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# GOVERNING VILLAGES IN INDONESIA'S COASTAL ZONE

Dorian Fougères

The story is well known: in May 1998, as Indonesia sank deeper into the Asian Financial Crisis, a broad-based social movement demanding the democratization of Indonesian society toppled the seventy-six year-old dictator Suharto and initiated Indonesia's Era of Reformation. One year later, the Indonesian Parliament passed a pair of monumental "regional autonomy" (*otonomi daerah*) laws.<sup>1</sup> Bypassing the country's twenty-seven provinces, these laws transferred directly from the central government in Jakarta to the then-existing 321 district governments substantial decision-making authority and control over material and financial resources.<sup>2</sup> Implemented at the start of 2001, these decentralizing reforms severed numerous hierarchical links between central and district bureaucracies that had been established during Suharto's New Order. Less well known is that these reforms also significantly rearranged power relations within districts and the villages that constitute them. Despite their broad new mandates, district chiefs (*bupati*) lost the authority to appoint village heads (*kepala desa*), who instead would be directly elected by village residents.<sup>3</sup> Residents would also elect the members of the new Village Representative Boards (*Badan Perwakilan Desa*, BPD), which replaced the appointed Village Consultative Assemblies (*Lembaga Musyawarah Desa*, LMD). Together village heads and boards, which previously had had only the right to draft village legislation and budgets, now gained the authority to approve these as well.

The restructuring of village government in Indonesia aimed to make it more responsive to its constituents, and thereby to democratize village development. In this chapter, I explore a case where the reforms strengthened downward relations of accountability, but not enough to dismantle the preexisting networks of patronage and thereby resolve a conflict among villagers over destructive fishing practices. The same relations of accountability, more alarmingly, gave legal form to a desire to

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<sup>1</sup> These included two 1999 laws: Law 22 on Regional Government and Law 25 concerning Fiscal Balance between the Central Government and the Regions.

<sup>2</sup> Law 22 (1999), Chapter IV (Regional Authorities), Article 7. This section grants the central government continued control over diplomacy, defense and security, judiciary, monetary and fiscal policy, and religion.

<sup>3</sup> Law 22 (1999), Chapter XI (Village), Part 2 (Rural Government), Article 95.

exclude nonlocal Indonesians from access to the village's coral reefs. My aim is to show through ethnographic detail how the democratization of Indonesian society can perpetuate and even generate new relations of subordination. More generally, I argue that analyses of the exercise of state power and social change during the Era of Reformation must include ordinary people who serve as elected officials, yet who simultaneously maintain other distinct identities and occupy ambiguous positions in relation to formal governing apparatuses. These people illustrate that "the Indonesian State" does not exist apart from society. The authoritarian and highly centralized government of Suharto's New Order lent itself to analyses that emphasized charisma and bureaucratic rationality as defining characteristics and boundaries of government. However, this commonsense understanding of "the Indonesian State" as a discrete entity is a discursive effect. In other words, the ongoing perception that the "state" is entirely separate from villagers is the product of specific knowledge about territory, resources, and the population that is put into practice with the intent of creating and maintaining distinctions among the state, the economy, and society.<sup>4</sup> Scholarly efforts to explain why specific villages have greater or lesser success in democratizing development need to recognize this discursive process, and avoid reifying the "state" and the corresponding blame or praise that is laid at its feet. Examining the overlapping roles and blurred identities of village chiefs in government, the economy, and society provides a more grounded and accurate description of the intersection of development and democracy in the Era of Reformation.

#### GOVERNMENT AND DEVELOPMENT IN THE COASTAL ZONE

Malakaji is a small village in South Sulawesi's Kariango Archipelago that consists of a pair of islands, Pulau Rantau and Pulau Tetap, and is home to around six hundred ethnically Bugis divers and fishers (two-thirds and one-third of the total, respectively).<sup>5</sup> This diminutive village (two square kilometers, four thousand people) is surrounded by bountiful coral reefs that stretch for tens of kilometers to the north. Since the late 1960s, it has been a regionally important source of tropical marine commodities, with divers utilizing local and distant waters to produce pearl shells, sea cucumber, live lobster, and, most recently, "live reef food fish" for international markets.<sup>6</sup> Malakaji became an official village in 2003, and its first-ever head, whom I call Made Ali, was simultaneously a major diving and fishing patron<sup>7</sup> who underwrote an illegal, destructive fishing practice—the use of dissolved cyanide to catch live fish.<sup>8</sup> To explore governance and democratization in the village, below I

<sup>4</sup> Timothy Mitchell, "Society, Economy, and the State Effect," in *State/Culture: State-Formation after the Cultural Turn*, ed. George Steinmetz (Ithaca, NY: Cornell University Press, 1999), pp. 76–97.

<sup>5</sup> Because this case explores illegal fishing practices, all names are pseudonyms.

<sup>6</sup> "Live reef food fish" refers to the large, coral-reef-dwelling fish that are shipped alive to restaurants (especially in Hong Kong), hereafter simply referred to as "live fish."

<sup>7</sup> A patron is an investor who will cover a substantial portion of the capital and operating costs incurred by his clients, the fishers, in return for a large share of their fishing revenue.

<sup>8</sup> This involved divers dissolving tablets of sodium or potassium cyanide in plastic squirt bottles filled with seawater. The divers would then dive down to the reefs and, using the long nozzles on the bottles, squirt the target fish with the poisonous solution, temporarily stunning it and making it easy to capture.

examine how Made Ali navigated the legal, economic, and moral dilemmas that his multiple responsibilities—as a village head, a patron, and a businessperson—posed when two conflicts over access to coral reefs surfaced. First, however, some historical context is necessary, to frame these dilemmas.

Historically, Indonesian state institutions have expressed limited interest in fisheries, as compared with two other extractive industries that provided a basis for national industrialization: mining and forestry. In the late 1960s and early 1970s, Suharto approved several joint ventures with Japanese corporations to catch and sell shrimp and, secondarily, tuna, and in the mid-1970s he issued a series of decrees concerning the taxation of foreign and domestic investment in fisheries.<sup>9</sup> However, Suharto only signed a Basic Fisheries Law (BFL) in 1985—nearly two decades after the Basic Mining and Basic Forestry Laws he instituted in 1967.

Consistent with earlier populist narratives, in its preface the BFL identified fisheries as a resource with a major potential to serve as the basis of development, and therefore the increased prosperity of the Indonesian people. Echoing the 1982 UN Law of the Sea, the BFL also excluded foreign citizens and companies from catching fish in the nation's Exclusive Economic Zone (EEZ) without special permission.<sup>10</sup> But existing fisheries laws, it further reasoned, had too narrow of a scope and could not meet the needs of development in general, or the development of national law in particular. The BFL thus marked the onset of the nationwide rationalization of fisheries exploitation in the name of development. The legislation established several new areas of central government intervention, including a catch-permit system, the regular collection of economic and social statistics, a research and development program, and quality standards for seafood exports.

In addition to those technologies of government, Article 7 of the 1985 BFL advanced the national criminalization of destructive fishing practices. This process began in 1980 and 1982, when Suharto responded to the violent protests of small-scale fishers by banning industrial shrimp trawlers from eleven of Indonesia's twelve seas.<sup>11</sup> Suharto had also issued general guidelines for environmental management in 1982 and signed legislation in 1984 concerning marine resource management in the nation's EEZ. The legislation outlawed the use of explosives and poisons to catch fish and established a potential fine of seventy-five million rupiah per violation.<sup>12</sup> The 1985 BFL expanded the scope of violations to include the use of any technology that destroyed fish habitat, including the crowbars commonly used by divers to overturn or break apart corals when extracting various organisms. It also increased the potential fine to one hundred million rupiah and added the possibility of ten years of

<sup>9</sup> See Nicholas Zachman, "Indonesian Fisheries Development and Management," *Journal of the Fisheries Research Board of Canada* 30,12 (1973): 2335–40; and Presidential Decree No. 8, 1975, and Minister of Agriculture Decree Nos. 424 and 425, 1977.

<sup>10</sup> "Exclusive economic zone" is a UN-recognized construct that refers to the marine territory between the edge of a nation's territorial seas (i.e., twelve nautical miles from the coast) and two hundred nautical miles from the coast, over which the country maintains sovereign rights to explore, exploit, conserve, and manage all natural resources.

<sup>11</sup> Presidential Decree No. 39, 1980, covered the waters of Sumatra and Java, and Presidential Instruction 11, 1982, extended this ban nationwide, except for the Arafura Sea in eastern Indonesia, where the president had granted certain Japanese companies a special license (Conner Bailey, "Lessons from Indonesia's 1980 Trawler Ban" *Marine Policy* 21,3 (1997): 225–36.

<sup>12</sup> Government Law No. 4, 1982, and Government Law No. 15, 1984.

imprisonment. At the same time, the law aimed explicitly to increase the labor opportunities and raise the living standards of “small-scale fishers” (*nelayan kecil*, defined in Article 10 as people who meet their daily needs through fishing), and exempted them from permit and taxation requirements.

Fisheries legislation continued to expand over the next decade. New laws elaborated on permit and taxation systems, ships’ “flags of convenience,” international ports and shipment, government observers, and fishing cooperatives. During this period, international attention to biological diversity increased significantly as well. Suharto signed the Conservation of Biological Resources and Ecosystems Law in 1990, sandwiched between the 1987 Brundtland Report and the 1992 UN Conference on Environment and Development.<sup>13</sup> Five years later, Indonesia’s ministers of agriculture and trade referenced this law and issued a pair of decrees that restricted the capture and export of the humphead wrasse fish (*Cheilinus undulatus*).<sup>14</sup> After reiterating that national fisheries management aimed to produce the greatest possible benefit for the people of Indonesia, the first of the decrees noted that humphead wrasse constitute a high-value fisheries commodity, and this is a good thing. However, the minister of agriculture continued, fishers and fishing companies polluted the waters by using poisons or chemicals to capture these fish, thus destroying surrounding organisms and entire coral reefs. They had also over-fished the wrasse, making it internationally endangered.<sup>15</sup> Therefore, in an effort to protect, rehabilitate, and improve the reef fishery, the minister of agriculture outlawed the capture of humphead wrasse without a special permit issued in Jakarta, and cited the 1985 BFL penalties, while the minister of trade prohibited the export of humphead wrasse without an official permit. A subregulation issued by the directorate general of fisheries limited the permissible size of fish for capture or sale to between one and three kilograms; those smaller would have to be aquacultured to the “consumption size” before export, while those larger would have to be released.<sup>16</sup>

Notably, the minister of agriculture’s decree again favored small-scale fishers (now identified as “traditional” [*nelayan tradisional*] and defined by the limited size of their vessel or boat’s engine). It permitted these fishers to extract the wrasse without a permit, so long as they did not employ equipment that destroyed the fish stock or its habitat. A legislative revision the next year (1996), however, required traditional fishers to obtain permits from the provincial fisheries chief.<sup>17</sup> Furthermore, every interdistrict, interprovincial, or export shipment of fish would require authorizing letters from the district fisheries chief, provincial fisheries chief, and director general, respectively.

The next major development in the history of Indonesian fisheries came in October 1999, when newly elected President Wahid created the cabinet-level Department of Marine Exploration and Fisheries (renamed the Department of

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<sup>13</sup> Government Law No. 5, 1990.

<sup>14</sup> See Minister of Agriculture Decree No. 375/Kpts/IK.250/5/95; and Minister of Trade Decree No. 94/Kp/V/95.

<sup>15</sup> The Convention on the International Trade in Endangered Species lists humphead wrasse under Appendix II, which includes species “not necessarily now threatened with extinction, but that may become so unless trade is closely controlled.”

<sup>16</sup> Director General of Fisheries Decree No. HK.330/Dj.8259/95.

<sup>17</sup> Director General of Fisheries Decree No. HK.330/S3.6631/96.

Marine Affairs and Fisheries in 2000).<sup>18</sup> Wahid charged the department with managing sustainably the national wealth embodied in marine resources and fisheries, as well as supporting related community institutions and businesses. This initiative included further standardization of official duties, education, and training, among other things. The department's first minister, Suwarno Kusumaatmadja (former minister of the environment), described the department's duty as countering the New Order's bias toward land-based development and the sub-optimal use of marine resources by promoting fishing and fish farming; increasing the prosperity of coastal communities; and using the maritime sector as a basis for moving the country out of its economic crisis.<sup>19</sup>

As mentioned in the introduction, in June 1999 the legal structure of Indonesian government metamorphosed when the People's Consultative Assembly passed, and President Habibie signed, the dual regional autonomy laws. In their preambles, each law justified its existence in terms of increasing democracy, participation, equity, justice, diversity, and accountability relative to New Order conditions. Parts two and three of the Regional Government Law meant that heads and boards now shared authority to craft legislation, as well as shared accountability downward to their electorate through direct elections and an annual report. The law also ended the financial dependency of villages on district block grants. Villages now had the authority to derive original revenues from things like "village-owned enterprises" and "village assets." The law also expanded the authority of village heads by charging them with duties that included, among other things, developing the village's economy and community life, maintaining peace and order among villagers, and peacefully resolving disputes among villagers. Finally, the Regional Government Law also restructured the territorial jurisdictions of Indonesian government. The central government retained its authority over the "exploration, exploitation, and management of marine wealth" and over enforcement in the nation's EEZ. Districts, however, gained the same authority over the territory between the coast and four nautical miles at sea, and provinces over the territory between four and twelve miles (i.e., the limit of the nation's territorial seas), although provinces still had to comply with and uphold national laws in these coastal zones.

In summary, two fields of government framed the dilemmas Made Ali would face during his first year in office. Elaborated over thirty years, the first field encompassed marine resources. It involved rationales of resource exploitation, environmental protection, and populist development, and institutionalized the use of technologies like statistics and penal codes. Several regulations restricted the live fish trade, including the use of dissolved cyanide to capture fish. Elaborated in a period of crisis, the second field encompassed regional government. It invoked democracy and justice as rationales, devolved control over marine territories, and institutionalized the use of direct elections and autonomous revenue generation. The territorial conflicts over access to Malakaji's reefs emerged from these superimposed fields of government.

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<sup>18</sup> For the legislative history, see Presidential Decrees Nos. 355/M/1999, 136/1999, 145/1999, 147/1999, 165/2000, and 177/2000.

<sup>19</sup> See Republic of Indonesia, Ministry of Marine Affairs and Fisheries, Department History, at <http://www.dkp.go.id>, last accessed in December 2007.

**SUPERPOSITIONED**

Made Ali is the dexterous man who stepped into office on January 1, 2003, as Malakaji's directly elected head. Prior to taking office, Made Ali had accumulated a fortune by facilitating the production of live fish and other tropical marine commodities. As a child he had accompanied his father, an established patron himself, on diving trips around eastern Indonesia in search of pearl and other valuable shells. In the early 1980s, Made Ali used the financial capital he had amassed to get married and, then, with a small grant from a shell buyer in Makassar, to sponsor his own client captains and to lead his own seasonal expeditions through the country's extensive waters.

A market for live fish began developing in the Kariango Archipelago around 1990. During the first years, it only involved foreign catch boats that came from Hong Kong and employed Bajonese divers from Makassar, along with a handful of local divers to serve as reef guides. Once the migrant Chinese built fishpens to hold their catch temporarily in the archipelago for pickup by a dedicated export ship, entrepreneurs from the islands got involved. Made Ali was one of the first, and in 1994 began to serve as a patron for line-boat captains from Pulau Tetap, Malakaji's smaller island, who wanted to catch and sell this new commodity.<sup>20</sup> Two years later he began contracting with an Indonesian-Chinese marine commodity exporter from the island of Flores, where several of his relatives resided. With a cash advance of five million rupiah, Made Ali built his own fishpens in front of Pulau Tetap and began holding the fish caught by his clients for pickup by a Hong Kong ship arranged through his sponsor in Flores. Around this time he also began to encourage his dive-boat captains—all from the village's larger island, Pulau Rantau, where he also resided—to turn their attention to live fish. In 1998 Made Ali paid off his debt to the exporter in Flores and began to establish new credit-based contracts with the airplane-based exporters in Makassar, who were entering the market during the Asian Financial Crisis (see Figure 1, on the next page).<sup>21</sup> By the time Made Ali took office, he was the village's second-largest patron and, via his client captains, supported around thirty-five fishers and fifty divers.

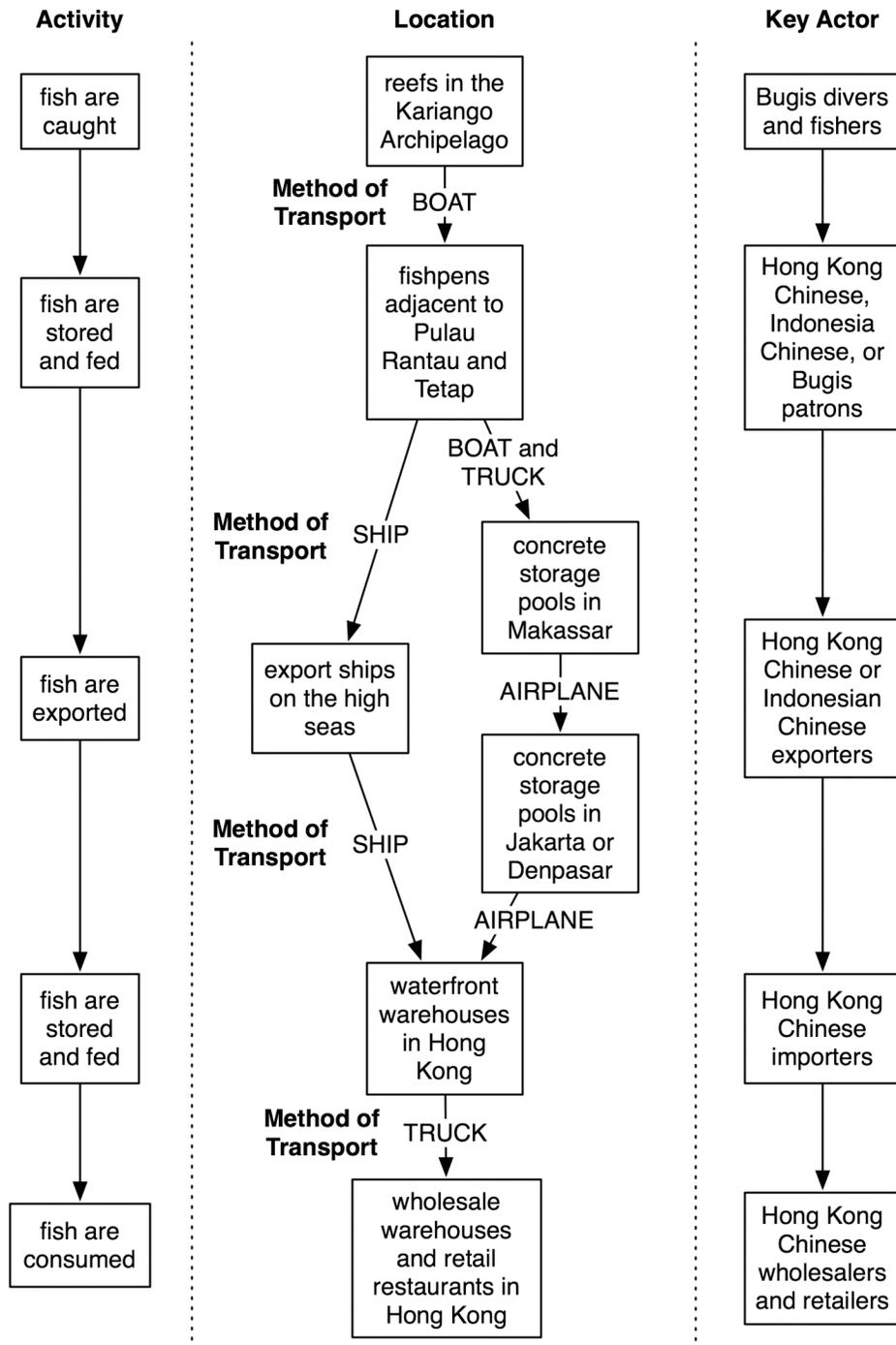
For most of his career, Made Ali had avoided becoming entangled with law enforcement. In 1996, however, the Australian Navy caught and destroyed several of his diving boats that were collecting sea cucumber in the disputed international waters southeast of Nusa Tenggara, an event that encouraged him to focus more of his resources on the live fish available in uncontested waters. This marked the start of his involvement with destructive fishing practices. In preceding years his line-boat captains had caught humphead wrasse, but since they were all small-scale fishers who used hook-and-line techniques to catch midsize fish, this was permissible. However, once Made Ali's dive-boat captains entered the market, he supplied them with cyanide for capturing fish, thus linking them all in the crime of destroying the nation's fish stocks and reefs, irregardless of their small-scale status. In early 2002, officers from the nearest Water and Air Police branch, on the Sulawesi mainland, arrested one of Made Ali's client divers for using cyanide. Responsible for

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<sup>20</sup> Line boats employ hook-and-line fishers, compared to dive boats that employ divers to catch fish.

<sup>21</sup> Hong Kong importers paid Indonesian exporters in US-dollar-denominated values, hence in Indonesia the plummeting value of the rupiah generated a corresponding spike in the nominal value of live fish and attracted numerous opportunistic businesspeople.

Figure 1: The Malakaji–Hong Kong Live Reef Food Fish Commodity Chain



the welfare of his client, Made Ali went to Makassar and had the captain released in return for his own incarceration. It turned out that the arresting officers lacked enough evidence to prosecute the captain (they had his equipment, but not his catch, and no eyewitness), and the 1985 BFL made no provisions about the culpability of the people who financially sponsored destructive diving practices. But the officers nevertheless used the captain's equipment to hassle Made Ali, and extorted from him more than twenty million rupiah (around US\$2,000, at a time when an entry-level bureaucrat's monthly salary was about US\$100).

Made Ali's encounter with state authorities in the coastal zone fit within a broadening conflict in Malakaji over the use of cyanide to capture live fish. The practice had become widespread in the Kariango Archipelago in the late 1990s, when most of Pulau Rantau's divers—not just Made Ali's—entered the live fish trade (other patrons had also had vessels destroyed by the Australian Navy in 1996). Cyanide was popular because divers could catch two to four times more fish, and more valuable species of fish, than fishers using hook-and-line methods. By the dawn of the new millennium, hook-and-line fishers from Pulau Tetap began complaining to their patrons—including Made Ali—about declining fish yields, which they blamed on the use of cyanide. Anecdotes abounded. Rahim, a line-boat captain who began catching live fish for Made Ali in 1996, recalled that he and his two-person crew used to catch seventy kilograms of fish in one day using their hooks and lines, when traveling to fishing sites only twenty minutes away using a five-horsepower boat engine. But in 2003, using a twenty-horsepower engine to drive to reefs located between one and three hours away, he would catch only fifteen kilograms of fish. As Rahim's capital and operating costs increased, yet yields from his fishing operations diminished, his indebtedness to Made Ali rose steadily.

Although no scientific survey of Malakaji's reefs existed to establish baseline data, it is very likely that divers' widespread application of cyanide caused coral reefs to bleach (a defensive response to pollution) and reduced fish habitat, as it had elsewhere in the country.<sup>22</sup> Made Ali himself estimated in 2003 that Malakaji's twenty-two patrons produced only about three tons of live fish in each of the season's two-week fishing periods (called a *turo*, which corresponds with the new moon). He contrasted this with his first years in the business in the mid-1990s, when four large patrons employing only hook-and-line fishers from Pulau Tetap regularly caught more than ten tons of fish in a single *turo*. He predicted that the fishery would be destroyed in less than a decade, and planned to move to the mainland within one or two years. Following the example of earlier emigrant patrons, there he would invest in less risky ventures—land, houses, stores, gardens, mosques, and Islamic schools.

In subsequent years, complaints intensified as allegations about the effects of cyanide use became entangled with territoriality. The rapid entry of Pulau Rantau's divers into the live fish trade meant that some 350 new people using cyanide began extracting fish from Kariango's reefs in the space of three or four years, and quickly outnumbered the roughly 250 fishers from Pulau Tetap. The opposing trends of increased fishing pressure, on the one hand, and declining numbers of bountiful

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<sup>22</sup> See Evan Edinger et al., "Reef Degradation and Coral Biodiversity in Indonesia: Effects of Land-based Pollution, Destructive Fishing Practices, and Changes over Time," *Marine Pollution Bulletin* 36,8 (1998): 617–30; P. Mous et al., "Cyanide Fishing on Indonesian Coral Reefs for the Live Food Fish Market—What is the Problem?" in *Collected Essays on the Economics of Coral Reefs*, ed. Herman Cesar (Kalmaly: CORDIO, 2000), pp. 69–76.

sites, on the other, meant that fishers and divers began to meet regularly on the same reefs. Arguments soon emerged. Rahim and other fishers from Pulau Tetap explained that on occasion they had cast their baited lines on a particular reef, only to notice a short while later that air bubbles were rising near their boat. These telltale signs of divers, whose boats might be a fair distance away, infuriated the fishers, who claimed that the divers deliberately dove beneath them and captured the fish that their baited hooks had attracted, before the fish had a chance to bite.

Other cases of territoriality involved knowledge about reef geography and conditions. Between the late 1960s and early 1990s, about one-third of Pulau Tetap's fishers had caught the same fish species now sold alive, except they had sold them salted or fresh. During this time they accumulated detailed knowledge of the area's reefs. In a 2003 interview, one senior fisher from the island recited the names of twenty-seven reef complexes in the surrounding area, starting with those just south and ending with those several hours to the north. As the availability of fish on commonly known sites declined around the turn of the millennium, dive-boat captains began following line-boat captains out to sea so as to find isolated reefs that remained in prime condition. Fishers deeply resented this, feeling that divers were exploiting them and their ancestral knowledge, and contaminating what healthy reefs remained.

The conflict between divers in Pulau Rantau and fishers in Pulau Tetap proved difficult to resolve. Each side respected the other's need to make a living and feed their families. Residents of the two islands also had a high rate of intermarriage, with many divers who grew up on Pulau Tetap moving to Pulau Rantau (and vice versa) after marriage.<sup>23</sup> With so many familial connections, criticizing the activities of one group often meant indirectly blaming your uncle or nephew. Although these bonds helped defuse potential violence, they also frustrated the calls of Pulau Tetap's fishers and patrons for an end to cyanide diving. Some patrons from Pulau Rantau also blurred the islands' social-occupational divisions and made resolution more complex. Those with the largest and most established networks, like Made Ali, had client divers in Pulau Rantau *and* fishers in Pulau Tetap. For these dual patrons, their fishers progressively lost the ability to pay back the money they borrowed to go to sea. But their fishers' growing debts were offset by the large profits that these patrons made off of their divers who used cyanide. So Made Ali and other dual-patrons continued to downplay the conflict and support the use of cyanide.

State officials and institutions were ineffective mediators. While the navy and the Department of Fisheries rarely patrolled the Kariango Archipelago, the Air and Water Police had regular interaction with residents. They had a branch office at the nearby mainland port, and also controlled the district's main docks in Areba, through which live fish passed if they were destined for airplane-export from Makassar. Between 2001 and 2004 the branch also stationed an officer on Pulau Puncak, adjacent to Pulau Tetap, in a rented room that doubled as a base of operations. But the branch's only speedboat remained at the branch office, where officers pointed out that fluctuating annual budgets made patrolling irregular. Regardless, fishers and patrons from Pulau Tetap did not trust or respect police officers. They complained that the police seldom bothered even to try and enforce the law. Furthermore, these fishers commented on the few occasions when police did capture divers with cyanide, they sought payoffs rather than delivering them to the

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<sup>23</sup> A newly married Bugis man customarily moved into the house of his wife's family.

judiciary for trial, and the divers returned to using cyanide on the reefs the next day. “There is no *reformasi* here,” one frustrated fisher asserted in a 2003 interview.

Around the end of the 2001–02 fishing season (roughly April), Pulau Tetap’s fishers and patrons decided that they had to try something different. Led by Haji Hamzah, an elder patron known for expressing his opinion, they drafted an anonymous letter that accused Pulau Rantau’s divers of using cyanide, and local police officers of taking bribes to ignore this destructive practice. They asked the district government to improve law enforcement in the archipelago. The letter made its way to the office of Daeng Abdul Rasak, a representative in the District House of Representatives, who had been born in the archipelago yet lived his entire adult life on the mainland, who then passed it on to the District Chief, Mohammed Ramli. Ramli arranged a meeting on Pulau Rantau, not Pulau Tetap, weeks later. His sub-chief (*camat*) from the mainland represented him (Ramli did not attend), along with the warden (*lurah*) of Kariango. Also in attendance were the heads of the district-level Department of Fisheries, army, and police, along with Iskandar—the chief of the mainland Water and Air Police branch who had incarcerated Made Ali earlier that year. More than a dozen other fishing and diving patrons from both Pulau Rantau and Tetap attended, including Made Ali, along with as many fishers and divers as could cram into and around the doors of the village office’s meeting room.

The meeting did not go well. The letter had apparently insulted the head of the police.<sup>24</sup> When his turn came to discuss cyanide diving, he confronted the islanders. Speaking in Buginese, he called for witnesses to come forth and talk about what was happening, even calling directly on a prosperous patron who had had several captains arrested. But nobody did. This upset him further, and he stormed something along the lines of, “Why, if I come to Pulau Rantau, are people afraid to talk to me, but if a thousand police come to Pulau Tetap, nobody would be scared? This shows that divers are hiding something.” Nothing was resolved by the time he returned to the mainland. Reflecting on the event in 2003, fishers and divers and their patrons (including the man called on directly) explained to me that they had remained silent either because they did not want to accuse anyone in public or feared incriminating themselves.

Malakaji’s major patrons met on their own about two weeks later. Even though they disagreed about cyanide’s ecological effects, they agreed to try and minimize conflicts at sea. They then told their clients that if a line-boat had set up on a reef, no dive-boat was to come within fifty meters of it, and vice versa. The arrangement held, but did not solve the conflict, fishers explained. Divers would still follow and find them at sea, and even though they now waited at a distance while the fishers worked on a reef, once the fishers departed the divers would set to work on that same reef with their cyanide. Fishers had told their patrons, including Made Ali, as much.

Despite Made Ali’s involvement in this conflict, he remained a popular patron and village figure, and handily won the village-chief election at the end of 2002. Looking back, he claimed that he never wanted to be the village head, but, after so many people asked him to run for the office, he finally agreed. His initial apprehension seemed prescient when the conflict between divers and fishers surfaced again in early 2003. On March 5, District Chief Ramli came and gave a

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<sup>24</sup> I was never able to interview him, and the remainder of this paragraph is based on three accounts of his speech, including one from Haji Hamzah.

public speech on Pulau Rantau, and repeatedly mentioned destructive fishing practices. A former law professor at Hasanuddin University in Makassar, Ramli was a widely respected and well-liked politician entering his tenth and final year as a Jakarta-approved leader who had successfully spanned the New Order and *Reformasi* eras. He had come to Pulau Rantau to inaugurate the Kariango Archipelago's official status as a *kecamatan*, a subdistrict administrative unit, and its four new constituent villages, including Malakaji.

After co-signing a series of documents and swearing in new officials, Ramli doled out advice and admonitions, and a few jokes, in a fifteen-minute closing speech. With his audience crammed into a former classroom, he spoke in Indonesian and repeated himself in Bugis so that the dozens in attendance could understand him. He started out by reiterating the national trope that island inhabitants are dependent on fishing and have no economic alternatives, and warned that people in Kariango would not be able to fish into the future if they used bombs and cyanide on the reefs. Then his speech took a turn, and he began projecting a bright, democratic outlook on the future. Today was a different era of government, he explained—it was the era of regional autonomy. The district chief and sub-chief, and the district police chief, were to be accessible to anyone. People and the government needed each other, and with community participation and support the government could work to get anything for its constituents. Interspersing his arguments with examples, Ramli circled back to critique destructive fishing practices three more times by the end of his lecture. At the time I thought Made Ali, dressed in his beige state uniform, looked notably pale.

It did not take long for the police to bring renewed attention to Made Ali's activities. In early April officers arrested Firman, Made Ali's son-in-law and a former client captain who had recently become a small patron himself. Detained when preparing to leave the mainland docks in Areba and drive to Makassar, Firman and his partner Yusuf had humphead wrasse in the truck they were driving but no permit for these fish and, crucially, an air compressor used for diving. The exporter in Makassar, furious with Yusuf and Firman, bribed the police with two computers, worth about six million rupiah, in exchange for his truck's release, but nothing else. After two days in the district jail, Yusuf paid his own way out. Firman, however, could not. Although Made Ali's wife actually went to the district station and resolved the matter the next day, the seven million rupiah she paid the police chief was Made Ali's money.

During a serendipitous discussion a week later, Made Ali confided to me that his contradictory positions as a businessman trying to make a profit as a patron who facilitated the use of cyanide, and as a state official responsible for eliminating this same practice, made him uncomfortable. I passed many nights as a guest in his home, and one night I was just falling asleep on a large rattan mat in the upstairs common room when Made Ali not so quietly whispered from the door, "Pak Durian, have any cigarettes?," knowing I always kept some handy for interviews. It must have been near midnight, and moonlight shone through the open windows into the otherwise dark room. "*Iyek, punya, silahkan,*" I replied ("Yes, I do, please"), sitting up to rummage blearily through a few belongings, and then extend an opened pack of *Surya* to my host. "I just came from the police post, all the shops are already closed," Made Ali explained, the half-light illuminating his sheepish grin. He sat down on the opposite side of the mat and then, with a little crackling and a puff of smoke, sent the scent of clove through the room. He reclined and began smoking deeply, staring at

the ceiling. Breaking the silence moments later, he confessed, "I do not like being village head, Pak Durian. I get stressed." He paused, still staring at the ceiling, and continued, "I am happier just running my fish business. If the community asks me to be chief again, I will not do it." He went on to explain that patrons and fishers from Pulau Tetap were planning a group protest at the District House of Representatives, and that he had responsibility for resolving disputes in the village. In the end the would-be protesters never mobilized, but Made Ali had taken their threat seriously.

Later that month, Made Ali began to reform his practices. He warned his eight dive-boat captains that he would no longer bail them out if the police caught them, and encouraged them to stop using cyanide and to dive for commodities other than live fish. For the time being he would, however, continue buying any live fish they caught, if they did choose to continue using cyanide. At that point two of his captains decided to stop catching live fish and focus anew on making regional trips in search of sea cucumber and valuable shells, while the remainder continued to catch live fish. Shortly after this event, I departed for six months of research in Southeast Sulawesi, beginning in the early summer of 2003.

The situation evolved during my time away. A few weeks before I returned, Made Ali had stopped entirely buying live fish from divers, and had given his remaining six live-fish clients the choice of either extracting other marine commodities or transferring to a new patron. After my return he explained that two more of his dive-boat captains had returned to extracting sea cucumber. The four others requested to be transferred as clients to his nephew, a prodigious young patron who, like Made Ali had done for years (and still did), regularly gave "friendship and understanding money" to policemen in the islands, on the mainland, and in Makassar, as a way of proactively avoiding harassment and arrest. Upon probing, however, I found that Made Ali did not entirely sever the bond of patronage with the four captains: while the captains sold their fish to Made Ali's nephew, who lent them credit to cover operational costs, he continued to own their capital debt, and behind closed doors split the profits made on these fish with his nephew.

The preceding narrative illustrates how Made Ali was super-positioned as a prosperous businessman, a respected patron, and an elected official once he took office in January 2003. As his first year wore on, he negotiated his own balance of those interests and obligations. This involved disguising his profits, paying off the police, responding to the concerns of the district chief and village fishers, and ostensibly upholding national law. Nevertheless, the conflict over cyanide diving and reef access persisted, and the line fishers and their patrons from Pulau Tetap remained marginalized relative to the divers and their patrons from Pulau Rantau.

#### **EMBODYING THE STATE**

After taking office in late 2002, Made Ali soon had to negotiate compromises not just among his village constituents and state institutions, but between divers from Pulau Rantau and other Indonesian citizens. In September 2002, three boats from Madura had entered the waters of the Kariango Archipelago. The initial encounter with them was bizarre, according to Hasan, one of a handful of men on Pulau Rantau who bought and sold small amounts of live fish on the open market rather than through contracting. One day the Madurese boats arrived and anchored about 150 meters south of Pulau Rantau, where Hasan first noticed their distinctive painting,

shape, and fittings from his house on shore. For three hours nobody came to land to introduce themselves. Finally he got into his own boat, drove over, and asked what they were doing. They asked him if there were sea cucumber and lobster available in nearby waters. Hasan said there were, and, after they asked him to tell them more, he boarded their ship and spent some time telling them stories about catches and conditions. The Madura fishers said they liked what they heard, Hasan offered to buy the lobster and sea cucumber they caught, and a partnership spontaneously formed. Hasan took the three boat captains to meet Kariango's warden (recall that it only officially converted from the lower-level *kelurahan* to a *kecamatan* in 2003). The captains negotiated to pay the warden, collectively, 200,000 rupiah (US\$20) in return for permission to dive on the area's reefs. The boats, each with a captain and nine crew members, then went to work on the reefs. A week later three more captains arrived, paid a nominal sum to the warden, and also began selling to Hasan. They sold their catch to him roughly twice a month, when they came to shore for a few days to buy fuel and food, and to acquire and chop the timber used to smoke *tripang* (sea cucumber) while at sea.

Divers who lived on the southern end of the island took notice. The divers from Madura used expensive scuba tanks when they dove, something Pulau Rantau's divers had stopped using in the late 1980s in favor of newer and cheaper air-compressor diving technologies. Scuba tanks allowed the Madurese divers to reach greater depths than could Pulau Rantau's divers, and extract significant volumes of otherwise inaccessible lobster and sea cucumber. Hasan noted that each boat sold him around four hundred kilograms of sea cucumber in its two months in the archipelago, including many smaller varieties that Pulau Rantau's divers did not bother to extract. According to Hasan, a few weeks after the Madurese divers arrived, divers from Pulau Rantau began approaching them at sea and telling them to stop working on the archipelago's reefs, that "the sea here is our area" (*laut di sini wilayah kami*). When Hasan asked around, the divers told him that the Madurese were using cyanide to catch lobster, and that they did not want people from "outside" (*dari luar*), like the Madurese, coming and destroying the reefs. Verbal disputes over territorial access continued to surface sporadically on the reefs until the Madurese divers went home in early November, shortly before Ramadan.

During his first month in office, Made Ali proposed that the five-member Rural Representative Board (RRB) pass an ordinance requiring any vessel from outside the area (e.g., from Java, Madura, or other parts of Sulawesi) to pay 200,000 rupiah for permission to extract commodities from the archipelago's waters. Similar "small pass" agreements like the one he proposed had been common in villages in Sulawesi, Nusa Tenggara, and Papua as long as divers whom I interviewed could remember (including divers who had already retired). In the past, these fishers explained, such an agreement might have been written into village law, but this was not essential. The practice constituted more of an ethic of access than a regulation: divers felt obliged to report themselves and pay a small fee if they planned to spend time in the waters of a distant village, otherwise they would be "stealing" (*mencuri*) that village's marine commodities.<sup>25</sup> Made Ali justified his proposal by explaining that today was

<sup>25</sup> An ethic of access consists of a local sense of the "rightful distribution" of access and ownership to a resource at a particular moment in history, which is not treated explicitly in the tenets of traditional law but constitutes an accepted value within a community. Nancy Lee Peluso, "Fruit Trees and Family Trees in an Anthropogenic Forest: Ethics of Access, Property

the era of regional autonomy, and this meant that it was his duty to help the village make money “from below” because there was no longer enough “from above.” People had elected him because they believed that he could develop the village’s economy. After members of the board consulted with the subdistrict head, who confirmed the legality of turning the customary practice into a regulatory technology, they did as Made Ali asked and passed the ordinance.

The decision was prescient. In the middle of February 2003, a fleet of fifteen boats from Madura arrived at Pulau Rantau and wanted to start collaborating again with Hasan. Before they could begin, Made Ali informed them of the new ordinance. The captains complied and altogether paid three million rupiah to the village’s treasurer in the village office. But within a week, Made Ali had divers from the island’s south end, including a few of his own, coming to complain at his house in the evenings, after *maghrib* (the period of Islamic prayer at sunset) and dinner. They wanted Made Ali to revoke the right of the boats to operate in local waters.

Several evenings later, Made Ali called a meeting between the two groups but engaged them separately, first talking with Pulau Rantau’s divers and then with the divers from Madura, accompanied by Hasan. The divers from the island claimed that those from Madura were stealing all the sea cucumber, clearing out deep and shallow waters alike, and that the Madurese’s payment of the ordinance’s required was irrelevant. After meeting with the Madurese divers, Made Ali proposed that they could stay, but could only gather sea cucumber in the deeper waters that Pulau Rantau’s divers had difficulty reaching with their compressors. This satisfied his clients and village constituents. Furthermore, based on Hasan’s conviction that the dispute stemmed partly from other patrons’ jealousy of his monopoly over the Madurese catches, Made Ali proposed that the visiting captains sell to other traders, too. The captains from Madura agreed to do so.

In an interview with me the next day, Arifin, a former partner of Made Ali, spoke critically of Pulau Rantau’s divers. He was Made Ali’s age and had also dived throughout eastern Indonesia. He had tried to dissuade the island’s divers from protesting, but did not want to intrude too much in their business. He pointed out to me that their claims had changed between September and February—the first set of claims alleged an illegal practice (using cyanide), while the second did not—and, regardless, neither provided a sound justification for excluding the Madura divers. First, nobody had evidence that the Madurese used cyanide to catch lobster and thus broke the law. Second, Arifin continued, the divers were hypocritical. Pulau Rantau’s own divers—like himself—were the ones who had picked the area clean of sea cucumber over the past decades, and continued doing this now; the boats from Madura were not the reason for declining catches. Furthermore, as Hasan and other interviewees echoed, fishers and divers from Malakaji had been exploiting the reefs in other parts of Indonesia for decades, and in the past people from other parts of the country had worked in the area’s waters without trouble. The country’s waters were the shared property of all Indonesian citizens, and Pulau Rantau’s divers had no right to deny other people access to their reefs.<sup>26</sup> The divers who complained, Arifin alleged, were motivated by jealousy—a misguided feeling that, he emphasized,

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Zones, and Environmental Change in Indonesia,” *Comparative Studies in Society and History* 38,3 (1996): 510–48.

<sup>26</sup> The 1945 Constitution, Article 33, Sections 2 and 3, is the basis of this legally sound claim.

Islam forbade. The Madurese divers could not be faulted for their success, it was their *rejeki*, the fate and fortune that Allah granted them.

The attempted articulation of island residence and control over the reefs illustrates that a “sedentarist metaphysic”<sup>27</sup> had emerged in Malakaji since the arrival of the Madurese divers the previous September. This consisted of the essentializing, naturalizing belief that Malakaji’s people, culture, and territory had been and continued to be isomorphic, and thus that Indonesian geography consisted of discrete segments. Such beliefs have underwritten violent exclusion from resources in other parts of Indonesia.<sup>28</sup> In Malakaji this metaphysic was a key element in discursive debates about who belonged, who had rights, and who had access—in other words, debates about autochthons and aliens.<sup>29</sup> Based on their birthplace, ethnicity, and residence, the protestors self-identified as autochthons who had special moral and material rights to the reefs. By contrast, the visitors—variously labeled “the Madurese” or “people from afar” or “people from outside”—were aliens whose activities were deemed illegitimate. In this way, the divers attempted to locate the problem of reef over-exploitation in the bodies of those who came from elsewhere.

Made Ali’s compromise fell apart within a month. In the middle of March, he told me that other patrons were inciting divers to complain to him. I asked whether this was because Made Ali had colluded with Hasan to buy the lobster (although not the sea cucumber) from five visiting captains. No, he explained, they were alleging that he had appropriated the three million rupiah paid by the Madurese to the village to comply with the access ordinance. Made Ali felt insulted by this accusation—he was an influential patron who helped his clients in many ways. The sum of money, more so, was paltry. In the late 1990s, he bragged to me, he sometimes made fifty million rupiah in one sale (US\$5,000), so much income that he could “wash with money” and amaze his friends in Makassar; three million rupiah was not even enough to buy a new boat hull, he said disgustedly. Furthermore, he felt he had reasonably balanced the divers’ concerns with concern for the village’s economy. To prove his critics wrong, soon after our conversation he returned three million rupiah to the Madurese divers, apologized to them for the demands of his citizens, and told them he could not condone their continued operation in the archipelago’s waters. He also told the village board to withdraw the “access” legislation they had jointly passed (though they did not), saying it looked ridiculous to have village regulations by which villagers themselves would not abide. Reflecting on his action, he explained to me that he had to listen to people in the village and hear what they wanted, because otherwise they would resist what he tried to do.

The Madurese departed—only to go to Pulau Peropa, an island about two kilometers north of Pulau Rantau that was the center of another village in the

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<sup>27</sup> Liisa H. Malkki, “National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees,” in *Culture, Power, Place: Explorations in Critical Anthropology*, ed. Akhil Gupta and James Ferguson (Durham, NC: Duke University Press, 1997), pp. 53–72.

<sup>28</sup> Tania M. Li, “Engaging Simplifications: Community-based Resource Management, Market Processes, and State Agendas in Upland Southeast Asia,” *World Development* 30,2 (2002): 265–83.

<sup>29</sup> Jean Comaroff and John Comaroff, “Naturing the Nation: Aliens, Apocalypse, and the Postcolonial State,” *Journal of Southern African Studies* 27,3 (2001): 627–51.

archipelago. There they paid 200,000 rupiah to the village head, and two days later continued working on the area's reefs. (The subdistrict chief had spread the word about Malakaji's access ordinance, and other villages had followed suit.) Firman found the irony delightful: Pulau Rantau's divers and their patrons had succeeded in pressuring Made Ali to exclude the Madurese divers, only to find out that the Malakaji's waters "could not be divided, they were all one" with the waters of other, nearby villages.

Made Ali was furious. He complained to me, as I am sure he did to others, that the village had now "lost twice"—the visiting divers were still exploiting the reefs, and the village did not even have three million rupiah to show for it! He told the aggrieved divers not to bother him again about this issue, and not to disturb the Madurese visitors anymore because they had arranged access with another village in the archipelago. Without further event, the Madurese went home several weeks later, when the off-season began in late April.

When I returned from Southeast Sulawesi in early November, six Madurese boats had gained permission from Malakaji Village to operate in Kariango's waters, and sold their lobster to Made Ali. Made Ali explained that the Madurese could report to any village in the archipelago, but had chosen to report in Malakaji because of his high level of service as a village head (and no doubt his service as a businessperson). He also noted that the RRB had reduced the duration that future passes would be valid from three to two months.

The preceding narrative has again illustrated how Made Ali occupied multiple positions of authority and responsibility that sometimes set him against himself. When divers from Madura entered the village's waters in mid-February, his constituency tangibly expanded from Malakaji's villagers to Indonesian citizens as a whole. In subsequent months, he tried to guarantee universal access to marine resources—a right guaranteed in the Indonesian Constitution and underscored in decades of fisheries legislation—while guarding against their degradation. And he attempted to secure the best deal for the village and its economy without writing off the partisan concerns of Pulau Rantau's divers, some of whom were his own clients. All the while, he continued to pursue profits from the compromises he at times mediated, at times negotiated. His ability to guide the actions of others, however, had limits. He had to convince the RRB that an access ordinance would address multiple concerns in a legal manner; he abrogated the fledgling regulation following continued complaints by Pulau Rantau's divers and patrons; and, after excluding the Madurese, he could only watch them find alternate ways to access the reefs.

#### **IN SUHARTO'S WAKE**

Indonesia's 1999 reformation, especially Laws 22 and 25,<sup>30</sup> began making waves in the waters of Malakaji in 2003. In response to pressure from the police, his state superiors, several of his client fishers, and an island's worth of constituents, Made Ali, a popularly elected village head, decided to alter his lucrative yet destructive business practices to comply with the national laws on fisheries development and protection that he had responsibility for upholding. When patrons and divers from Pulau Rantau attempted to exclude divers from Madura, this same village head refuted discursive claims about autochthonous rights that attempted to position the

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<sup>30</sup> Refer back to footnotes one and two.

Madurese as illegitimate. Instead, Made Ali chose to respond to their concerns by working jointly with the village's new Rural Representative Board to draft and implement an access ordinance that positioned the Madurese as Indonesian citizens with equal rights to the village's reefs. Through these conflicts and provisional compromises, an assortment of actors routed through Malakaji re-articulated locally specific meanings and practices of fisheries exploitation, village economic development, and resource conservation in light of newly democratizing relations of accountability.

At the same time, the 2003 conflicts illustrate that regional autonomy is not a panacea for injustice and prejudice. In the first case (i.e., regarding destructive practices from which he profited), although Made Ali responded to his constituents by reducing his own considerable involvement in cyanide diving, he did not succeed in resolving Malakaji's inter-island troubles, and line fishers remained relatively marginalized. In the second case (i.e., concerning divers who were not local residents), Made Ali was again downwardly accountable, but this meant subordinating the visiting Madurese to the exclusionary demands of vocal patrons and divers; resolution only came insofar as the visitors moved a small distance to a more welcoming village. During a brief return to the field in 2006, I came across three similar cases in other parts of Sulawesi and Kalimantan, where villagers had interpreted regional autonomy and its new coastal jurisdictions to mean that they, too, now controlled their immediate coastal zones and had the right to exclude "outsiders" from accessing the resources therein. The key misinterpretations in Malakaji and another case I investigated in South Sulawesi were that regional autonomy laws had granted villages new coastal management powers, and that autochthons had privileged rights of access. The danger facing migrant Indonesian fishers is that such sedentarist metaphysics, typically manifest on land, are spreading throughout Indonesia's island villages, and the universal maritime inheritance of Indonesia's citizens is being appropriated by strongly territorial subgroups.

The way in which village governments work through historical legacies of power and difference during this period of transition to direct democracy will likely have a strong influence on equality and future norms of governance in those places. In the preceding pages I have tried to show that the course Malakaji is now navigating cannot be explained solely with reference to its charismatic new village head nor by the village head's responsibility to ever-higher levels of government. Rather, growing democratization has made it clear that Malakaji's current trajectory is a product of the historically rooted, often contradictory, and always unstable relationships between Made Ali and the people he is attempting to govern. The rationalization of fisheries exploitation and development remains central, but not in the abstract sense of policies implemented by a reified State. Rationalities of government and their corresponding technologies, like the village ordinance, matter to the extent that they provide a platform for diverse actors to define and link the desires of not just the Indonesian nation and village governments, but the everyday citizens who engage, constitute, and transgress the discursively bounded Indonesian State. Resource exploitation and development are negotiated in the everyday encounters between diverse actors at sea and on land, who attempt to define and link the desires of the Indonesian nation with those of village governments and their own families. For scholars of the Era of Reformation, the individuals who simultaneously engage, constitute, and transgress the discursively constructed boundaries of "the

Indonesian State" provide a powerful vehicle for examining and explaining the ways in which villages across the country are attempting to democratize development.