village-level reform has been implemented through a revival of what has been presented as customary (*adat*) institutions of governance. In its delineation of possibilities for reform at the village level, chapter XI of the regional autonomy legislation³⁵ explicitly highlights the role of local custom. A village head (*kepala desa*) should fulfill all administrative duties not explicitly listed "in conformity with customs and traditions [*adat istiadat*] that have been organized in the regional regulations."³⁶ Significantly, this chapter omits mention of such village-level institutions as the LKMD (Lembaga Ketahanan Masyarakat Desa, or Village Society Security Institute) and LMD (Lembaga Musyawarah Desa, or Village Deliberations Institute), previously bulwarks of the New Order uniform administrative village system.³⁷ Instead, all that does rate mention is a Village Representative Body (Badan Perwakilan Desa), the precise constitution of which is left purposefully vague. What is not vague is the designation of

³² Government of Indonesia, *Undang-Undang Otonomi Daerah 1999 (UU No. 22 Tahun 1999 tentang Pemerintahan Daerah, UU No. 25 Tahun 1999 tentang Perimbangan Keuangan Antara Pemerintah Pusat dan Daerah, UU No. 28 Tahun 1999 tentang Penyelenggara Negara Yang Bersih dan Bebas dari Korupsi, Kolusi dan Nepotisme)* (Surabaya: Penerbit Arkola, 1999).

³³ The parallelism of wording in definitions is striking. While an "autonomous region" (*daerah otonom*) is defined as "a unit of legal society that has definite regional boundaries [and] has authority to order and take care of the local interests of society according to its own initiatives based on the aspirations of society within the bonds of the Unitary State of the Republic of Indonesia," an administrative village (*desa*) is "a unit of legal society that possesses authority to order and take care of the local interests of society based on the local origins and customs and traditions that are acknowledged in the National System of governance that exists at the regency [*kabupaten*] level." See *ibid.*, pp. 4-5.

³⁴ *Ibid.*, p. 5.

³⁵ *Ibid.*, pp 35-40.

³⁶ *Ibid.*, p. 37.

³⁷ The basis of this uniform village administrative system was established in two pieces of legislation, the 1974 regional government law (*Undang-undang Nomor 5 Tahun 1974 tentang Pokok-pokok Pemerintahan di Daerah*) and the 1979 village government law (*Undang-undang Nomor 5 Tahun 1979 tentang Pemerintahan Desa*).

its first “function to protect local customs and traditions.”³⁸ Indeed, a primary aim of the regency government regulations as a whole is to “recognize and honor the rights, origins and customs and traditions of the Village.”³⁹ This acknowledgment of the centrality of local custom (*adat*) constitutes one of the most significant recognitions of the autonomy legislation in the current era of *Reformasi*. It opens up a political space for the replacement of once nationally uniform institutions, local conduits of nationalist allegiance, by regionally variable organizations and procedures of governance that encode community aspirations in terms of adherence to local custom. But it also establishes the grounds of potential conflict by leaving unaddressed the issue of how the various constituencies in multi-ethnic villages, not all of whom may acknowledge the same *adat*, will be able to insure that they themselves are represented and their resource rights protected in new systems of village governance.

Concurrent with this legislation, in fact both influencing its emphases and further gaining momentum from its enactment, has been the nationwide movement for the reassertion of the rights of “customary societies” (*masyarakat adat*).⁴⁰ Although an incipient movement fostered by several NGOs from the early 1990s, this movement came of age with the holding of the “Congress of Archipelagic Customary Societies” (Kongres Masyarakat Adat Nusantara, or KMAN) in Jakarta, from March 15 to 22, 1999. The first “fact sheet” that this congress issued constituted a manifesto of its aims. It concentrated upon the efforts of these societies to gain recognition for various types of rights—“rights of origin, rights over customary territory, rights of upholding a value system, ideology and customs and traditions, economic rights, and most importantly the political right of customary societies to defend and develop their special cultures”—that they felt had been “unjustly and undemocratically expropriated” by the New Order regime.⁴¹ Accusing the central government of

³⁸ Government of Indonesia, *Undang-Undang Otonomi Daerah 1999*, p. 39.

³⁹ *Ibid.*, p. 41.

⁴⁰ Tania Murray Li translates the term *masyarakat adat* as “literally, people who adhere to customary ways.” Tania Murray Li, “Masyarakat Adat, Difference, and the Limits of Recognition in Indonesia’s Forest Zone,” *Modern Asian Studies* 35,3 (2001): 645. Although Li’s translation as “people” seems more appropriate for the term *bangsa*, which would also have the connotations of “nation” (see Greg Acciaioli, “‘Archipelagic Culture’ as an Exclusionary Government Discourse in Indonesia,” *The Asia Pacific Journal of Anthropology* 2,1 (2001): 1-23), I prefer to use the term society/ies in my gloss to accord with the definition of *masyarakat adat* formally accepted at KMAN: “social groups [*kelompok*] that have ancestral origins (which have persisted for generations) in a specific geographical territory [*wilayah*], along with possessing a value system, ideology, economy, politics, culture, society and territory of their own.” KMAN [Kongres Masyarakat Adat Nusantara], Fact Sheet II (1999), p. 1. As this definition indicates, the current Indonesian term, *masyarakat adat*, is largely a translation of the Dutch colonial term *adatgemeenschap*, as used by van Vollenhoven and other scholars of the conservative Leiden school, the foundation of which was established in van Vollenhoven’s PhD thesis: Cornelis van Vollenhoven, “Het adatrecht der inlanders in de jurisprudentie, 1849-1912” (PhD dissertation, Rijksuniversiteit te Leiden, 1912). An accessible introduction to this school in English is: Barend ter Haar, *Adat Law in Indonesia*, trans. E. Adamson Hoebel and A. Arthur Schiller (New York: Institute of Pacific Relations, 1948). See the section below entitled “Settler Contestation of To Lindu *Adat* Claims to Land” for a discussion of the problems involved in the revival of *Adatrecht* [D] perspectives under the Indonesian rubric *hukum adat* by the current *masyarakat adat* movement.

⁴¹ KMAN [Kongres Masyarakat Adat Nusantara], Fact Sheet I (1999), p. 1. Taken from M-PR Consultant, *Report on Communications and Information Dissemination in Support of National Congress [sic] of Masyarakat Adat Nusantara* (Jakarta: PT. Madah Paranpara Rancang, n.d.).

imposing laws and policies that have “hegemonic qualities” and of monopolizing allegiance in the name of “national sovereignty,” in their opening manifesto the conference organizers declared their purpose of re-establishing the “sovereignty of customary societies” as a complementary node of allegiance. Such reassertion of local sovereignty was proclaimed as a more appropriate realization of the original nationalist aim of promoting “mutual respect and working together toward a strong nation” in the context of the “variety of cultures and plurality of local systems in Indonesia,” as encoded in the national motto “*Bhinneka Tunggal Ika*” (usually translated as “Unity in Diversity”).⁴²

In addition to striving for a proper recognition of their place as the ultimate social building blocks (the “last fortresses” of the national order, properly understood), the “customary societies” represented at the congress particularly concentrated upon asserting their “customary right to territory and the natural resources in it.”⁴³ The expropriation of their resources through the monopolistic policies of “collusion, corruption, and nepotism” used by the “centralistic and authoritarian (militaristic)” New Order state was declared a “transgression of basic human rights.” Setting forth an agenda oriented to “basic human rights, democratization, natural resources/environment,” the organizing committee devoted the first two days of the congress to three preliminary discussions, covering (1) regional autonomy and customary governance, (2) customary land (*tanah adat*), and (3) basic human rights and the politics of customary societies.⁴⁴ In the second of these seminars, discussion centered on the articulation of three basic demands: the rescinding of all laws and regulations that inflicted losses on customary societies; the acknowledgment and protection of rights to customary land; and the requirement that individuals and organizations seek permission from local customary societies for all forms of use and ownership of customary land.⁴⁵

Concentration upon the rights of customary societies to oversee the use of local resources, especially land, constituted a clear stream of concern throughout the congress as a whole. Four of the twelve economic demands⁴⁶ issued at the end of the conference explicitly referred to land or the use of natural resources related to it. They specifically advocated the rejection of monoculture farming systems, the reappropriation by local authorities of the right to manage all natural resources, and the reclamation by customary societies of various types of land and natural resources that had been allocated to other uses by the central government, including “conversion land” (*tanah konversi*, or land granted to Western concerns), and land given over to forest concessions (HPH, Hak Pengusahaan Hutan, or Rights to Forestry Enterprises),

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Sandra Kartika and Candra Gautama, eds., *Menggugat Posisi Masyarakat Adat terhadap Negara: Prosiding Sarasehan Masyarakat Adat Nusantara Jakarta, 15-16 Maret 1999* (Jakarta: Sekretariat Aliansi Masyarakat Adat Nusantara [AMAN], 1999), p. 176.

⁴⁶ For a translation and discussion of the full list of economic demands issued by the Congress of Archipelagic Customary Societies, see Greg Acciaioli, “Re-empowering the ‘Art of the Elders’: The Revitalization of Adat among the Lindu People of Central Sulawesi,” in *Beyond Java: Regional Autonomy and Local Societies in Indonesia*, ed. Minako Sakai (Adelaide: Crawford House Publishing, in press).

industrial plantation concessions (HTI, Hutan Tanaman Industri, or Industrial Plantation Forests), and other types of concessions.⁴⁷ The Alliance of Archipelagic Customary Societies (Aliansi Masyarakat Adat Nusantara, or AMAN), the organization that sprang from the congress, declared that the reclamation by local communities of ultimate jurisdiction over the bestowal and use of land not under permanent cultivation (*hak ulayat*, the Indonesian form of the colonial Dutch legal term, *beschikkingrecht*) would be one of its most important goals.⁴⁸ The need to force central government recognition of customary land rights as no longer subordinate to state interests emerged as one of the most significant demands of the *masyarakat adat* movement, constituting “a claim for the sovereignty of customary societies over their territories.”⁴⁹

This movement has been able to put forth such demands due to some crucial ambiguities in the agrarian legislation of 1960, originally intended as a basic land reform document. Despite an ambitious preamble declaring that the legislation aimed to supersede colonial laws in this sector⁵⁰ and to overcome the Dutch legal policy of dualism, which had separated Western law (*hukum barat*) from local customary law (*hukum adat*),⁵¹ in many ways this legislation only succeeded in creating an uneasy tension between these two sources of law. Indeed, its opening “opinion” explicitly noted “the necessity of the existence of a national agrarian law that is based upon customary law concerning land, which is simple and insures legal certainty for all of the Indonesian people, without neglecting the elements that are dependent upon religious law.”⁵² However, once its central stipulations began to be listed, it became clear that this legislation sought to subordinate local customary law to national interests. As stated, “the land, water and air, including all the natural riches to be found in them, are controlled at the highest level by the state as the organization of power [*organisasi kekuasaan*] of all the people.”⁵³ This ultimate “right of control” was part of the state’s arrogation of sovereignty for the declared purpose of achieving prosperity and justice for all the people of Indonesia.⁵⁴

⁴⁷ KMAN, “12 Tuntutan Ekonomi Masyarakat Adat,” *Pelita Bangsa*, March 19, 1999. (*Pelita Bangsa* was the name of the newsletter issued for participants each day of KMAN.)

⁴⁸ Noer Fauzi, “Sengketa Tenurial atas Tanah dan Kekayaan Alam Kepunyaan Masyarakat Adat,” in *Menggugat Posisi Masyarakat Adat terhadap Negara*, p. 186; Ardian Taufik Gesuri, Eddy Suprpto, and Bagus Marsudi, “Kembalikan Tanah Kami: Masyarakat adat meminta kekuasaan tanah ulayat,” *Kontan*, March 19, 1999, p. 30.

⁴⁹ Fauzi, “Sengketa Tenurial atas Tanah dan Kekayaan Alam Kepunyaan Masyarakat Adat,” p. 186.

⁵⁰ Under the terms of the 1870 Dutch colonial agricultural law (*Agrarische Wet* [D]), foreigners, including the Dutch, were limited to long-term leases (*erfpacht* [D]). See Hiroyoshi Kano, *Land Tenure System and the Desa Community in Nineteenth-Century Java* (IDE Special Papers No. 5) (Tokyo: Institute of Developing Economies, 1977), p. 5. However, these were easily obtained at cheap rates, often with villages coerced into such arrangements (Benedict Anderson, personal communication).

⁵¹ Government of Indonesia, *Undang-undang No. 5 Tahun 1960 tentang Peraturan Dasar Pokok-pokok Agraria* (n.p., n.d.), pp. 4-5.

⁵² Government of Indonesia, *Undang-undang No. 5 Tahun 1960 tentang Peraturan Dasar Pokok-pokok Agraria*, p. 1.

⁵³ *Ibid.*

⁵⁴ “The people’s prosperity” is defined as “nationalism, safety, and independence within the society and legal State of a free, sovereign, just and prosperous Indonesia.” *Ibid.*, p. 6.

The ascription of ultimate sovereignty to the state in matters concerning the control and use of resources is precisely what the current customary society movement has sought to contest as part of its reassertion of the competing sovereignty (*kedaulatan*) of customary societies. In practice, the 1960 agrarian law has had this result: all land that is not given over to inhabitation or used in permanent cultivation, encompassing both wet-rice cultivation and tree crops, has been declared state land (*tanah Negara*). The state thus reserves the ultimate right of disposal, trumping traditional practices that would allocate land under jurisdictional rights of access (*hak ulayat*) dictated by local custom. For example, temporarily unallocated, fallow swidden fields and forest areas which local peoples have used for gathering wood, rattan, medicinal herbs, and other resources, could be, and have often been, declared by the state as open land available for such purposes as transmigration sites, forestry concessions, and other uses. In such decisions, the status of "customary land," much of which covers precisely these types of uncultivated land subject to local regulation by *adat* councils, has been largely ignored.⁵⁵ Any form of customary control over land and other resources could only be exercised if permission was directly bestowed by the state: "The autonomous regions and customary societies can be authorized [*dikuasakan*] with the above-mentioned right of control by the state, insofar as it is necessary and is not in conflict with national interests, according to the decisions of Government Regulations."⁵⁶ The state's delegation of authority over such land is guided by its assessment of its own national interests, and usage must accord with those national interests. Of course, those interests are so broadly defined—covering religious needs, social and cultural needs of society, needs of agriculture, livestock, fisheries, industry, transmigration, and mining, as well as any other needs of the state⁵⁷—that ultimately the state can justify most any assertion of its authority in land allocation issues.

Yet, the 1960 agrarian legislation itself is crucially ambiguous in regard to the ultimate basis of such control. Contrasting with the stipulations mentioned above, section five of the very same legislation appears to reverse the order of legal empowerment, declaring the basis of operative agrarian law to be existing customary laws, as long as they do not conflict with national interests, Indonesian socialism, agrarian and other laws, and religious law.⁵⁸ It is precisely such ambiguities that the customary society movement plays upon in the current move to restore customary land

⁵⁵ In some cases compensation has been paid to people designated as customary owners, but not at any market rate. The declaration of such land as simply state land (*tanah Negara*) is another aspect in which the 1960 Indonesian agrarian law continued Dutch colonial practice, as first codified in the "Domeinverklaring [D] of 1870, which declared all unclaimed and forest lands as the domain of the state." See Nancy Lee Peluso, *Rich Forests, Poor People: Resource Control and Resistance in Java* (Berkeley: University of California Press, 1992), p. 50. Such declarations parallel how other colonial regimes, as well as postcolonial governments in their wake, have often regarded land not permanently cultivated, largely land not subject to individual ownership, as "empty" and hence available for uses deemed fit by the state, such as agricultural settlement or pastoral leases (e.g. *terra nullius* [L] in Australia). See Bruce C. Campbell and Bu V. E. Wilson, *The Politics of Exclusion: Indonesian Fishing in the Australian Fishing Zone* (Indian Ocean Centre for Peace Studies Publications, No. 5) (Perth: Indian Ocean Centre for Peace Studies and the Australian Centre for International Agricultural Research, 1993), pp. 56-60.

⁵⁶ Government of Indonesia, *Undang-undang No. 5 Tahun 1960 tentang Peraturan Dasar Pokok-pokok Agraria*, p. 6.

⁵⁷ *Ibid.*, p. 9.

⁵⁸ *Ibid.*, p. 7.

as a recognized category of land over which local societies can exercise sovereign rights. The movement's advocates argue that such policies are more in accord with the philosophical basis of Indonesian nationalism.⁵⁹ However, in a changed natural and social landscape, one rendered more complex by such government policies as national transmigration and local resettlement, demands for the revival of local custom as the basis of land adjudication have turned out to be immensely problematic. The potential for conflict in such issues is illustrated by the contesting views of entitlement to land among the peoples settled in the Lindu plain in the western highlands of Central Sulawesi, including indigenous To Lindu wet-rice farmers, spontaneous migrants from South Sulawesi, the majority of whom are Bugis pursuing livelihoods as fisherfolk, farmers, and intermediate traders, and migrants from the surrounding areas of Kulawi subdistrict who have been brought to the plain under various government-organized resettlement programs.

Re-emerging Local Autonomy among the To Lindu

The To Lindu of Central Sulawesi have been at the forefront of the customary society movement at the provincial level since its inception in the 1990s. The co-head of the provincial branch of AMAN is a young To Lindu man, while the head of the independent (but often cooperating) organization, AMASUTA (Aliansi Masyarakat Adat Sulawesi Tengah, or Alliance of Central Sulawesi Customary Societies) is also from the same ethnic group. Both of these men, while hailing from different villages and differing widely in their outlooks upon the proper constitution of *adat* councils, have had considerable experience working with NGOs in the provincial capital, Palu, a factor that is significant in assessing the prominent role of the To Lindu in this movement generally. The To Lindu have long been aware of the significance of their *adat* as a badge of their ethnicity; during the New Order, they entered various *adat* competitions sponsored by the provincial government (in fact, winning one of them) at which performance of dances and other displays of "culture as art"⁶⁰ were judged for their value in contributing to the national development effort. However, they first became aware that their *adat* could be used as a "weapon"⁶¹ in political battles over control of resources when the forest region surrounding the Lindu plain was declared the Lore Lindu National Park in 1982.⁶² That designation entailed the prohibition of

⁵⁹ KMAN, Fact Sheet I (1999), p. 1.

⁶⁰ Greg Acciaioli, "Culture as Art: From practice to spectacle in Indonesia," *Canberra Anthropology* (Special volume: *Minorities and the State*, ed. Douglas Miles and Chris Eipper) 8,1/2 (1985): 148-174.

⁶¹ James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985).

⁶² Originally the Lindu plain was to be incorporated into a somewhat differently configured national park, the Lore Kalamanta National Park, based upon the Lore Kalamanta Game Reserve, first established in 1973. See J. H. Blower, Jan Wind, and Harry Amir, *Proposed Lore Kalamanta National Park Management Plan 1978/79-1980/81* (Report prepared by the Nature Conservation and Wildlife Management Project of the Food and Agriculture Organization of the United Nations for the Directorate of Nature Conservation, Directorate-General of Forestry, Republic of Indonesia, 1977). The regulations of the original game reserve were only desultorily enforced during the 70s, with the boundaries of the proposed national park being eventually considered unsatisfactory. It was replaced by the Lore Lindu National Park, a composite of three formerly separate Reserves—Suaka Margasatwa Lore Kalamanta, and Hutan Wisata/Lindung Danau Lindu—and the Suaka Margasatwa Lore Kalamanta extension. See Dick Watling and Yaya

such activities as collecting rattan—not to mention extending wet-rice fields and coffee gardens—in the surrounding forest included in the park.⁶³ Such strictures actually had a greater impact upon more recent migrants to the area who were still in the process of opening fields, including both Bugis from South Sulawesi, who had migrated spontaneously, and To Pipikoro, To Kulawi, and To Winatu migrants, who had come to the area under local resettlement schemes within Kulawi subdistrict. However, the To Lindu also felt that these regulations were an assault upon their traditional ways of using and protecting the environment as given in *adat*. The government did eventually grant “enclave” status within the national park boundaries for the agricultural region, and it established a border zone of surrounding forest, thus providing a compromise whereby all the Lindu people were able to maintain their fields and have access to some forest products.

Provincial plans, first announced at the end of 1988, to build a hydroelectric project (PLTA Palu III) on the Gumbasa River near the outlet of Lake Lindu to support the future industrialization of Palu⁶⁴ provided the impetus for a much more comprehensive resistance to government development plans. When the provincial government, invoking justifications typical for dam projects and other development projects imposed by the New Order,⁶⁵ informed the inhabitants of the plain that they would have to relocate under a resettlement scheme for the greater good of the people of the Palu region, since the reservoir created by the hydroelectric dam would swamp their homes and fields, the To Lindu and other peoples settled in the plain simply refused. Whereas the Bugis migrants to the Lindu plain threatened to take up arms to defend their rice fields and coffee stands rather than leave, the To Lindu chose instead to pursue legal avenues for asserting their rights, as advised by a number of NGOs operating from the provincial capital, Palu.

The To Lindu were among the beneficiaries of the blossoming of the NGO movement in Indonesia in the early 1990s, when the surveillance orientation of the New Order with regard to NGOs was yielding, under international pressure, to a more “sympathetic” attitude.⁶⁶ Spearheading the drive to assist the Lindu people was the local NGO Yayasan Tanah Merdeka (YTM, or The Foundation for Independent Land), although it worked as part of a network of other NGOs, some Palu-based (e.g. Yayasan Palu Hijau, or The Foundation for a Green Palu) and some with home offices in Jakarta (e.g. WALHI [Wahana Lingkungan Hidup Indonesia, or Indonesian Forum for the Environment], Yayasan Sejati [The Authentic Peoples’ Foundation]), as well as the local branch of the Indonesia-wide Lembaga Bantuan Hukum (Legal Aid Institute).

Mulyana, *Lore Lindu National Park Management Plan 1981 - 1986* (Report prepared by the World Wildlife Fund—Indonesia Programme [Bogor] for the Directorate of Nature Conservation, Directorate General of Forestry, Republic of Indonesia, 1981).

⁶³ Watling and Mulyana, *Lore Lindu National Park Management Plan 1981 - 1986*, p. 36.

⁶⁴ Arianto Sangaji, *PLTA Lore Lindu: Orang Lindu Menolak Pindah* (Yogyakarta: Pustaka Pelajar kerjasama dengan Yayasan Tanah Merdeka, ED Walhi Sulawesi Tengah, 2000).

⁶⁵ George J. Aditjondro, “Large dam victims and their defenders: the emergence of an anti-dam movement in Indonesia,” in *The Politics of Environment in Southeast Asia: Resources and Resistance*, ed. Philip Hirsch and Carol Warren (Routledge: London and New York, 1998), pp. 29-54.

⁶⁶ Philip Eldridge, *Non-Government Organizations and Democratic Participation in Indonesia* (Kuala Lumpur: Oxford University Press, 1995), p. 32.

With coaching from these NGOs, especially YTM, To Lindu representatives explicitly based their resistance to the hydroelectric project on the superior benefits of their *adat* for protecting the environment, compared to the regulations proceeding from government-directed development. Working with representatives of the three To Lindu villages—members of the village *adat* councils were prominent among these representatives—YTM was able to mount a series of legal challenges to the Lindu dam project. These efforts culminated in a political expedition to Jakarta in 1995 by representatives who visited the national legislature, the National Committee on Human Rights (Komnas HAM, or Komisi Nasional Hak Asasi Manusia), the central office of the National Electric Company, the forestry minister, and the minister for mines and energy. As a result, this group of To Lindu youths and elders and YTM workers gained central government assurance that the Lindu hydroelectric project could not proceed on the grounds that it had not been included within any five-year plan.⁶⁷

While this trip was important because it gave To Lindu representatives an experience of success acting on a national stage, other encounters facilitated by YTM made the representatives aware of an even wider context—an international context—that could help them evaluate and refine their political strategies for defending customary rights. In a tour organized by YTM to the Kedung Ombo site in Central Java, To Lindu elders had the opportunity to converse with Javanese who had experienced the full effect of a dam project that had also required resettlement. Indeed, the development of solidarity with other oppressed groups, both within Indonesia and beyond, has been one of the primary aims of the YTM strategy to raise a consciousness among the To Lindu that they are not alone in their struggle, but are just one example of an “indigenous people” subjected to unjust depredations by a government with a history of ignoring the welfare of indigenous peoples in their own lands. YTM has sought to foster identification with the struggles of indigenous peoples throughout the world against development projects, especially large-scale dams requiring the removal of peoples from their homelands,⁶⁸ and even the dislocations of populations required by the erection of national parks.⁶⁹ The success of this strategy was evidenced when one To Lindu informant I interviewed at Lindu in January 2000 mentioned the analogous situation of Amazonian Indians as we were discussing the rumors of the new governor’s attempt to resurrect the hydroelectric dam project on a smaller scale.⁷⁰

YTM has claimed for the To Lindu a local realization of the “traditional wisdom” (*kearifan tradisional*) that permeates discourses of and upon “indigenous peoples” or

⁶⁷ Besides being based on interviews with elders at Lindu and with Drs. Arianto Sangaji, the head of YTM, this section also summarizes (all too briefly) the bound collection of 161 newspaper clippings entitled *Kumpulan Berita dan Opini tentang Rencana Pembangunan PLTA Lindu dan Taman Nasional Lore Lindu* (Palu: WALHI, Forum Daerah, Sulawesi Tengah, no date given), as well as material in Sangaji, *PLTA Lore Lindu*.

⁶⁸ George J. Aditjondro, “Suatu kritik terhadap teori dan praktek analisa dampak lingkungan (ADL) bendungan-bendungan besar,” in *Bendungan Rakyat dan Lingkungan: Catatan Kritis Rencana Pembangunan PLTA Lore Lindu*, ed. Arianto Sangadji (Jakarta: Wahana Lingkungan Hidup Indonesia [WALHI], 1994), pp. 25-85.

⁶⁹ Jason W. Clay, “Parks and People,” *Cultural Survival Quarterly* 9,1 (1985): 2-5; Horst Eilers, “Protected Areas and Indigenous Peoples,” *Cultural Survival Quarterly* 9,1 (1985): 6-9.

⁷⁰ Anonymous, “Menggagas Kembali PLTA Danau Lindu,” *Formasi*, Desember 1999.

“first nations.”⁷¹ This political line of indigeneity has allowed the To Lindu to assume a recognizable “tribal slot”⁷² with all its connotations of “traditional wisdom,” especially as related to the environment. YTM publications⁷³ have thus emphasized how To Lindu *adat* functions as a community-based resource management system. For example, Laudjeng outlines how the Lindu plain is partitioned into a number of indigenously specified land-use domains (*suaka* [T?]⁷⁴) that function to promote the “conservation of the region”; outsiders who wish to make use of such land must seek permission from To Lindu custodians and even then may only put it to uses allowed by *adat*.⁷⁵ My own investigations in August, 2000, revealed a division of uncultivated land into two types, *pancua ntodea* [T] and *pancua maradika* [T] (*todea* and *maradika* refer to the commoner and noble strata, respectively). Whereas the former land is open to all for gathering firewood or rattan and similar tasks, use of the latter requires permission of the local nobles. For example, one would have to ask permission of the nobles of a village to graze one’s cattle on their *pancua maradika* and once again to remove one’s cattle from it after grazing. Failure to observe these restrictions would result in being fined (*ragiwu* [T]) by the local village *adat* council, the predominant form of sanction for most all transgressions.⁷⁶ This system of monitoring land use was explicitly presented to me as an instance of indigenous provisions for protecting the environment from degradation through overgrazing and other damaging practices.

Other stretches of land designated as the preserves of local guardian spirits (*tana viata* [T]) may not be subjected to any forms of exploitation, whether this would involve opening gardens for coffee or cacao or chopping down trees to obtain wood for building canoes or for other construction purposes. Even when their Salvation Army convictions lead them to doubt the status of *viata*, middle-aged and younger members of the To Lindu community now present such interdiction as evidence of the local ecological wisdom encoded in *adat* institutions. As many of these indigenous sacred

⁷¹ David Maybury-Lewis, *Millennium: Tribal Wisdom and the Modern World* (New York: Viking, 1992).

⁷² Tania Murray Li, “Articulating Indigenous Identity in Indonesia: Resource Politics and the Tribal Slot,” *Comparative Studies in Society and History* 42,1 (2000): 163-168.

⁷³ For example, Arianto Sangadji, *Menyorot PLTA Lore Lindu* (Palu: Yayasan Tanah Merdeka, 1996) and Arianto Sangadji, ed., *Bendungan Rakyat dan Lingkungan*.

⁷⁴ Although To Lindu informants, young and old, insist that *suaka* is an indigenous term in their Tado language, the word does occur in official publications as a label for various environmental zones throughout Indonesia, including the names of reserves that were amalgamated to produce the Lore Lindu National Park (see note 62 above). The Indonesian-English dictionary compiled by Echols and Shadily lists its meanings as “asylum” and “sanctuary.” See John Echols and Hassan Shadily (compilers), *Kamus Indonesia Inggris*, 3rd edition (Jakarta: Penerbit PT Gramedia, 1990), p. 527. Poerwadarminta’s comprehensive dictionary lists only the former definition. See W. J. S. Poerwadarminta (compiler), *Kamus Umum Bahasa Indonesia*, 5th revised printing (Jakarta: PN Balai Pustaka, 1976), p. 966. Hence, I assume its environmental meaning is a relatively recent extension. Either this is a rare example of a Tado cognate having exactly the same form as in Indonesian (which would contravene phonological rules of correspondence) or a term that is part of general environmentalist discourse in Indonesian has become so identified with contemporary To Lindu conceptualizations of the environment that its exogenous origin has been forgotten. Since I cannot find a similar term in word lists of Kaili, Uma and Bare’e, all closely related languages of the area, I think the latter explanation more likely.

⁷⁵ H. Laudjeng, “Kearifan Tradisional Masyarakat Adat Lindu,” in *Bendungan Rakyat dan Lingkungan*, pp. 150-163.

⁷⁶ Acciaioli, “Re-empowering the ‘Art of the Elders.’”

areas are located in the surrounding forest, these informants point to the function of *tana viata*, and the encompassing system of *suaka* in which it finds its place, in preserving watershed areas and thus inhibiting the erosion and the sedimentation that have been decreasing the depth of Lake Lindu, as evidenced by its noticeably receding shoreline. Indeed, some To Lindu explicitly assert that migrants to the area who cut down forests and open up coffee and cacao gardens, heedless of To Lindu *adat* prohibitions, have contributed to the increasing shallowness of the lake and the streams feeding into it. Local developers arguing for the erection of a new, environmentally less destructive hydroelectric scheme and for a water cleansing installation just below it to provide potable water for Palu have had to make accommodations in their plans to preserve *tana suaka* [T] under the jurisdiction of the To Lindu *adat* councils. The To Lindu, in cooperation with their NGO allies, have thus experienced considerable success in reasserting their rights, based on their claimed ancestral connection to their land and their ecological wisdom in preserving its resources⁷⁷ against the imposition of development schemes. Their efforts have both limited the regulations of the encompassing Lore-Lindu National Park and thwarted the incursion of a hydro-electric scheme that would have forced their resettlement. However, other people more recently settled in the Lindu plain have been less impressed by these arguments and continue to contest what they see as presumptuous To Lindu claims of ultimate jurisdiction over local land and its resources.

Settler Contestation of To Lindu *Adat* Claims to Land

Previous sections have alluded to the presence of other peoples within the Lindu plain, both spontaneous migrants, predominant among them the Bugis from South Sulawesi,⁷⁸ and resettlers⁷⁹ from within Kulawi subdistrict (the Lindu Plain is located in the Kulawi subdistrict). In this regard the Lindu plain is certainly not untypical. Few, if any, regions of contemporary Indonesia are ethnically homogeneous, in part due to spontaneous migration, in part to such social engineering projects of the Indonesian state as *transmigrasi* and *resetelmen*. Nor are such policies recent inventions of the postcolonial Indonesian state. Many of them have merely continued Dutch schemes for resettling mountain peoples into more administratively accessible areas and, concurrently, into more nucleated residential arrangements, as well as colonial schemes for encouraging interisland transmigration of Javanese and Balinese into less populated

⁷⁷ Li, "Articulating Indigenous Identity in Indonesia," p. 164.

⁷⁸ Acciaioli, "Searching for Good Fortune," concentrates upon patterns of migration of the Bugis to Lake Lindu, as well as their efforts to control the local economy as intermediate marketers of fish, rice, coffee, and other products and to reshape the local Lindu spiritual universe by such means as ascribing Bugis genealogies to local guardian spirits.

⁷⁹ The term *resetelmen* (i.e. resettlement) is currently favoured by the Social Affairs Department (Departemen Sosial or DEPSOS) for the programs it administers to move peoples living in remote areas, often on the slopes of mountains where they can only practice slash-and-burn cultivation, to areas closer to administrative centers where they can better perform their "social function" as Indonesian citizens, including growing wet rice whose surplus they can sell for cash, attending houses of religious worship, sending their children to school, etc. However, both officials and participants also refer to such programs, at least locally in Central Sulawesi, as *transmigrasi lokal*. See Johanis Haba, "Resettlement and Sociocultural Change among the 'Isolated Peoples' in Central-Sulawesi, Indonesia: A Study of Three Resettlement Sites" (PhD dissertation, University of Western Australia, 1998).

regions such as Lampung⁸⁰ and Central Sulawesi⁸¹; these Dutch efforts to rearrange the Indonesian population were especially marked after the "Ethical Policy" was instituted at the beginning of this century, leading to more extensive colonial penetration and intensive control of the subject population.⁸² Along with the encouragement of spontaneous migration, such schemes have long rendered most regions in Indonesia ethnically heterogeneous. And in contexts of ethnic heterogeneity, the question that always arises in regard to the re-emergence of the authority of customary institutions and stipulations in local governance is, of course, just whose *adat* is to have precedence?

It is a question which the Indonesian government has yet to answer satisfactorily. Official Indonesian reactions to the rise of the customary society movement were evident in the government-sponsored establishment of a Center for Research into Custom (Pusat Kajian Adat), headed by the noted Indonesian sociologist, Professor Selo Soemardjan. His designated task was to study just how *adat* might be revived as the basis for implementing the regional autonomy legislation in rural areas. In a keynote address at a recent workshop and symposium entitled "The Beginning of the 21st Century: Endorsing Regional Autonomy, Understanding Local Cultures, Strengthening National Integration,"⁸³ he explained how he was seeking the basis for policy recommendations not only from his fieldwork in Central Javanese villages (Professor Soemardjan himself hails from Central Java), but also by returning to the Dutch conceptualizations of the Leiden School of *Adatrecht*, associated most fully with the work of van Vollenhoven. For example, Professor Soemardjan made reference to the delineation of "customary law regions" (*adatrechtskringen* [D]) and other conceptual bases of this school. His approach to implementing contemporary government recognition of *adat* was thus to be based on this conservative colonial legal tradition. However, Indonesia today (and perhaps not even in van Vollenhoven's time) cannot easily be segmented into clearly bounded "customary law regions," since few (if any) areas within the archipelago are mono-ethnic, even such relatively isolated areas as the Lindu plain. And the more recent settlers in many of these areas, especially in the case of those transported under the auspices of local *resetelmen* programs, such as the To Lonca, To Pipikoro, and To Kulawi now resettled in the Lindu plain, are also peoples who themselves claim "customary society" status even though they may not fulfill the criterion of maintaining their ties to ancestral origins by persisting for generations in a specific geographic region, as promulgated by KMAN.⁸⁴ Among the greatest challenges facing the peoples of these ethnically heterogeneous areas, rife with the potential for conflict, is just how the claims of competing forms of *adat* within particular locales may be adjudicated.

⁸⁰ Karl Pelzer, *Pioneer Settlement in the Asiatic Tropics* (New York: American Geographical Society, 1945).

⁸¹ Gloria Davis, "Parigi: A Social History of the Balinese Movement to Central Sulawesi, 1907-1974" (PhD dissertation, Stanford University, 1976).

⁸² M. C. Ricklefs, *A History of Modern Indonesia c. 1300 to the present* (Houndmills: Macmillan Education, 1981), pp. 143-154.

⁸³ Held from August 1-4, 2000, at Hasanuddin University in Makassar, South Sulawesi, this conference was co-organized by the editorial committee of the journal *Antropologi Indonesia*, which is produced by the Anthropology Department of Universitas Indonesia in Depok, and the Anthropology Department of Hasanuddin University.

This question has been particularly problematic in relation to land issues at Lindu, and indeed throughout the archipelago. Aragon has nicely delineated how in contexts of extensive resettlement, which she characterizes as “state-imposed forms of deterritorialization,” “conflicts arise and often remain unresolved because each group seemingly tries to retain its own criteria concerning founders and precedence.”⁸⁵ For example, the Palolo Valley—a site, coincidentally, adjacent to the Lindu plain in the mountains to the southeast of Palu—has been populated only in the last half-century by peoples from throughout the Palu Valley and the mountains surrounding it. Kaili settlers from the Palu Valley base their claims to precedence in land allocation on the former inclusion of the Palolo Valley within the periphery of Sigi, a precolonial Kaili rajahdom. Resettlers to Palolo from the more isolated Tobaku area in the western mountains of Kulawi subdistrict “envision the [Palolo] project territory as akin to a ‘wild’ area, harnessed by the state, in which they were the founding occupants.”⁸⁶ The lowland Kaili migrants feel they have the first right to claim land in Palolo because they regard such land as located within the ambit of former Kaili domains; the Tobaku, on the other hand, consider that their rights to land have precedence in this territory because they were the first to occupy “empty” sites under the government auspices of resettlement programs.

Given the current diversity of its inhabitants, similar conflicts have arisen in the Lindu plain. The To Lindu quest to impose their own “indigenous” *adat*, on the basis of their original occupation of the Lindu plain, as the final reference point for all land issues in the locale has certainly not met with universal acceptance from the plain’s other inhabitants. To Lindu seek to implement this claim mainly through the vehicle of the Lembaga Hadat se-Dataran Lindu, the recently re-empowered Customary Council for the Entire Lindu Plain. They assert that this council represents all the inhabitants of the Lindu plain,⁸⁷ although its members only come from the noble (*maradika*) ranks of the To Lindu in the three administrative villages with majority To Lindu populations. To Lindu now argue that all land transactions must be ratified by the head of this plain-wide council or by a leader of one of the three village-level *adat* councils. In the views of members of these councils, whereas To Lindu can buy land through a payment to a relevant *adat* council, no outsiders can ever buy land; non-To Lindu can only acquire use rights (*hak pakai*) through the agreement of a relevant *adat* council. Needless to say, migrants from South Sulawesi and from elsewhere in Kulawi subdistrict who have acquired land from To Lindu individuals through *ganti rugi* payments disagree. They regard such payments as constituting purchase of the land, resulting in a right of ownership (*hak milik*). In fact, some of the Bugis have already gone through all the bureaucratic procedures to obtain land certificates from the

⁸⁴ Note 40 translates KMAN’s definition of *masyarakat adat*.

⁸⁵ Lorraine Aragon, “Expanding Spiritual Territories: Owners of the Land, Missionization and Migration in Central Sulawesi,” in *Founder’s Cults in Southeast Asia: Ancestors, Agriculture, and Polity*, ed. Nicola Tannenbaum and Cornelia Kammerer (New Haven: Yale Southeast Asia Program, in press).

⁸⁶ Aragon, “Expanding Spiritual Territories.”

⁸⁷ During the New Order period the *adat* council for the entire Lindu plain was largely dormant, as cases that could still be dealt with under the terms of *adat* were handled individually by the *adat* councils (*lembaga hadat*) of the three administrative villages (*desa*) with majority To Lindu populations—Anca, Tomado, and Langko—in accord with the emphasis upon *desa* institutions enshrined in the 1974 and 1979 national legislation on regional and village governance.

government. The To Lindu, arguing that all local land is ultimately under the jurisdiction of the Lembaga Hadat, with no individual having exclusive ownership rights, are now beginning to contest the transactions that migrants have made with To Lindu individuals and that they have sought to confirm officially through government channels. To date the status of such land remains unresolved; questions regarding ultimate sovereignty over the land are still being contested, as each side is sure of its own interpretation of its rights.

The issue of who has the right ultimately to determine disposal of land and set limits on its use came to a head at a meeting of representatives of all the communities on the plain, both the majority To Lindu villages and those settlements, such as Kanawu, occupied predominantly by spontaneous Bugis migrants, as well as those, such as Puroo, inhabited by resettlers and spontaneous migrants from elsewhere in Kulawi. At that meeting the village head from Puroo vehemently rejected the Lindu *adat* council's move to enforce a stipulation, announced as a restoration of Lindu *adat*, limiting land use (or ownership, in the migrants' view) to two hectares per individual. As this village head argued, why shouldn't farmers be allowed to have ten hectares or more of land, as long as they are capable (*mampu*) of working it all? Land use (and ultimately ownership) should be limited only by ability, as is in accord with national priorities of development (*pembangunan*) and progress (*kemajuan*). This migrant viewpoint thus echoed a part of the theory of modernization underlying the developmentalist rationale of the New Order, which invoked and praised the efforts of pioneer entrepreneurs. Lindu *adat* representatives, presenting the environmentalist position that interprets local custom as a community resource management system, as inculcated by the NGOs, defended the two-hectare limitation by noting the extent to which the opening of gardens in the hills to the south of the lake by To Kulawi settlers from Puroo was causing sedimentation of the main stream behind their own To Lindu village of Langko. The issue was not settled at this meeting. In fact, tensions have recently been heightened by the mapping project carried out at the very end of 2000 by indigenous Lindu *adat* representatives, some of them trained in participatory community mapping techniques by YTM, ostensibly as a prelude to enforcing the two-hectare limit on individual land allotment.

A similar divergence of opinion regarding control of land has also strained relations between settlers and To Lindu in Kanawu on the eastern side of the lake. These differences have recently found more vehement expression due to the implications of the proposal, announced by the new governor at the end of 1999, to build a hydroelectric project on the Gumbasa River at the outlet of Lake Lindu, a reincarnation of the earlier hydroelectric dam proposal whose rejection was traced above. In defending this new version of the project, the governor promises that a smaller dam/power plant complex will not cause the lake's water level to rise. Hence, the population residing in the Lindu plain will not have to be resettled. This plan is supported by almost all newcomers in Kanawu, a hamlet now dominated by Muslim Bugis migrants, many of whom have amassed small fortunes (by local standards) as intermediate marketers of fish, rice, coffee, and cacao. These settlers readily envisage the possibilities for more intensive marketing of products from the plain via the asphalt supply road for vehicles that would be built to service the dam. Members of the To Lindu community remain divided about this project. Many from the more

“progressive” village of Langko⁸⁸ support the new project, for they believe the supply road would enable them to market goods independently of Bugis middlemen, and they see that the road would provide greater access to medical facilities for the seriously ill; in contrast, members of a more conservative faction from the village of Anca, one of the seven To Lindu origin villages, are more wary, rejecting implementation until a thorough environmental impact assessment is made demonstrating the veracity of government claims that the dam will not cause the lake to rise.

This divergence of opinion between those To Lindu opposing the dam (and hence the motor vehicle road to be built for its construction and maintenance) and migrants supporting it has catalyzed considerable resentment on the part of the migrants in Kanawu. They perceive their To Lindu opponents as obstreperous enemies of development, a cause which they themselves champion, in this context, and this perception informs their rejection of To Lindu *adat* claims to ultimate sovereignty over the land that they, as newcomers, have settled. This anger found expression in a conversation I witnessed among these migrants while sitting in one of their households in the round of visiting immediately following the *Hari Raya Idul Fitri* mosque service at the beginning of 2000:

Abdul⁸⁹:

For three-hundred-fifty years we were colonized by the Dutch. Then for three-and-a-half years we were colonized by the Japanese, but we have to add to that another fifty years that we have been colonized by our own nation, by the people of the city here.⁹⁰ They just go down the steps of their house and enter their sedan [“while we have to walk to go anywhere” was the implicit contrast]. We [here at Lindu] are still in a colonial era, as in former times. When we want to voice this, Palu [i.e. the government authorities in Palu] just gives us permission for a demonstration [*demo*]—with banners, [to be conducted] in an orderly fashion [but nothing gets done]. The problem is with the NGOs, and our own children [*anak sendiri*, referring to the To Lindu, many of them young men of activist orientation, who have worked with such NGOs as YTM and who have rejected the new hydroelectric project]. But that’s actually “sinning” that they’re committing, because they’re deceiving their own people. They’re engaging in the struggle to support [*memperjuangkan*] [this anti-dam, anti-road position] for the sake of [filling] their own pockets, not for their own people. These [To Lindu] people are even more cruel than the government. It’s the [To Lindu] society itself that is hindering the road [construction] in their working with the NGOs . . . They

⁸⁸ The present-day *desa* Langko is a village created by the Dutch, when, beginning in 1912, they forced many of the To Lindu down into villages immediately surrounding the lake from their former less nucleated settlements in the hills further in the lake’s periphery. There are no traces left of an earlier pre-colonial settlement of the same name, originally located further from the shores of the lake according to To Lindu oral history.

⁸⁹ All names used for inhabitants of Lindu in the text are pseudonyms.

⁹⁰ People at Lindu, both To Lindu and migrants, often refer to the lack of any motor vehicle road to the Lindu plain as evidence that they are still colonized (*masih dijajah*) by the state. (To reach Lindu from outside, travelers must take a seventeen-kilometer walk into the mountains of four hours or more.) I have most often heard this idiom used when people are just about to begin the climb from Sadaunta, the hamlet located on the road from Palu at which one leaves a van or other motor vehicle to begin the trek up to Lindu.

[the Lindu people] say that this land is the property [*milik*] of their ancestors, the inheritance from their ancestors [*warisan nenek moyang*].

Beddu:

Whose ancestors are these? [*Ini nenek dari siapa?*] This [land] is the right of us all; the State is the one that owns this property; this is the inheritance of the State, of the Indonesian people, all of it. [*Ini hak kita semua; Negara punya milik dari tanah ini. Ini warisan Negara bangsa Indonesia seluruhnya.*] We [the migrants] are the ones whose life is good and orderly here, all of the newcomers. Where are their demands going to end? We pay our taxes to the regency officials . . . [Because there is no motor vehicle road here] even if people are very sick, they have to be carried with traditional implements. It often turns out that people die in the middle of the path, especially where the path has been disturbed by the [transport of] rattan [these are the sections of the trail that have been partially eradicated by rattan trailing from the backs of horses and where it is most difficult to carry people and goods without falling into the ravine below]. [A Lindu youth who has often worked with YTM] is the one who has most often choked [our plans]. "This is the inheritance of our ancestors"—that's not an unconditional right. It's the government that arranges [*mengatur*, brings order to] us [our lives], so it's the State that has the right to arrange [everything]. This fuss about only working 2 ha. [hectares], calling it "customary land" [*tanah adat*] if it's ever been opened [in the past]. It was all forest and jungle here, the State owns it. They [the Lindu people] are just jealous, envious because the Bugis here, we've only been here a few years, and we're the ones who already have tractors and other things . . . They [the Lindu people] just don't want to progress [*maju*]. There's no sense of balance [*keseimbangan*] here [i.e. there's no sense that it's the deserving who get the good things]; [they make their customary demands] just because they're in the majority. The country keeps progressing, and here we're just remaining traditional [*Negara makin maju; kita masih tradisional*] . . . Now we're "autonomous"; we can't oppose it . . .

In this interchange the Muslim migrants in Kanawu seethe with resentment over the active opposition to the construction of the dam and its supply road by some of the To Lindu, especially those who have worked closest with NGOs in Palu, and over the To Lindu plain-wide *adat* council's attempt to reassert control over the land the migrants view as their own. In response to the council's announced intention to limit individuals' land to two hectares, these settlers voice their espousal of the Indonesian state's prior definition of all land not under permanent cultivation as state land (*tanah Negara*), land available to be opened for development, a purpose overriding any local customary considerations. In so doing, they echo at the local level the subordination of customary rights to national interests asserted in the 1960 Agrarian Legislation. As is the case with settlers elsewhere, they celebrate themselves as the bearers of progress to the Lindu plain,⁹¹ bringing to realization the developmentalist ethos that provided the

⁹¹ Acciaioli, "Searching for Good Fortune," presents a more detailed argument concerning how the Bugis in the 1980s used their view of themselves as bringers of progress, in such forms as the introduction of miracle rice varieties and all the associated inputs of the Green Revolution (e.g. pesticides, herbicides, commercial fertilizers, tractors, etc.) as part of their "hegemonic strategy" to attempt gaining control of not only the local economy, but also local political structures (hamlet and village headship) and cultural institutions (sacrifices to the local culture hero).

rationale of New Order government policies, especially those that encouraged migration throughout the archipelago, as if it were a level playing field in which mobile entrepreneurs would lead backward local populations in the economic struggle for progress. They see themselves as, and in many ways they were, the ideal citizens of that social, political, and economic regime. For such migrants, as for resettlers and transmigrants who have chosen (or sometimes been forced) to leave their homelands, the implementation of autonomy legislation at the village level through the reinstitutionalization of local customary stipulations and structures is simply a new and (in their eyes) unwarranted constraint upon their further development of their new settlements and lands—a new form of colonialism. They regard such a revival as an unwarranted redefinition of the terms of their settlement and as an unjust subordination to regulations and institutions that privilege one undeserving group—backward indigenes—creating an unbalanced local context that can only result in stagnation and conflict.

Reasserting Harmony: Nationalist Idioms in the Quest to Maintain Peace

Yet, so far violence has not erupted at Lindu. In 1999 there was widespread sentiment among the To Lindu to “throw out” (*membuang*) all the Bugis settlers in the wake of an incident in which one Bugis coffee mill operator had a Lindu youth who worked for him publicly beaten for stealing a sack of coffee.⁹² However, the case was eventually resolved after the migrant mill operator and his relatives formally asked forgiveness at a meeting of the Lindu-wide *adat* council. Since that time, there has been muted talk among some To Lindu of resorting to violence, if necessary, to reclaim land the settlers now regard as their own, while the latter stand ready to defend that land in similar terms, but it has remained talk within each camp. Despite all such talk, there been little resort to public action based upon the apparently irreconcilable interests of, on the one hand, the To Lindu, who claim ancestral precedence in settlement and long-term communal custodianship of land as a warrant for the reimposition of their customary regulation of local land, and, on the other hand, newcomers who argue for the preservation of their unfettered rights to open and continue working what they regard as state land. The peoples inhabiting the Lindu plain are well aware of the violence raging between indigenes and settlers, Christians and Muslims, in many other parts of Indonesia. References to such hot spots as Ambon in Maluku and Poso in Central Sulawesi—the latter felt to be all too near to Lindu itself—are quite commonly worked into everyday conversations, formal speeches, and sermons in both Salvation Army churches, where the To Lindu worship, and mosques, where the Bugis and Muslim Kulawi migrants pray.⁹³ Yet, although the local situation at Lindu parallels many aspects of the villages surrounding Poso—in both one finds long-settled Christians and relatively recent Muslim migrants competing over land and other

⁹² The culprit readily admitted to the misdeed, but the elders of the Lindu plain’s *adat* council felt that the punishment was not commensurate with the offence, especially because the punishment was administered publicly, which constituted a loss of self-respect (*harga diri*) that extended to the whole To Lindu community.

⁹³ The majority of settlers from within Kulawi district, both spontaneous and locally transmigrated, are Christian of various dominations (unlike the To Lindu, almost 100 percent of whom are Salvation Army adherents), but there are quite a few Muslims among these Kulawi settlers as well.

resources—the communities at Lindu have not followed Poso's example into open conflict.

The peoples of Lindu are terrified of experiencing the death and destruction continuing in Poso, but terror does not fully explain their actions. A full analysis of the situation must consider the active agency of the Lindu inhabitants, both To Lindu and settlers, in working to preserve the peace. One of the ways in which local leaders in Poso, Maluku, and West Kalimantan have attempted to reestablish peace has been through the holding of *adat* rituals of reconciliation.⁹⁴ In fact, former President Abdurrahman Wahid flew to Poso to attend one such ritual at the end of August, 2000. In all such cases, the respite from violence has only been transitory. The reasons for such failures are already evident in the disparity of viewpoints over land disposal canvassed in the previous section. Resort to an *adat* ceremony for reconciliation presupposes the recognition of one contending group's *adat* as a framework for arbitration that transcends the interests of all parties. While "indigenous" communities espousing the revival of *adat* as a source of local sovereignty may well accord such recognition, settlers do not acknowledge the *adat* of a group with which they are in conflict as a transcendent source of authority and adjudication. Although the *Adat* Council of the Entire Lindu Plain has felt itself re-empowered to deal with issues of land allocation and dispute resolution since legislators of the *Reformasi* Era have invoked and approved "regional autonomy," the peoples of the Lindu plain turned to another type of forum to avert violence.⁹⁵

Interestingly, this meeting was initiated by a political party worker, the principal of the elementary school in Anca who serves as the informal Golkar coordinator in the Lindu plain.⁹⁶ As a child he had fled with his family from their Rampi homeland in the mountains north of Luwu' when guerrillas of the Kahar Muzakkar rebellion, locally known as the *gerombolan* (the band of terrorists), were moving through the area in the 1950s, forcing all villagers to convert to Islam on pain of death. Fearing that the current spate of violence in Poso and elsewhere could reproduce the earlier conditions of this state of civil war in South Sulawesi, especially as refugees fleeing the current violence spread to regions like Lindu, where they could stir up local sentiments, he first went to the village headman to see what could be done. When this official leader did nothing, the principal took it upon himself to go directly to the community of Bugis residing on the shore of the lake to make contact with leaders of the Islamic community there. The shore community representatives agreed with him, declaring, "We're all beginning to be suspicious of each other"; so, they decided to hold a joint meeting. On June 12, 2000, representatives of the To Lindu (Christian) community, the Muslim community (including the imam of the mosque of Tomado), Salvation Army officers, the head of the *Adat* Council of the Entire Lindu Plain, and the local representatives of AMASUTA and the youth association, with the headmen of the four administrative villages in the Lindu plain serving as witnesses, all met in the "Forum of Concern for

⁹⁴ Sudarsono et al., "Ketika Kerusuhan Mengguncang Bumi Khatulistiwa," p. 12.

⁹⁵ The background information I provide in the following paragraphs regarding the circumstances that led to the joint declaration was obtained in an interview with the convenor of the forum whose initial actions I describe.

⁹⁶ In fact, he is still often to be seen wearing his official yellow party jacket when performing such tasks as sweeping the central village street in front of his house before school starts in the morning.

the Harmony of the Religious Communities at Lindu” to produce a set of resolutions, observance of which they hoped would preserve the peace at Lindu.⁹⁷ Indeed, so far it has.

The success of this forum, at least in the short run, may be attributed to a number of factors. Its initiator, although clearly identified as part of the Christian To Lindu community, is himself of settler origins, his family having arrived as refugees from the state of civil war in the northern mountains of South Sulawesi in the middle of last century. Now an active member of the Salvation Army Church and married to a To Lindu wife, he resides uxorilocally (as is the norm for To Lindu postmarital residence) in the To Lindu portion of the village. Once his resort to a formal government representative had brought no results, he did not turn to the To Lindu *adat* councils of his village or of the entire plain to produce an authoritative statement on the terms of peace, but worked together directly with representatives of the Muslim Bugis community to establish a more widely representative forum in which a shared commitment to keeping the peace could be expressed. Although the authority of the To Lindu *adat* council was acknowledged through having the head of the council for the entire plain as a signatory to the statement of resolutions, participation by *adat* council members was not privileged. Indeed, the list of signatories evidences a conscious attempt to maintain a balance among secular functionaries (e.g. school teachers), Christian and Muslim representatives, and government officials. By the convenor’s own account, the person upon whom they most relied for framing the final document was a junior high school teacher who is himself a migrant of Manadonese descent.

In many ways, such a strategy of inclusiveness evinces the more “secular” nationalist goals of Indonesian governments of both the Old and New Order. As one might expect from a Golkar functionary, the convenor attempted to have the signatories represent various “functional groups” operating in the plain, even including an NGO representative. In addition, the very language of the document resounds with nationalist idioms characteristic of Indonesian government pronouncements and official documents. The forum members seek to strengthen the “unity and integrity” (*persatuan dan kesatuan*) of community life at Lindu, to promote “harmony” (*kerukunan*), to “love peace and live with harmony among the religious communities” (*cinta damai dan hidup rukun antar sesama umat beragama*), and to work toward “realizing a just and prosperous society” (*mewujudkan masyarakat Adil dan Makmur*). All these idioms are reminiscent of precisely the sort of governmental rhetoric which the customary society movement has critiqued for subordinating local needs to state priorities that all too often have only advanced the interests of central elites. Yet, in a context of warring local interests, these idioms still have the power of conjuring up the nostalgia for nationalist ideals that may never have been realized, yet can apparently still command allegiance across ethnic and religious lines.

The influence of the revival of local *adat* as a frame for adjudicating local disputes is still evident in the central place accorded the document’s chief goal and value, phrased in the Tado language of the To Lindu. The aim of the forum is summarized as the endeavor to hold in high regard and defend the value of “our living together”

⁹⁷ A translation of the full text of the statement issuing from this forum is provided as an appendix.

(*masintuwuta* [T])⁹⁸ as the essence of Lindu *adat*. However, as defined in the next-to-last resolution of the document, this core notion seems to derive as much from Indonesian state values as from a local *adat* orientation:

1. A family feeling that consists of fellow community members loving, respecting, and valuing one another.
2. Creating a feeling of loving tranquillity.
3. Creating a situation and condition of tolerance that is secure and full of friendly feeling.
4. Not easily provoked by emotions and not provoking the emotions of others.
5. All the inhabitants who have settled permanently in Lindu must truly feel they are friends to one another and are all a part of the Lindu populace.
6. Reporting as quickly as possible to the village governmental apparatus or those who have authority if there are matters or reports that bring unrest to the community.

Just as a “feeling of loving tranquillity” reiterates national values stressing the stable, peaceful conditions conducive for development, so such duties as reporting unrest to the village administrative apparatus seem to have more to do with inhabitants’ responsibilities as good citizens obeying government functionaries than with customary commitments. Not surprisingly, a list of steps that those government functionaries should take to insure peace concludes the resolutions. Even the rhetorical expression of the ethos of To Lindu *adat* as a summation of the forum’s purpose is ultimately subjected to the nationalist framework of governmental ideals and modes of administration; the realization of the goals implicit in that ethos is rendered dependent on a set of values and procedures derived from that nationalist framework.

Conclusion: Transcending Customary Law to Deal with Difference

While unique in certain respects, the Lindu case also evinces many characteristics found in other parts of the archipelago currently experiencing communal violence. As elsewhere, “indigenous” advocates of revived *adat* jurisdiction stand opposed to newcomers, including both spontaneous migrants and resettlers from within the local region, who prefer to abide by state frameworks of land disposal and development goals. The conflict of interests over control of land and other resources is analogous to conflicts that have pitted indigenes against settlers in such regions as Maluku, North Maluku, West and Central Kalimantan, and nearby Poso as well. In many of these regions it has been especially the Bugis, given their entrepreneurial skills and powers of political organization (not to mention their aggressive self-presentation, sometimes typified by their carrying of daggers [*badik*]), who have most attracted the ire of the indigenous populace. To Lindu resentment has similarly been largely focused on the Bugis newcomers from South Sulawesi.⁹⁹ Yet, so far, violence has been averted at

⁹⁸ Linguistically, the Tado term *masintuwuta* can be analyzed as a combination of the active verb prefix *ma-* plus the prefix *sin-*, indicating reciprocal or shared action, the root *tuwu* (“to live”), and the suffix *-ta* for first person plural (inclusive).

⁹⁹ Significantly, all those chosen as prominent Islamic figures (*tokoh*) to sign the resolutions of the “forum of concern for the harmony of the religious communities at Lindu” were members of the Bugis community, rather than any of the local Kulawi Muslims.

Lindu, despite recent To Lindu threats to expel the Bugis and continuing Bugis anger (not to mention self-righteousness) over the impediments to the development of their enterprises posed by the claims of To Lindu *adat* and its advocates. The larger context of regional autonomy in which the customary society movement has begun to assert itself more stridently has facilitated a greater assertiveness by the To Lindu *adat* councils, extending even to sponsoring participatory mapping—the participants being, of course, To Lindu men and their NGO allies—as a prelude to enforcement of their declaration of limitations on land use. But Bugis fisherfolk, wet-rice farmers, and intermediate marketers have continued to counter such efforts, lobbying with the subdistrict head more vigorously than ever to gain recognition of Kanawu, the primary Bugis settlement on the eastern shore of Lake Lindu, as a *desa* on its own, which would then no longer have to be subordinate to the *adat* council of *desa* Tomado controlled by the To Lindu. The struggle between settlers resorting to official government channels to gain recognition of their claims and indigenes asserting the sovereignty of their customary institutions thus continues in heightened form in the changed circumstances created by regional autonomy.

Tania Murray Li has recently raised concerns about the “politics of difference in general, and the racialization of territory in particular”¹⁰⁰ that appear to be consequences of the demands of AMAN for recognition of the rights of communities of “indigenous peoples” to govern themselves and control their local resources. This quest for local sovereignty may all too easily degenerate into “a differentiated legal system in which recognition of customary law would subject people to local despotisms and the whims of ‘traditional’ leaders who could monopolize or sell collective resources, or pass unreasonable judgments, substituting one tyranny for another.”¹⁰¹ Such fears, admittedly mitigated by Li in her further exploration of the background of the *masyarakat adat* movement, evoke the concerns articulated by Mamdani in his recent study of the colonial and postcolonial politics of custom in the regions of Africa once dominated by Britain and France.¹⁰² In that context, Mamdani disparaged the power wielded by “tribal chiefs” designated by the colonial governments, authoritarian figures who combined in their person legislative, executive, and judicial power in the name of traditional custom and in the context of sometimes invented cultural units labeled “tribes.” Crucial to the exercise of their power was the declaration of all land in tribal areas as customary and communal¹⁰³ and thus subject to the exclusive control of these local leaders, who often represented the interests of only one ethnic group in areas with long histories of migration and conquest.¹⁰⁴ This “indirect despotism” fostered a tribalism that has continued as one of the major impediments to democratization in contemporary Africa.

The contemporary customary society movement in Indonesia has worked to raise *adat* councils to positions of authority, each controlling the resources of its own

¹⁰⁰ Li, “Masyarakat Adat, Difference, and the Limits of Recognition in Indonesia’s Forest Zone,” p. 646.

¹⁰¹ Ibid.

¹⁰² Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton: Princeton University Press, 1996). I am grateful to Thomas Gibson for pointing out the relevance of this African study for the contemporary political situation in Indonesia.

¹⁰³ Ibid., pp. 51, 139.

¹⁰⁴ Ibid., p. 79.

ancestral territory. The authority usually sought by such *adat* councils combines functions of issuing regulations, administering and enforcing them, and issuing judgments and sanctions upon their transgression in a national context of multiple local sovereignties. If the customary society movement gains widespread influence in the nation, such a development might indeed pose worries for those of classic left-leaning persuasion who are more sympathetic in the Indonesian context to the class struggles of the “people” (i.e. *rakyat*) in the quest for national democratization¹⁰⁵; their concerns for Indonesia would echo Mamdani’s concerns for Africa. The constellation of forces that have articulated this juncture in Indonesia—governmental transition, international concern for environmental resources channeled through NGOs, human rights agendas of international donor agencies, etc.¹⁰⁶—certainly differ, at least in part, from the imperatives of extraction in the European colonial regimes. The apparent bottom-up character of demands in the Indonesian customary society movement, however much facilitated by outside agencies acting in top-down manner, also distinguishes the contemporary Indonesian context from, for instance, the African context or the earlier situation in the Dutch East Indies. But the way in which conservative frameworks of *adat*, adopted and adapted from Dutch colonial models that assumed the existence of bounded units with unitary custom reminiscent of African “tribes,”¹⁰⁷ have been chosen to channel these aspirations does render problematic the situation of all those who are not easily encompassed within such boundaries, such as the millions of spontaneous migrants and governmentally sponsored transmigrants and resettlers who have, over the decades, moved from their homelands (not to mention Indonesia’s burgeoning population of IDPs (internally displaced persons) in the wake of conflicts in East Timor [now Timor Loro Sa’e], Maluku, Poso . . .).

Peter Burns has noted the contradictions in the very notion of “customary law” (*adatrecht*), as formulated by the Dutch colonial jurists of the Leiden School,¹⁰⁸ to which contemporary Indonesian advocates of *masyarakat adat* are now turning. Following from Diamond’s distinction of the “rule of law” versus the “order of custom”¹⁰⁹ and Josselin de Jong’s reference to “customary law” as a “confusing fiction,”¹¹⁰ Burns argues that local custom cannot function as a sovereign authority to adjudicate disputes among parties of different origin¹¹¹; in short, it cannot attain the transcendent impartiality necessary for a framework of law to be used throughout the nation. It is thus not surprising that the forum used by the peoples of Lindu to maintain a situation of peace in their locale resounded with nationalist idioms of harmony and appeal to formal governmental powers of enforcement by village headmen. Although invoking a To Lindu concept of living together (*masintuwuta* [T]) and threatening the imposition of “customary sanctions of the highest severity” for

¹⁰⁵ Li, “Masyarakat Adat, Difference, and the Limits of Recognition in Indonesia’s Forest Zone,” pp. 648-664.

¹⁰⁶ *Ibid.*, pp. 650ff.

¹⁰⁷ Mamdani, *Citizen and Subject*, p. 79.

¹⁰⁸ Peter Burns, “The Myth of Adat,” *Journal of Legal Pluralism* 28 (1989): 1-127.

¹⁰⁹ Stanley Diamond, “The rule of law versus the order of custom,” *Social Research* 38,1 (1971): 42-72.

¹¹⁰ J. P. B. Josselin de Jong, *Customary Law (A Confusing Fiction)* (Amsterdam: Het Indisch Instituut, 1948).

¹¹¹ Burns, “The Myth of Adat,” p. 4.

transgressions of this ethos, the forum's exposition of this core value is given in terms that derive in large part from nationalist values. What is more, the observance of the forum's resolutions is to "be monitored and evaluated by the Government" as well as by all the people inhabiting the Lindu plain, not just by the To Lindu *adat* councils.

The customary society movement has certainly provided an alternative model of authority that may address the injustices of resource extraction and community disempowerment that characterized New Order models of development and progress. However, it has also contributed to increased communal tensions by failing to recognize the heterogeneity of local settlements and promulgating the monoethnic cast of the revival of local *adat*: for each territory a single people's custom is to be sovereign. The Lindu experience hints that the disputes between indigenes and migrants that have erupted into violence in so many parts of the archipelago may be more responsive to a differently legitimized framework of adjudication. Many settlers remain committed to visions of the level playing field that infused New Order rhetoric, as such notions facilitated their mobility and justified their modes of exploiting natural resources. It is no accident that the figure who initiated the "Forum of Concern for the Harmony of the Religious Communities at Lindu" was not only somewhat interstitial—both a settler (although from a Christian region) and a member of the To Lindu community (through marriage)—but also a Golkar functionary. Avoiding or quelling violence may require the continued invocation of nationalist idioms and modes of participation that recognize the settler presence in ways that the discourses and practices of *adat* sovereignty, structured as they are by atavistic visions of homogeneous community,¹¹² inherently fail to accommodate.

¹¹² One of the current research projects at the Southeast Asia Research Center of the City University of Hong Kong is investigating atavistic strategies (e.g. the re-establishment of an autonomous sultanate in Aceh) being used by various groups seeking independence or autonomy in contexts of the re-emergence of political fault-lines throughout the Southeast Asian region.

APPENDIX:

Forum of Concern for the Harmony of the Religious Communities at Lindu

1. Background

With a view to the situation and condition that have changed so quickly at the Lindu plain as a result of the influence of the disturbances that have occurred at this time, along with the proliferation of misleading information, we are thus taking the initiative to build a bridge to promote real harmony between the religious communities, so that fellows may have no suspicion toward each other and live as friends, as well as strengthening our Union and Unity.

2. The Problem

A portion of the inhabitants feels apprehensive, disturbed about issues and misleading reports whose sources are not clear as a result of the influence of disturbances in other areas that have spread to Lindu.

3. Aims

In order to prevent forms of apprehension, suspicion, and fear, as well as disintegration, among fellow inhabitants of the Lindu plain, Anarchists should be prohibited [from provoking violent activities] as early as possible so that a situation and condition conducive [to harmony] can be sustained and upgraded.

4. Subject Matter of the Meeting [names of speakers suppressed]

A. An explanation from the Initiators concerning the formation of the Forum of Concern for the Harmony of the Religious Communities at Lindu was given by the head of the forum. The essence of this discussion was that the aim of the Forum was only to provide a bridge that would render the ties of fraternity closer and more harmonious, promoting the general concord of religious communities at Lindu, and that the Forum did not have any Political content.

B. A formal response was given by the Anca village headman, as representative of the four villages [of Lindu], emphasizing how the Government received the efforts of the initiators positively and appealing to the entire community that they not be easily provoked and would report any provocateur [to the government authorities].

C. A formal response from the Lindu Sectional [Salvation Army] Officer, representing the leaders of the Christian Religion, concerned how the Christian community should

not be easily provoked [literally, “hooked”] by the issues that were disturbing the peace-loving and harmonious life among fellow religious communities.

D. A formal response from the Islamic figures was given by the imam of the Kanawu mosque, emphasizing the necessity of resoluteness on the part of the government in guarding and preserving the harmonious concord [of the religious communities] if there were violations that departed from legal and religious norms.

E. A treatment in further depth of the subject matter of religious groups living in harmony was given by [a teacher from the Lindu plain’s junior high school in Tomado]. Religious communities living in harmony constructed Union and Unity and constituted an asset and national capital in realizing a Just and Prosperous Society.

The Clear Resolve of the Community of the Lindu Plain, Kulawi Subdistrict

On this day, Monday the 12th of June 2000, in a building of State Junior High School No. 3 of Kulawi in the village of Tomado in the Lindu plain, we, the community of the Lindu plain, which consists of four administrative villages—that is, Puroo, Langko, Tomado, Anca—with the respective village headmen, leaders of the Christian religion, leaders of the Islamic religion, [members of] the customary councils, prominent figures of the community, and other figures from the youth and community generally all attending, conducted a meeting to come to a consensual agreement with the aim of anticipating the entry of irresponsible shady characters (provocateurs) who purposefully aim to destroy the harmonious order of the community as a whole and the harmonious life of our religious communities [in particular].

After having accommodated everyone’s aspirations, the participants of this meeting, have, with accurate and trustworthy judgment, along with the team of initiators, formed, agreed upon and put into practice in our everyday life with all seriousness and sincerity a commitment to the clear resolve of the Lindu plain community to act as follows:

- I. We continue to value each other’s differences of ethnicity, race, and religion, as well as defending the harmony of living as religious communities.
- II. We continue to love the integrity of our nation’s union and unity.
- III. We reject all forms of crime, disturbance, fighting, and splintering of harmony within and among the religious communities.
- IV. We hate and reject all instigators or those who pass on information whose aim is directed to promoting disputes or disorder, both those who emerge from within the Lindu plain or those who come from outside.
- V. We will not engage in throwing [of projectiles], destruction, burning of houses of worship, inhabitants’ houses, or other public facilities.
- VI. All inhabitants of the Lindu Plain will unite in the aim of expelling instigators or provocateurs who enter our beloved Lindu plain.
- VII. We hold in high esteem and defend the essence of the “Custom of Our Living Together” [MASINTUWUTA, capitalized in the original document, from Tado, the indigenous language of the Lindu people], which has the following meaning:

1. A family feeling that consists of fellow community members loving, respecting, and valuing one another.
2. Creating a feeling of loving tranquillity.
3. Creating a situation and condition of tolerance that are secure and full of friendly feeling.
4. Not easily provoked by emotions and not provoking the emotions of others.
5. All the inhabitants who have settled permanently in Lindu must truly feel they are friends to one another and are all a part of the Lindu populace.
6. Reporting as quickly as possible to the village governmental apparatus or those who have authority if there are matters or reports that bring unrest to the community.

VIII. Pressure the village administration of the Lindu plain to take resolute, authoritative measures, including:

1. Prohibit people selling alcoholic beverages to the general public and causing the drunkenness that only triggers commotion, fights, etc.
2. Activate the village patrol and fit out the guard posts and the announcement board.
3. Make it compulsory for all inhabitants who receive visitors to report with their visitors as quickly as possible to the Village Administration. (A Team for Receiving Guests is specifically to be established for the Kanawu region, whose stipulations are to be determined by the Tomado village headman.)
4. Establish a Customary Council for the Kanawu region as quickly as possible.
5. Prohibit the operators of motorized passenger boats [i.e. lake taxis] operating at night except with the permission of the authorities.
6. Give general guidelines to the society directly or through such intermediaries as religious leaders, customary leaders, and their associated agencies on such matters as:
 - A. Parents in each family have to bring up their sons and daughters well.
 - B. Youths have to restrain themselves, resist being easily provoked, and challenge themselves to become genuine peacemakers.
 - C. The administration of the village concerned should prevent the concentrations of groups of people, adolescents, and young people at unofficial activities.

IX. Every violator of this [statement of] Commitment to the Resolution Agreed Upon will be subjected to customary sanctions of the highest severity.

X. As participants in this discussion, we feel obligated to be examples and models in carrying out the contents of this single-minded and pure resolution of the community of the Lindu Plain.

We thus make this clear resolve of the community of the Lindu Plain with a full sense of responsibility for our common interests:

Forum of Concern for the Harmony of Religious Communities

[names suppressed in following list of signatories]

1. Head: Principal of the Anca Primary School
2. Secretary: Teacher in Junior High School No. 3, Kulawi Subdistrict
3. Member: Teacher in Junior High School No. 3, Kulawi Subdistrict
4. Member: Islamic community figure
5. Member: [Salvation Army] Officer [Major] of the Lindu Section
6. Member: Head of the Local Branch of the Indonesian Teachers' Union
7. Member: Islamic community figure
8. Member: Head of the Lindu Customary Council for the Entire Lindu Plain
[Lembaga Hadat seDataran Lindu]
9. Member: Islamic community figure [actually imam of Tomado mosque]
10. Member: NGO Representative at Lindu [local Lindu representative for the Alliance of Central Sulawesi Customary Societies, Aliansi Masyarakat Adat Sulawesi Tengah, or AMASUTA]
11. Member: Youth group figure

ACKNOWLEDGED BY

Anca Village Headman

Tomado Village Headman

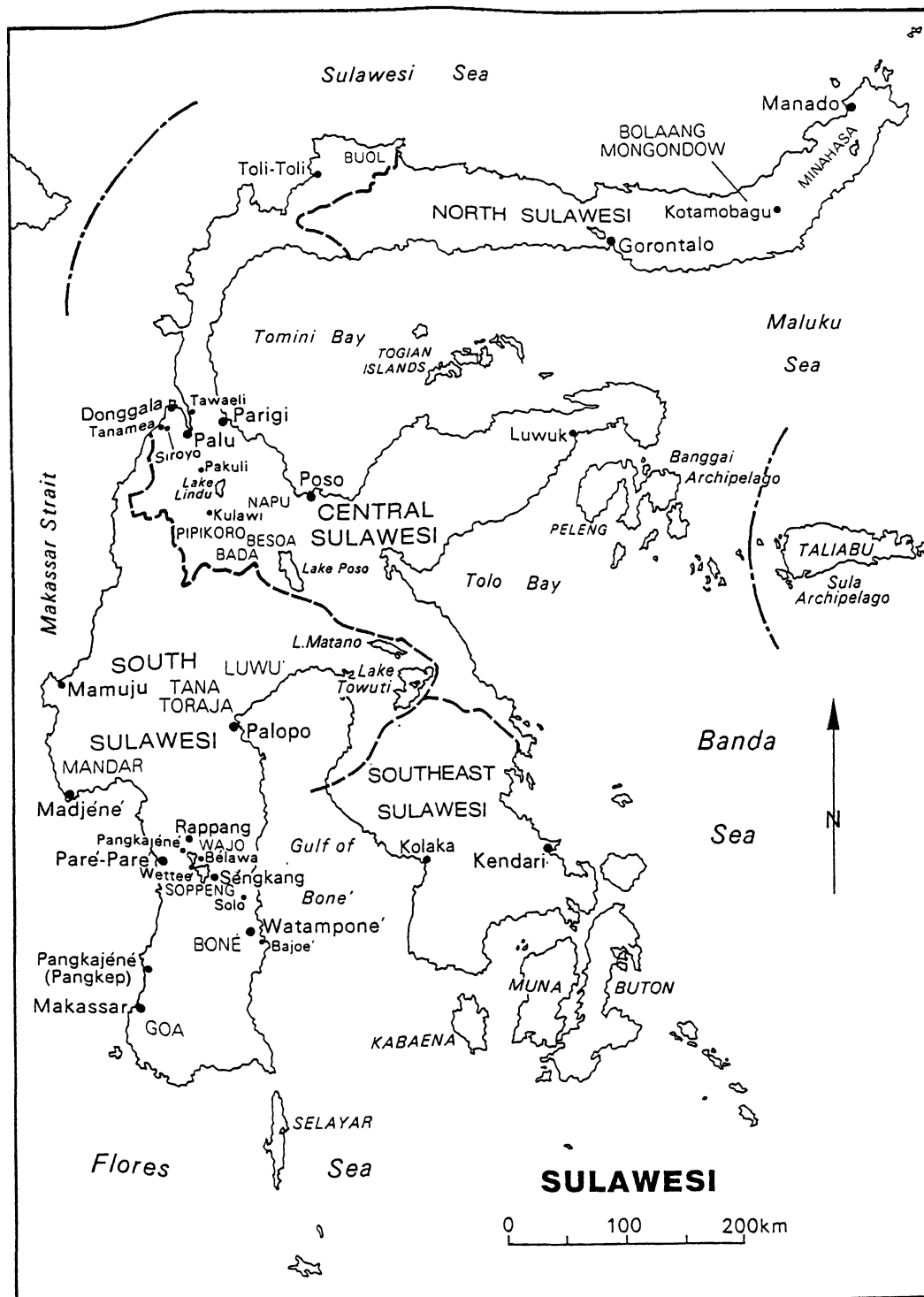
Langko Village Headman

Puroo Village Headman

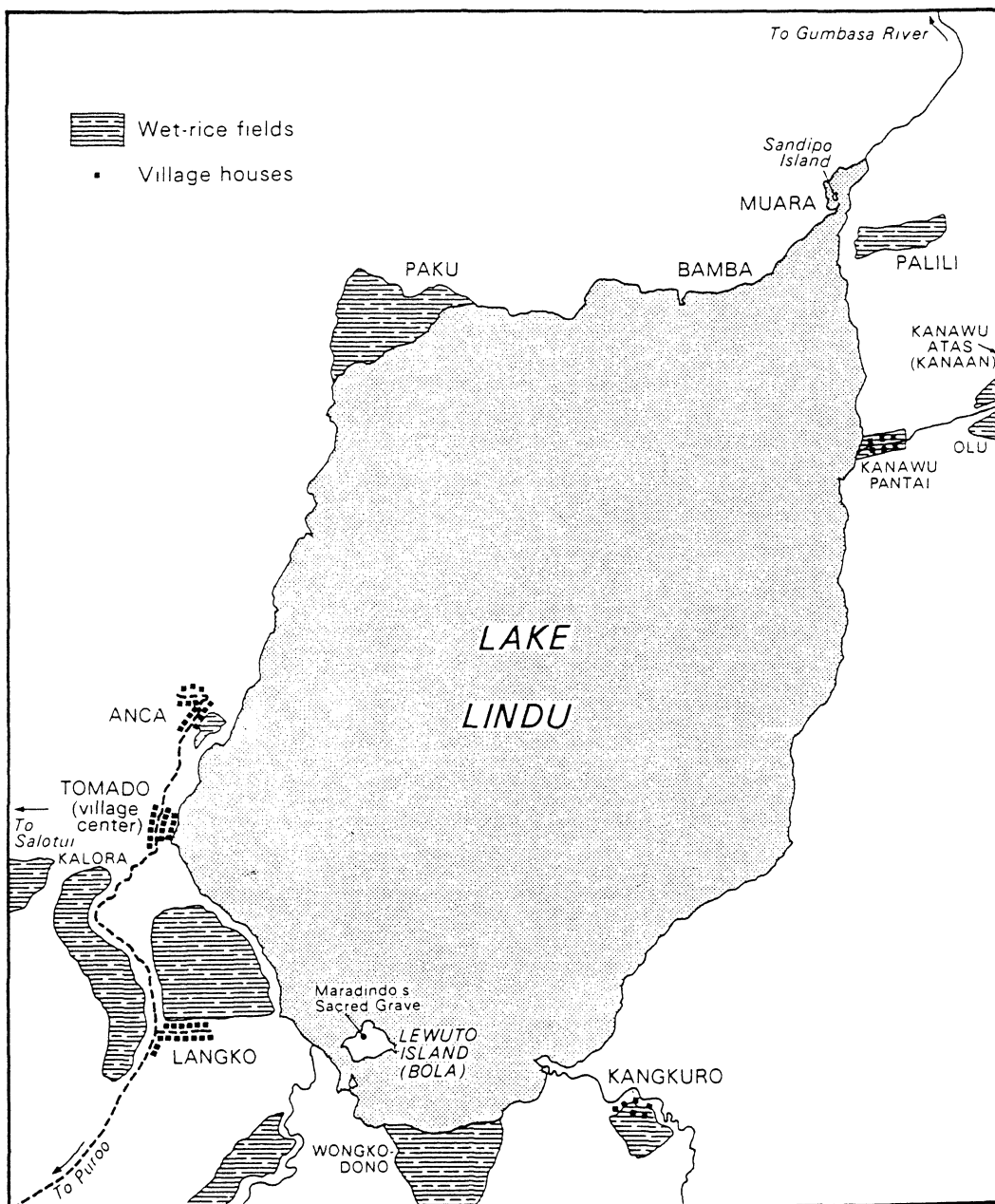
5. *Conclusion.*

After this commitment to the agreement on the clear resolve of the Lindu plain community has been initiated, in order that it be applied in our everyday life, it will be monitored and evaluated by the [local] Government connected to it and by all strata of the community of the Lindu plain. This commitment to the agreement concerning the clear resolve of the Lindu plain community will be socialized [inculcated to the members of the community] through reproductions or photocopies that can be read in houses, houses of worship, places of public meeting or put up in places where it is easily seen by people. The funds [for this effort] come from the voluntary contributions of the initiators and participants in the discussions.

Therefore, we who have acted in the name of the Forum of Concern for the Harmony of Religious Communities declare that the Forum disperses itself of its own accord.



Map 1
Sulawesi: The Four Provinces



Map 2
Settlements and Wet-Rice Fields Surrounding Lake Lindu