
Through a Green Lens: The Construction of Customary Environmental Law and Community in Indonesia's Maluku Islands

Charles Zerner

In the Maluku Islands of Eastern Indonesia, a center of global diversity in coral reef systems and the historic center of trade in cloves and other spices, tenure practices known as *sasi* have flourished for at least a century. This article analyzes changes in the ways Dutch colonial officials, Indonesian government officials, and environmental NGOs have interpreted Moluccan customary law and local institutions. Dutch colonial accounts of *sasi*, a generic name for a historic family of institutions, laws, and ritual practices that regulated access to fields, reefs, and rivers, suggest that *sasi* was a synthetic, highly variable body of practices linked to religious beliefs and local cultural ideas of nature. During the past two decades, as international and national conservation discourses have proliferated and a movement has developed to support indigenous Indonesian cultural communities, Indonesian NGOs and the Ministry of the Environment have promoted, and largely created, images of *sasi* as an environmental institution and body of customary law promoting sustainable development, conservation, and social equity. This article focuses on how *sasi* has been continuously reinterpreted by a variety of actors, following the trajectory of changing institutional interests and images.

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This essay charts historical changes in the discursive construction of ritual performances, practices, and customary law in the Central Maluku islands of Indonesia. *Sasi*¹ is a generic name for a varied family of institutions, laws, and rituals that permitted social control over access to forests, fields, and orchard lands and, to a lesser extent, the marine environment, through the imposition of a temporary prohibition on entry or harvest. By contrasting descriptions of *sasi* written during the late 19th and early 20th centuries with recent descriptions offered by a variety of actors, including Indonesian government officials, environmental and socially oriented nongovernmental organizations (NGOs), and legal scholars, I focus on shifts in the discursive construction and promotion of *sasi*'s changing meanings and purposes.²

Accounts of *sasi* produced in the late 19th and early 20th centuries suggest that a dominant intention underlying the codification of customary practices was the regulation of access to commercialized resources and the territories in which they were found. Although the social and political context surrounding the production of *sasi* texts during that period remains unclear, a preoccupation with controls, fines, and sanctions suggests an active collaboration between colonial officials and local elites, in which local communities were viewed as recalcitrant subjects in need of discipline, monitoring, and edification. Texts of this period suggest that neither conservation nor distributive equity was a goal.

The second half of this essay tracks *sasi* as a discursively constructed "system" during the 1980s and early 1990s, a period that might be considered a second era of inscription. During this period, as international and national conservation ideologies proliferated, Indonesian NGOs, the Department of Population and Environment, and Moluccan legal and environmental scholars, produced and promoted *sasi* customary law as a living armature for the conservation of biological diversity, sustainable development, and social equity in village communities. In constructing a "green" and socially equitable *sasi*, these advocates have retroactively configured past purposes and practices in the service of contemporary social and environmental goals, including equity and conservation.

¹ For a full definition, see the Glossary. Many other Moluccan terms used in this article are listed there.

² See Hobsbawm et al. (1983) and Cohen (1983) for pioneering analyses of culture as an invention; see Bowen (1989) for an illuminating investigation of changes in the narrative forms through which Sumatran intellectuals make sense of community history and in the relationship between narrative changes and political context.

Relying on colonial legal texts and recent field surveys, new exegetes and promoters of *sasi* deploy the colonial texts as a ground map, as if they reflected objective realities rather than colonial refractions of social facts. While deploying these texts to attain new ends, moreover, recent interpreters of *sasi* have also shared with colonial codifiers the conviction that cultural differences in everyday practice can be specified, mapped, and scripted. While the codification of *sasi* in the past may have been used as an instrument of colonial rule, recent attempts to resuscitate and reconstruct *sasi* are deployed in the service of supporting local community autonomy in the face of perceived private sector and central government control of local resources. Recently reconstructed *sasi* is being deployed as legal counterculture, posed as an alternative to central government control of resources. I conclude with a discussion of the political and economic context in which recent constructions of *sasi*, community, and customary law have been produced and I suggest several problems posed by these recent reconstructions.

Changes in the discursive construction of *sasi* must be contextualized within a larger national and transnational political context in which they take place. The privileging of customary law, community rights, and relationships to conservation and sustainable development is going on throughout the developing and developed world (Bailey & Zerner 1992; Breckenridge 1993; Colchester 1990; Poffenberger & McGean 1993a, 1993b; Lynch 1992; Talbott & Lynch forthcoming; World Resources Institute et al. 1992). In these emerging discourses, information and imagery flow unevenly in a variety of directions. Cosmopolitan groups, for example, represent themselves as speaking for local communities, and they situate marginalized groups within powerful international discourses on human rights, indigenous communities, conservation, and environmental sustainability. By linking local social formations and practices to internationally recognized frameworks of rights, as well as to conservation and development discourses, these analysts and advocates seek to support local struggles for control over resources and greater degrees of political and cultural autonomy.

In another direction, in parts of Latin America, indigenous communities and their leaders working in indigenous federations are learning to speak the environmental discourses spoken and legitimated by international development and conservation agencies (Peluso 1993). In Kalimantan, Indonesia, where Dyak community access to forests and forest-dependent rattan gardens is endangered by the activities of timber concessions backed by the Indonesian government and its forest police apparatus, Dyak spokespersons, including lawyers and ritual practitioners, are reconstructing, codifying, and inscribing Dyak customary law strategically, in terms of territorial principles that will be recognized

and validated under Indonesian forestry and agrarian statutes (Zerner 1992; Fried 1994). Familiar with the authoritative languages of government statutes and the textual forms of civil administration, Indonesian exegetes of community and customary law are creating texts and delineating the topographies of formerly ambiguous, highly variable practices in ways that will empower and enfranchise the beleaguered communities of forest farmers.³

The rationalization of customary law practices in texts, and what might be termed their “territorialization” in cartographic representations, moreover, are also being produced by international environmental policy institutes and Southeast Asian scholars (Poole 1995; Fox 1993; Lynch 1992; Poffenberger & McGean 1993a, 1993b).⁴ In these contemporary mappings of custom and community, scholar-advocates of social equity deploy key terms like “community-based resource management,” “customary law,” and “traditional territories” as if communities were spatially and temporally stable, homogeneous, specifiable units with clear boundaries that only need to be mapped and protected.⁵ Customary law territories are being discursively and cartographically naturalized in these representations as if they were fixed zones of biological diversity.

In Indonesia, the genealogical connections between the invocation of such terms as “custom” and “customary law community” by NGOs and previous efforts of the Dutch colonial enterprise seeking to control local social formations (in part, through codification and reification of custom throughout the Indies archipelago) are striking.⁶ Acts of “documenting” and “recording” customary law are never acts of transparent representation or transcription of a preexisting reality; such acts inevitably implicate political and economic rights. In the 1990s, the inscription of *sasi* as a form of customary law is a form of advocacy that, ironically, echoes the discursive strategies of the former colonial power.

³ See Tsing 1993, who perceptively notes the genealogical relationship between recent constructions of Dyak “custom” and colonial law discourses during the Dutch era.

⁴ For a provocative examination of the uses of colonial and postcolonial governmental uses of forest mapping and zoning as a means of nation building, social planning, and control of territory, see Vandergeest & Peluso (in press).

⁵ For recent critiques of these conceptions of culture, community, and social topography, see Appadurai 1990, Gupta & Ferguson 1992, Malikki 1992, and Rouse 1991.

⁶ In the early 1990s, a well-known Indonesian environmental and indigenous rights lawyer was reputed to be visiting Holland to obtain Dutch-era maps of territories under the control of specific ethnic groups in Kalimantan. These ethnically based, topographically inscribed representations were to be used in a campaign to secure recognition of contemporary community claims to control areas of forest in Kalimantan then under the control of timber concessions. The assumption underlying such a tactic was that colonial maps, like colonial codification of “customary law,” constituted transparent reflection of realities “on the ground,” as it were, rather than politically constructed representations freighted with assumptions about the nature of property, ethnicity, and maps.

No sooner is a coherent discourse formed, however, than it shatters, deployed by differently positioned actors, whose intentions and access to forms of power vary. In Indonesia, where debates and conflicts on the limits of state power over local communities and forest resources are intense, discourses about custom and community vary according to the site and the occasion. Radio Republic Indonesia, the national radio station, as well as Televisi Republic Indonesia, the national television station, broadcast edifying stories with environmental messages about Indonesia's natural wealth of forests, reefs, and marine biological diversity. Themes of national development, biological diversity, and local cultures, their particularities positioned within a national grid of integration and development, frame each story. These programs delineate the conceptual terrain, on the national map, for at least one contemporary version of *sasi* in which culture and environment are linked. From the perspective of some groups within the national environmental elite, local practices believed to conserve biological diversity would have been invented had they not been discovered in the Dutch customary law archives and on isolated Moluccan coves and coasts.⁷

Environmental and social organizations, moreover, attempting to protect and support local community claims to cultural and political autonomy, including recognition of rights to control and manage local resources, produce and promote other, related visions of *sasi*. By constructing *sasi* as a local community-based resource management system, these organizations seek legitimacy for *sasi* as a site for progressive interventions, directed at empowering economically marginal communities in the far-flung archipelago of Eastern Indonesia.

Rather than being an "indigenous" creation arising out of the local earth and waters, as some contemporary governmental and environmental spokespersons have claimed, *sasi* practices were and are the changing products of a border zone in which cultural and legal readings are strategically deployed. Like other collectively shaped rituals, *sasi* practices were never the coherent products of a purely local community or the production of a single, if collective, authority. Rather, these practices and their textual embodiments were and continue to be hybrid creations, shaped by a multiplicity of authors, over several decades, embodying diverging intentions, speakers who vary in their capacity to enforce their readings, with strikingly different "voices." Traces of the ritual practitioner's call, chanting along village paths as he

⁷ Indonesian governmental support of community control of forest territory and recognition of community rights to these resources, however, is the exception rather than the rule. Indonesian governmental policy and law has generally marginalized forest-dwelling communities and underestimated community capacities to manage forests effectively. See Dove (1983) and Zerner (1990, 1992) for analyses of governmental policy and law for forest-dwelling communities.

closes the forest to entry, the voice of the colonial customary law scholar, the colonial functionary, the local *raja* (see Glossary), and recently the voices of contemporary environmental and social activists all echo and rebound within the discourse streams that now resonate with the call of *sasi*.

I. *Sasi* during the Colonial Era

The Maluku Islands of Indonesia, once known as the “spice islands” of the East Indies, lie south of the Philippine island of Mindanao and east of Bali, scattered in a series of irregular arcs spanning the Maluku, the Banda, and the Seram Seas. Lying within the Indo-Pacific region, the global center of marine biological diversity, these islands encompass extraordinary variation in terrestrial and marine habitats and are home to many indigenous species (Berwick 1989). These exquisitely varied islands are equally complex and diverse from a cultural perspective, lying at the historic heart of global interest in essential spices: at this geographic juncture, non-Islamic and non-Christian religious practices and beliefs continue to coexist with Christian and Muslim practices, brought to these islands as early as the mid-15th century by traders and missionaries and later by political administrators (Andaya 1993:114–51). Subsistence activities based on cultivation of the Metroxylon palm, which yields starch, as well as diverse fishing, hunting, and forest farming practices, have evolved in tandem with commercial cultivation of cloves, coconuts, nutmegs, and mace since the mid-16th century (Ellen 1979:43).

Andaya, whose history of the Maluku region during the early modern period offers a broad-ranging political and cultural panorama, begins his book with a meditation on volcanoes, indigenous plants, European adventurers, and the global search for spices:

The very mention of the name “the spice islands” evokes a romantic image of the days of early European adventurers in the waters of the Pacific. It was the highly desired trinity of spices—cloves, nutmeg, and mace—which lured the Europeans and other foreigners to the Moluccas or Maluku in eastern Indonesia. The clove tree (*Eugenia aromatica*, Kuntze) is native to the five small northern Malukan islands of Ternate, Tidore, Moti, Makian, and Bacan. These magnificent volcanic islands rise almost vertically out of the water and are in fact the peaks of some of the highest mountains in the world anchored to the ocean shelf just off the starfish-shaped island of Halmahera. Nutmeg and its red filament mace come from the nutmeg tree (*Myristica frangras*, Linn.), whose origins are in the equally tiny volcanic and coral islands of Banda located to the south of the large island of Seram. (Andaya 1993:1).

Andaya's rhapsodic prelude for the Maluku, as a cultural, geomorphological, and botanical zone in which the forms of local plants are conjoined with images of foreign merchant fleets seeking fragrant filaments and stems, prefigures the central theme of this essay: how forms of local legal, cultural, and social practice are hybridized and deployed, by outsiders "looking in," as it were, and by insiders interpreting themselves while "looking out," with an eye toward, and negotiating with, a wider range of political and economic actors and interests.

The Precolonial Context⁸

The original inhabitants of Ambon, Saparua, Haruku, and Nusa Laut islands of the Central Maluku, who are known as Alifuru, lived in small, isolated mountain hamlets known as *hena* or *aman* (for terms, see Glossary) which had no clear territorial boundaries (von Benda-Beckmann et al. 1992:7-8). Horticulture, gathering, and hunting provided sources of food, including bananas, sago, tubers, vegetables and fruit trees, supplemented by fishing. Crops were cultivated in man-made forest clearings, known as *swidden*, and when soil fertility in forest gardens declined, fruit trees, which provided more permanent tree gardens or *dusun*, were planted.

Mountain settlements, strategically located in areas that could be defended from slave raids, were based on ethnic groups or *uku*, which were, in turn, articulated into clans or *lumah tau* (ibid., pp. 7-8). Among the most important leaders of these settlements were big men or *latu*, chiefs of the *uku*, and the *mauwin* or ritual practitioners, whose powers mediated between social groups and the natural world, the latter populated by spirits and ancestral ghosts.

Higher-level units of organization known as the *uli* system, basically federations of five or seven smaller settlements extending over wide areas of forested territory, were bound together through a system of intervillage alliances known as *pela* (Chauvel 1990:7). *Pela* were, and in some areas, continue to be, alliance pacts between two or more settlements. *Pela* link communities symbolically, creating common bonds across religious lines and generating a social arena in which labor is shared among settlements (ibid.). As clove and nutmeg production expanded during the early colonial era, immigrant groups from the northern islands settled on the coasts, where they engaged in trade and gradually assumed a politically dominant role (von Benda-Beckmann et al. 1992:8).

⁸ The sections on the precolonial and colonial contexts are based on historical, political, and legal analyses of von Benda Beckmann et al. (1992), Andaya (1993), and Chauvel (1990).

The Colonial Period: Territory, Politics, and Economy under the Dutch

The ecological and social history of these islands has entailed centuries of contact and commercial and cultural exchange with distant powers and occupiers, including the Portuguese and the Dutch (Andaya 1993; Chauvel 1990; Hanna 1991). Andaya (p. 3) aptly comments that “Christian Europe’s desire to remove its dependence on its religious enemies and to acquire cheaper spices became a major motivation in its search for a sea route to Asia.” The history of Northern and Central Maluku in particular, from the mid-16th century through the mid-19th centuries, is inscribed with the imposition of a Dutch regime designed to forcibly control the production, processing, and sale of cloves and, later, nutmegs, targeted primarily for Western European markets (Chauvel 1990:16; von Benda-Beckmann et al. 1992:9; Hanna 1991:59-78). After succeeding in routing Portuguese and the British claimants to the “spice islands,” the Dutch systematically destroyed rival sources of clove production in all but a few areas under their control through periodic raids known as *hongji tochten*, slaughtering significant portions of the male population, and bringing those areas under cultivation under strict social and economic control (Hanna 1991:59-90; Chauvel 1990:16-23).

The creation of an economic monopoly on Moluccan clove production entailed enforced production quotas, the imposition of population relocations, and radical interventions into existing patterns of social and political structure. Villagers were forcibly relocated on the coast and settled within *negorij*, newly created territorial units managed by individuals occupying Dutch-created administrative roles, the *bapak raja* and *kepala soa* (Chauvel 1990:4-10). The cohesion and social patterns of organization of Maluku society were first disrupted, and subsequently reconstituted, by the creation of these coastal, territorial-based administrative units. The social disruption engendered by these relocations is emphasized by von Benda-Beckmann et al. (1992:9-10):

In many parts of Ambon this resettlement did not happen without serious and long-lasting consequences. . . . The territorial size and the social composition of the new villages only rarely corresponded with the earlier aman or hena. The population of aman or hena often descended into different negeri, and most negeri consisted of members from different aman and hena. The Dutch established a new political system in the villages, appointing a village head (*raja*, *orang kaya*) and heads of soa, newly formed associations of clans or tribal groups.

In establishing this regime, “local elites ensured that the cultivation was taken up by the people” (Chauvel 1990:16) through a series of social and political interventions. During the second half of the 19th century, the Dutch monopoly on world produc-

tion of cloves collapsed as clove cultivation expanded to Zanzibar. Prices for cloves declined to the point where cultivation began to decline throughout the Maluku. In the last decades of the 19th century, and during the first two decades of the 20th century, efforts were made in Central Maluku to establish other cash crops, among them nutmegs, coffee, and coconuts, to complement or to replace the income derived from cloves (*ibid.*, pp. 22-23).

It is probable that the codification of Central Moluccan customary rules for agricultural production during the late 19th and early 20th centuries, the reification of *sasi* practices as a form of customary law, and imposition of these practices through the authority of the raja and his many related functionaries were means of creatively controlling the production and commercial management of agricultural and marine commodities as sources of income for local elites. At a time when income from the clove economy declined severely, it is probable that local Moluccan officials, with the approval of regional Dutch administrators, strategically appropriated *sasi* for their emerging economic and political needs.⁹ Located at the intersection of village production and commercial elites, coastal rajas and village officials in the Central Maluku were, by the 17th century, largely colonial creations themselves. The pivotal figure in the *negeri* was the raja, whose material welfare depended on the *negeri*'s inhabitants:

The Ambonese islands were a "directly" ruled area, and the raja held the key position between the Dutch authorities and the mass of Ambonese population in the *negeri*. The raja were the foundation of colonial administration. During the clove monopoly the raja were the channels through which demands for labour and produce were made and through whom the cloves were delivered. . . . After the monopoly was abolished (1863), he was responsible for collecting taxes, organizing *corvee* . . . and maintaining law and order. . . . Under the colonial regime instructions were given to the raja and it was left to him whether he consulted the *saniri-negeri*. As far as the colonial authorities were concerned the raja was the sole person in the *negeri* bestowed with authority and answerable to them. (*Ibid.*, pp. 7-8)

The Religious Context: Alifuru Practices, Christianity, and Islam

Islam and Christianity, beginning in this area with conversion of coastal elites linked to the trade in cloves, were firmly entrenched in the Maluku by the 15th and 16th centuries. These religions provided another arena in which both negotiations

⁹ See von Benda-Beckmann et al. (1992) for a detailed account of historical changes in *sasi* during the colonial period. Although my article was initially drafted without my knowing of the von Benda-Beckmann article, subsequent communication between us has made mutual citation possible.

about and forced changes in indigenous Alifuru practices were articulated and contested (Andaya 1993:114-50; von Benda-Beckmann et al. 1992:9). In Muslim villages, pre-Islamic ritual practices and beliefs were often tolerated and accommodated, once belief in the preeminence of Allah's power and dominion was accepted. Under these conditions, the *mauwin* or ritual practitioners continued to flourish.¹⁰ In Christian villages, however, vigorous attempts were made to extirpate all traces of non-Christian practices, which were viewed as pagan superstitions opposed to true Christian practice and belief: "Belief in, and contact with the spirits and the ancestors, were banned. The placing of matakau [prohibitory] signs were prohibited; effigies, holy stones, called *batu pemali*, etc. were burnt or destroyed. Also, the *mauwin* were prosecuted. Attempts were made to transfer their functions to other functionaries" (von Benda-Beckmann et al. 1992:9).

Contestation of the relative authority of ritual practitioners, the *kewang* (see Glossary), and government heads did not cease with the end of Dutch colonial government in 1949. Although during the heyday of the colonial regime Dutch missionaries scorned the ritual practices of *mauwin*, these practitioners and their practices are now being described, by nongovernmental advocates of community empowerment, as living embodiments of a singular way of life that is ancient, in harmony with nature, and representative of local community wisdom about justice, institutional process, and legal decisionmaking in at least several villages in Central and Southeast Maluku (Ukru et al. 1993; Rahail 1993).

In the discussion that follows, I attempt to chart changes in the historic practice of *sasi* in the Central Maluku, focusing on major shifts in the interpretation of these practices. By situating these shifting interpretations of *sasi* within the larger colonial and postcolonial scenes of power, economy, and cultural politics sketched above, and by attending to the voices of colonial and postcolonial observers, including, most recently, nongovernmental activists for social and environmental justice, I hope to illuminate how the raw facts of *sasi* have been continuously and creatively deployed by variously positioned interpreters during more than one hundred years of strategic "readings."

Like a Manuscript Found in a Bottle: Discovering Sasi

In 1985, the Minister of Population and the Environment, Dr. Emil Salim, awarded the community of Haruku village living on the island of Haruku in the Central Maluku islands of eastern Indonesia, the Kalpataru (see Glossary), a kind of national good-

¹⁰ See Holleman (1923) and Bartels (1977), as cited in von Benda-Beckmann et al. 1992.

housekeeping seal of environmental approval. The minister congratulated the inhabitants in these words:

The inhabitants of this village are still faithful to the customs of their ancestors, especially those which are connected to the everlasting maintenance of nature and the environment. There are rules that must be obeyed by the inhabitants, that is, the rules of Sasi and Kewang. These two rules are capable of guarding the sustainability of natural resources, so that the population of the lompas fish, which has become a favorite of the local people, is continuously maintained.¹¹

For many agricultural and fishing communities in the Central Maluku islands of eastern Indonesia, sasi is a changing family of customary practices, administrative roles, ritual performances, and beliefs that have been deployed to regulate access to terrestrial and, to a lesser extent, marine and riverine resources. Similar practices, locally distinct and called by various names, continue to be enacted, with varying degrees of social interest and obedience, throughout the Moluccan Islands. Although a systematic study over a broad geographic range has never been undertaken, it is clear that these practices have been, and in many areas throughout the more than one thousand Maluku Islands continue to be, practiced.¹²

Time and space are among the most important media through which many Moluccan communities regulate access to resources and territories that are important from subsistence and commercial perspectives. When an area is closed, entry prohibitions are in effect and the area under sasi is marked by signs placed at strategic locations by ritual practitioners accompanied by *kewang* (see Glossary). Temporary signing of individual trees, groves, or river estuaries, as described above for Haruku village, is often accomplished by installation of striking ritual constructions of paired coconut palm fronds jutting outward from a central sugarcane trunk crowned by a young coconut; sound-producing "instruments" at the apex of the assemblage make percussive sounds when struck by the wind. In some sites where "sasi is closed," or in effect, ritual activity is punctuated by drum beats and the lighting of torches. When "sasi is opened" and access to the grove, cove, or river is permitted, the ritual practitioner and *kewang* circumambulate the territory under sasi, untie the sasi signs or ritual constructions, and announce that prohibitions on entry have been lifted.

¹¹ This quotation, which I translated, is taken from the Indonesian government's chronological record of environmental awards granted. On file with Indonesian Department of Population & Environment.

¹² A survey of sasi-like or sasi-related practices was conducted by the nongovernmental environmental organization HUALOPU in 1992. The survey, however, was written in a mode reminiscent of 19th-century ethnography. Practices are described in a classificatory mode, as if they were the fixed objects of a natural history monograph.

We begin to track the discursive construction of *sasi* in the Central Maluku though the narrative of John Apponno, a Moluccan government official from the island of Saparua who, in 1957, sought to preserve “heirloom words” from a “document that disappeared”:

In 1957 for the first time I heard there was an important document containing history, due to its age, from the village of Porto, called Kewan Regulations. I desired to open and read it, but I never found it. All of a sudden, several years ago, Mr. Zeth Apponno told me that he found, by coincidence, the document with a friend of his. Of course, I directly requested [it] in order to read it, and simultaneously, based on a mutual agreement, I copied it . . . and also made linguistic shifts into *up to date* Indonesian. The changes in language were needed, because there are many among our younger brothers now who lack possession of the heirloom words from the “early times” of our village. . . . It is hoped that this recovered meeting with a “document that disappeared” will be useful for whoever wishes to use it. (Apponno 1977:1)

As if it were a manuscript found in a bottle washed up on an isolated cove on Saparua island in the Central Maluku, Apponno introduced this “document that disappeared” to his readers—provincial administrators, village officials, and students of customary law. Concern with writing down the rules of *sasi* has apparently for more than a century been a pursuit of Dutch colonial officials, their appointed or elected native rulers and officeholders, and more recently, Indonesian village officials.

In 1870, a Malay version of the “*kewang* rules of Porto village” was produced by a group of officials appointed by the colonial government, including the *raja* and the heads of new territorial and administrative units known as the *negori*, or villages.¹³ As discussed earlier, the location of these villages and the structure of their government were, in large part, artifacts of a colonial policy that emphasized the orderly production and control over the clove trade in the Central Maluku islands (Chauvel 1990:1-23). By the mid-17th century, the Dutch had forcefully relocated highland villages to sites on the coast, where clove cultivation and social life in general could be more easily controlled (*ibid.*, p. 4). Former structures of authority were undermined while new village territories, ruled by colonially appointed officeholders

¹³ The text Apponno (1977) translates has a Dutch title, “Kewan Reglement Van De Negorij Porto Eiland Saparoea (1870)” and is followed by a Dutch inscription stating: “The translation is from the commission on customary law.” The Apponno text following the Dutch language inscription is written in Ambonese Malay and followed, in turn, by Apponno’s line-by-line translation into “up to date Indonesian.” The original text was published in 24 *Adatrechtbundels*. Through his “translation,” Apponno was making a Dutch-generated text accessible to a contemporary Indonesian readership. See Peletz (1993) for a comprehensive and insightful analysis of the role of colonial codifications and rationalizations of customary law in Malay political and cultural life.

(including the raja, heads of descent groups, and *kewang*) was established.

The “document that disappeared,” and that Apponno attempted to revive through his translation from old Ambonese Malay to modern Indonesian, is, in part, an excruciatingly detailed compendium of rules governing access to forests and the placement of fish traps in coves. The 1870 rules laid out, in five sections, the rights, obligations, fines, administrative structure, and judicial process through which access to forest and marine resources was, ideally, to be governed. Section One, for example, “Rights and Authority of the Kewan Chief and Kewan Assistants,” laid out the scope of the kewang’s authority.¹⁴ The kewang, conceptualized as a kind of forest police within this document, were charged with authority for periodic patrols of forested territory, particularly all the lands under cultivation within territory controlled by the village, including both collectively managed and individually held lands.

Among the more crucial features of the kewang system were rules establishing procedures for monitoring, surveillance, reporting of violations, and the arrest of violators. Kewang were charged with patrolling local forests, orchards, and village paths. If they met local villagers or traders in areas where entry was prohibited, the kewang had authority to examine their baskets and the burdens they carried. If a villager or trader was discovered carrying forbidden fruit or timber, he was arrested, tried, and fined. Rule 15, for example, mandates the kewang’s periodic policing of the village territory (*petuanan negeri*) and the importance of written permissions or passes establishing temporary rights to enter fields, gardens, or village-managed forest: “The [kewan] must each day explore our community territory in order to guard and supervise [it so that] it never happens that there is a trader or anyone who enters our forest and takes something without permission (written)” (Apponno 1977:32). Kewang were permitted to confiscate the machetes of apprehended violators as proof of their prescribed activities in the forest: “If they [the kewang] meet someone, whether a trader or a freeman from our area, who violates these written rules, they [the kewang] must take the machete of that person or something else from him. This will become believable proof [which] will be . . . discussed” (ibid., pp. 31-32).

The importance of writing, creating a daily written record of violations that were reviewed by the kewang each Tuesday and Friday and managed by a secretary and the existence of a cadre of literate monitors cannot be overemphasized. Written records of alleged violations and fines, in conjunction with written rules,

¹⁴ The 1870 Porto text uses an alternative spelling, *kewan*; this essay uses the more commonly accepted spelling, *kewang*.

constituted an institutional tracking system. In addition to mandated “memory notebooks” created by the kewang’s secretary, written permissions to enter particular areas of forest, obtained from the chief kewang or higher officials, were key components of this monitoring system:

The memory notebooks which were made by the Raja, examples of which are held by the kewang, will be signed by the Raja on each page, so that the truth within these notebooks is attested. (Ibid., p. 32) . . . The [kewang] have the right to give permission to a person who will enter the forest or for anything which has a connection with the above rules, in the name of the Kewang. The Secretary signs and issues the intended permission. The [kewang] will provide a signature and write “understood” while the Raja or the Clan Head who performs the Raja’s task will add a stamp which is usually used by the Raja, underneath his signature, saying “agreed.” (Ibid., pp. 32-33)

The kewang were the gatekeepers and monitors of access to natural and cultivated resources associated with village settlements. They were delegated authority to declare certain areas of the forest under the operation of *sasi*, to monitor enforcement of the prohibitions, and to apprehend violators and their illegal booty.

The Porto rules of 1870 not only articulated the legal and administrative structure for a system of resource control and management in 109 detailed rules, but they also specified the fines levied for each kind of infraction, the provision of salaries and “rewards” to diligent kewang and their assistants, and the percentages of each fine allocated to the village treasury for the common good. Indeed, the discursive picture of Porto’s kewang rules and institutions emerging from the 1870 text is one of hyperrationality and obsessive attention to the minutiae of control over resources through patrols, monitoring, examinations, arrests, and fines. The kewang as forest police, an image deployed by a Dutch commentator in the early 20th century (Volker 1925) and later, by a Moluccan law professor (Lokollo 1988:36), seems as accurate as it was in 1870. The trope “forest police” suggests an administrative panopticon in which forest monitors periodically scanned Moluccan fields, gardens, orchards, and community forests; kewang clerks obsessively noted each infraction in a “memory notebook”; their superiors reviewed, signed, and stamped their notations; and minutely calibrated monetary fines are levied on the violators.

The story of *sasi* law in Porto scarcely ends at this point. An unusually candid, self-conscious “Addition” to this text suggests that the context in which these rules were written was one in which conflict and theft were endemic among local community farmers and fishermen, as well as between farmers and the kewang, and perhaps between outsider traders seeking to use local lands, trees, and coves and the colonially supported village

administration. The “Addition” appended to the 1870 rules informs us that the codification of kewang rules constituted:

the first attempt to stop the evil that often occurs when a local person wants to seize and steal what another person possesses. With the result that many times, people who do not own land and gardens obtain income that is greater than those who own land and gardens. And people who do not work planting have an income that is greater than those who do work and plant. The result, from time to time, is a scarcity of food in the village. (Ibid., p. 44)

Moreover, we are informed that this codification was based on a study “conducted . . . to organize the kewang regulations in one well articulated group which will bring benefits to the village” (ibid., Rule 110). The use of research methods to collect, organize, and textualize these practices into a “well articulated” body of rules suggests that the impetus behind this codification was related to the Dutch colonial strategy of ruling through local custom.¹⁵ Indeed, although we may never know the performative context or substantive content of *sasi* prior to, or at the time of, this late 19th-century codification, it is clear that *sasi* and the institutional roles of the kewang were being rationalized.

Intra- and intervillage strife, theft, or famine were among the stimuli for the codifying of kewang rules in Porto village in 1870. But the “Addition” states an additional, high-minded purpose that deserves consideration: *sasi* was also intended to provide a source of “working capital” for local village development:

Secondly, so that the village will get working capital and when, in the days yet to come, this capital will increase in the village treasury, the result will be that it will be easy for the village to get some work done within the village by giving modest wages to the common people who are willing to do the work. So that villagers will never feel dissatisfied because they do village work without receiving returns for that work. (Ibid. p. 44)

There is no evidence in the 1870 Porto rules, or later versions codified during the first two decades of the 20th century in other Central Moluccan villages, that local villagers were either conscious of, or took steps toward, conservation of forest species, management of natural forest habitat, or what has come to be known as sustainable economic development.¹⁶ Rather, these rules suggest the imposition of an alien and judgmental consciousness which privileged conservation:¹⁷ “And many times

¹⁵ See Gouda (1993) for a critical analysis of the strategic intentions and techniques of the Dutch colonial law scholars, the commission on adat law, and their roles within the larger landscape of Dutch colonial rule.

¹⁶ The 1879 Porto rules that relate to environmental management mandate care in harvesting agricultural commodities, particularly cloves, and in obligating forest farmers to plant replacements for any fruit-bearing trees that have been damaged or destroyed.

¹⁷ See Grove (1992) on the constitutive role of colonial administration in formulating and promoting ideas of conservation in the colonies.

people wish to destroy timber-yielding trees in the forest in whatever way they wish and at their own whim, not conscious that acts like that carry with them destruction resulting in infertile land" (*ibid.*, p. 45).

A dominant image emerging from the Porto text, and from others like it which were produced during the first two decades of the 20th century, is a community of fractious farmers and non-local traders engaging in production of a variety of commercially valuable agricultural commodities. The kewang rules, especially those relating to access to resources through imposition of *sasi*, were implemented through a rigid hierarchy of forest-patrolling kewang and their assistants and secretaries. These "bush police" circulated, observed, patrolled, examined, and arrested violators, reporting their infractions and levying fines, a percentage of which were directed to village treasuries. In these constructions, villagers are depicted as engaging in theft, disputing field boundaries, setting fires in the forest,¹⁸ and generally resisting the commands to report their movement or to obtain permission to move. The 1870 Porto "Addition" depicts a community with little or no consciousness of the environmental implications of swidden agriculture or cutting wood for timber. An image of another sort of community, constructed through the negative projections of these rules and the spaces between them, as it were, suggests a group engaged in resistance, a collectivity that refuses to follow the prescriptions of resource monitors and their colonial era controllers.

Who is the "author" of the 1870 text and what were his intentions? The last page of the Porto rules were signed by the Raja of Porto, his council, the "old people," and the "Controleur," a Dutch colonial functionary. This collective authorship and authorization suggests that the kewang rules, at least in 1870, embodied a collection, even a confusion, of authorities including older ritual practitioners, local elites, and colonial administrators seeking to implement a regime of "law and order." This was a regime that sought, in Frances Gouda's excellent articulation, to have "no choice but to administer their colonies with more anthropological learning, greater cultural sensitivity, and superior political skills than any other imperial power in Asia" (Gouda 1993:3). Indeed, Gouda (pp. 5-6) maintains:

[T]he expansion of the Dutch colonial state in the late nineteenth century was depicted primarily as a series of delicate political maneuvers and subtle cultural transactions between wily, sensitive, and above all, knowledgeable, colonial administrators, on the one hand, and indigenous sultans, regional

¹⁸ Reference to fires, or to the setting of fires, may be a reference to swidden agriculture or rotating agroforestry systems in which field-size portions of a forest are periodically cleared, burned, and planted. Dutch objections to swidden practices in this passage may constitute an example of Dutch environmentalist rhetoric.

chiefs, and local potentates, on the other. . . . The venerable and deeply entrenched tradition of serious, ethnographic study of *adat* law and the ethnic traditions of indigenous people in the Indonesian archipelago was beholden to the logic of colonial rule.¹⁹

The Porto rules of 1870 offer at least one view of the landscape in which colonial power and local rule intersected: it is a vision of a rationalized system of resource and social control, responsive to and probably grafted onto local customary practices and linked to commodity production of cloves, coconuts, and timber.²⁰ However different the authorial traces are intermixed and layered in the Porto text, it is probable that Dutch colonial authorities played an important, even dominant role in the codification of *sasi*. Local elites, appointed and managed by the Dutch, seem to have worked as executors and collaborators in the imposition of a rationalized *sasi*. The imposition of such a “system,” moreover, would have linked the welfare of local elites, as well as that of local villages, to the imposition of a system of controls and fines on agricultural commodity production—of cloves, nutmegs, and later coconuts. Such an “authorship” would explain how colonial strategies of control through customary law were linked to agricultural commodity production and codification of *kewang* roles and *sasi* law.

Although the hand of the colonial administrator, known as the “controleur,” is only present at the end of *sasi* texts in the 19th and early 20th centuries, both commercial and colonial administrative functionaries and local elites probably shaped and drafted the numerous texts now put forth in the name of the “people.” At least in the Central Maluku, the majority of recorded *sasi* rules represent attempts to regulate, codify, and control the production, harvesting, and sale of agricultural commodities, especially by regulating access to those territories in which commercial produce was grown or, for fish, captured.

¹⁹ Rule 13 of the 1870 Porto text specifies how *kewang* are to exercise their power: “The *kewang* and their assistants, in governing, must govern softly and fairly, and order the tasks to others with softness. It is not permitted [to order others] with harshness, and both of them must provide examples that are good to the *kewang* assistants” (Apponno 1977:31). In miniature, this rule seems to echo larger Dutch strategies of ruling without resort to force. In maintaining “law and order” and avoiding disruption of economic enterprise, Dutch rules promulgated after the Pattimura revolt state that the “*raja* was to govern his people in a just, mild, and proper manner with the greatest possible avoidance of violence and force” (Chauvel 1990:9-10).

²⁰ On the historical development of commodity production, trade networks, and relationships to subsistence patterns and resource use in the Maluku, see Ellen (1979). On the tactics, ideology and style of Dutch rule during the early 20th century and its strategic use of knowledge about with local custom and customary law, see Gouda (1993).

Explaining and Enforcing Customary Law: The Rules of Paperu Village in 1913

By the early 20th century, *sasi* texts were becoming increasingly self-conscious in explaining the reasons for their existence and their social functions. In 1913 the Raja of Paperu and the village council issued a text in which *sasi* is defined as “a prohibition sign signified by young coconut leaves and placed at land boundaries and at the beginnings of paths from villages to field.” This perfunctory, positivistic definition is followed by an enumeration of *sasi*’s functions:

- a. so that all the fruits owned by the inhabitants of the villages are picked at the appropriate time, that is, when they are ripe.
- b. so that conflicts between the villages or between descendants of the *datti* and the *datti* leaders, or children of the *pusaka* and the *pusaka* leaders, are lessened.
- c. so that the portion of the land owned by the village and the sea is managed and will be used by the inhabitants of the community themselves.
- d. so that plantings are increased and are securely guarded. (Volker 1925:315)

In this Paperu codification, *sasi* is framed in a rationalized social-functional, institutional ideology, a definition and list of functions encapsulating the rules that follow in a kind of benevolent aura of wise administration. As we shall see, explanations or preambles like the Paperu text become characteristic of later *sasi* codifications. The picture of *sasi* created in the Paperu rules is that of a “system” enforced to reduce intra- and intervillage conflict, to increase agricultural productivity, and to regulate harvests. Several rules suggest that *sasi* is also being constructed as an environmental management system. On examination, however, the environmental rules suggest a coerced system of agricultural production. We read, for example, the rule that follows the somewhat grand-sounding functional pronouncement “so that plantings are increased and are securely guarded,” only to learn that this section promotes coconut replantings through the threat of fines: “All persons who do not plant [new plants] to replace coconut trees which have collapsed, as well as in their portion of the village coconut garden . . . [will be] punished with a fine of 9 × 9 × 9 cents” (*ibid.*, p. 316).

All these *sasi* “functions” are discursively brought together under the sign of the *sasi* prohibition in codifications of the rules. The body of Paperu rules regulates access to cloves and nutmegs, as well as the harvest of other fruits, including coconuts, durian, pinang, and kemari nuts. A shift from clove and nutmeg production to regulations on the harvest and cultivation of other valuable fruit-bearing trees may be explained by dissolution of the Dutch monopoly in 1863 and the waning of the clove market in the early 20th century (Chauvel 1990:22).

“Apparently Local People Do Not Understand”: Constructing the Sasi Community in 1920

The possibility that *kewang* rules and institutions were, in large part, instrumentalities of a colonially controlled elite and the colonial regime itself, and resisted by local communities, is supported by a letter published in the colonial administration’s customary law collections. In March 1920, 50 years after the Porto rules were codified, numbered, and inscribed, the raja, “clan heads, advisors, *assistant kewang*, the big *kewang*, the every-day *kewang*, and the ritual practitioners” of the Siri Sori Serani district complained to the Regent:

Because it is clear that we inhabitants are not going to pay attention to the sasi regulations which are usually implemented by us according to custom, beginning during the government of the old Regent, Mr. Ruland Joseph Kesaulyna up to this day. Apparently, the local people do not yet understand that these sasi regulations are implemented during each government to improve [their lives] and [are intended] for the inhabitants lives themselves. (Volker 1925:307)

Not only did these customary officials complain that local people within the village of Siri Sori Serani did “not yet understand” how sasi rules would improve their lives, but they beseeched the Regent to issue new rules and a signed declaration to strengthen their enforcement: “So, we ask with rather intense hopes that this problem can be solved by Sir [Regent] by implementing a new rule with the use of a strong oath that fixes this sasi [rule] for the lifetime of the inhabitants” (ibid., p. 307). People who did not wish to be governed by this “letter” and its rules were branded as “people who do not wish to be ruled and who wish only to follow their desires freely” (ibid., pp. 307-8). The Siri Sori Serani sasi rules of 1920 may well have been experienced as an onerous imposition placed on local populations by the colonially supported “customary officials” and the Dutch administrative authority, the *controleur*.²¹

Educating the Self-willed, Pig-headed Little Peoples: The Sasi Community in 1921

In 1921, the intrepid T. Volker, a Dutch colonial official and sasi observer, offered revealing speculations on the institutional benefits of sasi. While Volker’s observations suggest a high level of Dutch appreciation of the economic and disciplinary virtues of

²¹ The vast majority of the Siri Sori Serani rules, rather than focusing on cloves or forest gardens and fields in general, focused on regulating the harvest, collection, and sale of coconuts. This shift is consistent with the decline of the Moluccan clove market, and the search for other viable agricultural commodities, including coffee and coconuts. See Chauvel (1990) for a discussion of market fluctuations and their social and economic consequences.

sasi regimes for local communities, his remarks reveal the local “little peoples’ ” striking lack of appreciation for the imposition of such a system. Explaining the purported benefits of sasi as a collective institution, Volker waxes enthusiastic:

The young fruits remain on the trees and are not plucked before their prime, for whatever purposes. Because the kewangs have a stake in the outcome, the production is increased. They see to it that the grove renters keep their groves clean, and guard against harmful wild animals such as boars, badjings, and crawfish. It is more advantageous that a significant amount of fruit should be harvested in one fell swoop and taken en masse to be processed as copra. This [collective harvest and processing] insures that it will be traded in good quantities, and so that the proprietor can conduct a lively business with honest neighbors. This is better than selling the coconuts in increments of four and five fruits, or drying them and selling them to a Chinese for a few cents that are quickly spent. Thus, as a result of sasi, an entirely different situation comes to pass. The right of sasi is still an undervalued source of education, for the little peoples are, in general, still self-willed and pigheaded. Sasi brings with it a discipline that has an important educative element. (Ibid., pp. 300-301)

The picture that emerges from Volker’s astonishingly candid account, as well as the Siri Sori Serani “letter” from indigenous elites beseeching the Regent’s “strong promise” to intervene and force compliance with sasi, suggests that local elites, with the collaboration of the Dutch apparatus, were imposing “discipline” on “self-willed, pig-headed” communities. In the process, they were engaged in discursively reconstructing sasi—its purposes as well as its objects, local people, property rights, and access to resources—as a socially enlightened and economically beneficial discipline for “little peoples.”

Before we proceed to more recent constructions of sasi law and sasi communities, let us recapitulate our argument thus far. Sasi in the late 19th and early 20th centuries seems to have represented a fusion or intersection of existing local customs and rituals regulating access to agricultural resources, with Dutch colonial policy and programs, and the needs of local elites. The project of creating a hybridized, colonial sasi in the Central Maluku utilized customary functionaries, including the raja, the village council, and the kewang. Sasi ritual practices and beliefs, which varied from village to village and island to island, were increasingly rationalized in the service of state control of local resources, particularly in the service of local Moluccan governmental officials whose salaries and control of lands were embedded in colonial versions of “traditional” government.

These practices were reconstituted as “systems” or “bodies” of rules and provided with functional reasons for their imposition.²² Indeed, in the project of constructing sasi as a customary law system, its embodiment in writings and contractual agreements was critical. The codification of sasi into chapters, paragraphs, and numbered articles and rules, together with an emphasis on constant monitoring and surveillance, continuous observations transcribed into record books, approval of these records by higher officials, the specification of monetary fines, and other rather elaborate administrative procedures all suggest the construction of a system of custom that implicated colonial authority and its Moluccan clients, the local *negorij* elites and their representatives, the *kewang*.

The role of the ritual practitioners and the *kewang* within these processes of rationalization seems to have been ambiguous and fluid. Von Benda-Beckmann et al. (1992:9) suggest that the *mauwin*'s power survived relatively intact in Muslim settlements but was aggressively suppressed in Christian villages. The relative autonomy of the *mauwin* and the *kewang*, however, continues to vary dynamically from village to village, depending on the unique constellation of social and economic forces at work. Although the *kewang*'s role probably expanded during the course of colonial administration and was closely allied with elite interests, it would be misleading to think of this role as occupying a fixed position within a stark allegory of authority. Rather, both positions of authority, *kewang* and *mauwin*, represent signs of potential power and symbolic capital which continue to be deployed in ways that are unpredictable and creative.²³

II. Sasi in the Era of Environmentalism

Sasi in the Maluku during the 1970s and 1980s, when its discursive construction and legal manipulation developed dramatically, must be contextualized within a vastly changed Indonesian

²² Not all these practices were known throughout the Maluku as sasi, the Malay-Ambonese word for a restricted class of temporary prohibitions practiced in the Central Maluku. In the Aru Islands of Southeast Maluku, Patricia Spyer asserted to me in a letter (22 June 1992) that “a number of terms exist to differentiate such prohibitory signs. Sometimes the term *somin* which commonly refers to a large patrician is also used, *sir* is another one, and then, of course, the Ambonese Malay sasi also occurs.” In Halmahera, similar practices are also known to exist, but details of the practices as well as linguistic terms differ. The conflation of these diverse practices and their grouping under the generic term of sasi obliterates their specificity and historicity, a discursive twist characteristic of “community-based management” movement discourses. Such a discourse blurs specificity and assumes the existence of generic communities that manage their resources in an orderly, i.e., regime-like manner.

²³ In 1992, two *kewang* of Nolloth village quit because they suspected the village head of misappropriating funds obtained through the imposition of sasi. In 1994, two newly appointed *kewang* refused to follow the orders of the government head in conducting negotiations with visiting trochus traders and, in an unprecedented move, negotiated prices for the imposition of sasi on their own.

political, economic, and cultural scene. This was a post-Independence Indonesia, whose peoples had in the 1940s experienced the retreat of the Dutch colonial power and the World War II brief but bitter occupation by Japanese forces. In the Maluku of the 1970s and 1980s, vast tropical timber resources as well as rich marine resources were beginning to be actively sought and extracted by private and parastatal corporations, as well as by foreign operators.

By the early 1980s, moreover, aggressively promoted governmental discourses about the necessity for national economic development were beginning to collide with emerging discourses about environmental conservation and sustainable development. In the late 1980s and increasingly during the early 1990s, human rights discourses about “indigenous peoples,” community-based environmental management, and discussions of unequal development, in which local, forest-dwelling and coastal communities were marginalized while “their” resources were extracted by powerful, state-supported actors, were strategically linked to the nationally acceptable and widely disseminated rhetorics of nature conservation and sustainable development. It is within this increasingly contested arena that discursive changes in *sasi* must be situated.

Inventing a Green Sasi 1968–1992

In Indonesia during the early 1980s, and continuing into the 1990s, new kinds of talk about environment, economic development, and later, social equity began to inform central government policy, institutions, and the discourse of political leaders and policymakers. Indonesia’s Basic Law of the Environment was enacted in 1982, and the influential Department of Population and Environment, directed by the charismatic, articulate Emil Salim, was formed in 1978. WALHI (the Indonesian Environmental Forum), an umbrella organization for more than one hundred nongovernmental environmental and social activist groups scattered across the archipelago, was formed in 1980. Between the remote provincial villages of Maluku Province and the political center in Jakarta, persons, ideas, and new ways of talking about the environment and communities moved across the seas. Since the 1980s, interaction among the environmental and economic interests and discourses of Java-based institutions, governmental and nongovernmental, academic and scientific institutions in the Moluccan capital, Ambon, and formal and customary village leaders in remote Moluccan hamlets, has driven changes in interpretation and implementation of *sasi*.

The recent history of *sasi* discourses in the Maluku Islands is largely the product of the ways variously powerful and differently positioned interests in the Maluku, as well as in Jakarta (the polit-

ical and governmental center of national life), have continued to construct interpretations of this institution, its administrative structure, its rules, and most importantly, its purposes.

In Haruku village, located on the coast of Haruku Island in the Central Maluku, recent codifications of *sasi* are emblematic of larger changes and the new institutional forces and actors engendering them. An attempted revival of *sasi* in Haruku, recounted by a charismatic village official, suggests that at least in this village in the 1980s, *sasi* practices may not have been considered important by local villagers. His narrative also emphasizes the metropolitan stimulus for this local attempt at *sasi* revival: it is the story of an energetic village official, influenced by contemporary ideas about conservation and sustainable development which were communicated to him by a Moluccan official who had worked at the Department of Population and Environment in Jakarta. The local official decided to revive *sasi*, and in the process, to revise it and make it environmentally acceptable. In 1992, the village official from Haruku recalled: "In the 1980s, the situation of *sasi* was weak. No one on the island knew about or obeyed the rules. The local elite had no idea of resource conservation or sustainable management. The local youth were not interested in *sasi*. They were leaving the village and moving to the city."²⁴ The Haruku village official was close friends with an official representative of the Department of Population and Environment, Pak Desi, whose influential ideas lead to the reshaping of *sasi*. According to the Haruku village official: "I got ideas from Pak Desi and I reformulated *sasi* as an instrument of conservation. I saw the youth rejecting the *sasi* so I typed them up and added a few rules."

Sasi's purposes, as represented in the new Haruku rules of 1984, were imagined as if viewed through a green lens: the "sustainable management and protection of living stocks as well as the equitable distribution of economic benefits" (Ririmasse 1985: 1) now emerge as *sasi*'s dural purposes. This codification of Haruku's *sasi* rules, however, was not a rote recapitulation of rules already transcribed and manipulated by the Dutch. Indeed, the Haruku government head inserted several new rules directed toward conservation and sustainable management of coastal resources. One new rule, for example, was directed at prevention of erosion and stabilization of the river banks: "People are prohibited from cutting down trees near the river bank throughout the area under coastal *sasi* with the exception of sago trees" (*ibid.*, p. 1).

In the mid-1980s the attempt to recognize, to revive, and to reconstruct *sasi* as an institution, a body of legal rules, and envi-

²⁴ I am indebted to Iwan Tjitradjaja, Director of the Center for Research and Development in Ecological Anthropology, University of Indonesia, who related this story to me by during my visit to Ambon in May 1992.

ronmental values was driven by a volatile shuttle of environmental and social ideas and ideals moving between Jakarta and Ambon, capital city of Maluku Province on Ambon Island in the Central Maluku. In Jakarta, the Department of Population and Environment and the Indonesian Environmental Forum (Jakarta), an NGO with affiliated groups dispersed throughout the Indonesian archipelago, were among the agencies and organizations driving the discursive and programmatic revitalization of *sasi*. In the Maluku, the key players were the Environmental Studies Center and the Faculty of Law, both located at the University of Pattimura on Ambon Island, and the innovative, energetic efforts of HUALOPU, a Moluccan-based NGO focusing on improving the lives and livelihoods of coastal peoples throughout the Maluku while seeking to integrate conservation and sustainable development projects.

The role of the Department of Population and Environment has been particularly important: as the governmental “bully pulpit,” this department and its eloquent minister, Dr. Emil Salim, constitute a national voice for environmental affairs. Under Dr. Salim’s direction, the department addresses a wide variety of constituencies within and beyond Indonesia’s national boundaries. The department’s annual award of the Kalpataru, an award to individuals and groups who have demonstrated responsibility in sustaining the natural environment throughout Indonesia, was initiated in 1981. It honors and positions these communities within a spectrum of others cited for national excellence. Awarding the Kalpataru also engenders further developments. Indeed, an assistant minister²⁵ avidly explained to me: “The Kalpataru’s purpose is to drive conservation, preservation and restoration of the environment, and sustainable development. Our office, although a State Ministry, cannot implement policies. It can only promote policies, disseminate articles, issue guidelines, and advise the President.” He continued, revealing the prospective pressures placed on local village officials and villagers through acceptance of the award: “The award of the Kalpataru is an incentive. But the Kalpataru is not just given to those who do things well. During the Kalpataru presentation session, the Minister also points to places or problem areas in the District which still need attention. Public discussion of these areas forces local District Heads to act.”

In the Maluku during the 1980s, the Kalpataru was awarded to several central Moluccan communities practicing *sasi*. In 1982, for example, based on the positive recommendation of the Environmental Studies Center of the University of Pattimura, Ihamahu village received the award. The story of the *sasi* regula-

²⁵ Mr. Tadjoeidin, Assistant Minister, Dept. of Population and Environment, interview, Nov. 1992.

tions and the “kewang corps” in Ihamahu, on Saparua Island, is emblematic of the ways in which discourses on *sasi* practices, meanings, and history are being strategically reconstructed and deployed. While I have suggested that *sasi* was a complex product of the colonial project in the Maluku, its historic intersection with religious practices and local institutions, and a colonially dependent local elite, the Ihamahu story of *sasi*, as told to the Marine Nature Conservation Education organization in July of 1987, is a very different tale (Korps Kewang Negori Ihamahu 1987).²⁶

The 1987 Ihamahu account of *sasi* history is preeminently a nationalist reconstruction. Although this account hazily begins by associating the formation of the “Kewang Corps of the State of Ihamahu” with the “entry of the Dutch colonization in the Maluku area,” the emphasis lies on how the kewang corps resisted the Dutch and created its own innovations. Indeed, rather than being collaborators with the colonial authority in controlling local behavior and in regulating access to agricultural commodities, the kewang are conceptualized as actors engaged in acts of resistance:

Based on its history, the Kewang Corps of the State of Ihamahu really began to perform its task resolutely and firmly during the time of the Hero Pattimura, during the 18th century, that is during the time of the “Hongi” incidents, when Dutch colonialists conducted clove and nutmeg tree cutting [raids]. Rejecting the cutting of the agricultural produce and based on the wisdom of the Kewang Corps, full support was directed toward [regulating] all the products of the forest, those which were owned [individually] or those within the village territory and area of control of the State of Ihamahu. (P. 2)

The imposition of the Dutch attempts to control Moluccan clove and nutmeg production by means of search and destroy *hong*i raids (see Glossary), war parties in which fledgling clove trees were uprooted and “illegal” clove traders were seized, is seen as the stimulus for kewang resistance and cultural innovation through the extension of *sasi*. The trauma of yet another outside force, the World War II Japanese occupation of the Maluku Islands, is also suggested as a negative stimulus for locally sponsored expansion of the authority of the kewang over the coast:

In contrast, protecting the coast and sea produce was only begun by the Kewang Corps of Ihamahu during the 20th century, after the colonization by the Japanese Peoples, who bombed fish in the sea. With this [expansion of *sasi* customary law to the marine sector], the Kewang Corps of Ihamahu’s task, protecting the products of the forest and the sea within community controlled territory, became complete and serious. (Pp. 2-3)

²⁶ The account that follows is taken from Korps Kewang Negori Ihamahu 1987.

This sasi origin story grounds kewang authority in acts of resistance and opposition to two episodes of foreign occupation at the same time that it suggests that the kewang were, and continue to be, linked to a democratic, populist sensibility that pervades sasi:

The Kewang Corps of Ihamahu State is an organization which is supported, as custom, by the common people. Right up to this day, the chief of the Kewang and his Assistants (Pakter) are selected based on their ancestry. The assistants and members of the Kewang Corp are selected from everyday society, especially [from] those who own field gardens within the Ihamahu community territory, and they are approved at a consensus meeting in the village council house. (P. 3)

At the 1987 meeting of the Marine and Nature Society, Ihamahu's sasi was framed within in a recently constructed canonical definition: "Sasi is a form of resource management or conservation that is good, and which basically has been performed since the time of the rajas up to this day" (p. 4). And constructed in this way, sasi was being showcased as an indigenous environmental institution and body of conservation practices:

[I]t may be said that Moluccan society, particularly Ihamahu communities through the kewang, were already conscious of how important their environment was [in terms] of their own self-interest. . . . Whatever was done by the Ihamahu kewang since their grandfathers, perhaps they simply understood about conservation issues, although [their ideas] were only based on the facts and signs available to their observations, which were still rudimentary. (P. 8)

The essential nature of Ihamahu sasi practices as conservation-oriented was governmentally certified when Ihamahu received the Kalpataru award from the Environmental Studies Center at the University of Pattimura:

Based on an investigation by knowledgeable persons at the Environmental Studies Center, it was clear that the activities which were already carried out by the Ihamahu Kewang constituted a good Conservation System, which is still continuing to operate since the time of the ancestors until the modern period. (P. 8)

By 1987, historic sasi practices in Ihamahu village were retroactively reconfigured as a "good Conservation System" executed by environmentally conscious practitioners. The certification of sasi practices and institutions through awards from the Indonesian political center also compelled institutional changes. As an Ihamahu official emphasized:

After receiving the Kalpataru, it [became] clear that the responsibilities of the Ihamahu Kewang became heavier in the sense that the Kalpataru goblet was a reminder to the Kewang to always protect the living environment. . . . Because this group [the Kewang] is conscious, [it] provides an Environmental Support Group with the consequence that several activities

have been added in addition to the routine performed since the beginning [of *sasi*]. (Pp. 9-10)

Subsequent to the award of the Kalpataru, the "Ihamahu Kewang [now] perform in a regular manner" a variety of new activities including planting vegetation near the sites of key water sources, building fences, planting mangroves for coastal stability, water purification, and protection of the marine and coastal fisheries. Other rules prohibit the extraction, for commercial purposes, of sea cucumber, corals, trochus, and *garu* wood from the reefs and forests under community control. Moreover, the Ihamahu kewang are required to make periodic reports on their activities to the Environmental Studies Center, the Department of Population and Environment, and to communicate personally with its national director. Where once the kewang submitted their "memory notebooks" to the raja, now they are requested to submit yearly reports to the national environmental ministry.

By projecting a conservationist past onto current *sasi* practices, these interpretations authorize supportive actions by important central governmental and nongovernmental actors, and, at the same time, they guide or goad local communities toward more conservation-promoting behavior.²⁷ Indeed, the Kalpataru awarded to Ihamahu village suggests the idealization of past practices, a mandate for future change, and a marker positioning this village, with the Maluku, and within Indonesia, as a special, culturally distinctive area. The official summary of the award, addressed to the "Conserver of the Environment/the Kewang Corps of Ihamahu Village/Collective Work Institutions of the traditional people of Ihamahu Village, Saparua District, Maluku Province," states that they are:

Active in supporting, guarding the land and the coast, sustaining fruit trees, forbidding the felling of trees within a radius of 100 meters, prohibiting the felling of mangrove trees; Caring for customary law concerning the destruction of the environment and continuously developing the law of the Kewang Corps.

By 1984, the year of the Ihamahu award, *sasi* had become reconstructed as an indigenous environmental law system. By directing the attention of the political center, especially the prestige of Dr. Emil Salim, toward the political periphery, these creative reconstructions are also enabling fictions. They create discursive links between the past and present, channeling meaning and the energies, projects, and potential financial flows of powerful, cosmopolitan centers to singularly remote locations

²⁷ Similar kinds of "enabling myths" about communities "living in harmony with their environments" are being propagated in connection with the practices of rural forest farming communities in Thailand. These fictions have resulted in similar retroactive changes in the perception of cultivators by governmental elites as well as changes in peasant farming behavior. Peter Vandergeest, personal communication, April 1993.

throughout the archipelago. Indeed, Dr. Salim has informally remarked that the “purpose of these awards is to recognize the achievements of these communities and to stimulate them to go even further.”²⁸ By 1984, a newly constituted *sasi* was being defined by local transcribers, often village heads, in terms that resonated with the national as well as global environmental and development discourses. In Haruku village, a canonical definition of *sasi* was articulated:

Sasi is a prohibition against the taking of various kinds of specific natural resources within a specified time period in order to conserve, while guarding the quality and population [level of the natural resources] as well as conserving the social rules of local society and the equitable distribution of economic returns for the whole society. (Ririmasse 1985:4)

Local Disjunctures: Images of Nature and the Natural World

We have seen how *sasi* practices were being reconstructed as conservation and environmental management institutions by discursive appropriation and reconstruction exercised by governmental, academic, and nongovernmental groups in the mid-1980s and early 1990s. At the same time, other meanings of *sasi* were deemphasized. The idea of nature presupposed in contemporary Indonesian discourses on conservation is strikingly different from ideas of nature and societal relationships held by many Moluccan fishermen, in the 1920s as well as in the present.

In many parts of the Maluku, including Halmahera Island in North Maluku Province, and Tanimbar, in Southeast Maluku, my conversations with fishermen reveal a complex landscape of relationships between human communities and a marine world believed to be populated or controlled by a responsive community of invisible, ancestral spirits. These spirits are believed to inhabit particular places within the terrestrial and marine landscape, including promontories, graves, knolls, and mountaintops, as well as submerged places within coastal waters. Watchful spirit witnesses listen, see, and respond to the everyday practices as well as the ceremonial performances of the community. A fisherman's fate, as well as his luck in fishing—whether fish cluster about his net or disappear from sight—often depends on his relationship to these fractious spirits of the place. From the perspective of this admittedly simplified Moluccan optic, the effects of shortened intervals between harvest of coconuts or, in the marine sphere, mother-of-pearl, or the consequences of increased extraction pressure through use of scuba gear may not be a relevant question. The key question for many Moluccan fishermen concerns the status of their relationship to a local community of ancestral

²⁸ Dr. Minister Emil Salim, interview, Nov. 1992.

and environmental spirits.²⁹ Sasi rituals and a variety of other ritual practices enacted throughout the Maluku often implicate these visions of nature and human relationships to it.

Sasi rituals and related ceremonies practiced throughout the Maluku provide narrative and performative windows into conceptions of the marine world and fishermen's moral relationships to it that are ignored in most of the discourses produced by governmental and environmental activist organizations. The cleavage between such rich and markedly divergent conceptions of the natural world and the discourses of "conservation" and "environmental management" that have dominated recent sasi descriptions is striking. Within the rationalized version of sasi currently being produced, the complicated ritual nexus in which these practices are embedded has been reduced to a sparse, functional system in which robotic human actions are clocked and plotted on spatial coordinates. In a version of the "rules of sasi" written in 1985, the richly nuanced landscape of local cultural representations embedded in ritual performances are reduced to administrative formulae and actions plotted on a schedule:³⁰

Heating Sasi or Closing Sasi is performed thrice a year, beginning when at the sighting of the lompa fish fry. The Heating Sasi ceremony is usually carried out at 8 pm in the evening. The procedure begins when all the Kewang members have assembled at the meeting place, carrying dried palm leaves which will be used as torches. (Ririmasse 1985:2)

In this account, the meaning of ancestral communications is overshadowed by the secretarial duties of the kewang:

The head kewang returns to complete the prayers to respect the village and their ancestors and declares from that moment onward, either in the sea or on land, sasi is closed. The Secretary of the kewang is entrusted with reading the sasi rules and their punishments to the community so that they remain fresh in the villagers' minds. (Ibid., p. 3)

In the Central Maluku of late 1980s, then, sasi was not only being "greened," it was being paired with governmental authority and rationalized. In Porto village, a government head proudly announced that the kewang's assistants wore uniforms, suggesting the development of an increasingly rationalized sasi culture closely allied with governmental control.

²⁹ Spirit politics can draw a school of fish to the scoop nets, and can just as easily "disappear" them and the fishermen's nets in an instant. In southeastern Maluku, mother-of-pearl harvests are believed to be affected by a complex relationships of indebtedness and respect, mediated by offerings placed on sea cliffs and in pearl beds (Spyer letter cited in note 22). In the central Maluku, fishermen can also be "disappeared" by the actions of unseen yet powerful spirits.

³⁰ For an illuminating historical account of the rationalization of custom in Malaysia and the separation of legal components from religion, magic, and performative aspects, see Peletz (1993:66-109).

Local Perspectives on Sasi and Equity

By the late 1980s, sasi was seen as representing the “equitable distribution of economic returns for the whole society” (Ririmasse 1985:1). Changes in sasi practices and their consequences for local communities were, and continue to be, driven by markets as well as by changes in governmental and global conservation agendas. Prior to the 1960s, marine sasi practices focused on regulating access for subsistence purposes to schools of pelagic fish that were temporary, possibly migratory, residents in local waters and rivers. Although reefs were within the boundaries of the community regulated coastal waters known as the *petuanan laut* (see Glossary), no rules regulated access to reef fish or mollusks. Trochus (*T. Niloticus*), a reef resident mollusk, was gleaned from the shallow waters and reefs. The animal inhabiting the trochus shell was extracted and eaten; the “worthless” shells were thrown away.

During the 1960s, a commercial market developed for trochus shell, which is used to make a variety of ornamental items, including buttons and paint pigments for East Asian markets in Taiwan and Japan and European consumers in Italy (Reid 1992). Beginning in the 1960s, and continuing through the 1970s and 1980s, trochus extracted from central Moluccan reefs became part of an international system of commerce linking local fishermen and fisherwomen, sasi institutions and laws, local-level government officials, marine commodity traders, and international exporters. A market in trochus has driven changes in the focus, structure, and operation of marine sasi institutions and practices for the past three decades.

In the Central Maluku, the rise of a commercial trochus market created a window of economic opportunity for local traders based on the islands of Ambon and Banda, for village-level government officers searching for funds for cash-starved routine budgets, as well as for local fishermen. During the early 1950s, merchants based on Banda Neira Island began buying trochus and other shell products from fishing communities on nearby Hatta, Ai, and Ran islands. At roughly the same time, Chinese merchants based on Ambon island were journeying to Saparua, Haruku, and Seram islands, offering cash for trochus.

Government officials began to deploy and to modify the existing sasi rules on marine resources, using the “system” as an institutional and legal armature for controlling the trochus harvest and the profits flowing from it.³¹ In many areas of the Cen-

³¹ By 1988, trochus exports were big business throughout Maluku Province. In that single year, the total volume of shell exports tripled, from less than 80,000 kilograms in 1987 to over 256,000 kilograms in 1988. From the shallow shelf and reefs of Kei Besar, an island in southeast Maluku Province, a total of 7.5 tons of trochus shell, with an approximate value of \$U.S.65,000, was harvested in 1989 (Abrahamsz 1991). By 1991, trochus shell was selling for Rp 16,750 (over \$U.S.8) per kilogram.

tral Maluku, village-level governments were beginning to revise sasi in their own interest to assert local governmental control over community territories and the profit streams. While government shares of the benefit streams from trochus sasi varied widely from island to island, a relatively rapid, market-driven restructuring of the legal, economic-distributive, and institutional aspects of sasi took place from 1970 through 1990. The direction of this restructuring was toward centralization and government control. Several interviews as well as texts obtained in 1991 reveal a progressive seizure and tightening of governmental controls over the marine sasi area through narrowly drawn regulations controlling the space, time, behavior, identity, and gear of permitted entrants to the sasi area.³² By 1991, for example, three village governments on Saparua Island had asserted the rights to 100% of the profits from all trochus harvested under the sasi system.

Although not enough data exist to make any generalizations about how villagers, sasi officeholders, and government officials evaluate these dramatic changes, the comments of one older fisherman and ritual practitioner from Paperu village on Saparua Island are instructive. In an interview with me in April 1991, he spoke about the rumored imposition of a 100% government monopoly on trochus sasi in Porto village; he strongly rejected the idea of government monopolies on profits and control over key decisions on labor, timing, and gear:

The sasi on schooling fish is an heirloom (*pusaka*) handed down from the ancestors, while the sasi on sea cucumber and trochus is completely new and only began in 1991. I do not agree with what is being proposed in Porto village. The idea of a corporate village right [*hak negeri*], separate from the rights of individual families to fish and harvest in community waters, was never asserted before. In the old days, people made contributions, on a voluntary basis, to the village government or they gave privately, as families, to the Raja.

This fisherman focused on the potential for corruption and diversion of profits if village government succeeded in centralizing sasi administration and control of the economic flows it generated:

If the Porto government controls all trochus rights, who knows how many trochus or sea cucumber will be gathered? Who knows who will make profits from those operations? People could get all kinds of hidden profits from this procedure, and steal our property for their private gain. We have an expression, "Small fish are eaten by the big ones." It means that small people, the common people, who are like small fish, are eaten

³² See Matatula (1990) for an elaborate account of the codification and tightening of sasi regulations including limitations on villagers' rights. Interviews with the village head of Porto and officials in Paperu village corroborated patterns Matatula describes, as did interviews on Ran, Hatta, and Ai islands.

by the big ones, like the silvery Bobara' fish. The common people may die making the big people rich.

All these decisions have allocational as well as environmental consequences and which are not yet clear.³³ One knowledgeable villager's perceptions about changes in another village's sasi practices do not constitute evidence of more widespread perceptions of recent inequities in sasi practices. One villager's views, however, as contrasted with several government officials' perceptions of their own innovations in sasi, do suggest that villager perceptions of sasi, as meaning and practice, may differ from village official views. Indeed, the assumption that there are stable, identifiable entities such as "a community," whose interests and perceptions of "a sasi" are homogeneous, stable throughout history and across a vast region of islands, is precisely what this discussion seeks to counteract.

The Sasi for Which the Government Is Searching

During December 1988, Dr. Lokollo, a law professor at the University of Pattimura, stood at the lectern and delivered an oration on "Sasi Law in Maluku: A Noble Portrait of the Village Environment that has been Sought by the Government." One of the most striking features of this oration is that representatives of the Jakarta government had been seeking a description of sasi law. Before his audience, which included Dr. Emil Salim, the Minister of Population and Environment, the governor of Maluku Province, the rector of the University of Pattimura and the open senate of the University of Pattimura, Dr. Lokollo acknowledged the role of Indonesia's central environmental institutions and leaders in Moluccan attempts to revive, renew, and reconstruct sasi:

It is clear that strangers, not Indonesian natives originating from Moluccan villages, pay more attention to sasi law than do we Moluccans. Strangers pay more attention to Moluccan sasi law as one source of strength among other sources of strength in national culture. This Portrait of sasi law in Maluku was sought, several times, by the Government [*read*: Prof. Dr. Emil Salim, National Minister of Population and Living Environment, Republic of Indonesia]. Emil Salim already came, several times, to the country [*read*: village] of Haruku in Central

³³ Private exporters as well as local governments are also vying for control of in-shore fisheries resources. In the southeastern Maluku Islands (Aru and Kei), Indonesian entrepreneurs based as far away as Bali have succeeded in acquiring rights to community-owned fishing grounds by advancing loans to individual families during the monsoon season. The marine petuanan itself, or rights to harvest it, was the security for these loans. Once indebted, many families have transferred their rights to these entrepreneurs. In some communities, outsiders have acquired sole rights to harvest local marine resources, resulting in loss of local control of the community's resource base. Recent studies in Aru and Kei islands document significant losses in income by local residents as a result of this transfer (Abrahamsz 1991; Khow & Simatauw 1991).

Maluku in order to witness the opening of sasi for dolphins there. (Lokollo 1988:7)

In this oration, sasi is discursively constructed as a local environmental institution, one of many distinctive cultural formations situated within a larger Indonesian national culture. By constituting sasi in this way, Lokollo situated these practices within a nationally acceptable form of difference in which qualities such as uniqueness, specificity, and local variations are recognized as contributing to a national culture (Volkman 1984, 1990; Acciaioli 1985).

That is the reason, by remembering and attending to the history, meaning, variation, the essence of sasi law along with national attention to living legal values of the Indonesian people, as mentioned above, that a society is needed that respects the cultural values of its own groups which are fair, creative, and responsible. (Lokollo 1988:28)

By positioning a “fair, creative, and responsible” sasi within an imagined universe of multiple Indonesian cultures, and citing national laws supporting attention to cultural difference, Lokollo created a nationally sanctioned basis of authority for sasi, as culture embodying a unique regional legal sensibility.

How did Lokollo explain the production of sasi texts during the past century? Rather than finding the formal declarations of purpose, the rigid codification of the minutiae of administrative hierarchy and process, and the obsessive concern with reporting as possible evidence of repeated attempts to impose control over recalcitrant farmers and fishermen, Lokollo interpreted earlier sasi texts as examples of indigenous authorship and collective legal genius: “However it happened with each codification, there was a written form of sasi for the Moluccan people, and the fact that [there were written forms] constitutes a sign that Moluccan people not only desired legal determinacy but also wanted a law that is not the possession of individuals” (ibid.).

Of the hundreds of regulations he scanned in the collections of Dutch-made customary law articles, Lokollo foregrounded an idea of sasi law in which the “rights of villagers to a healthy and good environment” and the “obligation of villagers to take a role in all kinds of management, including care of the living environment” (ibid., p. 24) were highlighted. Sasi institutions were described as having a “specific social function” which “essentially implements” environmental rights and obligations (ibid., p. 24).

Lokollo’s discourse, however, did not stop at the literary borderline of culture and national identity. Sasi, he urged, should be used as a weapon to defend local forests, coastal, and marine resources from being invaded, controlled, and exploited by powerful private sector and governmental authorities. Indeed, Lokollo proposed a program of research on sasi, aimed at synthesizing a regional regulation recognizing the validity of sasi within Maluku

Province that is in harmony with national environmental and administrative law. The passages which follow suggest a *sasi* discursively situated within an intensely contested arena, the struggle for regional and local control of forest and marine resources:

Forests from many Moluccan villagers, based on the Right of Forest Exploitation (HPH)³⁴ are already completely allocated. By means of the HPH—one form of forest politics from those in authority these days—it may be said that the government has already implemented a parceling out (“*kavelin*”) in relation to our Moluccan forest. Since this parceling has occurred, we do not speak any more about “forest *sasi*.” . . . Through governmental forest politics mentioned above, one form of peoples’ Moluccan culture has been displaced. (Ibid., p. 41)

Lokollo continued, moving from his bold critique of central government control of Moluccan forests to the issue of control over the seas and Moluccan communities’ coastal resources:

I think that in the time to come we will come to know a new term, that is, Right of Marine Exploitation or HPL. If my thoughts about the future are true, then there will be a strong possibility of “right of cove *sasi*” which will replace [the older coastal *sasi*], a result caused by marine politics from those with power. (Ibid.)

The legal acronym HPH (see note 33) is the right of forest exploitation granted to private sector and parastatal corporations to conduct commercial operations within specific areas of the forest ceded to them for a period of 20 years (Barber 1990:108-9; Zerner 1990:19). Since the large-scale opening of Indonesia’s outer island forests to commercial exploitation by foreign and domestic private corporations in the late 1960s, concession rights have been granted without recognizing the customary rights and historic practices of local communities. Indeed, although Indonesians, possibly numbering in the millions, continue to use and to manage large areas of forest for subsistence as well as commercial uses, their rights to own or to manage their lands have rarely been acknowledged or legally recognized (Zerner 1990, 1992; Moniaga 1993). On maps produced by the Ministry of Forestry showing the formal status and boundaries of forest lands controlled by concessions as well as areas designated under various degrees of conservation, areas historically used by forest-dwelling communities are not indicated (Fried 1994).

Within the past two decades of intensive outer island forest exploitation for timber, conflicts between local forest-dwelling or forest-dependent communities and private sector concession-

³⁴ “*Hak pengusahaan hutan*,” or right to forest exploitation, is the key right granted by the Ministry of Forestry to forest concessionaires to extract timber resources from specified concession areas. In many areas of Indonesia’s Outer Islands, including the Maluku, the right of concessionaires to operate is disputed vigorously by local communities. On tensions between customary practices and law and government granted forest concessions, see Fried (1994), Zerner (1990, 1992), and Baker (1994:162-64).

aires have become more intense and more widely publicized (Baker 1994; Jakarta Post 1992; SKEPHI 1992; Zerner 1992). Discourses in support of community rights are increasingly framed in terms of customary law and the legitimate status of customary law rights within the framework of national law (Moniaga 1993). Customary law arguments, often linked with assertions of effective forest management and biological diversity conservation by local communities, have been used to defend and legitimize local communities' rights to territorial as well as resource-specific tenure (Fried 1994; Tsing 1993). Related arguments for recognition of community-based customary claims to areas of forest and coast, based on national statutory and administrative frameworks, have been advanced in a multilateral context by legal and environmental policy analysts (Lynch 1992; Talbott & Lynch forthcoming; Zerner 1990, 1992).

Lokollo completed his call for resistance by reminding us that *sasi* is a political and cultural spearhead to oppose the domination and control of local natural environments by powerful private sector actors. *Sasi*, in Lokollo's oration and in NGO publications, is being used as a rhetorical weapon for campaigners striving to redress a striking imbalance of power between central government authority and private sector firms engaging in resource extraction, on the one hand, and local communities of poor fishermen and forest farmers, on the other. By positioning the "law of *sasi*" within the Indonesian national legal framework, as well as within national policies promoting regional culture, Lokollo sought to harmonize and authorize *sasi* with national sources of legal authority and policy. Having discursively constituted *sasi* as "green" and "equitable," Lokollo openly advocated for the construction of a synthetic, regional *sasi* regulation. And the *sasi* he conjured up, like its predecessors, is a hybrid construction: based on local rules, yet designed by province-level, highly educated specialists with the entire "community" of the Maluku in mind.³⁵

In concluding his anniversary speech on *sasi*, Lokollo proclaimed to his distinguished audience: "[H]ere is the noble Portrait of the village environment, a Portrait of *sasi* law in Maluku. Gaze upon it and hang it on our Indonesian houses, as a emerald equator necklace of which we are jointly proud" (p. 48).

By linking marginal coastal villages, forest and reef environments, and conservation with customary law and institutions in the Maluku Islands, Lokollo created an idealized, green vision and version of *sasi* within the larger community of the Indonesian nation. By describing the law of *sasi* as an "emerald green necklace of the equator," a necklace which should be hung on

³⁵ See Cole (1986) for an illuminating account of the role of "misreading" in literary and legal interpretation.

“our *Indonesian* houses,” he situated *sasi* within national discourses on culture and conservation and, simultaneously, within enormously powerful global environmental discourses. Underneath the twin umbrellas of culture and environmentalism, a reconstructed *sasi* is now being released into an increasingly intense political arena.

By September 1991, *sasi* was being introduced to the larger Indonesian environmental community by HUALOPU, a social-activist organization based in Ambon. The *sasi* HUALOPU introduced was constituted as a system of conservation and social equity:

The role of this customary marine law strongly supports conservation of living marine resources, this is something we can see from looking at the *sasi* system. This system, other than being rather useful because it regulates resource use, extraction, and protection, also guarantees even distribution of harvest results. (Yayasan HUALOPU et al. 1991:x)

In 1991-92, HUALOPU sponsored a survey of *sasi*-like practices throughout Maluku Province, fitting markedly different patterns of thought and practice into a newly wrought Procrustean bed (*ibid.*). In this reconstructed system, colonial-era clichés about “traditional” societies and essentialized patterns of thought, society, and action continued to appear, despite an emphasis on legal change:³⁶

The direction of liberal thought of the Western world has a rational and intellectual pattern that is different from the natural pattern of Indonesian thinking, especially traditional Eastern thought which has a cosmic and totalistic character. . . . According to this traditional world, it is not the position of a person as an individual, but the social alliance that is essential in the organization of law. The head of this alliance holds the position that is most important, because he is the embodiment of the alliance. (*Ibid.*, p. iv; citations omitted)

In this vision, *kewang*, like the Moluccan natives fixed in Dutch colonial customary law tracts as if they were exotic dragonflies pinned to a page, continue to put into action the timeless, essentialized notions of law, society, and nature that Moluccan *sasi* is said to embody.

Conclusion

In the 1990s, NGOs continue to search, through time and through Indonesia’s vast coastal and forested territories, for local institutions, practices, and values that may be deployed in the

³⁶ By 1992, even a representative of the World Bank had visited the HUALOPU office in Ambon and traveled out to a neighboring island, in search of new “institutional alternatives and opportunist for marine resource development in Indonesia.” Dr. Andres Leibenthal, interview, Sept. 1992.

struggle to effect changes in inequitable, even oppressive, relationships between the central national government and capital-intensive private sector, on the one hand, and local communities on the other, controlling access to natural resources. The story of the relatively recent “discovery” of *sasi*—the attempts to reconstruct it discursively and to resuscitate it as a “community-based management practice”—is part of a much wider move in the strategic politics of the environmental movement in Indonesia (Colchester 1990; Fox 1993; Lynch 1992; Poffenberger & McGean 1993a, 1993b). Community-based management institutions are being documented and discovered in precisely those areas of the remaining forest and coast where control over resources is most intensely contested. In those areas, *adat* or custom, rather than being museumized as a cultural curiosity or an object of touristic concern, is being used as a discursive projectile carrying community claims to resources and territories into a hotly contested political-economic arena.

In surveying the struggle over the meaning of community, custom, and equitable access to marine resources in Maluku, I make several observations. Simplistic dichotomies between government officials and private sector actors, on the one hand, and NGOs and communities, on the other hand, inadequately describe the field in which action is taking place. While governmental agencies are often pitted against local communities, complex and nonadversarial relationships are also part of the highly politicized landscape of resource control and claims. Attempts to legitimize and recognize *sasi* have entailed collaboration between NGOs and government officials. In 1992, government troops were flown to the tiny island of Yamdena, in Southeast Maluku province, where local opposition to the operation of private timber concessionaires on watersheds held under customary ownership had resulted in several deaths and attacks on the logging camps (Down to Earth 1992). At about the same time, nongovernmental groups, local lawyers, and scholars in the Central Maluku islands were attempting to collaborate and forge an alliance to create, to legitimize, and to deploy new forms of *sasi*.³⁷

Those practices known generically as *sasi* are hybrids, the products of long-term historical exchange of goods, ideas, and vocabularies. *Sasi* has been transformed during two eras of codification, rationalization, and inscription, during the late 19th and early 20th centuries and during the late 1980s and early 1990s. In both eras, the discursive production of *sasi* meanings and praxis was the result of hybridization processes across border zones. During the first era, local elites and Dutch colonial managers

³⁷ In 1993, the Minister of Population and Environment made a site visit to the Aru archipelago, guided by representatives of the NGO Sejati. The minister is considering a strategy through which local communities can be vested with rights to manage local forest and coasts, based on *sasi*. Martha Belcher, interview, Feb. 1994.

fashioned a customary law in which commercial intentions—the regulation of agricultural production and trade—were grafted onto existing prohibitory practices linked to religious beliefs and ritual practices. In the late 20th century, *sasi* was again reinscribed and codified, in romantic and ahistorical terms, as an example of indigenous Moluccan culture embodying community-based management principles, institutions, and rules. It is this recent *sasi*—green, equitable, and culturally distinct—that represents the coincidence of two powerful, and socially compelling discourses: environmentalism and cultural autonomy.

This emerging *sasi* is, in part, the product of national discussions on culture, biological diversity conservation, and sustainable development, an agenda, as it were, in search of a local subject. It is also a *sasi* generated in the context of global claims and discourses on marine biological diversity. *Sasi* is the product of provincial intellectuals' and scholars' construction of a *sasi* as an embodiment of Moluccan culture, a creative act that is responsive to national and regional discussions about political power, citizenship, identity, and local cultural practice.

At the same time, and perhaps most important, the recent creation of *sasi* as an environmental and cultural possession of local communities, which may offer the key to sustainable development and biological diversity conservation, is the product of intense, indeed passionate labors by young social and environmental activists. In the context of these struggles, *sasi* is being forged and deployed as a discursive weapon relying on transnational images and tactics of resistance as well as strategic representations of local traditions (Ukru et al. 1993; Rahail 1993).

In 1994, fishermen living on remote islands of Southeast Maluku Province were shown video tapes of Penan tribesmen blockading Malaysian logging trucks in Sarawak, Malaysia. The loggers were attempting to collect timber felled in forests many Penan peoples consider to be their lands. After viewing the video of Penan resistance, at least one group of Moluccan fishermen prevented several large-scale, foreign-owned fishing trawlers from entering what they (the fishermen) consider to be their locally owned bay: they blockaded the entrance to the bay with a small armada of local sailing vessels. The organizers of this coastal blockade strategically built on "traditions" of alliance and social organization forged during, and perhaps by, Dutch colonial interventions in local forms of governance. At the same time, these new strategies of local resistance are being generated through the efforts of social activists using global communications technologies that create and, in turn, inform, new communities of resistance, from the heart of Borneo's forests to the remote shores of Indonesia's Aru Archipelago.³⁸

³⁸ C. Zerner, field notes, Ambon Island, 23 June 1994.

What is extraordinary at this moment are the ways in which *sasi* practices are again being subjected to a period of intense scripting, reinterpretation, and political deployment. In the not too distant past, inscription of the laws of *sasi* represented the imposition of colonial power and its local, Moluccan representatives—the raja as well as his forest police, the *kewang*—on local village commodity production, particularly agricultural production. In the interpretations now being produced and disseminated, *sasi* is once again being constructed as a purely local praxis, but these constructions are being deployed by local officials protesting and seeking a vehicle for resisting an oppressive, extractive political economy—in forests and on the seas and coasts—authorized by the central government.³⁹

In this unusual moment of resistance and collaboration, environmental and community activists in the provinces are forging alliances with certain officials in the central government. At the same time, activists in the Maluku are communicating with communities and NGOs in other regions and other countries. In these alliances, the power of environmental discourse, in particular, the turn toward describing *sasi* praxis as green and equitable, has been an unusually powerful move. This rhetorical turn has opened a field of movement in which support of local political and legal autonomy is legitimated under the twin umbrellas of environmental management and culturally distinctive communities. *Sasi*, once a body of ritual practices performed at the meeting place of sea and shore, at the juncture of wild forests and tree gardens, has now become the contested site in which the aspirations of a new generation of Indonesian social activists, concerned with the places and rights of minorities within the national community of citizens, are located.

Glossary

adat. customary law or cultural practice, including ritual as well as everyday behavior and habit.

aman. small, isolated mountain hamlets characteristic of Alifuru settlements in the centuries preceding Dutch intervention.

bapak raja. administrative roles created by the Dutch.

batu pemali. holy stones or rock outcroppings playing a role in local religious and ritual life.

controleur. Dutch administrator residing in the administrative center; the controleur dealt directly with the raja as head of the negeri.

dusun. relatively permanent tree gardens created on the sites of former swidden gardens.

³⁹ If *sasi* as praxis is to be resuscitated, more information is needed about what it meant and means to those “little peoples” who were beseeched to practice it. It is not known whether, and to what extent, these practices continue to be enacted, and with what effects—social and environmental—throughout the vast island arcs of Maluku Province.

- hak negeri*. (customary) corporate village right to territory and/or resources contained within territory.
- hak pengusahaan hutan*. legal right to forest exploitation, granted by Indonesian government to private sector or parastatal corporations for a term of years.
- hena*. small, isolated mountain hamlets or settlements characteristic of precolonial period.
- hong*. interisland tribute-gathering expeditions in Central Maluku; later deployed by Dutch, with Ambonese assistance, to police clove monopoly regulations, through raids; see *hong tochten*.
- hong tochten*. Dutch-mounted clove monopoly enforcement actions involving forced uprooting of “illegal” clove trees and violent, punitive actions against “illegal” traders.
- kalpataru*. Indonesian government award given by the ministry of Population and Environment to selected villages for their contributions to the environment; also, an image of a tree of life embodying hopes for the future.
- kepala soa*. Dutch-created administrative role, probably fashioned during the era of negeri formation, to assist in negeri administration in coastal settlements.
- kewang*; also *kewan*. officials in charge of village security; kewang function as paid guards, monitors, and enforcers of the sasi system; through periodic patrols of forested territory, particularly lands under cultivation or village ownership, kewang were the gatekeepers to cultivated, as well as “wild,” resources and territories under village control or claims. The term *kewang* may be based on the Ambonese-Malay term for forest, *ewang*.
- latu*. influential “big men” or uku chiefs.
- lumah tau*. clan-based groups.
- matakau* signs. signs indicating the operation of sasi prohibitions on a particular resource or territory or, alternatively, a curse. Violators of the matakau sign were believed to bring down the power of the image embodied in the matakau sign on themselves.
- mauwun*; also *mauwen*. ritual practitioners associated with non-Islamic or Christian religious practices; mauwin mediate between social groups and spirit worlds.
- negeri*; also *negerij*. Dutch-organized territorial and institutional units located on the coast. Negeri, which replaced the indigenous uli, were the lowest administrative unit in the colonial organization in the Maluku.
- orang kaya*. literally “rich man”; influential, powerful heads of soa, newly formed associations of clans or tribal groups with the negerij.
- pela*. a system of Alifuru intervillage alliances between two or more settlements. Pela exchanges, alliances, and peace pacts created common bonds across religious lines and permitted cooperative labor among settlements.
- petuanan laut*. community-regulated territory consisting of coastal waters and reefs. The word *petuanan* is based on the Indonesian root *tuan*, which means owner, host, or master, and the word *laut*, which refers to the sea. The concept of petuanan implicates notions of sovereignty, ownership, and control over marine territory and resources.
- petuanan negeri*. territory and resources under negerij control.
- pusaka*. heirloom.
- raja*. a village head or head of a descent group; the role of the raja was probably created, as were those of soa and possibly of the kewang, during the era of relocation of highland villages to the coast.
- sasi*. a varied family of customary practices and laws (or rules) which establish limitation of access to individually or collectively controlled territory and/or resources. To place sasi on an area means to put into effect a time-limited prohibition on entry and behavior within that area. Individual trees, as well as entire regions of orchard lands or “wild forest,” might be placed under sasi.

- soa.* social groupings with a territorial character, administered by the kepala *soa*.
- swidden.* multispecies, multistoried forest gardens created by clearing and planting areas of (formerly) wild forest. Swidden systems, practiced throughout Southeast Asia, constitute varied forms of rotational agroforestry whose environmental effects vary widely.
- uku.* ethnic distinctions among groups of Alifu peoples.
- uli* system. federations of five or seven smaller Alifuru mountain settlements, usually extending over wide areas of forested territory.

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