

Does community-based forest management in Indonesia devolve social justice or social costs?

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SUMMARY

The Indonesian government is committed to allocating 12.7 million hectares of forest land to local communities through community-based forest management (CBFM) schemes. We analysed CBFM case studies from three provinces throughout the archipelago. In all cases, actions focused on nominal redistribution of land but ignored local participation and aspirations. CBFM was used as a tool to solve problems of forest tenure, legalization of forest communities and forest rehabilitation, rather than to empower communities and therefore address issues of social justice. Communities remained subject to land-use restrictions, limiting their opportunities. Their participation was often weak and limited to the village elites. Technical support to communities was almost inexistent, leaving them without the financial and technical skills required to run the schemes efficiently. The analysis indicates that redistribution of rights only serves social justice when the process recognises local aspirations and cultural values of participants.

Keywords: community-based forestry management, social justice, Indonesia, empowerment, rights

La gestion forestière à base communautaire en Indonésie délègue-t-elle la justice ou les coûts sociaux?

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Le gouvernement indonésien s'est décidé à accorder 12.7 millions de terres forestières à des communautés locales par l'intermédiaire de régimes de gestion forestière à base communautaire (CBFM). Nous analysons les études-cas de CBFM dans trois provinces dispersées dans l'archipel. Dans chaque cas, les actions se concentraient sur la redistribution nominale de la terre mais ignoraient la participation et les aspirations locales. La CBFM était utilisée en tant qu'outil pour résoudre les problèmes de régime foncier, de légalisation des communautés forestières et de réhabilitation forestière, plutôt qu'en tant que moyen d'habiliter les communautés, et de faire par conséquent face aux questions de justice sociale. Les communautés demeuraient assujetties aux restrictions d'usage de la terre, ce qui limitait leurs opportunités. Leur participation était souvent faible et restreinte aux élites villageoises. Tout support technique aux communautés était pratiquement inexistant, les laissant sans les compétences financières et techniques requises pour faire fonctionner ces régimes efficacement. L'analyse indique que la redistribution des droits ne sert la justice sociale que dans les cas où le processus reconnaît les aspirations locales et la valeur culturelle des participants.

¿Recupera la gestión forestal de base comunitaria en Indonesia la justicia social o elimina los costos sociales?

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El gobierno de Indonesia se ha comprometido a asignar 12,7 millones de hectáreas de tierras forestales a las comunidades locales mediante sistemas de manejo forestal comunitario (CBFM, por sus siglas en inglés). Este trabajo analiza estudios de caso de CBFM de tres provincias del archipiélago. En todos los casos, las acciones se centraron en la redistribución nominal de la tierra, pero ignoraron la participación y las aspiraciones locales. El CBFM se usó como una herramienta para resolver problemas de tenencia forestal, de legalización de comunidades forestales y de rehabilitación de bosques, en lugar de empoderar a las comunidades y de esta forma abordar cuestiones de justicia social. Las comunidades seguían sujetas a restricciones de uso de la tierra, lo que limita sus oportunidades. Su participación fue a menudo débil y limitada a las élites de la comunidad. El apoyo técnico a las comunidades fue casi inexistente, dejándolas sin las habilidades financieras y técnicas requeridas para ejecutar los sistemas de manera eficiente. El análisis indica que la redistribución de los derechos solo sirve a la justicia social cuando el proceso reconoce las aspiraciones locales y los valores culturales de quienes participan.

INTRODUCTION

The historical roots of forest institutions in Western Europe, developed on the basis of a conflict of interests between local people and the central powers of emerging states, have been mirrored in many developing countries. Based on exclusion of local communities, forests became a reliable source of income for those in power but increased local conflict. Income was based on extractive rather than sustainable management modes of operation that were efficient only in financial bottom-lines (Peluso 1992, Sunderlin *et al.* 2008). In the fragile balance of post-independence, states that needed justice concepts in nation-building but also financial resources for development, saw sparsely populated forests as a target for income generation through external concessionaires. Where political power shifted, local views on historical injustice gained momentum and this led to commitments to co-management between forest authorities and local communities. However, dimensions of recognition and participation were more difficult to deal with. Local people and their institutions had been denied recognition of their particular experience, identities, and values in relation to forests, excluding them from any decisions made over management (Sikor 2010, Sunderlin *et al.* 2008, Peluso 1992, Chomba *et al.* 2015). Their traditional tenure, management systems and identity had been ignored through claims of state ownership of forest inherited from colonial-style legal and organisational structures that still dominate state forest management (White and Martin 2002, Peluso 1992, Dressler *et al.* 2010, Springate-Baginski *et al.* 2013). The issue may be ultimately one of combining perceived justice as a social dimension of human identity with long memory of perceived past injustice with economic and ecological efficiency in the way resources are managed and used.

These questions are particularly relevant in Indonesia, which has been marked by a process of forestland appropriation and extension of state authority that began in colonial times and accelerated with independence. Throughout this process the state has exerted its control over seventy-eight percent of Indonesia's land surface (Fay and Sirait 2002), officially classifying more than 120 million hectares as state forests (*kawasan hutan*) under the jurisdiction of the, then, Ministry of Forestry (MOF¹) (Contreras-Hermosilla *et al.* 2005, Michon 2005, Campbell 2002, Safitri *et al.* 2015). The peak of this centralised government-led forest management took place during Suharto's New Order regime (1967–1998). Influenced by the ideology of growth-oriented development, the New Order's forestry policies viewed forest, as essential development capital. With support from local governments and the military, forest management rights were given to a closed network of large private companies. Forest exploitation, mainly from logging and other forest product exploitation substantially contributed to the development of the national economy. This achievement, however, came at very

heavy social and environmental costs, where people living in forest did not benefit from its exploitation and forest resources depleted rapidly (Thorburn 2002, Colchester 2001, Michon 2005, Safitri 2010).

The traditional and indigenous rights and institutions that mediated access to, and use of, local resources and territories, known as *adat* were ignored. Forest communities were perceived as encroachers, occupying state land to which they had no legally recognised title. Their legal status became that of squatters, subject to expulsion and displacement. Their traditional livelihoods' systems were criminalised and designated as theft and destruction of national resources. They have often been accused of being the cause of poverty in Indonesia's forest areas (Thorburn 2002, Li 2007, Safitri 2010, de Royer *et al.* 2015). Their aspirations and participation in forest management were ignored and they were perceived as a burden to development.

The reform era that followed the fall of Suharto's regime in 1998 and the subsequent democratisation and political decentralisation process that took place in the country has provided a fertile ground to call for changes on issues related to indigenous' and local rights, identities, livelihoods, access to land, and management. This context provided a new arena for public discussion and contestation, opening real possibilities for restructuring fundamental principles of natural resource ownership, distribution and management, for realigning power and influence and for indigenous peoples to recover from the injustice and disposessions that they had suffered under the New Order regime (Campbell 2002, Steinbach 2013, de Royer *et al.* 2015). It was also a time when NGOs were less restricted and started to engage in an overtly reformist agenda and gain mainstream development agency funds to promote social forestry. Policy analysts and aid agencies realised that the systematic exclusion of forest communities from secure rights and benefits, denial of their aspirations, and lack of participation was a central problem that had to be confronted if 'sustainable forest management' was to be achieved.

It was in this democratisation process that followed Suharto's regime that the Indonesian government increasingly incorporated the approach of community-based forest management (CBFM) in its forestry policies with the purpose of providing opportunities for local communities to gain better access to state-owned forestland and resources and, therefore, contribute to the alleviation of poverty among the forest-dwelling populations (Lindayati 2002, Li 2007, Safitri 2010, Urano 2013). Promoting community forestry has also been recognised as a way to solve a long-lasting history of forest related conflicts between the state, local and indigenous communities and private companies. In that sense, in the last few years and especially since the election of President Joko Widodo in 2014, the government has initiated a massive forest and land reform process aiming to bring at least 30% of state forest under CBFM schemes (12.7 million hectares reallocated by 2019).

¹ In 2015, President Joko Widodo merged the Ministry of Forestry and the Ministry of Environment into the Ministry of Environment and Forestry (MoEF).

Advocates argue that CBFM offers a good compromise for meeting conservation objectives while improving the position of impoverished rural communities who have been denied fundamental rights to participate in decisions that have an impact on their well-being and livelihoods. CBFM has been advocated as an effective way to redistribute tenure rights to forest communities and, concomitantly, a means to achieve more socially just forest management. Fair distribution of forest use-rights and tenure security are seen as central in promoting sustainable forest management, reducing poverty, resolving conflicts and eliminating human rights' violations (Ellsworth and White 2004).

Indonesia, thus, is an interesting case for examining the redistribution of rights as a solution to resolve exclusion. Our hypothesis however, is that achieving social justice is not about only the redistribution of rights but encompasses dimensions of recognition and participation which are largely ignored in the current implementation of the policies.

METHODOLOGY

The paper starts with a review of the historical context in Indonesia. We then provide a literature review of social justice theories that clarifies the underlying causes of injustice and explores how unfair distribution of rights as promulgated by distributive justice theories is incomplete. We continue by introducing case studies in the provinces of Jambi, West Kalimantan and Gorontalo to analyse current developments. The discussion explores how a three-dimensional framework of social justice in the context of CBFM can combine distribution, recognition and participation in the wider context of perceived fairness and efficient use of fundamental, productive resources, such as capital and knowledge.

The case studies are based on fieldwork conducted between 2015 and 2016 by a team of social scientists from the World Agroforestry Centre in Bogor. The team focused on the three schemes that allow communities to manage state-owned forest: *Hutan Desa* (HD), *Hutan Kemasyarakatan* (HKm) and *Hutan Tanaman Rakyat* (HTR). In Jambi Province, we conducted survey in three villages that had applied for a HD permit (Senamat Hulu, Jelutih and Jangkat). In West Kalimantan, we focused on two villages that were also applying for HD (Menua Sadap and Nanga Lauk). For comparison, in Gorontalo Province we examined the villages of Wonggahu, which had received a HTR permit in 2013, and Hutamonu, which was granted a HKm permit in 2015.

In every village, the team conducted ten individual interviews with a broad array of community members to understand peoples' interests and concerns about the current management plans and their feeling about preparation plans they went through. The team also carried out three half day Focus Group Discussions (FGD) per village. For FGD we

separated committee members/farmer groups, women and men in order to have a gender-balance perspective. Semi-structured interviews were also conducted with village officials (village head, village secretary, customary chief, village enterprises. . .) in order to get a better understanding of their feelings and expectation on the various schemes and perceived impact at the broader village level.

Semi-structure interviews were also conducted at provincial level with government representatives from the environmental and forestry agency.

THE DEVELOPMENT OF CBFM POLICIES IN INDONESIA; AN HISTORICAL REVIEW

The three decades of New Order government were marked by evictions, dispossessions and resettlements for the sake of the State's interest. Local claims for land and territorial rights by village heads and others were subject to intimidation (Hauser-Schäublin 2013). Ethnic differences were ignored and rural communities were assumed to have homogenous family and village lives within uniform administrative structures.

Historically, there have been some attempts to engage with communities, but it was only after the end of the New Order era in 1998 and the subsequent reform period (*Reformasi*) that major political changes gave a new impetus to social forestry policy formulation. The first government-sponsored projects involving communities in state forest management resembled that of reforestation projects in Java in the mid-nineteenth century, known as the *taungya*² system, in which young tree plantations were intercropped with staple crops. Communities were allowed to cultivate annual crops for 1–3 years while establishing commercial timber for the government, acting as guardians of the state forest. After independence in 1945, these projects continued, especially in areas under the control of the State Forestry Corporation (Perum Perhutani) in Java. A later effort of Perhutani was the joint forest-management system called *Pengelolaan Hutan Bersama Masyarakat* (PHBM) established in 2001 (Djajanti 2006, Safitri 2010).

Since the 1980s, the MOF has obliged logging and forest plantation companies to carry out village development programs, nowadays called *Pembinaan Masyarakat Desa Hutan* (PMDH/Development of Forest Village Communities), whereby companies are required to allocate part of their profits to developing infrastructure and agriculture in villages within, or surrounding, their concessions (Safitri 2010).

In 1995, the MOF promulgated ministerial decree SK 622/1995 on community forestry (*Hutan Kemasyarakatan*) and established a Directorate of Community Forestry within the Directorate General of Land Rehabilitation and Social Forestry. The decree aimed at mobilising forest communities to rehabilitate degraded forestland within production and

² The term means 'hill' (*taung*) 'cultivation' (*ya*) and was coined in the 1850s by Sir Dietrich Brandis (1824–1907), a German forester who worked with the British Imperial Forestry Service in Burma. Under *taungya* systems, farmers were allowed to grow crops in newly established plantations (Watson 2013).

conservation forests, planting a mixture of timber and multi-purpose tree species (Colchester 2002, Safitri 2010). NGOs, which during *Reformasi* were permitted to have an overtly reformist agenda and gain mainstream development agency funds, and international organisations invested large amounts in community-forestry approaches but were unable to transform forestry practices on any great scale; they did, however, succeed in raising awareness about alternatives.

Meanwhile, throughout the mid-1990s NGOs worked vigorously to map community land claims and land-use systems. With support from the Ford Foundation, a network was formed for participatory community mapping, Indonesian Community Mapping Network (*Jaringan Kerja Pemetaan Partisipatif/JKPP*). The mapping strengthened communities' resolve to press for recognition of collective rights to their land and formed a useful basis for community forestry (Colchester 2002).

The next major government initiative was a new ministerial decree, SK 677/1998, revising the previous program. An advisory team supported the drafting of a different approach to community forestry based on a number of important principles, such as the recognition of traditional forest-management systems and a clear mandate to allow communities to take the lead role in determining their own forest-management objectives and institutions (Campbell 2002).

In the following year, Forest Law 41/1999, which replaced Law 5/1967, became the major legal basis for CBFM policies in Indonesia. Community forestry was defined as 'state forest utilised for empowering communities' and mandated the transfer of management to forest communities, whether they were categorized as *adat* or not. The legislation provides for a licensing system that enables communities to control certain areas within state forest. CBFM could not be established in areas with logging concessions or plantation companies.

More recently, President Joko Widodo pledged to allocate during 2015–2019 around 12.7 million hectares of forestland to community management. The program is being carried out through permits of management and use over state forest. The President's expectation in making such a commitment was to achieve social justice for people living in forest areas and to conserve forest resources (Sekretariat Kabinet Republik Indonesia 2016).

RECENT POLICY DEVELOPMENT

The legislation concerning CBFM is aimed at transferring the management of state forest to forest communities, whether they are categorized as *adat* communities or not. CBFM is not to be established in areas with logging concessions or forestry plantation companies. The legislation provided for licensing system that enables forest communities to control certain areas with state forest and to enforce their local norms in those areas (Safitri 2010).

Four types of CBFM policy arrangements were stipulated by Government Regulation No. 6/2007 on Forest System, Forest Management Planning, and Forest Utilisation (*Peraturan Pemerintah No. 6/2007 tentang Tata Hutan dan*

Penyusunan Rencana Pengelolaan Hutan, serta Pemanfaatan Hutan): 1) Community Forest (*Hutan Kemasyarakatan/HKm*); 2) People's Timber Plantation (*Hutan Tanaman Rakyat/HTR*); 3) Village Forest (*Hutan Desa/HD*); and 4) Company-Community Partnership (*Kemitraan*). A number of ministerial regulations have followed to establish the scope, conditions and licensing procedures for the various schemes (Safitri 2010, Bock 2012, Urano 2013), the most recent one being Ministerial Decree P.83/2016.

HD had become operational under Ministerial Decree P.49/2008. HD are part of the national forest estate. They are managed by communities through village institutions that plan, manage and allocate benefits derived from the forest for a period of thirty-five years, renewable for a further thirty-five years, subject to approval of an annual work plan. Areas that can be recognised as HD must be within village administrative areas and managed to improve the welfare of the inhabitants. Such areas can be granted for areas categorised as either protection or production state forests as long as there are no existing permits (Akiefnawati *et al.* 2010). Activities permitted within a HD vary by land category but must comply with existing land-use regulations. A village that is granted an HD permit is required to establish a committee (*Lembaga Pengelola Hutan Desa/LPHD*) to manage it. The committee is responsible for submitting detailed annual (*Rencana Tahunan Hutan Desa/RTHD*) and long-term (*Rencana Kerja Hutan Desa/RTHD*) work plans to the provincial governor.

HKm is meant to provide easy access for communities to forest resources in order to improve the welfare of people living in, and around, forest areas. Like HD, it can be granted for the same period over forests with protection or production status as long as there are no encumbered rights or permits issued by the state for use of forest products (Urano 2013). HKm and HD are very similar in their scope and procedures; they differ mainly in who can apply. An HKm license is issued to community farmers' groups (*kelompok tani*) established to manage the allocated working areas defined by the MoEF and not village organisations as in the case of HD.

HTR was promulgated by Ministerial Decree P.23/2007 to accelerate economic growth through community access to forest land, the timber trade and markets. The primary policy concerns were to increase forests' contribution to economic growth and to reduce unemployment and poverty. Priority is given to forests in the production category—in particular, logged-over areas and degraded forestland—because the goal of the program is to promote timber production (Van Noordwijk *et al.* 2007). As for HKm and HTR, permits are managed by community farmers' groups for a duration of thirty-five years, renewable.

Although having different approaches and technical arrangements, the procedures for obtaining the various permits are similar. Communities have to submit an application that must include maps of the proposed forest areas and information on land size, functions and existing resources. The application is subject to the approval of the district's regent (*bupati*), upon which the MoEF sends a verification team to the sites. After determination by the MoEF, the community is then required to submit a management plan to their local

TABLE 1 Activities permitted based on forest function and type of permit

Permit category	Activities permitted		Type of permit	Remarks
	In protection forest (HL)	In production forest (HP)		
HD	<ul style="list-style-type: none"> Extraction of non-timber forest products Provision of environmental services (carbon, water, soil protection etc) 	<ul style="list-style-type: none"> Extraction of timber and non-timber forest products Tree-based agroforestry & forestry products 	HPHP for 35 years (renewable for a further 35)	Benefits return to village enterprises (<i>Badan Usaha Milik Desa/BUMDes</i>)
HKm	<ul style="list-style-type: none"> Extraction of non-timber forest products Provision of environmental services (carbon, water, soil protection etc) Restoration 	<ul style="list-style-type: none"> Extraction of timber and non-timber forest products Tree-based agroforestry & forestry products 	IUPHKm for 35 years (renewable for a further 35)	Benefits return to the farmers' groups
HTR	<i>Not eligible</i>	Can only be granted over production forest for timber production	IUPHTR for 35 years (renewable for a further 35)	Benefits return to the farmers' groups

Source: main author

government in order to receive, in the case of HD, a Permit of Village Forest Management (*Hak Pengelolaan Hutan Desal* HPHP); for HKm, a Permit of Use of Community Forest (*Izin Usaha Pemanfaatan Hutan Kemasyarakatan/IUPHKm*); or for HTR, a Use Permit for Timber Forest Plantation (*Izin Usaha Pemanfaatan Hasil Hutan Kayu Hutan Tanaman Rakyat/IUPHHK-HTR*).

A THEORY OF SOCIAL JUSTICE IN THE CONTEXT OF CBFM

Devolution of forest rights to communities through CBFM policies has been an attempt to promote social justice by transferring property rights and provide enabling conditions for communities to benefit from forests. It has been seen as a way to create new opportunities for the inclusion of forest people because changes in statutory rights could allow them to gain rights to forest from which they have been excluded historically (Sikor 2010, Forsyth and Sikor 2012). There are a set of institutions intended to give people the ability to benefit from land resources, including a broad range of rights extending all the way from use and access rights to full-blown ownership (Ribot and Peluso 2003). The vision of access to property rights as a means to achieve social justice is based on distributional theories, which restrict social justice to only the equitable distribution of benefits. Below we will discuss the theoretical gaps in such a claim by demonstrating that property rights are not enough to achieve social justice.

Although the notion of social justice goes back to Ancient Greece, and the Enlightenment, one of the most prominent modern scholars who tried to define social justice was John Rawls. In his book, *A Theory of Justice* (1971), Rawls sees social justice as fairness and claims that the application of fair rules leads to just distributive outcomes. He links social justice to a 'morally proper' distribution of benefits and burdens among members of society through an unbiased form of allocation.

His system deploys a 'veil of ignorance' that, hypothetically, helps create a situation in which people do not know their own strengths and weaknesses or their place in the grand social scheme (Schlosberg 2004). He claims that such a situation will 'ensure that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances' (Rawls 1971:11). Rawls explains that 'in justice as fairness, it is understood as a purely hypothetical situation characterized so as to lead to a certain conception of justice. Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like' (Rawls 1971:11). Without knowing each other's station in life, people would develop a particularly fair notion of justice that everyone could agree with: all would have the same political rights, and the distribution of economic and social inequality would benefit everyone, including the least well off (Schlosberg 2004). This hypothetical situation would create a situation in which people judged distributive outcomes without knowing how these outcomes affected them personally (Sikor 2013). Rawls argues that 'justice as fairness' conveys the idea that the principles of justice are agreed to in an initial situation that is fair without getting into 'what' is being distributed, he is mainly into the process of allocation.

For most of today's social justice theorists, this distributive justice paradigm is inadequate. The main criticism is that the vision is incomplete because it is tied exclusively to a distributive understanding of social justice and a fair process for the distribution of goods and benefits, and under-theorises the integrity-related realms of recognition and political participation (Schlosberg 2004, Sikor 2013). Iris Marion Young has strongly refuted the focus on distribution, arguing that it fosters thinking of social justice as the allocation of material goods, ignoring social structures and institutional contexts that help determine distributive patterns. She claims that if social differences exist and are attached to both privilege and

oppression, social justice requires an examination of those differences to undermine their effect on distributive justice (Schlosberg 2004). Distributive justice theory sees goods as static and 'such a focus ignores and tends to obscure the institutional context with which those distributions take place, and which is often at least partly the cause of patterns of distribution' (Young 1990:22). However, Young does not reject distribution as unimportant nor does she offer a new theory to replace distributive theory. She argues instead that while distributional issues are crucial, it is a mistake to reduce social justice to distribution alone but also to embrace issues surrounding decision-making power and procedures. Young, therefore, displaces talk of social justice that regards people as primarily possessors and consumers of goods to a wider context that also includes actions, decisions about actions, and provision of the means to develop and exercise capacities (Young 1990). She claims that injustice is not only based on inequitable distribution but also the lack of recognition of group difference. The lack of recognition, in this view, is an injustice not only because it constrains people and does them harm but also because it is the foundation of distributive injustice (Schlosberg 2004). She suggests that social justice means the elimination of institutionalised domination and oppression. Nancy Fraser, similarly, insists that it is crucial to look at the 'why' of inequity in order both to understand and remedy (Fraser 1998).

These theorists also note the importance of the lack of a person's membership of, and participation in, the wider community, including the political and institutional order (Schlosberg 2004). In this respect, social justice must focus on the political process as a way to address both the inequitable distribution of social goods and the conditions undermining social recognition. Democratic and participatory decision-making procedures are then both an element of, and a condition for, social justice: they simultaneously challenge institutionalised exclusion and distributional patterns (Young 1990:23). Consequently, social justice requires a focus on three interlinked dimensions of equal importance: recognition, distribution and participation (Schreckenberg and Luttrell 2009, Luttrell *et al.* 2012, Luttrell *et al.* 2013).

Distribution concerns the ways costs and benefits are allotted among individuals and groups. Recognition is acknowledging people's distinct identities, ideas and histories and eliminating forms of cultural domination of some groups over others. It calls for respect for social and cultural difference, and resists pressure on minorities to assimilate into dominant groups (Page 2007, Schlosberg 2004). Participation considers how decisions are made and is often referred to as 'procedural justice'. It includes attention to the roles of different people and rules governing decision-making (Galudra *et al.* 2014), focusing on the process of decision-making in contexts of competing ideas and interests, ability to participate, and the distribution of power.

As shown by Sikor, the three dimensions are connected. Participation in public decision-making can lead to equitable distribution. Recognition of social differences can facilitate

the inclusion of particular people in decision-making. Redistributive action can empower previously marginalized people to participate in decision-making or find recognition (Sikor 2013).

DISTRIBUTIVE JUSTICE AS A MEAN TO SOLVE CONFLICTS AND REHABILITATE DEGRADED FORESTLAND

In Gorontalo, communities holding HKm and HTR permits had been involved in encroachment on state-owned forestland, illegally logging valuable timber. More recently, both studied villages had been using the forestland for farming, especially for the production of maize, motivated by the scarcity of arable land. Such clearing of forestland for cultivation might have been a traditional practice, which nevertheless runs counter to the statutory demarcation of land and forests. The land use led to conflict between the communities and the district forestry agencies over forestland boundaries. Resolution of the conflicts has been high on the agenda of the local governments because HKm and HTR have been promoted as effective ways to solve such conflicts; our interviews with the local forestry agency demonstrate that CBFM is mainly perceived as a solution to contentious claims and only secondly as a tool for empowerment. HKm and HTR are, therefore, considered by local forestry officials as mechanisms that legalise forest occupation by communities and, thus, are more often adopted by 'accident' rather than because of understanding the benefits of collaboration and/or improved forest governance (Moeliono *et al.* 2015a). This is similar to the case of Jangkat village in Jambi, where the map that was used for the allocation of the HD permit was from a logging company that formerly had a concession in the area up until 2008. The district forestry agency used the map to speed the allocation process.

DISTRIBUTIVE JUSTICE; FAILS OF REACHING ITS PROMISED TARGETS

The implementation of CBFM initiatives in Indonesia have often missed their targets yet communities are still facing difficulties in obtaining permits; the process has been stagnant, despite the high expectations of CBFM as a means for solving the problems of poverty and environmental degradation. So far, only a small portion of the total area proposed for allocation under the various CBFM schemes has actually been realised. The application process involves long, cumbersome and expensive procedures that can take up to two years (Urano 2013, Moeliono *et al.* 2015b). For instance, in the two studied villages in West Kalimantan, the working area for the permit (*Penatapan Area Kerja/PAK*) was approved by the Ministry of Environment and Forestry (MoEF) in 2013 but the management permit had not been granted by the provincial governor. In theory, if this permit is not granted within two years after approval by the MoEF, the entire process is cancelled and the land-allocation map revoked.

During 2009–2014, the then MOF targeted 2.5 million hectares for allocation under CBFM schemes. Even that substantially smaller target was not reached. By the end of President Susilo Bambang Yudhoyono's administration, only 610,000 hectares had been allocated (Bock 2012). The current much more ambitious target of 12.7 million hectares is also likely to fail if the procedure remains complicated so much so that the President has called for simpler social forestry procedures (Amindoni 2016).

RECOGNITION OR FURTHER RESTRICTIONS?

In villages where HD permits is over protection forests, revenue streams are limited. Communities are restricted to collection of non-timber forest products (NTFPs) and are not otherwise allowed to tamper with the forest ecosystem. They can conduct afforestation activities to generate revenue from Reduction of Emissions from Deforestation and Forest Degradation plus Conservation (REDD+) or payment for ecosystem services' schemes (Bock 2012). However, in Jambi, where HD permits have been granted mostly over such protection forests, NTFPs are no longer perceived as a profitable pursuit; they represent a marginal part of a community's income and few people are now engaged in collection. Communities are dependent on cash crops, particularly, rubber; they rarely harvest NTFPs except when the rubber price drops. Of the NTFPs, rattan is for domestic consumption, prices for tree resin are no longer attractive and forest honey can only be harvested seasonally. NTFPs are mainly sourced by outsiders, especially by hunter-gatherer nomadic groups known as *Orang Rimba*, whose livelihoods rely on them. In Jambi, communities still hold claims over their traditionally inherited swidden-fallow land located in protection forest areas, locally called *sesap*. They are abandoned, fallow land, hosting old and unproductive rubber trees, partially covered by secondary forest. Communities are more interested in clearing such land and rehabilitating them by planting productive rubber trees, which, under the protection-forest status is strictly prohibited. The HD permit does not recognise these kinds of traditional land-inheritance systems and prior investments made by communities that follow their customary practices. Villagers agreed during Focus Group Discussions that they had been protecting the forests since the promulgation of the protection-forest zone but had not received any economic benefits from it nor from the re-allocation under HD permits. Discussions with committee members revealed that they were still hoping to benefit from their protection effort through REDD+ and that HD might be financially beneficial in the longer term. But so far, they could see no incentive to continue to protect the forests.

Where HD permits have been granted over production forests, communities have the right to harvest NTFPs and also undertake economic activities, such as rubber cultivation and harvesting of timber. In Jambi, communities that received HD permits over protection forests were interested in making agreements with third parties to manage them. In the village of Jelutih, for instance, the committee made a deal with a

company to harvest timber in the area for commercial purposes. The logging fees were to flow through the village enterprise. The agreement with the company also stipulated the development of a fifty-hectare rubber plantation to be directly managed by the village. In order for logging to start, the village required a community logging permit (*Izin Usaha Pemanfaatan Hasil Hutan Kayu dalam Hutan Desa/IUPHHK-HD*), which had not yet been granted by the MoEF. The issue lay in the revised ministerial decree on HD, P.89/2014, stipulating that HD areas (in either protection or production categories) that were still in *primary condition* were to be preserved and that timber extraction was only allowed up to 50 m³ annually and for village use only. In Gorontalo, farmers in HKm and HTR schemes were eager to continue their traditional farming practices: growing maize, coffee, coconut, candlenut and clove trees. However, these practices were not considered acceptable for state forestland.

RESTRICTED PARTICIPATION IN CBFM PLANNING PROCESSES

Participatory mapping

A mandatory step in any CBFM licensing process is participatory mapping of the proposed area, which is to be submitted by the community to the MoEF. Results from FGD revealed that the majority of the communities (except committee members) in the three studied provinces had not been involved in mapping and were often unaware of the boundaries of the permit area.

In Jambi, only a few community members had been involved in mapping the HD areas. Most were totally unaware of the boundaries. When participatory mapping exercises were conducted to demarcate prospective areas they only involved members of the committee and NGOs. Respondents mentioned that the HD boundaries had not been finalised owing to financial constraints; instead, they were following administrative boundaries within the village domain that did not represent people's interests, local cultural domains or claims, and were often unclear and contested. This was the case in West Kalimantan, where only people with close ties to governmental officials or NGOs had been involved in the mapping exercises. In Gorontalo, the rushed land allocation process hampered a proper understanding of the boundaries, which were unknown by members of farmers' groups. Although there were maps in the applications, boundaries in the field were unclear. The mapping had been conducted by officials from the local forestry agency, in consultation with village officials, without any direct consultation with the farmers' groups. In both villages, there was no participatory mapping exercise conducted. Maps only showed areas that had been identified by officials as having been encroached by villagers. In Wonggahu, for instance, people were uncertain about the boundaries of the HTR scheme and were confused about the difference between a past rehabilitation program initiated by the local government and the HTR boundaries.

Access to information and information dissemination

A crucial component in any transparent participation process is the proper access to information, which gives all stakeholders the opportunity to make informed choices (Petkova *et al.* 2002). However, findings in Jambi and West Kalimantan show that the procedure for obtaining a HD permit was carried out more to benefit bureaucratic objectives than to empower communities. People most aware of the HD program were committee members and village elites but they did not share information adequately with other community members. Results from the FGD and individual interviews show that overall villagers were totally unaware of the program's objectives, rules and work plan and their implications. Villagers had not been invited to any event that explained the process adequately nor had they participated in training. Overall, villagers were not satisfied with the information disseminated about the objectives and implications of the program. People mentioned that because they were not part of the committee they had no proper access to information. In many cases, not even a photocopy of Ministerial Decree P.89/2014 was available in the village, thus, community members could not read for themselves the stipulations of the program. Information was spread informally during community gatherings, such as religious services. During the preparation phases, information was provided by NGOs but there was none from the local government. The unequal access to knowledge increases the risk of elite capture because only a few influential people seemed to be familiar with the concepts, which limited, by default, the participation of others.

Membership eligibility

In Gorontalo, members of the HKm and HTR farmers' groups were appointed through a hasty process initiated by the provincial forestry agency and village officials; plots of land were allocated to villagers without their consent. This rushed, top-down and uninformed allocation and program-membership process has had a strong impact on the community's understanding of the schemes, particularly their acceptance of the use rights. We found that farmers listed as members of the program were not aware of their membership or did not understand the scheme itself. Nor were they aware of the size and location of plots that had been supposedly allocated to them. In the village of Hutamonu, for instance, members who had been farming the area since 1997 had only recently learned that their names were on the list of the HKm farmers' group. During preparation phases, there had never been any 'socialisation'³ by the forestry agency. Communities were largely unaware of the rules, objectives, restrictions and responsibilities of the program and the steps required to undertake any activities in the designated areas.

Women's participation

In each of the studied villages, women had not been invited to any socialisation event regarding the program. They had little power in decision-making related to the management of the permit and had restricted access to information about the program. Their participation was marginalised when the scheme was promoted at meetings, especially, if the majority of participants were male. Female respondents expressed that they did not have much to say because forest management was presented as a male affair. They did not really understand the rules and objectives of the permit and were unclear about the boundaries. It had been presumed that if the head of the household, who was usually male, attended then that sufficed for informing all members of the household. In none of the studied villages was there a female HD committee member; HKm and HTR farmers' group members were nearly always men.

Limited appointment process

In all the studied villages, there was evidence of poor leadership. Most often the heads of the committee or farmers' groups had been appointed based on their social status rather than their interest in the program. Some heads had even been appointed against their wishes. The process of selecting committee members for management of HD permits had largely been one of appointment by the few village members who were invited during socialisation rather than a community-wide election. Democratic voting that involved all concerned, including women, had not taken place.

Lack of capacity building in management planning

By participating in the CBFM program, village institutions (in the case of HD) and farmers' groups (in the case of HKm and HTR) are obligated to prepare short- and long-term management plans and report to the government on a regular basis. Developing such documents requires technical skill—they are often beyond the capacity of communities to do by themselves—hence, external support is necessary from third parties, such as environmental and development NGOs that have external financial resources. If no support is provided, it is likely that the program will stagnate and remain poorly managed. In Gorontalo, for instance, at the time of study there were no management plans for the HKm and HTR areas. By emphasising administrative requirements, facilitation tends to neglect empowerment. Community members were often largely ignored and remained ignorant of the process. In most cases, the facilitators were more engaged and enthusiastic than the communities or the forestry officials in charge of issuing the permits (Moeliono *et al.* 2015b).

³ In Indonesian, '*sosialisasi*' refers to the process of popularising something to the public or a specific target group.

Random allocation of beneficiaries

Lack of participation in the preparation phase can be illustrated by the example of the Gorontalo HTR. Each member of the farmers' groups had been allocated plots of land at random, ranging 1.5–5 hectares. The formation of the HTR farmers' group (consisting of five sub-groups with each allocated 15 hectares) was decided by officials together with the heads of each sub-group, without involving other members. Farmers were allocated plots which they had already cleared before the start of the program. FGD revealed that of the forty HTR members in Wonggahu, only four did not have kinship with another member. The allocated land fell into the hands of very few households, which were mainly those who had cleared land in the state-owned forest some years before. They were now receiving legal right over this so-called illegal land occupation. Since plots cannot exceed 5 hectares per member, those who cleared bigger areas had to split them by allocating portions to their relatives (land sizes ranging 0.2–5 hectares per relative). Consequently, the entire HTR permit area is controlled by a few families within the village. This clearly contradicts the notion of equity, especially given that nearly 200 households in the village were landless at the time of study. Fifty percent of the villagers did not own land themselves and were obliged to lease land to cultivate.

LACK OF FINANCIAL ACCESS AND CAPACITY DEVELOPMENT

In Jambi, the majority of the land allocated for HD over production forest was underused because, while the communities were eager to optimise the use of the land they did not have adequate resources, particularly capital, to do so and did not receive any support from the government. Committee members expressed their frustration about the revised regulation restricting the use of timber and wondered about the government's real objectives. They complained that, although the government wanted improved economic benefits for the community it did not allow them to use their forest as they wished. Community members felt that the government wanted to 'wash its hands' by allocating HD permits over their land and that they had become free labour for the government to protect the forest. The only perceived benefits were indirect, related to the water catchment for irrigation, micro-hydropower generation and control of floods and erosion. Overall, there was a sense of frustration because the granting of the HD permits had not been accompanied by economic improvement. They did not experienced any benefits from protecting the forests. Having no budget to implement the work plans, committee members planned to return the permit if support was not provided.

In West Kalimantan, there were similar concerns about the lack of financial support. Committees did not have budgets to engage in any activity. Ideally, budgets should come from the village fund because the HD permit is managed by village institutions and is part of the village's assets. However, village

representatives were acting carefully since the management permit had not yet been released. Furthermore, there was no annual work plan. Village institutions, therefore, could hardly allocate budget for activities that were not approved. Furthermore, village budgets were limited and mainly allocated for infrastructure development. No budget for activities had been allocated by either governmental institutions or supporting organisations. People requested strong support to develop technical skills and find markets for their future production derived from the HD. In Nanga Lauk, villagers identified that they could build upon existing livelihoods' activities but required support to develop them. In the village of Menua Sadap there were no existing livelihoods' activities to build on. Committee members were unclear where to focus.

In Gorontalo, policy implementation at field level had also been challenged by a lack of technical capability in local government agencies to support practical activities, such as the establishment of nurseries and tree plots, management of the plots or harvesting and marketing of commercial crops and NTFPs. The technical ability to support practical activities in the field was also extremely limited. Members of HTR lacked the financial means and technical capacities to undertake any activities by themselves. In 2014, following the issuance of the permit they initially received *jabon* (*Anthocephalus cadamba*) tree seedlings from the forestry agency. However, most of the seedlings did not survive owing to the farmers' lack of knowledge of tree cultivation. Although the members engaged in a collective labour effort (*gotong royong*) to plant the seedlings, no proper technical training on tree planting had been received; members were left to fend for themselves. Since that episode, the members had not received any further support from the forestry agency and the land was poorly managed. In nearly all cases, the success of smallholders' tree planting and production systems is dependent on the groups and individuals receiving technical and market training (Roshetko *et al.* 2007, Roshetko *et al.* 2008). Further, in addition to timber trees (which can be harvested after 5–7 or up to 20+ years, depending on the species), farmers are also interested in species that produce short-term revenue, such as fruit or commodity (cacao, coffee, rubber etc) tree crops. The situation with the HKM programs was similar: the members experienced considerable uncertainty about how the land was to be managed and who was responsible for providing technical and financial input.

In all village in the three provinces, community members mentioned that the land allocated for the CBFM program was far away from their homes, posing challenges not only in travelling to and from but also in transporting future harvests and access to market. Some people had been trained in livelihoods' enhancement activities, such as honey harvesting in the case of West Kalimantan and *jabon* cultivation in Gorontalo. However, training had only benefited a few individuals. The ones who were trained, including committee members and heads of farmers' groups, were encouraged to share their knowledge with the rest of the community but generally failed to do so.

LIMITED FACILITATION

According to CBFM regulations, the responsibility for facilitation and empowerment of communities is borne by local government agencies. However, these agencies often do not have the financial and/or human resources to efficiently undertake this task. Consequently, facilitation of CBFM in Indonesia is often supported by third parties, such as environmental and development NGOs or international organisations, who take the lead in providing information and ensuring broad community understanding, forming committees and farmers' groups, and supporting the design of management plans. Financial support of the third parties is also external. The province of Jambi has been relatively successful in terms of CBFM development. HD has been widely promoted and facilitated by the long-term involvement of a local conservation and development NGO with a strong historical presence in the province. They played a critical role in assisting communities submit applications to the HD program by helping them to identify areas that could be proposed as HD sites, set up local organisations to establish regulations for future HD management, prepare the application documents and send them to the district government (Bock 2012, Urano 2013).

In West Kalimantan, the process was being supported by an international development organisation. However, in Gorontalo, there was no such third party with the appropriate skills and external funding to shoulder the responsibility. As a result, facilitation was weak and only conducted by local governmental agencies with limited financial and human capacity. This encouraged a rushed implementation process from which the target groups—impoverished and landless villagers—were excluded.

SECURING LAND OR GENERATING CONFLICT?

Legalising community governance through CBFM, such as a HD permit, can secure communal rights and protect the resource against outsiders and external claims. This is especially valid for heterogeneous village communities, which are often largely composed of long-term migrants who cannot claim customary rights to the land that they depend on for their livelihoods. This is the case in Nanga Lauk, West Kalimantan. The HD permit is perceived by the Nanga Lauk community as a good opportunity for maintaining their rights over the area, which was also claimed by a well-established indigenous community, the Dayak Embaloh who no longer had legitimacy to claim land through the customary agreements enacted between the communities. The permit would affirm the community of Nanga Lauk as the 'original' owner and inhabitants of the land, based on the notion of territoriality. It was, therefore, a way to decrease the risk of conflict between villages over boundaries, especially in places where

the issue was still contentious. Although communities in Indonesia rely on administrative boundaries, these are often contested in the name of customary rights. HD is also perceived in this context as security against violations from logging or plantation companies that are prospecting to operate in the area.

However, in villages that are home to customary communities, HD could exacerbate existing, or even generate new, conflicts. This complexity can be seen in West Kalimantan in the village of Menua Sadap, which is home to three indigenous Dayak Iban longhouse communities who hold strong attachment to, and exclusive rights over, their customary territories. Not all longhouse communities were willing to be part of the HD program and Sadap sub-village withdrew from the process owing to complex intra-village politics and conflicts between individuals and groups. In this case, customary communities living in the subordinate longhouses who had a strong sense of territorial identity did not have a common interest and these internal, contentious social relations hindered the success of the program. Village boundaries were still unclear and contested in the area and the strong attachment of longhouse communities to their customary land still prevailed (de Royer *et al.* 2015).

A similar case can be seen in the example of the village of Jelutih in Jambi. After the granting of the HD permit over production forest, the committee promulgated a village law allowing individual households to clear 3 hectares in the HD area for rubber cultivation. People took the opportunity to expand beyond the 3 hectares. The wealthiest members acquired usufruct rights through monetary transactions with other households who already had been granted access. Traditional rules over land clearing—*berjemban*⁴—were reactivated to claim more land. Less advantaged villagers did not benefit from this village law owing to a lack of capital. The situation became uncontrolled, leading to jealousies among community members. The wealthiest members benefited from the situation and owned more than 50 hectares. Instead of a transfer of power in favour of the marginalised groups, the management agreement ended up not only serving but actually reinforcing the power of wealthier farmers.

These examples demonstrate, as stressed by Agrawal and Gibson (1999) that a 'community' is not necessarily homogenous, comprising a complex set of actors with different social, economic, and political characteristics, such as wealth, gender, age, ethnicity. These actors have differing access to resources and power as well as different interests in, and claims over, environmental goods and services.

DISCUSSIONS

Our case studies demonstrate that areas allocated for CBFM are often degraded forestland, where the most valuable resources have been removed through past exploitation, and

⁴ For land clearing, people in Jelutih use a traditional system called *berjemban*, which allows them to expand their fields by cultivating the land adjacent within three years. If the land owner doesn't expand their area, someone else is allowed to take over and cultivate that adjacent land.

which is now in great need of rehabilitation (Bowler *et al.* 2012). Communities are perceived as the suitable agents to undertake such efforts. The vision of communities as the centrepiece of conservation and resource management is attractive for governmental forestry institutions that see it as a means for decentralising responsibilities. Furthermore, support for CBFM helps forestry agencies address the critique that state forest management has failed. It enables them to recognise their deficiencies and restate their commitment to redress the errors of the past, including their neglect of communities (Li 2007). But in reality, the various policy arrangements do not allow communities to fulfil their aspirations and restricts their room for manoeuvre.

The slow progress, speed and complexity in allocating CBFM permits is linked to central and local authorities' fears about transferring management rights to communities: practices should not be contrary to the interests of the nation, the public and development goals. Hence, while to a certain degree the government's intention is to transfer control of forests to communities, the MoEF is still reluctant, fearing to lose its power over access and rights to state forests (de Royer 2011). State agencies generally have difficulty tolerating versions of CBFM that require them to cede control to communities and rescind the territorial prerogatives they inherited from colonial regimes, and the associated income streams (Li 2007).

During *Reformasi*, the MOF indicated three justifications in its decision to create new legislation for CBFM: 1) decreasing success of state-based forest management in enhancing the quality of life of forest communities and preserving forests; 2) inability of the state to manage forests owing to high population pressure in forest areas; and that 3) forest communities were a potential asset for managing and preserving forests (cited by Safitri 2010 from Ministry of Forestry 2006, Maryudi *et al.* 2012). This view was heavily influenced by NGOs arguing that shifting control of resource management to communities living in proximity to, and dependent upon, natural resources would inherently lead to sounder management practices (White and Martin 2002, Thorburn 2002, Armitage 2005). The NGO network managed to persuade the MOF to mainstream community-forestry management by demonstrating that many communities had developed sustainable stewardship practices and institutions. They focused on the forest-friendly knowledge and capacities of communities, assuming that they harboured a long-term need for renewable resources near where they lived and that they possessed more knowledge than other people about these resources (Agrawal and Gibson 1999, Thorburn 2002, Li 2007). However, this traditional vision of CBFM that focuses on 'forest- and natural-resource-dependent communities' and 'subsistence livelihoods', viewed through an ideal lens that magnifies 'tradition', 'sustainability' or 'subsistence', has reinforced the idea that poverty and marginality is an elective way of life, ignoring communities' economic aspirations (Li 2002, Li 2007). As demonstrated by our case studies, communities participating in CBFM programs are offered greater control over state land and forest resources through state-recognised legal rights but only on the condition that in the interest of

sustainability and biodiversity preservation they take responsibility for conserving the forest and limit their economic aspirations. However, communities who live in, or near, forests do not necessarily wish to sustain them as forests. Small-scale logging and temporary or permanent conversion of forest to agroforestry and agricultural uses have long been part of their livelihoods' repertoire (Michon 2005, Barr *et al.* 2001). CBFM schemes, rather than rolling back the state and reducing official interference in local affairs, is a vehicle for realigning relations between the state and forest communities. In contrast to the goals of its original proponents, CBFM is having the effect of perpetuate state control over forest resources, lives and livelihoods (Li 2002). Communities must conform to state policies that determine the range of possible land uses, which sometimes contradicts the economic interests of a community.

The very essence of CBFM as a national policy was intended to be the improvement of forest governance through recognising the benefits of collaboration with local communities. However, it is being implemented in the provinces in such a way that it fails to fulfil its promise of equity and empowerment. The perception of the program at local governmental level is restricted to CBFM's potential to settle conflicts and legalise encroachment. It is only secondarily seen as a tool for empowerment. It is perhaps for this reason that there is not enough effort spent on institutional building and ensuring free, prior and informed consent (Moeliono *et al.* 2015b). As we have tried to highlight by using the examples of the case studies, simply distributing property and access rights might not bring about a just distribution and social justice. The rights holders might not have the ability to benefit from the forest owing to a lack of recognition and participation in CBFM planning processes. Moreover, their access may even depend further on their command over other productive resources, such as capital and knowledge (Fraser 2001). Last but not least, it seems that the policies even fail in the domain of distributive justice, since often no new rights/benefits are devolved to communities.

CONCLUSION

Following the decentralisation and democratisation processes of the post-Suharto period, communities throughout Indonesia have gained greater momentum towards tenure recognition of their land through various government-sponsored community-forestry policies. This process has been a response to the rampant criticisms of state-based forest management that neglected the participation of communities and amplified deforestation, forest degradation, poverty and conflict, causing much environmental and social distress. The establishment of CBFM policies has been perceived as a paradigmatic shift, advocated by numerous NGOs and donors engaged in the country, towards renegotiating control of state forest resources away from the dominant role of the state to the active involvement of communities. The devolution of forest rights to communities through CBFM policies in Indonesia, has been an attempt to promote social justice by

transferring property rights and thus giving opportunities for communities to benefit from forest resources. It has been perceived as a way to create new opportunities for the inclusion of forest people since changes in statutory rights would allow them to gain rights to land from which they have been excluded historically. The vision of access to property rights as a means to achieve social justice is based as demonstrated earlier in this paper on a distributional theory, which restrict social justice to only the equitable distribution of benefits.

However, this paper demonstrates that the intentions fall short in practical implementation of the various policies. The case studies from three Indonesian provinces in this paper show that CBFM policies often adopt principles of social justice through the well-established goals of redistribution of benefits and recognition of rights. However, these policies largely ignore aspects of recognition and participation and, therefore, are failing to achieve the main objective of empowerment and social justice.

CBFM is perceived by government officials as a tool to solve conflict over forest tenure and legalise forest occupations by communities. It is considered the solution to the complex forestry management problems of deforestation, conflict and poverty. A desire to share the burden of responsibility in preserving forests is one reason behind the government's intention of implementing CBFM legislation rather than a desire to strengthen the security of community forest tenure (Colchester *et al.* 2003). Analysis indicates that CBFM is primarily seen by officials as a solution to conflict over forestland and only secondarily a tool for empowerment. It is, thus, more often accepted by 'accident' rather than because of understanding the benefits of collaboration and/or improved forest governance.

Participating communities are subject to state-imposed restrictions on the determination of sites and land uses, therefore, limiting their development aspirations. Generally, participation during preparation phases is weak and often limited to well-connected village elites. After the issuance of management rights, technical support remains limited or completely lacking, leading to poor results from communities' initiatives. People are left to themselves with neither financial nor technical skills nor assistance to run the program efficiently.

This paper also highlights that social justice cannot simply be delivered by attempting to distribute rights in an equitable manner, in this case, land-use rights. The redistribution of rights can only serve social justice if it emerges from fair processes of deliberation that recognise the particular identities, histories, aspirations and visions of the people involved and the particular cultural notions and environmental understanding that give meaning to them. A resource management system only qualifies as 'community-based' if the rules for resource allocation and 'management' are set primarily (though not exclusively) by communities themselves (Lynch and Talbott 1995:25). An initiative does not qualify as community forest management if it is simply imposed upon, or given to, communities by parties seeking to profit from their labour, control disputed land or gain access to donor

funds. Externally initiated activities with varying degrees of community participation should not be referred to as community-based (Li 2007).

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