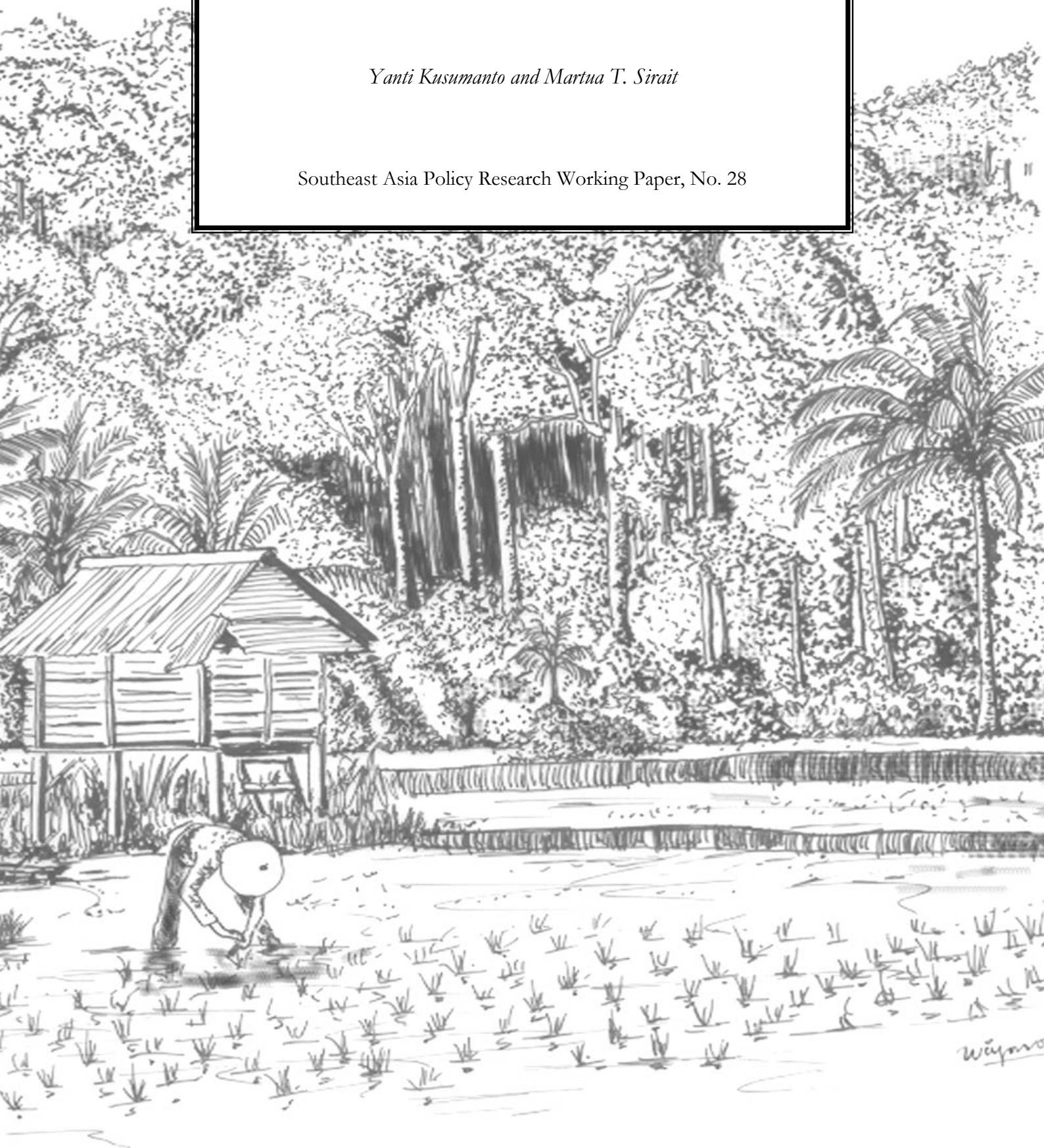


Community Participation in Forest Resource Management in Indonesia: Policies, Practices, Constraints and Opportunities

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Community Participation in Forest Resource Management in Indonesia: Policies, Practices, Constraints and Opportunities

A Synthesis

Yanti Kusumanto & Martua T. Sirait/ICRAF

Introduction

The introductory section discusses the core issue of the report, its purpose and possible contribution to participatory forest resource management, and the set-up of the report. The core issue of the present writing lies in that existing resource access controls typically are inadequate to address the realities of poverty and land pressure in Southeast Asia. This holds no less for Indonesia. Exceptional windows of opportunity currently exist for institutional innovations aimed at authentic people's participation in forest resource management. The report will shed light on the insights that have been gained from intensive involvement in this field by ICRAF and its partners in Indonesia, as well as from reviews of experience in other pilot projects and programs. Finally it will link the Indonesian experience with the more general literature on community-based resource management and natural resource policy.

1. Overview

In this section, a brief overview will be given of contemporary approaches to forest management in Indonesia. (Note: the term contemporary is used to make clear that the report does only cover the post-independence period.) Since the World Forestry Congress, held in Jakarta in 1978, forest management strategies have emerged that involve communities and emphasize their social, economic and cultural needs. Some of these emerging forest management approaches will be described, such as social forestry programs in Java in the 1980s (Perum Perhutani, 1996), and community forestry programs (*Hutan Kemasyarakatan*) in the 1990s (FKKM, 1998; Sirait & Fay, 1998). The reform era beginning after Suharto's downfall in 1998, has certainly accelerated socio-economic processes towards a more just forest resource management, but at the same time it has shaped conditions that encourage a more freely exploitation of forest resources.

At this point, one should admit that despite increasing attention over the past three decades to forest management policies and practices that take serious account of community's needs and their participation, not much has changed on the ground. The underlying factors of this 'failure' will be elaborated (Simon, 1998; Simon et al, 1998; Fay & De Foresta, 1998).

Further, principles of forest management strategies with authentic participation of communities and which consider their social, economic and cultural needs as prerequisite are described (Hoskins, 1998).

Finally, this section will discuss the different forms and characteristics of community participation in forest resource management (CPFRM) practices found presently in Indonesia. Distinctions of these forms are based on a differentiation between respectively (a) social forestry and community forestry approaches (Sirait & Fay, 1997; Munggoro, 1998), (b) approaches inside and outside the Forest State Land (Sirait & Fay, 1997; Munggoro, 1998; Tomich & Fay, 1997); (c) practices in Java and on the Outer Islands (Bratamihardja, 1998; Sirait & Fay, 1997); (d) customary communities and migrants (Sirait, Fay & Kusworo, 1999).

2. Contemporary CPFRM Policies and Practices

Contemporary CPFRM policies, in Indonesia formulated and pursued by different Directorate Generals and Perhutani, the governmental forest corporation, will be discussed. Attention will be paid to CPFRM policies of the Directorate General of Reforestation and Social Forestry, the Directorate General of Production Forest, the Directorate General of Nature Conservation (Sirait and Fay, 1997) and Perhutani, (Bratamiharja, 199?) (Simon, 199?).

A closer look will be taken of above policies by providing examples of programs and pilot projects implemented on the ground (UNHAS, 1998; Mofec, 199?; Perhutani, 1996; SDFD Reports, 199?; SHK, 1998, De Foresta, 199?; FKKM, 199?).

3. Constraints and Opportunities of CPFRM Policies and Practices

In spite of the increasing attention to community participation in CPFRM policies, in practice little progress should be noted. This section addresses why little has been achieved and what constraints have hampered good intended policies and theories. Underlying factors can be for the most part linked to conflicting CPFRM laws and regulations (Elsam, 1999; KPA, 1998; FKKM, 1999; Barber, 1993) and to a poor coordination with sectoral programs which touch on forest management (Sardjono, 1999). After having discussed the constraints of CPFRM policies and practices, the report focuses on the question what opportunities are shaped by the same policies and practices, and thus, what direction one may take in contributing to a more authentic and just forest management (Sirait, 1999). Lessons learnt from the KdTI and the HKM experiences will provide learning examples (Fay & De Foresta, 1998; Sirait, 1999). Finally, a possible role which CPFRM may play in the national forestry context is discussed (Sardjono, 1999; Sirait & Fay, 1977; Sumarlan, 1998).

4. Endnotes

Departing from the above discussion, several questions will be presented as encouragement to search for adequate alternatives to existing CPFRM policies and practices. These questions will be linked to the more general theories and practices of community participation in forest resource management (Lynch & Talbott, 1995; Poffenberger, 1996; Ostrom, 1990; Hyde, 1996).

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1. Introduction

Existing access controls over forest resources typically are inadequate to address the realities of poverty and land pressure in Southeast Asia. The result often has been increasing conflict among communities and between rural populations and the institutions of the state charged with managing forests. This holds no less true for Indonesia.

Exceptional windows of opportunity currently exist for institutional innovations aimed at authentic people's participation in forest resource management. However, although clearer property rights may be necessary to establish better incentives for natural resource management, they may not be sufficient to secure sufficient environmental benefits. For example, community management of buffer zones of protected areas may be a more effective means of monitoring and enforcing restrictions on forest encroachment by spontaneous migrants ('forest squatters') and illicit logging, but little is known about tradeoffs and complementarities among multiple goals in the implementation of such programmes. Another working hypothesis is that devolution of management to local communities could improve natural resource management compared to the *status quo ante*. But devolution of control by itself may not create sufficient incentives for local communities to supply some forest services, including abatement of externalities felt at the regional level (flooding, siltation, smoke that impedes aviation) and global public goods (carbon sequestration and biodiversity conservation). Workable institutional mechanisms that can clarify, monitor, and enforce responsibilities as well as rights are needed to address such complex natural resource policy issues. Unless workable interventions can be identified and disseminated, the future will involve intensification of social conflicts over natural resources and environmental services. The ability to strengthen or create mechanisms for conflict management—between neighboring communities; upstream and downstream populations; local, national, or global concerns—depends on a better understanding of collective processes of governance, including negotiation, identification and implementation of incentive schemes and sanctions, and monitoring and enforcement of agreements. Thus there also is a need to identify means to build capacities for management of inevitable conflicts among stakeholders at various scales, including mechanisms for compensating local people for foregone opportunities.

This writing synthesizes the insights that have been gained from intensive involvement in this field by ICRAF and its partners in Indonesia, as well as from reviews of experience in pilot projects and programs related to participatory forest resource management. Since present facts of forest resource management cannot be seen apart from past policies and practices, the writing begins in Chapter 2 with an overview of the historical development of forest resource management, covering the period beginning with the establishment of the Indonesian State after attaining independence to today's reform era. In turn however, current and past forest resource policies and practices can not be viewed separately from the legal framework that embeds those policies and practices. Chapter 3 therefore discusses some of the main elements of the Indonesian legal setting. Chapter 4 presents a discussion of local forest resource management systems encountered in Indonesia so as to provide the reader a background where against past and present policies and practices scenes should be looked upon. While comparing the first to the latter, one may start questioning whether the two sceneries match to each others, or whether they show two diverging scenes which never will meet. Chapter 5 discusses current policies, programs and pilot projects that claim to bear participatory approaches in forest resource management. A review of the most critical literature in argument against the policies and practices discussed in Chapter 5, is provided in Chapter 6, including the constraints analysed and opportunities opted by the authors. Departing from the discussions presented in the previous Chapters, Chapter 7 concludes with some final discussion notes as encouragement for a further search to authentic alternatives of participatory forest resource management approaches.

2. Contemporary History of Forest Resource Management In Indonesia: From Commercial Logging Boom to Reform Era

When looking at the contemporary history of forest resource management in Indonesia, the early 70s can be marked as the onset of the commercial boom of timber extraction. At that point of time, the country was strongly driven by both domestic factors (the country was as nearly as bankrupt due to the political instability in mid-late 60s) and external factors (foreign debts) for a rapid economic growth supported by the extraction of Indonesia's rich natural resource base. Few people, if any, may have expected then that this way set about by the Indonesian government to achieving economic growth had far reaching consequences for Indonesia's forest. While, vast areas of the forest area, mainly on the outer islands, started to be leased to foreign and domestic corporations for logging, plantation use, and settlement programs, forest resource management was mainly large scale and extractive in nature that primarily aim to obtain maximum profits (Poffenberger et al, 1996; Lynch & Talbott, 1993). The 152 million hectares of healthy forest that Indonesia had in 1950 decreased to less than 95 million hectares in early 90s (WRI, 1998). Much less attention was paid to conservation and environmental concerns, not to say to the needs of sixty millions of people living in and around the forest who for long have depended on the forest for their livelihood. Forest residents' land and forest rights had often been officially ignored and unmapped customary lands unrecognized (Poffenberger et al, 1996; Moniaga, 1998; Safitri, 1999; Dove in IDRD, 1994).

More and more however, foresters, governments and non-governmental organizations recognized the need to seek for forest management ways which are more responsive to emerging problems of forest degradation and social conflicts between forest communities and development projects on the ground. This was also indicated at the World Forestry Congress held in Jakarta in 1978, where congress members decried to halt commercial extractive forestry policies and practices and argue for ones which more adequately conserve forest resources and meet the socio-economic and cultural needs of forest communities. The Congress centered around the theme 'forest for people' which should encourage governments to adopt more appropriate forestry regulations and practices (Simon et al, 1998).

Stimulated by the World Forestry Congress but also due to increasing conflicts between communities and development projects over forest lands and resources, since the mid 1980s government efforts noted increased collaboration with communities in forest management practices. First, in 1985 the State Forest Corporation Perum Perhutani, who manages 2/3 of Java's State forest area, began implementing 13 social forestry projects on Java's public lands (Perum Perhutani, 1996). This program requires participating farmers to plant timber tree species (such as teak) and allows them to plant fruit trees and horticultural crops in between the timber trees. The program, known also as the Integrated Forest Village Development program (PMDHT), follows the taungya system (*tumpang sari* in Indonesian) and is based on alley cropping that originated in the Dutch period. While it requires that once the timber tree canopy has closed (which usually occurs within one year to three) farmers have to move to another site, the benefits of the non-timber products go to the farmers. Disappointing results in terms of both improving the forest cover and enhancing communities' welfare necessitates project designers to improve the program's approach. Adjusted designs include for example the increase of the spacing between the timber trees so as to provide higher benefits to farmers or benefit sharing schemes in which the area of lands available to farmers for non-timber crops is increased (Bratamihardja, 1998).

On other islands than Java -- the so-called Outer Islands -- forestry management approaches involving communities have emerged only in early 90s. Some small-scale social forestry projects were initiated in 1992 in South Kalimantan, South Sulawesi, and West Irian, which however were not officially endorsed by any forestry policy so that, consequently, and also because of their limited results, the projects came into a halt. In the mid 90s a wider scale participatory forest management program was started known as the *Hutan Kemasyarakatan* (community forestry) program. This program has as main objective the rehabilitation of degraded forest areas by encouraging participating farmers plant timber species and

multipurpose trees (such as *Glericidea* species for fodder and fuel wood) on public lands. Like in the Java social forestry program, participating farmers are allowed to enjoy the benefits from the non-timber trees but they do not have any rights over the timber trees they themselves plant (Sirait & Fay, 1998). Careful review of this community forestry program shows that an imbalance exists between the program's rehabilitation objectives and the objectives to increase communities welfare and reduce conflicts between development programs and forest dwellers (Fay & De Foresta, 1998).

Despite the increasing attention over the past three decades of official forest management policies and practices to take account of community's needs, as described above, not much has changed on the ground. Both in aiming at forest rehabilitation and conservation objectives and at improving the welfare of forest-dependent communities, programs have largely failed, however useful they might have been as learning ground. Many ascribe this failure to the incapability of the Indonesian legal forest tenure system to accommodate the socio-economic and cultural needs of forest communities while at the same time conserving the health of Indonesia's forest (Lynch & Talbott, 1993; Poffenberger et al, 1996; Fay & De Foresta, 1998; Moniaga, 1998; Safitri, 1999).

Overseeing the last three decades, social conflicts have emerged over forest lands and resources between government's forestry programs and local forest communities, albeit in varying degree. At one end cases are noted where communities continued to negotiate with government over their rights over forest lands and resources (*Krui example in box I*) while at the other end villagers showed that because peaceful means ways to advocate for their rights have been ignored by the government, they necessarily had to use aggressive actions against companies claiming for their lands (*Forest Looting in Perhutani Jati Plantation example in box II*) (Fay & De Foresta, 1998; Simon et al, 1998; Arrupa, 2000).

Responses to the ongoing depletion of forest resources and injustice policies and practices pursued by government and corporations, have also emerged on the part of Non-Governmental Organizations, academics and researchers, human rights advocates, and some international donors over the last two decades. They increasingly debate and decry the weaknesses of the legal Indonesian tenure system and ally with disenfranchised forest communities to advocate for the latter's rights over forest lands and resources (Fay & De Foresta, 1998; Lynch & Talbott, 1993). Fay and De Foresta (1998) see a two-stage approach to promoting secure tenure for communities. The first comprises 'work within the state regulatory framework and promotes the granting of *limited* use and management rights to local individuals or communities' (emphasis added). The second stage is 'a long-term legal and political struggle by local people to gain state recognition that their lands have been misclassified as state forest zone'. The authors note that many non-governmental organizations are finding themselves at the first stage to securing local resource rights in preparation for the 'long-term strategy' to gain recognition of land and forest resource rights. The second strategy is an attempt to gain access to forest resources without any time limit. Sirait (pers. comm. 1999) adds one stage which may occur between above two phases, which are effort to obtain recognition of community rights over lands within the State Forest. In the period prior to the reform era emerging in late 90s, several major initiatives should be noted here. First the *Konsorsium Pendukung Sistim Hutan Kerakyatan* (KPSHK), a network of researchers, NGOs and communities, was initiated in 1994 to advocate the recognition of people's forest management systems throughout Indonesia. The initiative maintains a comprehensive information base on existing forest management systems and work intensively with local communities to map their ancestral lands and learn about their forest management systems. A major attainment that should be noted is the network's support to communities in getting their land maps incorporated in official spatial plans. Another major initiative is the Consortium for Agrarian Reform, initiated in 1996, which makes compelling arguments for agrarian reform and questions the officially recognized role of the State in controlling forest lands and natural resources (Reformasi Agraria, 1997). Finally, an important land mark in the process of obtaining recognition of local communities' forest rights, is the former Minister of Forestry's creation of a special forest use classification (KdTI) within the State Forest Zone in 1998. This classification gives the rights of communities to control, maintain and develop

their forest management systems within the forest area. An example is the damar (*Shorea javanica*) agroforest management system developed by farmers in Krui on the island of Sumatra. After a long process of advocacy with the Forestry Department by the Krui farmers supported by a team of NGOs and researchers, the farmers convinced the government that they who during a couple of centuries have developed the damar agroforest to becoming an ecologically and economically sustainable agroforest system, are the true party who should own the rights of control over these agroforests.

The downfall of former president Suharto in May 1998 marks the beginning of the reform era which has accelerated social processes towards a more just and authentic forest resource management policies and practices. The era period up to now is marked by a growing recognition on the government's side of the flaws of past and current laws and policies in accommodating people's needs. Reform advocates including non-government groups, academics, people's representatives, human rights activists, and even government officials decry for shaping legal and policy conditions that can halt the 'open access' situation of Suharto's New Order which has created opportunities to depleting Indonesia's forests, and worse, has violated the rights of communities over their lands and forest resources. Noteworthy here is the initiation of the Communication Forum for Community Forestry (FKKM), which issued a statement that advises the government to participate in pioneering changes in national forest management. The Worldbank (1998) (unofficially) translated the statement as: 'To do that, first of all parties and stakeholders involved in the implementation of national forest management should realize that the condition of the nation's forest is now very poor, as indicated by increasing areas of cleared land, land disputes, poor spatial planning, low productivity, limited access for local communities, and lack of government recognition on the local communities' rights to utilize the forest.'

3. The Indonesian Legal Setting of Forest Resource Management

Since the establishment of the Indonesian State in 1945 after centuries of Dutch rule, little has virtually changed in the legal framework that embeds forest resource management regulations and practices. The most obvious element within the legal framework inherited by the Dutch has been the centralized maintenance of power and authority over forest resources. The Forestry Law, passed in 1967, authorizes the Minister of Forestry (since 1998 this function has become Minister of Forestry and Estates) to determine the legal regulations of the use and management of 143 million hectares of state forest area. The past obviously showed that in doing so, the government strongly tended to support and enforce the rights of financially strong and technically 'modern' firms, concession holders, migration project contractors, et cetera, whereas forest communities and dwellers often have found themselves without the State's legal support and can only appeal to the communities legal rights system, often ignored outside the community. The Basic Agrarian Law, passed in 1960 and a continuation of the Dutch Agrarian Act of 1870, acknowledges customary law as basis for national law but this law is largely ignored by the Department of Forestry and Estate Crops for whom the Basic Forestry Law is considered to supercede the Agrarian Law (Lynch & Talbott, 1993). Nevertheless, both the Basic Forestry Law and Agrarian Law recognize customary rights systems only as long as they do not contradict with national and State interests (Fay & De Foresta, 1998; Lynch & Talbott, 1993). Pushed by reformist pressure groups the Department of Forestry and Estates Crops developed and issued a new Forestry Law in 1999, which however only differs from the previous Law in that it accommodates the interests of new forestry agents, -- middle and small-scale entrepreneurs-- rather than large scale private and public corporations. Yet, similar to the former Law it largely ignores local and customary community's rights while endorsing the rights of control over land and natural resources of the State (ELSAM, 1999).

4. Local Forest Resource Management Systems

The Indonesian archipelago is rich of examples of indigenous forest resource management systems and Indonesian farmers are often regarded as skilled forest resource managers. When zooming in these indigenous systems more closely one would soon learn that most of them are not only to be found within natural forests but rather in belts around natural forests, along roads or rivers close to forest areas, in clusters surrounded by agricultural lands, or in patterned patches close to dwellings. One would also soon learn to know that farmers who manage these systems are involved in active production of forest resources, rather than in a passive mode of resource management -- or better known as the extraction of resources. Active resource management of forests is nothing new in the Indonesian context. For centuries farmers have played an essential role in the expansion of forest cultivation. Michon and De Foresta (1996) see two complementary dynamics in this process. The first is connected to forest resources that for reasons of subsistence stimulated farmers to the domestication and cultivation of more than a hundred of fruit and nut species. The other forest cultivation dynamic relates to the expansion of the trade of forest products, both between the islands of the archipelago themselves and for reaching out to regions as far as the Middle East and Southern Africa. In particular the latter trade-related evolution of forest production had created large areas of forest gardens decorating forest margins of the islands of Sumatra, Kalimantan, Sulawesi and the Moluccas. While the emergence of this commercial forest cultivation can be traced back to pre-colonial times, covering such resources as tea, nutmeg, and clove, it strongly expanded during colonial rule with such forest commodities for trade as cinnamon, rubber, rattan, and damar.

Above described systems comprise forest cultivation that is intensely connected to farmlands, however in such a way that it is the whole conception of resource management, rather than the plot itself, which touches upon both agriculture and forestry logics (Michon and De Foresta, 1998; Fay and De Foresta, 1998). The systems have been established by swidden farmers who plant tree seedlings, usually raised in nurseries, directly on swiddens in between already planted annual food crops (like rice). In some cases, more than one tree species are being cultivated on the swiddens, like in the case of the damar agroforests in Sumatra where coffee and damar are simultaneously cultivated. Once the tree canopy has become such dense that it does not allow a subsequent cropping season, the young tree seedlings can develop freely next to the spontaneously established pioneer vegetation. While, the young agroforest gradually develops to a mature system which in terms of physiognomy and function resembles forest systems, farmers follow a management pattern that comprises purposive abandonment, selective cutting and enrichment planting. Michon and De Foresta (1998) value these agroforests as systems which, while they originally might have effected forest cover, but which finally would not have drastically threaten the forest quality or its biodiversity. Like forests, the authors say, agroforests provide such functions as the protection against erosion, the control of the water hydrology at a watershed level, and the conserving at a relatively good level of plant and animal biodiversity.

On the major islands of Indonesia above described agricultural and forestry associations, -- or agroforestry systems --, are exemplified by:

- Rubber agroforests on Sumatra and Kalimantan
- Fruits and export crops agroforests on all islands
- Damar agroforests on Sumatra
- Rattan agroforests on Kalimantan
- Illipe nut agroforests on Kalimantan

De Foresta et.al (2000) elaborate the practice of CBFM more detailed and describe also the importance of indigenous agroforests and the prospect of Agroforests in the future.

One can hardly underestimate the contribution of these agroforests to the regional and national economy: they provide 80% of the rubber latex produced by Indonesia, about 95% of the various fruits marketed, 80% of the Dipterocarp resins traded, an important part of bamboos and small cane rattans consumed and traded, an essential portion of the fuel wood

used in-country, and a not unimportant part of medicinal items and handicraft material used for consumption or (small) trade (Nadapdap, 1995; Michon and De Foresta, 1998).

Suhardjito et. al, 2000 describes the performance of Local Forest Resource Management or CBFM from eight site in Indonesia with three lesson learned; flexible tenure system managed by family member, descendant group and community; varies from subsiten to commercial and mostly re managed in a mix farming and multistrata system. This literature link the performance of CBFM with the Policy in Indonesia.

According to Suparlan (1998) above described types of local management systems are not officially recognized within the State's forest management terms of reference and some tension exists between the two different forest management regimes. This ignorance of local management systems on the part of the State, says the author, derives from the State's attitude to take only its own standards regarding institutions that support forest management systems, --which hardly match to local concepts of institutions--, and from the State's ignorance of local and customary tenure systems.

5. Current Policies and Practices of Participatory Forest Resource Management

While since early 1980s the Indonesian government more and more has recognized the need to involve communities in forest resource management, the programs that have been initiated differ essentially in approach and purpose, and thus in design. Literature (Sirait, 1998; Munggoro, 1999) shows that participatory forest resource management programs in Indonesia have been designed according to four differential factors: i) geography related to history, --Java versus the Outer Islands; ii) legal jurisdiction, --within or outside the State Forest Zone; iii) law system, -- adat or customary rights versus the official State's law system; and iv) program approach,-- social forestry or community forestry approach. The first differentiation closely relates to the differing historical background behind the official classification of Java's forests and those of the Outer Islands: while state forests on Java, Madura Island, and part of Lampung Province in southern Sumatra were established during the Dutch period in early 1900, most of the forest area on the Outer Islands were designated as state lands only in 1982. The delineation process of forest lands on the Outer Islands has been considered incomplete by Sirait (1998) and has been not without controversy. As will be discussed in a later section of this writing, social conflicts occurring between forest communities and forestry projects can often be traced back to the unclear boundary setting of forest areas and the State's claimed control rights over the areas, ignoring the rights of forest communities. A following factor that differentiates participatory forest resource management programs is the legal jurisdiction of particular program sites: within or outside the state forest area. While one would expect that the use and control of state lands are strongly regulated, in Indonesia even private forests are to some extent administered (Fay and De Foresta, 1998). Thirdly, the question whether the community involved in the program is a customary or *adat* community whose lives are governed primarily by customary rights, or a community migrated from another area whose lives are regulated according to the official State law, characterizes the program that is being implemented. Finally, a community participatory program approach may be focused on rural development, --thus using a community forestry approach--, or it may aim at forest management with local community participation, --thus deploying a social forestry mode (Munggoro, 1998).

In Indonesia, current participatory forest resource management programs are under the authority of different Directorate Generals of the Department of Forestry and Estate Crops, which each has a specific administrative-political mandate according to the designation of forest to different forest types, such as production forest or protected forest.

In Java, current participatory forest resource management is represented by the **Java Social Forestry Program (JSFP)** implemented by the State Forest Corporation Perum Perhutani which governs 2/3 of Java's forest area. The program originates in the Dutch period with the initiation in 1873 by Buurman, --a Dutch forester firstly acknowledging community

issues in forestry-- of a management strategy involving farmers that imitated the Burmese taungya system, in Indonesia known as *tumpang sari*. At that time, rather than aiming at community's welfare, the Dutch targeted at maximizing profits through the utilization of cheap labour by requiring participating farmers to plant timber trees (such as teak) on public lands, while allowing them to plant non-timber crops (like fruits and annual crops) in between the timber species. In recognizing the need to improve Java's forest cover and to enhance the welfare of forest communities, in 1972 Perum Perhutani continued the Dutch tradition and adopted the taungnya system which let farmer beneficiaries benefit from the forest by allowing them to interplant between the timber trees (Peluso, 1992; Perum Perhutani, 1996). The corporation followed a so-called 'prosperity approach' which should indicate that the forest is being managed while taking communities' welfare into account. The participatory nature of forest management became more apparent in 1984 in which year the JSFP became part of the Forest Community Development Program (PMDH) aiming at enhancement of the socio-economic conditions of forest communities. While participating farmers were organized in forest farmers groups (*kelompok tani hutan* or KHT), universities and NGOs were involved to provide research and technical assistance and the Ford Foundation as donor. In 1995 the program was given a more integrated character in that the provincial government became involved rather than only agencies of the forestry service as before. Presently, the JSFP grants communities with 1-2 years user rights, while participating households are provided with 0.25-0.5 hectares of forest lands for their own use. Although there have been some improvements in the forest quality and the economic condition of the program beneficiaries, authors view that the overall results of the JSFP have been disappointing. In the wider politico-economic context authors link this failure to, and thus argue against, the custodial-paramilitary approach of forest management (Peluso, 1992), the centralistic and ceremonial attitude of forestry decision makers, the monopolistic position of Perum Perhutani and the occurrence of corruption and collusion within the corporation's bureaucracy (Yuwono, 1998), the ignorance by Perum Perhutani of the existence of a forest tradition known for long by the communities living close and in the forest while regarding them merely as providers of cheap labour (Peluso, 1992; Yayasan Damar, 1998); and the 'scientific' approach of forest management which does not meet with societal values (Peluso, 1992; Sabarnudin, 1998). At the more practical level, however embedded in the politico-economic setting, nurseries have failed and introduced planting materials not started up, local labourers have been hard to find because of low wage rates, illegal logging have been normal practice for which security approaches have not helped, and communities' have hardly enjoyed the benefits from the corporation's profits (Kustomo and Ridwan, 1998; Yayasan Damar, 1998). Nevertheless, despite of the limited results, the process of trial and error during the course of the JSFP have provided a good learning ground (Bratamihardja, personal communication).

Since social forestry practices adopted in the state forest management of Java's forest, have largely failed, the Gadjah Mada University began experimenting in 1991 with alternative management strategies, known as the Management Regimes (MR) method. This method regards in a balanced way the social and physical conditions of forests and considers the distance between forests to settlements (Simon, 1998). Five management regimes have been developed which each allows farmers to plant food and other non-timber crops in between the teak following a to the particular regime appropriate pattern. A more remote distance between the forest and dwellings, for instance, allows a denser teak coverage and thus less space for non-timber crops. Besides, each MR has its specific assortment of non-timber crops that are planted in between the teak: foodcrops for MR closest to dwellings (MR I), fruit trees for the MR II (farther away from settlement), fuel wood for the next MR III, carpentry wood for MR IV, and fancy wood or teak for MR V (which is most remotest MR from dwellings). Because of the long growing cycle of perennial crops and thus the long period that is required for one MR experimental cycle, it is too early for having any results. **In 1999 Perum Perhutani change the name of JSFP and MR to *Pengelolaan Hutan Bersama Masyarakat* (PHBM or Co-Management). Some improvement were negotiated in the proram such as production sharing but the same concept is still embeded in PHBM that the community**

is not the main actor in forest management but involve in forest management (Warta FKKM, XXXX)

Precedented by the Java Social Forestry Program, other governmental forest resource management programs involving communities followed in the early 1990s which have been mainly intended for the Outer Islands. The **Forest Community Development Program** (FCDP; *Program Pembinaan Masyarakat Desa Hutan* – PMDH) was initiated in 1991 by the Directorate General of Forest Production. The program (which is another than the Java PMDH program linked to the JSFP) sees it as the forest concessionaires' responsibility to alleviate poverty and better the lives of local forest-dependent communities and assumes that they are more capable than the government (or even than the communities themselves) to assume this responsibility (Pelangi, 1997). Activities comprise income-generating activities, infrastructure development, and conservation of natural resources. In determining the amount of the financial assistance granted to the communities by a concessionaire, the company is required to conduct a socio-economic assessment study of the communities. However, the study would not influence the logging volume of timber that is allowed to the company for extraction. Yet in turn, the level of financial support given by a concessionaire in a particular year would determine the allowable logging volume of the coming year. This regulation has led to secretive conducts of assessment studies for administrative manipulations by many concessionaries targetting at high permittable logging volumes.

In 1995 the Directorate General of Rehabilitation and Social Forestry initiated the **Community Forestry Program** (*Program Hutan Kemasyarakatan*), which according to Fay and De Foresta (1998) is the government's most advanced effort to increase the participation of local communities in forest resources management, though far more restrictive than similar programs in other Southeast Asian countries and in South Asia. The program is envisaged for the rehabilitation of state forest areas that officially have been designated as production, protected or conservation forest but which do not fall under any concessions. A Ministerial Decree (No. 622) regulates the implementation of the program which conceptually follows its Java Social Forestry predecessor, requiring communities to plant timber trees while allowing them to interplant the trees in a alley cropping mode with non-timber trees in the proportion of 70% to 30% respectively or with food crops until the time the timber reached the age of two. Results to date have been disappointing however, which is attributed by Fay and De Foresta (1998) to the program's emphasis on rehabilitation objectives rather than on communities' welfare and reducing conflicts between government projects and communities over forest lands. Until very recently, farmers could not enjoy the benefits from the timber trees they themselves plant since they were only allowed to harvest the non-timber crops. Farmers were therefore not stimulated to seriously care for the timber seedlings and to protect project areas from fires or wild animals. However, efforts of researchers and international and national NGOs since 1995 to broaden the programs' scope have eventually led to a revision of the 1995 Ministerial Decree resulting in 1998 in a new Decree (No 677 and Ministry Decree No. 865/1999) allowing participating farmers to harvest forest products which also includes timber, on the condition that they organize themselves in co-operatives or farmer organizations acknowledged by the government as Utilization Permits (previously by means of Community Forestry Concession Rights), applicable for 35 years.

Since October 1999, permits granted to co-operatives or farmers organizations are granted in the form of Community Forestry Temporary Permit, valid for 5 years with possible extension. Critiques have come from Tadjudin (1999) who uses the concept of privatization of state forest resources in explaining the government's policy maneuvers: while acknowledging its incapability to sustainably manage forests, similar to forest management practices where the government invites private investors (HPH and HTI concessionaires), the new Decree 'collaborates' with private agents at the local or community level. However, the author argues, conceptually the latter does not differ substantially from the first. Tadjudin criticizes the CFP for being just another new fashion, lacking genuine recognition for people's abilities in decision-making and sustainable forest management. Amiruddin (1997) who assessed the socio-economic impact of CFP activities in West Nusa Tenggara, found that eventhough the program had enhanced income of participating farmers, access to forest lands

were curtailed for income generating activities such as collecting fodder for farmers' livestock. In many cases, non-participating farmers are the worst off: they not only are denied any income opportunities enjoyed by their fellow villagers participating in the CFP, but they also lost any interaction with the forest, and thus lost also any forest-related livelihood.

In the late 90s forestry agencies became interested in the Community Forestry concept for rehabilitating watersheds. Here, efforts followed a system used in the Dutch period for the rehabilitation of plantations by planting timber trees in between plantation crops. From the government's stand, this approach has failed because of the farmers' uncooperative attitude. A persuasive case in Lampung shows that because farmers' preference goes to the planting of coffee rather than timber, --coffee is more profitable in the short run than timber--, they do not allow the timber trees to grow above the already planted coffee and cut short the young timber trees (Tim Kopi Lampung, 1999).

The **Private Forest Program** (*Program Hutan Rakyat* or HR) was initiated by the Directorate General of Rehabilitation and Social Forestry for privately owned forest lands both in and outside Java. The program provides credit to farmers to support them in developing or rehabilitating their forest lands. Privately owned forest may be dominated by timber species or by non-timber perennials like fruits or coffee, and support is therefore provided by different technical agencies (i.e., respectively the forestry agency and plantation agency). Simon (1998) and Michon and De Foresta (1998) noted that farmers in various parts of Indonesia have spontaneously and skillfully developed forested lands on their own land in response to market demands of various forest-related products. Yayasan Damar (1998) encountered even a case in Java, where farmers' teak forest appeared to be better maintained than adjacent Perum Perhutani forest domains, which fact was also acknowledged by the State Corporation. Timber harvested from farmers' own land intended to the market is administered under this Private Forest Program and farmers need to undergo an intricate procedure for attaining official approval, known as the Permit of Timber Utilization from Privately-Owned Land (IPKTM). The procedure begins at the village level and goes up through the Provincial Government (*Bupati*) level, including the requirement of proof that the farmers are the rightful owners of the lands by way of a land certificate. Since various Indonesian traditional communities do not know the system of land certification as proof of land ownership status, few farmers possess such a document and are thus constrained in marketing their timber obtained from their own land. Ironically, a departmental Government Act (No. 22) states that other types of ownership documents rather than a land certificate are legally recognized, such as written proofs of community members, local historical documents, or local maps.

An **Area with Distinct Purpose** (*Kawasan dengan Tujuan Istimewa* or KdTI) is an area within the State Forest that is controlled and maintained by local communities based upon a right given to the communities by the Directorate General of Rehabilitation and Social Forestry. This right is provided according to Ministerial Decree Number 49 issued in 1998 (Sirait et al, 1999) which was created by the Forestry Department borrowing the Philippines Ancestral Domain classification (Fay and De Foresta, 1998) and the concept used by Perum Perhutani on Java to distinguish areas in the forest with specific, --usually community-related functions--, like graveyards or sanctuaries (Sirait, 1999). The KdTI policy was firstly applied in 1998 to provide the customary community of Krui in Lampung, Sumatra, with the right to manage and develop their damar (*Shorea javanica*) forest garden on an area of about 29,000 hectares located within the State Forest. The decree recognizes the environmental and social benefits of the prevailing land use system, --in this case damar agroforest--, the role of local or existing institutions that manage this system, and the right of farmers to harvest and market timber and other forest products they themselves plant. The KdTI right is unprecedented in that (Fay et al, 1998; Fay & De Foresta, 1998): i) it sanctions a community-based forest resource management system as the official management regime within the State Forest Zone; ii) it allows timber harvest by farmers from within the State Forest, and to a limited extend from within a watershed; iii) it devolves the management responsibility of the State's forest lands to a local or customary governing institution; and iv) it is without a time limit. The KdTI right was also granted to communities in Bima, West Nusa Tenggara, allowing them to

make use of the forest, provided that this be done in a sustainable way (LP3ES, 1998). In the Krui case, communities are seemingly reluctant to accept the KdTI right given to them. Authors (Garuda Nusantara, 1998; xxxxxxxx, 1998; Sirait, 1999) see the farmers' response to the government's KdTI policy as an argument against the idea that they should be granted any right by the government, for the very reason that they regard themselves as the true owners of the damar lands for already generations long. Official forest delineation was only established in 1990.

In 1997 the Minister of Forestry introduced the **Traditional Community Natural Forest Management Program** (*Program Pengelolaan Hutan Alam oleh Masyarakat Traditional – PHPMT*) in attempts to invite NGOs and higher educational institutions as community facilitators in the management of forests. The objective of this program is to involve customary communities (*masyarakat adat*) in the management of a production forest area that, because of its limited size (less than 10,000 hectares), is valued not being feasible as concession area. The customary community involved is given the right to harvest both timber and non-timber forest products. No contract regulations have been as yet ruled out however regarding between communities and the government, bringing about some confusion with the communities involved. NGOS and universities in 13 Indonesian provinces have been assigned to play a community facilitating role in the program. These NGOs and universities were assigned by the provincial Forestry Department, however without any preliminary consultation with the communities concerned. Further, it is still unclear whether the program applies for natural forest or for agroforests (Sirait, 1999). Still in connection to customary communities, in 1992 a Ministerial Decree (No. 251) was issued to regulate the harvesting of timber and non-timber forest products from adat lands within a concession area. In 1999 a new Decree (No. 317) adopted a regulation regarding the harvesting of timber and non-timber products for own use in non-concession forest areas, -- i.e, the Decree concerning the Rights of Harvesting of Forest Products by Customary Communities in Production Forest Areas. For being eligible for the second mentioned program, communities or individuals should form a pra-cooperative (*usaha bersama*) or cooperative. No literature has given some indication about any proposals from communities.

Ministerial Decrees (i.e., Numbers 310-319/1999) regarding the restructurization and re-allocation of forest lands have had some effect on the use of forest areas by traditional communities. While the decrees no 314 give concession rights to medium and small concessionaires (including private entrepreneurs, co-operatives and Islamic boarding schools) for the management of 10,000-50,000 hectares of forest, the distribution of these rights does not proceed through any auction (Media Indonesia, 1999). A myriad of applications have been submitted so far: in Irian Jaya only 300 in number (Suara Pembaruan, 1999). **In 2000 the Minister cancelled the Ministerial Decree no 314/1999 but the implementation through Decentralization Era still go ahead with the Small Scale Logging and Small Scale Timber Harvesting (IHPH & IPPK) unless the Government revised the PP 6/1999 about Production Forest Management.**

An **Area for Traditional Utilization** (ATU; *Kawasan Pemanfaatan Traditional*) within a National Park is a Program that is pursued by the Directorate General of Nature Sustainability and Conservation. According to this program communities are permitted to harvest forest resources from forest area within a National Park by using local harvesting techniques. It is as yet not clear whether or not this program allows for any timber harvest by farmers. The area for forest utilization according to this policy matches to the National Park's ecosystem classification: the Program's area covers precisely that area where human activities are still allowable, --that is outside the Park's core zone. The legal basis for this policy is the Biodiversity and Ecosystem Law (No. 5/1992), rather than the Forestry Law .

In the New Forestry Law no 41/1999, State Forest Land which lays under Adat Land (*Tanah Adat*) classified as State Forest and could be managed by *adat* community through certain recognition mechanism. Unfortunately there are no implementing guideline to apply adat forest management rights.

A **Buffer Zone** (BZ or *Zona Penyangga*) is an area adjacent to a National Park that is intended to support the Park's sustainability and protects the Park from intensive human

activities harmful to the Park. Similar to the ATU policy, the Buffer Zone's legal basis is the Biodiversity and Ecosystem Law, rather than the Forestry Law. The BZ policy covers also privately owned lands that may provide ecological support functions to the Park.

Besides programs in participatory forest resource management initiated by the government, several bilateral, multilateral, and non-governmental forestry development projects have attempted to promote community participation in forestry: the German Technische Zusammenarbeit (GTZ) in collaboration with Germany, Harvard Project (USA), the Forest Production Management Unit (*Kesatuan Pemangkuan Hutan Produksi* - KPHP) in cooperation with the UK, the OECF Community Forestry (HKM) Project, and the Support Consortium for People's Forest Systems (KPSHK).

The joint German-Indonesian **GTZ Project**, initiated in 1986 in Sanggau District (West Kalimantan) had as initial objective the development of a local forest management system, --known as *Tengkawang*--, and was modified to become a social forestry project in 1992, --the Social Forestry Development Project (SFDP); (Simanjuntak and Simorangkir, 1998). The Project involves the Directorate General of Land Rehabilitation and Social Forestry and began its implementation on a former HPH forest area of 102,000 hectares involving eight Dayak tribe villages. It started with the participatory mapping of the villages' lands, --resulting in an agreement between the villages and the project regarding the use of the lands (*Tata Guna Lahan Kesepakatan Desa*). The project used an approach that combines the management of forest with its protection and with some utilization for agricultural purposes. However, at that time the Forestry Department could not fully accept the idea that State forest would be designated for agriculture (Simanjuntak and Simorangkir, 1998). In 1997 the SFDP was permitted to conduct an experiment which allowed for logging activities by village communities on an area of 500 hectares. **In August 1999 a co-operative (Koperasi Rimba Berseri) was formed by the villagers that, after applying, the cooperatives was given the first Community Forestry Temporary Permit (*ijin Sementara HPHKM*) for five years over 1500 hectares (Berita PKHP, 1999).**

The **Harvard Project** was started in 1997 and is a continuation of a research project conducted by Harvard University in the Gunung Palung National Park. The Project covers the Park's swamp areas and involves communities in logging activities (while using simple tools) and in the processing of timber to sawn wood. The Project integrates the production management and protection of forest and its implementation is in the hands of the Directorate General of Forest Production. Villagers who were common to harvest timber out of the forest were encouraged to form farmer groups and rehabilitate degraded areas and make inventories of high productive areas in preparation for harvesting activities. Because of the limited number of available saw mills in the area, farmers were constrained to process their harvested timber to marketable products (**Harvard Project, 1999**).

The joint **UK-Indonesian Forest Production Management Unit** (*Kesatuan Pemangkuan Hutan Produksi* or KPHP) Project started in 1989 and includes community forestry activities in the production management of forest and regards communities as essential actors in forest management (Simpoha, 1999). It has been implemented in Jambi and Southeast Kalimantan (Kalteng) as well as in other provinces. Activities start with the participatory mapping of areas as management units to be managed by communities. Unfortunately, participatory mapping activities in for example Kalteng of which results were recognized by the local forestry department, have not been followed up by means that can secure farmers of control rights over the area agreed upon, since the lands remain within the State Forest Zone (Raharjo, 1999).

The **Support Consortium of People's Forest System (KPSHK)** in Bogor is a network of NGOs initiated in 1994 to advocate the acknowledgement of people's forest management systems. Members of KPSHK facilitate communities with the conduct of local forest management experiments in Provinces throughout Indonesia. As example, SHK --east kalimantan presently facilitates the Dayak community in Idaatn village to map out their forest management system that is governed by a system of customary rights. The consortium also encourages the Idaatn community to develop their rattan forest, known to the people as *rotan saga*. In 1997 the Idaatn community represented by its customary community head (*kepala*

adat) was given the Goldman reward in acknowledging the community's effective efforts in protecting the forest from destruction by maintaining their customary forest management system. **In the Decentralization Era, SHK-Kaltim and other partners continue to support the community through empowering its local institutions (Cahyat, 2000)**

The **OECF Community Forestry (HKM) Project** started in 1998 aiming at the enhancement of the forest quality and the welfare of forest-dependent communities in ten critical forest areas outside Java (Riau, West Sumatra, Jambi, Bengkulu, South Sulawesi, Southeast Sulawesi, West Nusa Tenggara, East Nusa Tenggara, and the Moluccas). The OECF's financial support to the Indonesian Government is in the form of a loan. The Project's term is two years and is considered as preparatory stage for implementation of the HKM program according to Ministerial Decree No. 677/1998. It includes a planning stage, an organizational phase, the rehabilitation of degraded areas and project monitoring. **Currently the Project is in its implementation stage, but mostly are focussed on physical activities (planting, weeding etc) and limited institutional empowerment (community organizing). The same pit fall happen to loan based community forestry project in Indonesia and Philippines, where projects were trap to to the output rather than process, because of the project budget and deliverables administration (Moniaga & Sirait, 2000).**

In Contrast with HKM-OECF, Community Forestry in Gn. Betung facilitated by P3AE-UI, Unila and Watala and funded by FF, were focussed their time and energy to community organizing work. Gn Betung became the community organizing training site for several government, NGO and private sector to learn how to work with people/farmers. The Sumber Agung Community (part of the Gn Betung Protected Forest) receive their Community Forestry Temporary in November 1999 From there on with support of the Local Government the concept of community forestry with focus on community organizing were well accepted by the neighboring community as a Community Forestry movement. Currently the facilitating process already covered 34 farmer group surrounding the Gn Betung Protected Forest but still appreciate the process (process oriented).

6. Constraints and Opportunities in Current Policies and Practices of Participatory Forest Resource Management

Constraints and opportunities in present policies and practices in participatory forest resource management found in literature can be grouped into the issues of land and resource tenure, conflict or overlap of authority, human rights, gender, decentralization. The discussion on each of the issues that is on-going in contemporary literature is presented below.

a. Land and Resource Tenure

There is ambiguity as regards the rights of control and ownership of lands on the one hand and those of the forest resources *on* the lands on the other. Do the people own the forest they themselves plant, or does the State have the privilege of control and ownership of both the forestlands and the resources on those lands? What is the basis for State control of the land and resources --based on the principle of inseparable connection between forest lands and forest resources or based on the principle of horizontal separation between lands and forest resources--? The Indonesian Agrarian Law acknowledges the second of both principles, whereas it is not clear which of the two principles guides the Forestry Law. For instance, forest areas allocated for large-scale industrial plantations (HTI) follow the principle of separation between forestlands and resources on that land, whereas Community Forestry programs (HKM) see the concept of inseparable connection between forest lands and forest resources. Safitri (1999) and Nusantara (1998) believe that the inconsistency found in the Forestry Law can be traced back to the government's preference and interests to support the market-oriented elite and to weaken the people's already sub-ordinate positions.

Indigenous practices of forest resource management have its own rich tenure system so called Community Based Tenure System (CBTS) which need to be explored and legalized. The CBTS need to be accommodates in National Law, so that the CBFM practiced also secured from the large scale, market oriented Forest Resource Management

b. Conflict or Overlap of Authority

Currently there are conflict of authority among several government agency/department to govern natural resources. The sectoral approach could not resulting integrated approach. Dept. of Forestry vs. Dept of Internal Affairs conflict of authority on Land and Social issue, Dept of Forestry with Dept Trade and Industry on Supply and Demand of raw materials for Forest Based Industry. Dept of Forestry with Dept. Agriculture on prioritizing crops and strategy for reforestation. Dept of Forestry with former Dept of Transmigration on relocating settlements. Etc. Several Community Forestry did not work well because lack of integration among sectors/department. Each department uses their own target for the 5 years plan. Fiscal target and other physical target without concerning other sectors.

In Forestry sectors there are tensions also among sub-sectors such as Directorate and program. The Production Forest Utilization are focus to the Forest Exploitation and have no interest in restructure the system on exploitation (TPTI) and empower the community through community organizing. The Rehabilitation and Reforestation Directorate are plan a program that community could be part of the reforestation strategy and later manage the forest (HKM), but they have difficulty to get land. The Conservation Directorate are focus on National Parks and the law enforcement of it but not much interest in solving the communities problem such as developing community based conservation areas integrating conservation, utilization and rehabilitation activities.

Restucturing the government structure through the Decentralization and dividing the role of executive, legislative and judicature will brought to more integrated approach. The focus on developing community forestry will be more on the Kabupaten level, such as HKM program decision making will more in District level, and hopefully will be followed by other CBFM program and initiatives. The initiatives should allow the community to do conservation, rehabilitation and utilization at the same place, which need a restructure the Dept of Forestry organization.

c Human Rights for Forest Dependents People

Incentives for forestry practices in areas designated as State Forest have been conducive for policy making that has imposed forest-dependent communities, usually with limited bargaining position, to voluntarily hand-over forest lands. This has brought about violation of Human Rights of the forest dependent community which are the indigenous people. Especially on Economic, Law, Political and Social rights of the Indigenous People Indigenous Peoples such as:

- Economic rights of the forest dependents communities were destroyed by developing large scale of Timber Estate and Palm Oil Plantation in productive indigenous agroforest and also on productive farm in adat lands (Roem Tomapatimasang in Ton Dientz, 1998, Meyer 1997, T. Manurung draft 1998, Schwiethelm 1998, Tempo 1999, Skuma 1999, Sumarlan 1997, Alam Sumatera 1999; Kalimantan Review 1998; Moniaga 1998)
- In practice the adat Law became sub ordinate to the national law so the State and Private sector never recognize the adat law and practices (Moniaga 1996). In the other hand, the cases which are brought to court by Indigenous People rarely win because there is no political will to empower the IP's rights (Dingit in KMAN, 1999; Patay & Nari 1993, Djaelani draft II 1999).

- Political right of Indigenous People and other Forest Dependent Group are violated by labeled those group who refused to be evicted from State Forest Land as Rebels, Encroacher and Communist or other anti-government groups (AKusworo 2000, DTE 1998, Kompas 1999, Laudjeng & Romlah draft 1999)
- Social Rights never been touch by the previous authotarian government, the top down process did not recognize the social function of land and data institution which destroyed the whole adat system (Kusnaka in KMAN 1999)

The whole new setting hopefully will start after the designation of the Human Right Law no 39/1999 and the New Constitution on article no 28 a-g which gave more clear guidance to regulate political, social economic rights and further on individual and collective rights not only for the indigenous people but for all citizen. Even though the constitution has already been changed, AMAN still demanding special article to recognize the rights on IP and the process to amend the constitution's still open until 2002 especially on article 33 on that Right of the State on behalf of the people (AMAN, 2000).

d Gender Perspectives in Community Forestry Programs

Little specific literature on gender has fund specifics on Indonesia case, most of the literature on Gender in Community Forestry found, are based on experience in the Philippines, India & Nepal (LRC 1994, Hobley 1996 & Illio, 1991). According to Becky Elmhirst (2000) in Indonesia, as also in other SE Asian countries, gender resource use and control is blurred, she used the term fluidity and ambiguity gender. Different as the case of Africa and South Asia where the role of women and men in natural resource management is quite clear segregated.

In current forestry programs, men role is dominated. Specific literature on Community Forestry Program (HKm) in West Nusa Tenggara describe by Amirrudin (xxxx) that the impact HKm program is segregating role of women more towards non forest areas/ farming activities and involve more men to community forestry activities such as land clearing and planting. The project cycle did not yet reach harvesting periods so the role of women is not seen any of the activity in the project cycle. As the effect of the forest program and other government program which re not sensitive to gender (gender bias), the segregation of role between men and women became clearer. The effects of choosing certain species by men i.e. *Ecaliptus sp* which are famous on absorbing water in HTI program will burden the women in finding water for their family. Etc (KMAN, 1999)

There is a need to legislate policy that is sensitive to Gender issue. Current HKm policy did not mention gave special attention to women. The attention just stops at Local Community as beneficiaries. There is a need to bring the gender understanding To the forestry policy.

e. Decentralization in Forest Resource Management

Reformist pressure groups (i.e. FKKM, MTI) called for decentralization of decision-making (World Bank, 1998).

- a) Profound reforms in institutional and policy bases of forest management such as altering basic functions of some Directorates or even privatized which mean that the changes in power relations remain not only within the government, but also there will be some shifts of management power to private groups (community management)
- b) in operational sense: move away from an emphasis on rigid implementation of regulations, to a management task orientation
- c) human resources could be devolved, in contract role; Professionals involved to be hired by local communities and other interest groups.

Decentralization should be in the context of democratization (Malaranggeng, 1999; Santoso, 1999). It's not a goal in itself, but more a means to move towards a more democratic

society. Involvement of civil society in regarding forest policy is needed, such as broad local consultations (World Bank 1999)

Two decentralization laws: No. 22 concerning Regional Government & No. 25 concerning Fiscal Balancing were issued in 1998 and the implementation will be fully begun since January 2001. Several Government Regulation were issued in November and December 2000. None of Forestry Government Regulation was signed. As the consequences, the Local Government could regulate its own Local Regulation until there is further national Government Regulation.

One thing: the law will keep the GO for retaining most of the GRDP! So the fiscal balancing law will not help much for granting funds to regional and local levels. Another: forestry contributes only small part of GO revenues via tax (compared to oil). "... the central government retains a major share of natural resource earnings, primarily because it retains a large share of the largest tax revenue source. Earnings from other sectors are so small relative to oil earnings, that this result would hold even if a higher effective tax rate were used for non-oil sectors (Brown, 1999).

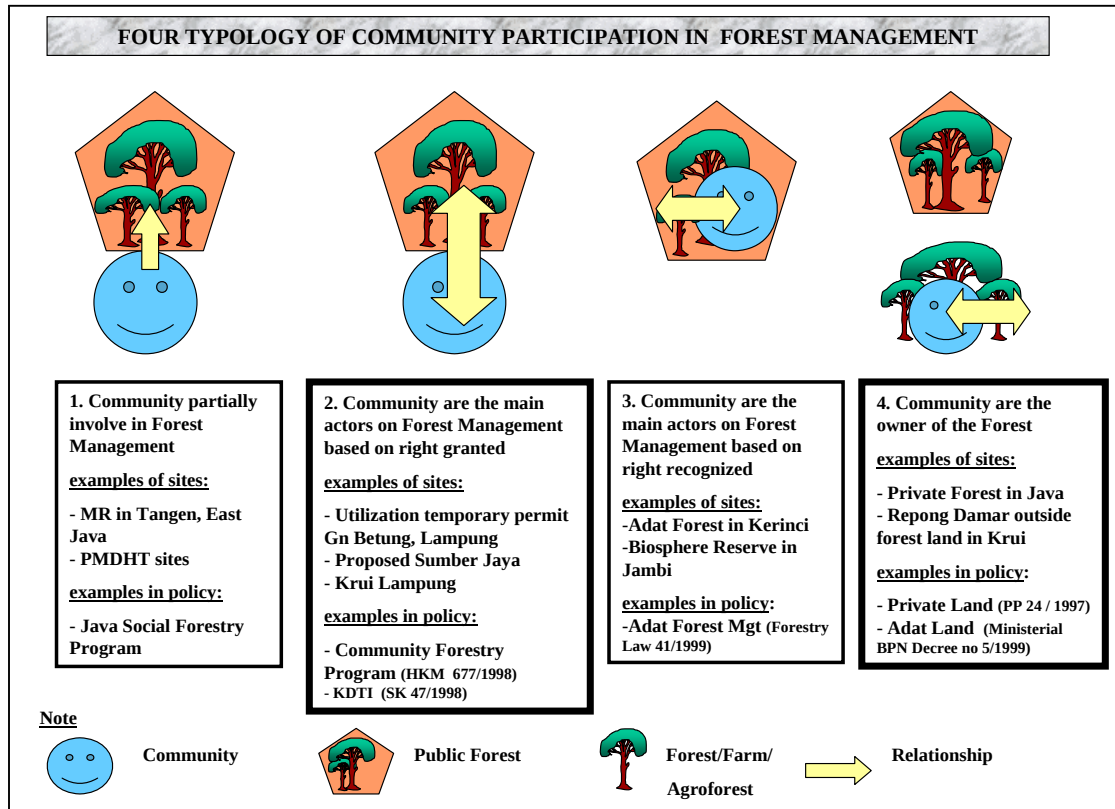
The Constraints of the Decentralization is it will be develop more local bourgeoisie which control or monopolize the resources. The success depends on political will and the local control. The local government trend currently is to legalized forest occupation such as coffee farm in side the state forest land but with heavy tax as a revenue. Not clear yet whether these heavy tax will be an incentive or disincentive for the local community to open more state forestland.

Law No. 22 gave the space for adat institutions to be recognized to replace village institutions. It is still in process whether with this mechanism customary law institutions will not be subordinated by the formal State's law (UU Pokok Agraria and UU No. 5/60: Pemerintahan Daerah (Santoso, 1999). Several initiatives currently are working on Local Regulation to regulate local resource management, which are more pro people (Elsam 2001).

7. End Notes:

towards an integrated community participation in resource management (CPRM).

From the previous sections is clear that several issue should be handle such as land and resource tenure, conflict or overlap of authority, human rights, gender, decentralization. Several possible action already describe in last section but the core of the issues is the **role of the state**. The political economy of forestry should be changed, it should be changed from blue-print centralized state timber management with bias toward process-oriented decentralized with main role of local community. The paradigm that recognize the pluralism of forest Management that integrated with Natural Resource management. It is easy to say it but quite difficult to apply and even though to draft a legal policy for that. It is needed to have a Redesign & Restructurization agenda i.e:



- Started with redesign the state forest land, make sure that the state forest land is legal and legitimate
- After that it is needed to Reform the policy that accommodate/responsive to the local situations
- Restructure the Forestry organization that fits with the demand and also applicable to do the new role of Government from commanding to facilitating
- Restructure the control over the state forest land and allocate according to the primer rights (private forest), secondary rights (adat rights), tertier rights (Community Forestry) as mention in Diagram I

Hopefully with those agenda the integrated participatory Forest/Resource Management could applied.

Krui Case: A Long Negotiations

In January 1998, the government declare Krui a new special use zone (KDTI). The new community forestry designation granted Krui reserves under customary adat institutions and laws. KdTI status gives the people of Krui rights to both timber and non-timber forest products. The ministerial policy is viewed as an important step forwards recognizing the ecological and economic benefit from community-managed agroforests and developing resource management authority to the local people. The concept of managing forestry by local adat community were also adopted to the new Forestry Law 1999.

Still most villagers in the Krui are believe the new agreement is an improvement over previous arrangement. But some community members feel that the boundaries of State Forest Zone should be out side the area of their adat land, and that these resources should not be under the aegis of the Ministry of Forestry.

By the implementation of Desentralization Era in late 2000, more that 5000 hectare of State Forest Zone in Southern Krui was realesed from State Forest Zone and will be soon returned to the local adat community as Private Land through the Local Government responsibility.

Source Poffenberger ed, & Sirait draft 2001.

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