Women in Land Tenurial Conflict in the Halimun Ecosystem:  
The Invisible Subject in Local Struggle

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Abstract

The capitalist economy has been dominating the ecological, social and cultural aspects of local peoples’ life. The truth of this opinion can be looked at nearby Jakarta (the capital of Indonesia), which is the Halimun ecosystem covering Bogor, Sukabumi and Lebak Districts, at two provinces, West Java and Banten. In the name of development, particularly in the upstream areas, local people have been confronted with state and private plantation companies, state-owned forestry company (named as PERUM PERHUTANI Unit III), state-owned mining company (named as PT. Aneka Tambang) and Gunung Halimun – Salak National Park. As a result, local people, including the Kasepuhan people (one of indigenous people in West Java and Banten Provinces), women and men, have lost their majority of access to land and other natural resources needed for food, medicine and also for their spiritual life. Meanwhile, at the state level, the marginalization of the majority of people in Halimun, especially women, has not been taken account in substance formulation, planning and implementing forestry, conservation and agrarian policies – a fact which shows that the paradigm of state control (Hak Menguasai oleh Negara) is still strong.

This paper is aimed to present a piece of tenurial conflict over land and natural resources, particularly from the aspect of the women peasants' initiative in tenurial conflict solving at Malasari Village, Nanggung Sub-district, Bogor District, West Java Province, located in Halimun ecosystem.

A change in control over and access to land and forest resources from the local peoples to outsiders - plantation companies, PERUM PERHUTANI Unit III and PT Aneka Tambang - in the Halimun forest ecosystem, followed by massive scale exploitation, has been causing ecosystem destruction in the upstream areas, drought, infertile land, landslides and outbreaks of existing and new pests. For women peasants, who provide

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1 This paper is revised from the previous one, which has been presented:
- At the 4th International Anthropology Symposium, especially on the Panel Themes on Citizenship, Community and Gendered Identities in Indonesia: Competing Subjectivities and Agendas, 12-15 July 2005 in Depok, Jakarta (focusing on the substance of reframing citizenship for women and other marginalized group in Malasari Village);
- At the International Conference on Land and Resource Tenure, Jakarta 11 – 13 October 2004. This paper was also published at Newsletter of Down to Earth, International Campaign for Ecological Justice in Indonesia, No. 63 November 2004 (focusing on the substance of excessive burden on women peasants).

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food to sustain their households, this has meant additional work. Aware of this, women in Kampung (hamlet) Nyungcung have started to empower themselves by learning together, to initiate efforts to restore the damaged ecosystem, named as Kampung dengan Tujuan Konservasi or Hamlet with Designation of Conservation. In the context of promotion and negotiation process between community and the government as well as others to gain public support, assert elements of basic rights, and secure the community’s genuine benefits from the presence of others (the National Park, PERUM PERHUTANI, PT. Aneka Tambang), this initiative is learned on how women peasant involve so far. The current fact is that women peasants do not actively participate as much as before. The “belief” and “obligation” of being good housewife pull them out from the further process of this initiative.

Background

The Halimun ecosystem covers around 211,464 hectares. During the Padjajaran era, this was part of the kingdom’s hinterland. During Dutch colonial times, it was considered part of the Western ‘jungle’. It is the only part of West Java which still contains a tropical forest ecosystem that acts as an important buffer or support for the densely populated areas around Halimun, including Jakarta and Tangerang. It is a vital water catchment area - 50 rivers rise in the Halimun mountain range. The rich ecosystem is complemented by the rich socio-cultural and economic values still evident in the everyday life of the Kanekes and Kasepuhan Peoples. According to the beliefs of the Kasepuhan Sirnaresmi and Citorek Peoples, this area, particularly must always be safeguarded from all damaging activities, such as working the land and felling trees. The only permitted activities are collection of non-timber forest products such as rattan, honey, fungi and medicinal plants.

In the 17th century, along with several other areas in Indonesia, Halimun was used by the Dutch East Indonesia Company (VOC) and then the Dutch colonial administration to grow coffee, tea and other plantation commodities. This changed the local tenurial system and reduced the living space of the local peoples. Villagers were introduced to intensive farming systems (as sawah/rice cultivation), and a culture of commoditization and monetization (the capitalist economy). These changes were the start of a long historical process of expropriation or theft of the Halimun peoples’ access to and control over land and forest resources. The majority of Halimun people, men and women, were forced to become laborers on the plantations.

By independence, living space for the peoples of Halimun -- Kanekes and Kasepuhan Peoples and plantation laborers -- had become increasingly restricted. In the name of development, the exploitative economic activities inherited from the VOC and Dutch colonial government were continued and further developed. Local and indigenous peoples’ land overlapped with conservation areas (Gunung Halimun National Park), large scale commercial monocultures (state and private sector), production ‘forest’ owned by
PERUM PERHUTANI Unit III (state owned) and gold mining (PT. Aneka Tambang in Cikotok and Pongkor).

This exploitation by outside parties has led to genetic erosion - of local rice varieties - as well as drought, infertile land, landslides and outbreaks of pests, as described by woman peasant:

“As the forests above have been felled and turned into pine plantations, the water in our wet-rice fields isn’t cold anymore. This water is obviously not suitable for pare ageng [a local rice variety]. So, like it or not, in order to still eat, we are forced to plant pare bubuk [IR rice – a high-yielding commercial variety introduced during the ‘green revolution’]. [Ibu Anh, Malasari]

Malasari Village (Nanggung Subdistrict, Bogor District) can be put in the picture to represent how oppressing of local community among attendance of the above mentioned parties.

**Malasari: Its’ Wealth Being Worthy, Its’ People Being Forgotten.**

In the New Order Era, Malasari Village was classified as an underdeveloped village under the state’s Inpres Desa Tertinggal program. It has an administrative area of 4,756 hectares, in Nanggung Subdistrict, Bogor District, West Java Province. Tea plantations were developed on village land, and were expanded in 1973 to around 971 hectares. The plantation is now owned by PT Nirmala Agung, subsidiary of PT Sari Wangi. In 1978, a part of area which classified as protection forest by the Dutch colonial government (1924 – 1934) was handed over to PERUM PERHUTANI Unit III along with part of the land used by villagers for sawah and kebun talun [the traditional agroforestry system in West Java] since the 1940s. The remaining forest was included in the Gunung Halimun Nature Reserve in 1979, which was changed to a National Park in 1992. Through forestry ministry decree 175/2003 (not yet implemented), all the administrative area of Malasari is now in the Gunung Halimun - Salak National Park. Considering the gold content, in 1992, part of the northern area of Malasari Village, Ciguha, was included in a 30-year mining concession (known as Kontrak Karya KP Eksploitasi DU 893/JABAR), covering around 4,058 hectares, awarded to PT. Aneka Tambang.

“Before PERUM PERHUTANI came, this area used to be sawah (rice fields), cultivated for the most part by our parents. The takeover of land for Perhutani’s production area was forcible. Rice plants were destroyed, totally cleared.” [Ibu El, Nyungcung, Malasari]

“From day to day, live felt more difficult! Wish to have rice field or garden..., but we do not own land. We, especially the poor ones, really cannot feel the benefits from the presence of other parties in our village. How does this happen? Is it true that the poor have to be killed with this way?!” [Ibu Ml, Nyungcung, Malasari]
Derived from above figure, it is very obvious to us that very limited land is available. Villagers only have access to and control over 283 hectares or 5.95% of total area of village land. To sustain the Malasari’s population -- consisted of 1,782 households -- if we distribute that limited land for all households, this means no more than 0.16 hectare per household. Consequently, it is not surprising that conflicts over land and forest resources have arisen between people and the national park and companies operating in Malasari. It has also had the effect of altering one chain in the cycle of community-based forest resource management activities, *huma* activities, so that all effort to fulfill the rice need is now only from *sawah*.

Dealing in those limited even loss of access to and control over land local production sources, people in Malasari just respond them in the form daily adaptation. The majority of men from Halimun have been forced to seek work in big cities like Jakarta, Bogor, Tangerang and Bekasi, running the risks involved in becoming cheap laborers and/or working in destructive mining (as *gurandil* [a local expression for gold miners, called unlicensed miners by the government]) and illegal logging (as logging and log transport laborers).

“To fulfill our daily needs, my husband goes to the mountain (as a *gurandil*) for a week, then comes back for a week to rest and process rocks from the mountain. The next week, he goes back to the mountain again. I carry on the sawah activities in the Kahutanan [PERUM PERHUTANI] land and work as paid labor in several sawah belonging to my brother and sisters or other people. This is our everyday life.” [Ibu Ln, Nyungcung, Malasari]
Meanwhile, in the villages -- as also happened in other places -- women face dual pressures. Firstly, from outsiders in their role as food and water providers, collectors of fuel wood and fodder:

“One day, when I was in the huma (shifting cultivation) in Keramat Banteng, a PERHUTANI man came and, staring angrily at me, said to me “you can’t open huma here because it’s PERHUTANI land! But I didn’t take any notice, because this land provides us with a living. If we are not allowed to cultivate here by PERHUTANI, it’s the same as wanting to kill me and my family...” [Ibu Aym, Malasari]

Secondly, in the patriarchal cultural life of the community, women must also fulfil the role of cook, household manager, child-carer, nurse, cultural guardian and teacher for the children. In Sundaness Indigenous Peoples’ belief, which is still applied by Kasepuhan Peoples, including their incu putu/followers in some part of Malasari, fathers remind their daughters of their subservient position when the daughters get married: “From the ends of your hair to your toes, from each drop of blood to every single hair, a wife belongs to her husband.”

“.... even in a pregnant condition, as long as I feel strong, besides doing the daily tasks at home, I also work in rice field and garden until the time of delivery comes.” [Ibu Anh, Malasari]

“We (women) have never called it a day in working, desisting if we have died!” [Ibu Onh, Nyungcung, Malasari]

Women try to overcome these injustices by cultivating PERHUTANI land (with all the risks that entails), becoming weeders, and working as cheap paid labour or sharecroppers on land owned by others. Whether they have money or not, women must provide the family food supply. There is no rest in a minimum 14-hour day. This situation means that most women in Malasari (as also experienced by women elsewhere) do not have time to consider their own health – everything is done for their family. Furthermore, for earning cash, some of women peasants also do the gold mining activities such as grabbing several sacks of gold sediment rocks/mud from the hill or mountain. The younger generation of women, as with the men, go to work in factories or as maids in the big cities, some even becoming migrant workers in Saudi Arabia.

**Malasari’s Women: Being Invisible Subject in Local Struggle**

Those above women’s adaptation to restricted access to land has not been accommodated by state policies. One of the justification of this opinion is shown by Forestry Ministry decree 175/Kpts-II/2003 which expands the area of Gunung Halimun National Park. Without any process of prior communication with the people who live in or around the park, the government increased the area of the park from 40,000 ha to 113,357 ha, covering the Halimun and Salak mountain ranges. Based on studies done by Hanavi et al
(2004), 108 villages with hundreds of inhabitants are today “officially” inside the “new” areas of the park.

Faced with increasing difficulties in fulfilling food needs, especially fruit and water, and concerned about the risk of landslides and drought, several women peasants’ groups have started to explore opportunities for improving their situation. Started through learning together in groups, they worked collectively to re-nurture eroded land currently within the boundaries of the national park and production forest areas of Perum Perhutani. Women’s groups in Kampung Nyungcung, Malasari village are carrying out a series of activities such as collecting fruit tree seeds and seedlings, discussions involving other people in their hamlet and village officials, mapping to ascertain suitable areas, terracing the eroded land and steep slopes, and planting fruit tree seedlings between secondary crops (known as *palawija crops*) on land which has already been terraced.

“We want our kampung (hamlet) to be green again, as it was before PERUM PERHUTANI came.” [Ibu Um, Kampung Nyungcung, Malasari]

“We want to harvest fruit, collect firewood and fertile spring water like before; We don’t want a landslide in our village.” [Anon woman Kampung Nyungcung, Malasari].

At the beginning process, this collective work could be said as a representation of the awareness of, social acceptance of, and support from the household and the community at kampung (hamlet)-level for these women’s initiatives to secure and maintain the right to eat and live in a safe environment by several women’s groups. However, in the development process of promotion and negotiation between community and the government as well as others, in order to gain public support on that initiative, to assert elements of basic rights, and to secure the genuine benefits from the presence of others (the National Park, PERUM PERHUTANI, PT. Aneka Tambang) at Nyungcung Hamlet, women peasants do not actively participate as much as before. The domestic tasks and the “belief” of *ibu rumah tangga yang baik* (a good housewife) pull them out from the further process of that initiative. These are classic obstacles that most of women and other members of community still facing so far. The previous emerged awareness of, social acceptance of, and support from the household and the community at kampung (hamlet)-level for those women peasants’ collective activities seem like have been disappeared in order to re-enact one of the social constructed women’s role, being a good housewife. This situation, according to Rocheleau, Thomas-Slayter, and Wangari (1996), demands us to understand and interpret it in the other perspective, beyond the mainstream one, on how far those women peasants being or not in these following aspects:

- Gendered knowledge as it is reflected in an emerging “science of survival” that encompasses the creation, maintenance, and protection of healthy and secure environments along with its tenurial resources at home, at field, and in regional ecosystem;
- Gendered environmental rights and responsibilities, which covers the property, resources, space, and all the variations of legal and customary rights that are gendered;
Gendered environmental politics and grassroots activism, which reflected whether women involves or not, and how far they are, in the collective struggle over tenurial resources and environment issues. This aspect also explains on how far women could contribute to a redefinition of their identities, the meaning of gender, and the nature of tenurial and environmental problems they face.

Based on the success story that women peasants in India have experienced, Argawal (1994) explain it into three argumentations as follows:

- **Security:** If there is an accommodation of women’s rights over land, water, plants etc, this provides security because it substantially reduces poverty, the threat of poverty and risk that poverty will appear if there is a family break up or separation due to divorce or death of the husband.

- **Efficiency:** It is shown where women, if given the same land and other resources in the same quantity and quality, plus the same technology, training and information as men, can increase productivity. Increased agricultural productivity and other natural resource management activities guarantee the supply of food and economic resources for the family throughout the year.

- **Empowerment:** It shows that when there is equality between women and men in obtaining and safeguarding rights to land, water and other natural resources, this empowers women economically and, at the same time, opens the door to social and political empowerment. This leads to women being more valued and securing a stronger bargaining position, not just in the family, but also in their relations with landowners, employers and in the local political arena.

At the moment, women peasants in Malasari are becoming increasingly distanced from their gendered knowledge; gendered rights to land and forest resources, both in quality and quantity; as well as gendered environmental politics and grassroots activism. It also means that security, efficiency, and empowerment are still big challenges to be brought into reality.

**Conclusion**

The investigation of how women have adapted to the changing land and natural resources situation in Malasari shows that access to land, water, trees, food crops/plants, is a vitally important condition for fulfilling basic needs in the household and in spiritual and cultural life. This study shows that marginal groups, particularly women peasants, are becoming increasingly distanced from their gendered knowledge; gendered rights to land, water and natural resources, both in quality and quantity; as well as gendered environmental politics and grassroots activism.

In fact, the testimonies and experiences of Malasari’s women peasant, which also take place in other parts of the world, are truly starting to be heard and become main considerations in some international laws and policies. This can be seen in several international instruments such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on...
the Elimination of all forms of Discrimination Against Women, the Peasant Charter of 1981, Agenda 21 at UNCED, 1992, and MDGs (Millenium Development Goals). The majority of these covenants have been ratified by the Indonesian government.

In the legal context, as a framework for negotiation, there are several opportunities for us to push the government harder to fulfill its commitments according to the international covenants that has ratified. The paradigm of favoring the interests of marginal groups, especially women, and the environment, contained in those covenants, is a prime justification for us to press for a change in the old paradigm (state control), which persists in most of the Indonesian legal arrangements, especially those related to the control and management of land and natural resources. Moreover, from the perspective of legal pluralism, the view of law as a framework for negotiation has a lot of potential. In addition to international law and state law, peoples law - consisting of customary law, religion, traditions, norms, agreements and joint initiatives - can also be viewed as law, all elements influencing and interacting with each other.

Realities in the field – population growth, decreasing in tenurial resources such as declining soil fertility and changes to the ecosystem condition – all of which produces increasingly strong competition for securing rights, and even more in the globalization era, must be used as supporting arguments when negotiating for women’s knowledge, rights to land and natural resources and politic.

It is extremely urgent to mobilize support for initiatives by marginal groups, especially women, in securing and maintaining those possessions through several strategies as follows:

- Increase legal understanding among women, local government bodies and other institutions involved in the Indonesian tenurial system. One difficulty faced by marginal women is their lack of understanding of the structure of the laws they are faced with. For example, some of the women in Malasari, ‘law’ means a difficult thing to use for upholding justice. Efforts are needed to increase understanding of the law through critical educational activities. Along with grassroots education, it is also important to increase understanding of local, state and international law, among government officials and in other related institutions.

- Imposing the communal rights for women, by working together with women. Considering the speed of land and natural resource privatization, activating communal rights will strengthen the bargaining position of women in the household, community and state. Provided with an understanding of law and critical consciousness of the importance of their rights, women can formulate management and rules for communal management of land and natural resources they access. Related to communal rights in tenurial system, we should re-think and re-construct our facilitation process of peasant organizing in the three dimensions: conceptually dimension (how we think and categorize about gendered communal rights in local tenurial system), organizationally dimension (how we act in gendered communal rights in local tenurial system), and normatively dimension (how we evaluate the gendered communal rights in local tenurial system).
Support women’s groups and or organizations. It is important for women to organize themselves so they can collectively represent themselves to and work with other parties to negotiate their rights and to strengthen their legal status within their communities. Only in this way can women really secure and protect their rights over land and water. I reveal that in supporting or facilitating process of women’s groups and or organizations to be a representative and accountable women groups/organizations, the gender dimensions of family and peoples’ socialization, situational constraints, and institutional structures should be appropriately considered and handled. Why? Because like in many places, they still create the formidable obstacles to genuine women’s participation in various local struggles.

Real change towards genuine justice doesn’t come without strong collective pressure from us all, especially from women.

References


