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CHAPTER 7

Social Identity and Access to Natural Resources: Ethnicity and Regionalism from a Maritime Perspective

Dedi S. Adhuri

Introduction: The Sea, the Imagined Bridge

The political ideology of the sea in Indonesia is embedded in the concept of *Wawasan Nusantara* (the archipelagic principle). The essence of *Wawasan Nusantara* is the “oneness” of Indonesia in terms of territory (*wilayah*), nationhood (*bangsa*), goal and spirit of struggle (*tujuan dan tekad perjuangan*), the law (*hukum*), socio-cultural attributes (*sosial-budaya*), the economy (*ekonomi*), and defense and security (Hankam).¹ The territorial “oneness” of Indonesia assumes that the many islands (land), sea (water) and the atmosphere (air) are a single integrated entity.² Thus, the sea is not considered as dividing the islands of Indonesia; on the contrary, the sea is believed to unite all the Indonesian islands and the people living on them. In Indonesia, this ideology is commonly expressed by the proverbs that “*laut adalah perekat kepulauan Indonesia*” (the sea is the substance that binds the Indonesian archipelago) and “*laut adalah jembatan yang menghubungkan pulau dan penduduk yang menempatinya*”

di seluruh Indonesia" (the sea is a bridge connecting all the islands and people of Indonesia).

If we look at marine fishery policies in Indonesia, it appears that these concepts have been adopted literally, as a bridge for all Indonesians, the sea is "free for all people" to use. In doing so, the government detaches the sea from all, or any individual, social groups in Indonesia. The Indonesian Constitution of 1945, Article 33 (3),³ states that "*Bumi, air, angkasa, dan kekayaan alam yang terkandung di dalamnya dikuasai oleh negara dan dipergunakan untuk sebesar-besarnya kemakmuran rakyat*" (the land, water, air and the natural wealth therein are under state control and to be used for the betterment of peoples' welfare). As a result, unlike other resources such as forests and minerals—where the government splits the resource rights into units and distributes them to people or institutions—the sea is treated as indivisible. Again, unlike the rights to manage forests in Indonesia (*Hak Pengusahaan Hutan*), which are given to a particular institution (company or cooperative) to the exclusion of other institutions for a particular area, many fishermen or fishing companies may hold the licence to fish for the same resource in the same zone. In short, this means that those who live in the western limits of Indonesia's territorial boundaries may fish anywhere, including in the waters of the eastern edge of the archipelago alongside people from different places and cultural backgrounds.

There are, of course, taxes to be paid and procedures to follow but these are only based on the fishing technology used. The Ministry of Agriculture Decree No. 32/1999, for example, stipulates that those who use "traditional" technology are free to fish wherever they like but they are given exclusive rights in Zone I (minimum low tide up to six miles); those who use middle-range technology can only fish in Zone II (outside Zone I, up to 12 miles); and those who use high-tech or modern technology are only allowed to fish outside both zones (see Table 7.1).

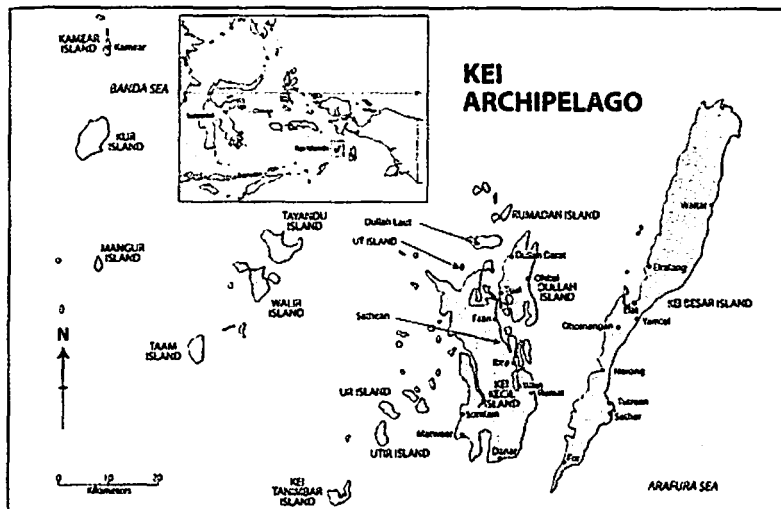
Is this ideology, and the marine resource management practices which derive from it, adhered to by the fishermen themselves? Do local people perceive the sea in the same way as the Indonesian government? What do fishermen think when they enter fishing zones, extract resources or prohibit others from doing so? In the following sections, I will discuss cases of conflicts over fishing grounds, which will shed some light on these issues.

TABLE 7.1

Ministry of Agriculture Decree No. 392/1999 on Marine Zoning for Fisheries

Zone	Sub-zone	Allowed Fishing Boat and Gear
Zone I Minimum low tide (- 6 miles)	Minimum low tide -3 miles	Stationary fishing gear Non-modified non-stationary fishing gear Un-motorised boat with max. 10 m length
	>3-6 miles	Modified non-stationary gear Un-motorised or outboard engine, max. 10 m long Outboard or inboard engine with max. 12 m long or less than 5 GT (gross tons) Purse seine max. 150 m Drift gill net max. 1,000 m lon
Zone II Outside Zone I (-12 miles)	No sub-division	Vessel of maximum 60 GT Vessel with purse seine max. 600 m operated from single vessel or max. 100 m operated by two vessels Tuna long line max. 1,200 hooks Drift gill net max. 2,500 m long
Zone III Outside Zone II (to the outer line of EEZ)	No sub-division	Indonesian vessels max. 200 GT, with the exception of all vessels using purse seine for large pelagic fisheries that are forbidden to operate in Teluk Tomini Bay, Maluku Sea, Seram Sea, Banda Sea, Flores Sea and Sawu Sea. Indonesian EEZ in Strait of Melaka is open for maximum 200 GT Indonesian vessels, with exception of minimum 60 GT boat using fish net EEZ outside of Strait of Melaka is open for: Indonesian or foreign vessels of max. 350 GT of all gear types; Vessels >350-800 GT using purse seine are only allowed to operate beyond 100 miles from Indonesian coastal line; Purse seines operating in group are only allowed to operate beyond 100 miles from the outer coastline of Indonesia archipelago

FIGURE 7.1
The Kei Islands



Ethnicity and Access to Fishing Grounds

Conflicts over fishing grounds in the Kei Islands, southeastern Maluku, as in other parts of Indonesia, are not a new phenomenon. Local people remember conflicts over sea boundaries and resources taking place since the 1930s. The causes and the consequences of these conflicts are various. The cases that I am going to discuss are recent examples of conflicts that demonstrate the role of ethnicity in access to fishing grounds.

The first incident was a fisheries conflict in the village of Sathean on Kei Kecil Island (see Figure 7.1). This village consists of two hamlets (*ohoi*) called Ohoisaran and Ohoislam. Ohoisaran is twice as big as Ohoislam: in 1993 when the combined population of Sathean was around 1,500, almost 1,000 lived at Ohoisaran. As well as being unequal in size, there were important differences between the two hamlets: those in Ohoisaran were Christian, while the people in Ohoislam were all Muslim. In Ohoisaran, most people were farmers; a few occasionally went fishing for subsistence purposes. In contrast, the majority of Ohoislam's adult males spent most of their time fishing and only farmed in their spare time. Some adult

females in Ohoislam also sold the fish caught by their husbands, brothers or relatives in the village or at the market.

Conflict between the people of these two hamlets occurred in 1964 when a Ohoislam fisherman began using a lift-net in Sathean's shared sea territory. Those from Ohoisaran, subsistence fishers who used lines or gill nets, protested that the Ohoislam fisherman's lift-net would give him the unfair advantage of a bigger catch. In response to the protests, the Ohoislam fisherman stopped operating his lift-net, thus avoiding further conflict.

A new conflict broke out twenty years later, in 1984. Again, this conflict was triggered by the adoption of lift-net technology by a fisherman at Ohoislam. Interestingly, the conflict was resolved differently on this occasion. In this conflict, the people of Ohoisaran allowed the fisherman to continue operating his lift-net with two conditions. First, he and other Ohoislam fishermen who used lift-nets had to pay a special tax (*ngasi*) to the village. Secondly, they were prohibited from setting their lift-nets in the area where the people of Ohoisaran traditionally fished.¹ The second condition was followed by the division of Sathean's sea territory into two sections: one section exclusively for Ohoisaran people and another section accessible to both.

In terms of traditional sea ownership, the people of Ohoisaran, who formed the majority in Sathean, considered the fishermen of Ohoislam to be a minority of "outsiders" who were not allowed to fish in the village territory without their consent. To put it differently, the people of Ohoisaran thought that the people of Ohoislam did not have the same rights over the village's traditional sea territory and resources. Their claims were based on the village's origin myth, which narrates that Sathean was established by the ancestors of the people of Ohoisaran. Thus, the Ohoisaran villagers considered themselves to be the founders of Sathean, and used this as a source of legitimacy to lay claim to ownership of the land and the surrounding sea. On the other hand, the people of Ohoislam were said to be the descendants of a Buginese man who had married a Sathean woman. Since the local kinship system is patrilineal, they were not considered to be part of the original social group. In fact, the people of Ohoisaran identified the population of Ohoislam as "Buginese". However, since the people of Ohoislam had adopted the family name of an origin kin group, the Yamlean, which indicated their willingness to be associated with the founder kin-group of the village, they were also considered *Yamlean Tempel* (attached to the Yamlean). As such, they were not considered complete outsiders.

It is clear from an assessment of this conflict that it was not only technology which constrained the people of Ohoislam from accessing the sea territory of the village, it was their "otherness", from the perspective of the Ohoisaran people. Furthermore, the parameter of this otherness was not locality or biological connections but it was a cultural parameter, namely ethnicity. In terms of locality, the people of Ohoislam had lived in the village for generations. Biologically, they also shared the same blood with the people of Ohoisaran through a Sathean woman. Yet, in terms of ethnicity, they were, as people of Ohoisaran address them, "Buginese". This is the reason that they were excluded from accessing marine resources. It was only with permission from the origin group, which was bought by paying the *ngasi*, that these "outsiders" were allowed to enter and make use of the village's sea territory.

The second conflict occurred between Dullah Laut villagers and Butonese fishermen in the second half of 1997. Again, the conflict was triggered by a fisherman who was using a lift-net, this time in Dullah Laut's sea territory (see Figure 7.1). Dullah Laut villagers knew that the owner of the lift-net must have been an "outsider" because none of them were using this technology. After some investigation, they discovered that the owner was a Butonese man who was married to a woman from Ut Island in the Kei archipelago (Figure 7.1). Initially, although he had entered their sea territory without requesting permission, Dullah Laut villagers did not take harsh measures against the lift-net fisherman because he was associated with the people of Ut Island, whom they respected. Dullah Laut villagers recount that the ancestors of the Ut islanders had once assisted their ancestors in a time of war. This respect was expressed by allowing them to do some fishing in Dullah Laut's sea territory. However, when an increasing number of lift-net fishermen—most of whom had nothing to do with the Ut islanders but were Butonese compatriots of the first operator—entered their fishing ground, Dullah Laut villagers reacted firmly. They raided the lift-net fishing boats, forcing them out of the Dullah Laut fishing grounds; the Butonese fishermen did not return.

A third case concerns a conflict between Madurese and local fishermen in Perigi, on the south coast of East Java. The conflict, which took place in 2000, was provoked by the use of kerosene lamps (*petromaks*) by the Madurese fishermen while they were fishing. This was considered to be a threat to the catch of local fishermen because, although they used the same fishing technology (but without the *petromaks*), the light of the lamps attracted more fish to the Madurese boats and reduced the catch of the

Perigi fishermen. For this reason, the latter protested against the use of *petromaks*, but the Madurese resisted. Locals responded by burning four of the six Madurese fishing boats, destroying the Madurese huts and driving the Madurese themselves from the area. When I did my fieldwork in early 2002, none of these Madurese fishermen had returned to Perigi.

My reading of this last conflict is as follows. Unlike in the Kei Islands where the coastal area is communally owned, in Java, normatively, the sea is "free for all". Therefore, fishermen working in the area came from different places and ethnic groups. Even so, however, non-locals were differentiated from local fishermen. The former were called *nelayan andong* (visiting fishermen). Interestingly, at least from the perspective of the locals, this category also reflects the different rights and obligations of each in relation to the sea as well as modes of conduct in daily life. In relation to the sea, the *andong* fishermen were not to use fishing technology that might disturb or disadvantage the operations of the locals. The locals also thought that, as guests of the local community, the *nelayan andong* should behave in accordance to local norms.

Unfortunately, the Madurese fishermen had breached these rules. The first mistake was their use of kerosene lamps. The second mistake was something to do with the "character" and behaviour of the Madurese. Local fishermen judged the Madurese to be violent: they were said to be easily provoked to arguments and physical violence, which often involved the traditional Madurese weapon (*clurit*). According to local people, this contrasted with the Javanese who were humble and tended to avoid conflict. The Madurese were also disliked because they were considered to be ill-mannered (*tidak sopan*). They walked from the coast to their huts—approximately 300 to 400 metres, passing through public spaces such as the market, and in front of offices and hotels—clad only in their underwear. Again, according to the local norms, this was not acceptable.

These conflicts clearly show how local people manipulate local and non-local identities in order to control maritime resources or exclude others from access to resources. In this regard, ethnicity is used to define "non-localness" or "otherness". This was obvious when the people of Ohoisan called the Ohoislam fishermen "Buginese" or, "half Buginese"; the Dullah Laut villagers addressed the lift-net fishermen as Butonese; and the Perigi fishermen labelled those who used *petromaks* as "Madurese". These ethnic groups were defined as non-local, and were then excluded from accessing local marine resources. It is also apparent that technological differences or the use of new types of fishing gear precipitated the ethnic labelling.

Regionalism and the Politics of Exclusion

Fisheries-based disputes in Indonesia have continued during the era of decentralisation. Since 2000, many serious conflicts over fisheries have occurred across the archipelago, including in North Sumatra, Bengkulu, Lampung, Java, Madura and Pontianak in Kalimantan. These conflicts have not only caused the loss of many boats and much fishing gear but also many lives.

From the accounts of conflicts that I have compiled, it is apparent that the politics of exclusion plays an important role in fishing disputes (Table 7.2). The two grounds for exclusion involve fishing ground violations, and technological differences (that is, in fishing gear and methods and/or technology). Fishing ground violations refer to the operations of "outside" fishermen in a fishing ground claimed to be under the control of a particular local group. Unlike the three cases that I discussed in the previous section (where ethnicity was used to define otherness)—in many cases the boundaries of the fishing ground and the "otherness" now derive from official Indonesian government definitions. Thus, all the conflicts recorded in Table 7.2 relate more to the *desa* (village), *kecamatan* (sub-district), *kabupaten* (district) or *provinsi* (province) rather than ethnicity or other "traditional" boundaries. For example, the burning of four purse seines belonging to Indramayu and Cirebon fishermen in Serang (Table 7.2, no. 9), shows that the Serang fishermen used the provincial boundaries as a basis for accusing those from Indramayu and Cirebon of violating their sea boundaries. The same explanation may be applied to the conflict between Cilacap (Central Java) and Pangandaran (West Java) fishermen (no. 5), and between Bengkulu and North Sumatra and South Kalimantan fishermen (no. 10). Other cases, however, show that conflicts can be more complex. Conflicts between fishermen from the northern coast of Java and Masalembo (no. 1, 2 and 8) demonstrate that disputing parties are not always synonymous with administrative units. In these disputes, the fishermen from several different districts in the northern coast of Java acted in concert against fishermen from Masalembo, who were from a single district.

The second issue, technological violation, refers to the use of "illegal" technology in a particular fishing ground. Illegality could be defined by literal interpretation of government regulations or by perceived wrongdoing. For example, since the use of trawl fishing was banned according to a presidential decree in 1980, protests against trawler operations provide an example of a legally based dispute over technological violations

TABLE 7.2

Some Conflicts between Fishermen in Indonesia (2000-2)

No.	Incident	Issues	Location	Time	Source
1.	The burning of six boats, hostage-taking, torture of Pati and Tegal (Central Javanese) fishermen by Masalembu fishermen	Fishing ground and technological violations (the use of lamp)	Masalembu, East Java	Early 2000	<i>Republika</i> , 13 Nov. 2000
2.	The burning of one fishing boat belonging to Central Javanese fishermen by Masalembu fishermen	Fishing ground violation	Masalembu, East Java	Nov. 2000	<i>Rakyat Merdeka</i> , 17 Nov. 2000
3.	Jakarta fishermen protest against non-local trawl operation in traditional fishing zone	Trawl operation in traditional fishing zone	Jakarta	Aug. 2001	<i>Kompas</i> , 13 Aug. 2001
4.	Physical fight between fishermen from Wedung and Bonang sub-districts, Demak district	The operation of police owned mini-trawlers assisted by Bonang fishermen	Demak, Central Java	Jan. 2002	<i>Kompas</i> , 12 Jan. 2002
5.	The arrest and hostage-taking of eight Cilacap (Central Java) fishermen by Pangandaran (West Java) fishermen	Fishing ground and technological violations (the use of <i>payang</i> net)	Pangandaran, West Java	Feb. 2002	<i>Kompas</i> , 23 & 27 Feb. 2002

TABLE 7.2 (Cont'd)

No.	Incident	Issues	Location	Time	Source
6.	Confiscation of 16 mini-trawler boats owned by Panciran sub-district, Lamongan district and Paceng sub-districts, Gresik district by traditional fishermen from Ujung Pangakah sub-district	The use of mini-trawlers considered ecologically destructive and reduced the local fishermen's catch. (Note: the conflict was settled by an agreement that: 1. Operation of mini-trawler was prohibited within 30 fathoms depth. 2. Fishermen from Ujung Pangakah have the right to arrest those who violate this rule. 3. Violation is punished by the burning of the boat.)	Gresik, East Java	Mar. 2002	<i>Kompas</i> , 12 Mar. 2002
7.	The burning of eight mini-trawl boats belonging to Sampit village (Matan Hilir Utara sub-district) fishermen by fishermen from Sukabaru village, Matanhilir Selatan sub-district	The Sampit boat owners did not pay the fine of three million rupiah to fishermen from Sukabaru as a consequence of the fishing ground violation	Pontianak, West Kalimantan	Mar. 2002	<i>Kompas</i> , 21 Mar. 2002
8.	Madurese Karimunjawa fishermen taken hostage by locals	Fishing ground violation	Brebes and Tegal, Central Java	Apr. 2002	<i>Kompas</i> , 18 Apr. 2002

(Cont'd overleaf)

TABLE 7.2 (Cont'd)

No.	Incident	Issues	Location	Time	Source
9.	The burning of four purse seine boats owned by fishermen from Indramayu and Cirebon districts (West Java), by locals	Fishing ground and technological violations	Serang, West Java	May 2002	<i>Kompas</i> , 21 May 2002
10.	The burning of a trawl boat and protest by traditional Bengkulu fishermen over the use of trawl and purse seine owned by fishermen originating from North Sumatra and South Sulawesi	The use of trawl and purse seine in the zone for traditional fishing technologies (Note: It had been an agreement between purse seine fishermen and locals that the purse seine fishermen give 100 kg of their catch/trip to the locals. The locals contested this agreement. A new agreement was proposed that half or more fishermen working on a purse seine boat should be local fishermen.)	Bengkulu	July 2002	<i>Kompas</i> , 19 July 2002
11.	Protest by traditional fishermen in North Sumatra	Trawl operation in the zone for traditional fishing Resistance to the government's plan to legalise trawl operations	Medan, North Sumatera	Sept. 2002	<i>Kompas</i> , 17 Sept. 2002

Sources: *Kompas*, "Nelayan Jakarta Protes Kehadiran Kapal 'Trawl'", 13 Aug. 2001; "Buntut Bentrokan Nelayan: 2.500 Nelayan Demak tidak Berani Melaut", 12 Jan. 2002; "HNSI Cilacap: Penyanderaan, Bisa Picu Konflik antar Nelayan", 23 Feb. 2002; "Buntu, Pertemuan HNSI Cilacap-Ciamis", 27 Feb. 2002; "Nelayan Ujung Pangkah Menyita 16 Perahu Pengguna 'Mini-Trawl'", 12 Mar. 2002; "Nelayan Ketapang Bakar Delapan Kapal Trawl"; 21 Mar. 2002; "Kerawanan Laut Meningkat", 21 May 2002; "Konflik Nelayan di Musim Paceklik", 19 July 2002; "Nelayan Tradisional Sumut Tolak Pukat Harimau", 17 Sept. 2002. *Republika*, "Hari ini Nelayan Pantura akan Demo di Jakarta", 13 Nov. 2000.

(nos. 3, 4, 6, 7, 10). Some cases also show that such technological violations are defined by differences between local and non-local fishing technologies. The use of more advanced technologies by outsiders was often considered "illegal". Thus, in Bengkulu local fishermen protested against the use of a purse seine (no. 10). Masalembo fishermen burned six Central Javanese fishing boats because the fishermen were using lamps while fishing. The more advanced technologies was believed to unfairly increase the outsider's catch at the expense of local fishermen.

Research conducted by the Maritime Study Group⁵ found that similar conflicts continue. Indrawasih, Wahyono and Adhuri reported that conflict between muro-ami fishermen versus line and nets operators broke out in Belitung in 2003-4.⁶ In the same period, conflict also occurred between *gaek* (purse seine) and *payang* (bag seine) operators in Sungai Liat on Bangka Island.⁷ Similarly, in Kepulauan Riau, the use of mini-trawlers in the waters around Numbing Island provoked conflict with line users.⁸ The use of mini-trawlers also resulted in the burning of fishing gear and physical confrontation between some fishermen in Lembar and Sekotong Barat districts on Mataram Island, East Nusa Tenggara, in 2004.⁹

Like the earlier conflicts, those reported by the Maritime Study Group which broke out between 2003-6 involved not only the issue of fishing gear but also the identity of the fishermen. In all the above conflicts, the aggravating parties were outsiders. The resentments which led to these conflicts arose because locals considered that the outsiders had encroached their waters and maritime resources using superior technologies, hence threatening their fishing harvests and jeopardising their livelihoods, usually by flooding local markets with their catch.

Evidently, these conflicts reveal that people associate technological differences with perceptions of local and non-local. All the conflicts caused by technological violations mentioned above show that those who controlled more advanced technologies were not locals but were fishermen from somewhere else, that is, other regions. Furthermore, the proposal of fishermen in Bengkulu that the locals might allow the purse seines to operate in their territory if half or more of the operators were local (Table 7.2, no. 10), indicates that the problem relates to the issue of who has better access to, and hence control over, the resource. The proposal obviously represented the interests of locals; unless locals controlled the resources, other fishermen would not be allowed to use superior technology. This also implies that the outsiders were not supposed to harvest more fish than the locals.

All these cases indicate a high level of regional identification in the maritime world of Indonesia. Regionalism provides fishermen with the basis for strong associations with local marine resources. Such associations enable locals to prohibit fishermen from other regions from making use of particular marine resources or, at least, of restricting access to those resources.

Ethnicity, Regionalism and Marine Resource Management

The ideology that "the sea is a bridge for all Indonesians", is still actively used by the government to understand the problems facing marine fisheries. Thus, the Department of Marine Affairs and Fisheries perceives that the core issues in the above conflicts are based on differences in fishing technology or a misinterpretation of the Law of Autonomy (22/1999).¹⁰

Indonesian officials categorise fishermen according to the technology they use: traditional, medium scale and modern. Beyond that, in accord with state ideology, they are all Indonesians. Fisheries officials also consider the association of ethnicity or regionalism in conflicts over sea resources as a reflection of misinterpretations of the Law of Regional Autonomy by local fishermen. The law¹¹ stipulates that provincial territory covers land and sea as far as twelve miles from the coastline toward the open sea (Article 3); the authority to manage the first third of a province's sea territory is in the hands of the district government (Article 10). Department of Marine Affairs and Fisheries officials have argued that the Law of Regional Autonomy has been misunderstood by local fishermen as the right to exclude from their sea territory fishermen from other ethnic groups or regions.

Officials propose that maritime conflicts resulting from technological discrepancies could be resolved both by assisting fishermen using traditional methods and gear to adopt more modern technology¹² and by enforcement of zoning systems.¹³ They argue that, once the government declares that only a particular type of fishing technology can be used in a zone, conflicts amongst fishermen in that area would cease. Similarly, the government could overcome misunderstandings by promoting the "proper" meaning of the Law of Regional Autonomy.

There are several problems here. First, despite a record of failure, fisheries officials are still using a legalistic and formal approach towards understanding and mitigating marine resource conflicts. The fact that some

of the conflicts were triggered by the use of trawlers is clear evidence of the failure of relying on legislation to prevent conflict. The banning of trawlers in 1980¹⁴ as well as fisheries zoning regulations passed since 1976 and 1999, have not stopped disputes from occurring.

Briefly, the failure of this regulatory approach stems from the following:

Inconsistencies in the Indonesian government's fisheries policy, such as the Marine Affairs and Fisheries Ministry's policy of allowing trawlers to operate in West Kalimantan¹⁵ without lifting the 1980 presidential decree.

The regulations not reflecting real resource management issues on the land or at sea; for instance, they are aimed only at preventing conflicts between fishing operations of different scale but not those between users of the same small boats and traditional technology. Social identity is another issue missing in the regulations.

The inability to effectively implement or enforce these regulations; there is a lack of sufficient personnel to help implement these laws as well as a lack of coordination between the various agencies supposed to enforce the regulations.¹⁶ I will come back shortly to this point.

The second crucial issue is that the current approach ignores the perceptions of those actually involved in the disputes. Since the perspective of the government is different from that of the fishermen, the government has no option other than to use its "powers" to make the people comply. Yet, it has little ability to do so. It was widespread distrust of the government that contributed to the collapse of the Suharto regime in 1998. Despite hopes of a more trustworthy government replacing the authoritarian New Order, I do not think that perceptions about the capacity of those in power to act in the interests of the people have much improved. Indeed, within the last eight years, there have been many examples of individuals taking the law into their own hands.

Third, the current approach shows that the central government still considers itself the only legitimate agency for issuing fisheries policy; it still advocates a centralised marine resource management system. Yet, many studies have shown that such centralised resource management suffers from several weaknesses, including: the state's limited ability to provide the human and financial resources needed to collect and analyse data on the condition of the resource; limited capacity to develop effective policies and regulations and to monitor and enforce them; subordination of environmental concerns to particular state economic and political interests; and resistance from resource users due to a lack of trust between local

communities and state authorities.¹⁷ These shortcomings make it difficult to believe that governments, particularly those in many Third World countries, can be expected to develop sustainable, effective and socially just resource management systems.

In saying that, I do not mean either that the current use of "ethno-claims" or regional identity during fisheries disputes is appropriate. Almost all such fisheries conflicts have ended in violence. We might also question whether the politics of exclusion as practiced by locals using either "ethno-claims" or regionalism was driven by an awareness of the sustainability of marine resources. It appears instead that economic reasons stimulated locals to exclude others from extracting marine resources from their sea territory. Such disagreements can occur even where the fishery is controlled by the local community, under a community-based marine resource management system.

Analysis of the conflicts presented in this chapter suggest that there are three important issues to be considered in terms of moving towards a sustainable and socially just marine resource management system in Indonesia. The first issue is the presence of various vague or confusing claims over the sea and marine resources. Clearly defined tenure is an essential element of good resource management. Although there is no consensus on which property rights regime can universally achieve sustainable and socially just management, it is believed that resources that do not belong to *anybody* (or, do not clearly belong to any particular group) are doomed to be overexploited.¹⁸ Thus, the existence of clear tenure over a particular resource area is a prerequisite for better management of that resource.¹⁹

The second issue is that these conflicts also involved legitimate concerns of social justice and the distribution of resources.²⁰ I believe that these two issues are enough reason for the Indonesian government to take into account local capacity and interest in crafting and implementing marine resource management regimes that are sustainable and fair. This does not mean, however, that we should totally abolish the ideology that the sea is a "bridge" for all Indonesians but, since a particular sea territory is closer to a particular community, it might be better to promote local agency in maintaining that "bridge". In return, their interest in relation to making use of that "bridge" could be given priority.

Some fisheries conflicts have given rise to co-management practices, where resource users and government share some rights and responsibility to manage the resources.²¹ Co-management is considered an improvement

on centralised management. The conflict and subsequent mitigation processes in Sungai Liat on Bangka Island is a case in point. The dispute was triggered by the operation of a *gaek* (purse seine supplemented with powerful lights) by outsiders in Sungai Liat's waters. This was opposed by locals, who fished with *payang* (a bag seine net supplemented with a *rumpon*, a floating fish-aggregating device), in the same territory. The latter believed that the *gaek*'s powerful lights attracted fish away from their *rumpon*, causing a significant decrease in their catch. In addition, the sales of the *gaek* fishermen's catch in the local market caused an oversupply, and hence a lowering of fish prices, which further diminished local fishermen's income. On the verge of a violent confrontation, the leaders and representatives of both groups met and negotiated a settlement. They agreed to divide the fishing ground into several zones: two zones for the exclusive operation of each group, one zone for both and a no-fishing zone. They also defined sanctions for violations of these fishing zones and appointed arbiters to make judgements and apply sanctions as required.²² These regulations were made known to both groups and acknowledged by the district fisheries office. Thus, these community-initiated solutions were given formal weight as the local government was invited to be involved in supervising the implementation of the ensuing agreement.

The way in which the conflict in Sungai Liat was handled offers a possible alternative to Indonesia's highly centralised marine resource management system. The mismatch between regulations, and between the regulations and reality, coupled with the inability of fisheries authorities to implement these regulations, were overcome in the Sungai Liat case because:

- the regulations were developed in response to an actual crisis or problem;
- all parties involved were represented in the drafting of the regulations;
- and
- all parties appointed, and hence trusted, their own arbiters to monitor the implementation of the final agreement.

Conclusion

Throughout this chapter, I have tried to demonstrate that the ideology of "Wawasan Nusantara", although politically laudable, is problematic if it is used as a basis for marine resource management. This is because this ideology is not one that is shared in reality by the resource users

on land or at sea. Wawasan Nusantara, which was translated through various laws and regulations, has resulted in the sea becoming a "free for all" site of conflict. Those using superior fishing gear and technology have fared much better than less fortunate fishermen who cannot afford to compete. Hence, when conflicts between fishermen occurred, local people—usually at a disadvantage due to their use of traditional fishing gear and methods—resorted to arguments such as tradition, ethnicity and regionalism to lay claim, often violently, over local resources. Thus, they opposed those who, often supported by government policies, used more advanced fishing technology to encroach upon their resources. Of course, such exclusivist local claims were in turn considered illegal by fishermen who used more sophisticated technology as well as by government officials, setting the stage for conflict.

However, a closer look at these incidents revealed that they were not only caused by local opposition to outsider incursions but also by confusion caused by inconsistent policies, which were not adapted to actual conditions. In addition, government agencies tended to lack the resources, ability and power to implement these policies effectively. Thus, fishermen had to operate in an open and effectively unregulated competition over marine resources. I have also shown how, in one case, a fisheries conflict was resolved by the setting up of a self-governing marine resource management agreement between the opposing parties. Such a community-based or collaborative (co-)management system seems to be effective in the peaceful and just resolution of disputes. Indeed, this approach may be better not only as a means for resolving local conflicts but also for future marine resource management as a whole throughout Indonesia.

Notes

1. H. Habib, "Wawasan Nusantara dan Hubungannya dengan Ketahanan Nasional", in *Bunga Rampai Wawasan Nusantara I*, ed. Lembaga Ketahanan Nasional (Jakarta: Fa. Skala Indah, 1981), p. 27.
2. D. Anwar, "Indonesia's Strategic Culture: Ketahanan Nasional, Wawasan Nusantara and Hankamrata" (Griffith: Centre for the Study of Australia-Asia Relations, 1996), p. 10.
3. The Indonesian Constitution of 1945 has been amended four times since the fall of the New Order regime in 1998. There have been some additions but Article 33 (3) itself remains unchanged.

4. Traditionally, the people of Kei claim communal ownership over adjacent sea territory called *petuanan laut* (sea estate). The social unit claiming ownership to a particular sea territory ranges from a kin group, an *oboi*, a village, a *ratschap* (traditional "kingdom"), a moiety or an ethnic group (the whole Kei people). This claim makes it possible for a particular social group to exclude others (or outsiders) from making use of their sea territory particularly for commercial purposes. The sea territory of the Sathean was part of their *petuanan laut* under the control of a *ratschap* named Ibra. They shared the ownership of a bigger sea territory with two other villages—Ngabub and Ibra—under the control of a *rat* ("king") who lived in the village of Ibra (the village and the *ratschap* share the same name). In practice, however, each village controlled their own sea territory and developed relatively autonomous regulations to access the territory as conflicts in Sathean reflect. See D. S. Adhuri, "Hak Ulayat Laut dan Dinamika Masyarakat Nelayan di Indonesia Bagian Timur: Studi Kasus di P. Bebalang, Desa Sathean dan Demta", *Masyarakat Indonesia* 20, 1 (1993): 143–63; and "Selling the Sea, Fishing for Power: A Study of Conflict over Marine Tenure in the Kei Islands, Eastern Indonesia", doctoral dissertation, the Australian National University, Canberra, 2002 for more detailed discussion on traditional marine tenure in Kei Islands.
5. The Maritime Study Group is a unit that conducts research on socio-cultural aspects of fisheries in Indonesia. The group was established by Prof. Adrian B. Lopian in the early 1990s and is part of the Research Center for Society and Culture, Indonesian Institute of Sciences (LIPI), in Jakarta.
6. R. Indrawasih, A. Wahyono and D. Adhuri, "Pengelolaan Sumberdaya Laut di Kabupaten Belitung, Provinsi Bangka Belitung", in *Pengelolaan Sumber Daya Alam Secara Terpadu: Co-Management Sumberdaya Alam Pelajaran dari Praktek Pengelolaan Sumberdaya Laut di Bangka-Belitung, Jawa Tengah, dan Jawa Timur serta Pengelolaan Taman Nasional Lore Lindu di Sulawesi Tengah*, ed. D. S. Adhuri (Jakarta: PMB-LIPI, 2003), pp. 20–87.
7. D. S. Adhuri and A. Wahyono, "Konflik-konflik Kenelayanan di Bangka-Belitung", in *Konflik-konflik Kenelayanan: Distribusi, Pola, Akar Masalah dan Resolusinya*, ed. D. S. Adhuri et al. (Jakarta: PMB-LIPI, 2004), pp. 83–117.
8. A. Wahyono, "Konflik-konflik Kenelayanan di Riau Kepulauan", in *Konflik-konflik Kenelayanan: Distribusi, Pola, Akar Masalah dan Resolusinya*, ed. R. Indrawasih (Jakarta: PMB-LIPI, 2006), pp. 55–69.
9. Sudiyono and J. Haba, "Konflik-konflik Perikanan di Mataram", in *Konflik-konflik Kenelayanan: Distribusi, Pola, Akar Masalah dan Resolusinya*, ed. D. S. Adhuri et al. (Jakarta: PMB-LIPI, 2004), pp. 11–55.
10. See *Kompas*, "Siapa Bilang Otonomi Mengkapling Laut?", 26 Feb. 2000, p. 1, and "Tak ada Perompak, Kekerasan di Laut Ekses Otonomi Daerah", 18 Apr. 2002, p. 19.
11. The law was replaced by a new law (No. 32/2004). However, the new law still maintains the authority of the provincial government over the management

- of marine territory up to 12 miles and the first one-third of the territory to the district or municipality (Article 18).
12. The former Minister of Marine Affairs and Fisheries, Prof. Rokhmin Dahuri, suggested that, in order to reduce pressure in the over-exploited—and conflict-ridden—waters of the north coast of Java, fishermen should fish in the relatively unexploited Exclusive Economic Zone. *Kompas*, “Pukat Harimau akan Diizinkan Beroperasi”, 14 Aug. 2002, p. 19. Of course, fishing in the EEZ can only be carried out if fishermen adopt more modern technology.
 13. A. Sularso, A. Supardan, A. Rokhman, P. Mulyono, M. Hermawan and A. A. Zaelany, “Konflik antar Nelayan di Indonesia”, paper presented in 2002 at the doctoral programme at Bogor Agriculture Institute, Bogor (<http://tumoutou.net/702_05123/group_d_123.htm> [accessed 12 Aug. 2008]).
 14. See C. Bailey, “The Political Economy of Marine Fisheries Development in Indonesia”, *Indonesia* 46 (1988): 25–38, and S. Matthew, *Fishing Legislation and Gear Conflicts in Asian Countries: A Case Study of Selected Asian Countries* (Brussel: International Collective for the Support for Fisherworkers, 1990).
 15. D. S. Adhuri and L. Visser, “Fishing in, Fishing out: Transboundary Issues and the Territorialization of Blue Space”, *Asia Pacific Forum* 36 (2007): 112–45.
 16. See J.-M. Baland, and J.-P. Platteau, *Halting Degradation of Natural Resources: Is there a Role for Rural Communities?* (New York: Oxford University Press, 1996), and C. Bailey and C. Zerner, “Community-based Fisheries Management Institutions in Indonesia”, *Maritime Anthropological Studies* 5, 2 (1992): 1–17.
 17. *Ibid.*
 18. G. Hardin, “The Tragedy of the Commons”, *Science* 162, 3859 (1968): 1243–8.
 19. See, for example, R. E. Johannes, “Traditional Marine Conservation Methods in Oceania and their Demise”, *Annual Review of Ecology and Systematics* 9 (1978): 249–364; B. J. McCay and J. M. Acheson, eds., *The Question of the Commons: The Culture and Ecology of Communal Resources* (Tucson: University of Arizona Press, 1987); and K. Ruddle and T. Akimichi, eds., *Maritime Institutions in the Western Pacific* (Osaka: National Museum of Ethnology, 1984).
 20. Distribution is one concern in the discourse of resource tenure. For example, some argue that communal property rights assure a fair distribution of the resource for the community which owns it. See F. Berkes, ed., *Common Property Resources: Ecology and Community-based Sustainable Development* (London: Belhaven Press, 1989).
 21. See R. Pomeroy R. and F. Berkes, “Two to Tango: The Role of Government in Co-management”, *Marine Policy* 21, 5 (1997): 465–80, and S. Jentoft, “Fisheries Co-management: Delegating Government Responsibility to Fishermen’s Organizations”, *Marine Policy* 13 (1989): 137–54.
 22. J. J. Fox, D. S. Adhuri and I. A. P. Resosudarmo, “Unfinished Edifice or Pandora’s Box? Decentralisation and Resource Management in Indonesia”, in *The Politics and Economics of Indonesia’s Natural Resources*, ed. B. P. Resosudarmo (Singapore: ISEAS, 2005), pp. 92–108.