



Tropentag, October 9-11, 2007, Witzenhausen

“Utilisation of diversity in land use systems:
Sustainable and organic approaches to meet human needs”

Conservation Agreements as an Institution for the Commons: Contexts, Situations and Consequences Evidence from the Napu and Kulawi Valleys, Sulawesi, Indonesia

GÜNTER BURKARD

University of Kassel, Institute for Sociocultural Studies, Germany

Abstract

Because the delineation of the Lore Lindu National Park in Central Sulawesi as “prohibited area” had disastrous results due to a significant lack of legitimacy in the eyes of the local communities bordering the park, since August 2002 the state has altered its strategy in granting more management authorities to the villages at the forest margin via negotiated arrangements. National laws regulating natural resource management in direct ways (Forestry Law UU 41/1999, Conservation LAW UU 5/1990) offer almost no room for autonomous resource management. The Agrarian Law UU 5/1960 and the “Regulation on Land Conflicts” (PP 5/1999) confine management rights only to “customary law communities”. The problem lies in the fact that customary forests” are often secondary forests formerly embedded in cyclical agricultural systems. Thus, the devolution of rights must rely on laws regulating NRM in indirect ways with the effect that the CCA are not recognised by the Forest Department and have thus only a low legal reliability. As “Institutions for the Commons”, the reliability and sustainability of these so-called conservation agreements are less determined by their specific “design principles”, but rather by the social and political environments in which they are embedded. These, in turn, are primarily defined by: 1. The legal framework for devolution provided by the Indonesian legislation, 2. The wider reformative discourses on “indigenous rights” and “people’s economy” in general and 3. The coexistence of contradictory perceptions of property rights existing in the research area as well as in the Indonesian statutes. Being faced with different local situations, people draw upon different legal and property discourses in order to legitimate their claims. These, in turn, have significant impacts on the perception of socio-economic security. The contribution should further help to identify several “key variables” of agreements which should allow for a systematic comparison. Important contextual aspects of the conservation agreements in Central Sulawesi are (1) the genesis of the agreements, (2) leaders’ policies, (3) legal base and perceptions of property rights, (4) programme implementation and (5) ideological outlook of facilitating NGOs.

Keywords: Conservation agreements, devolution, local resource management, national park management