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West Kalimantan, Indonesia

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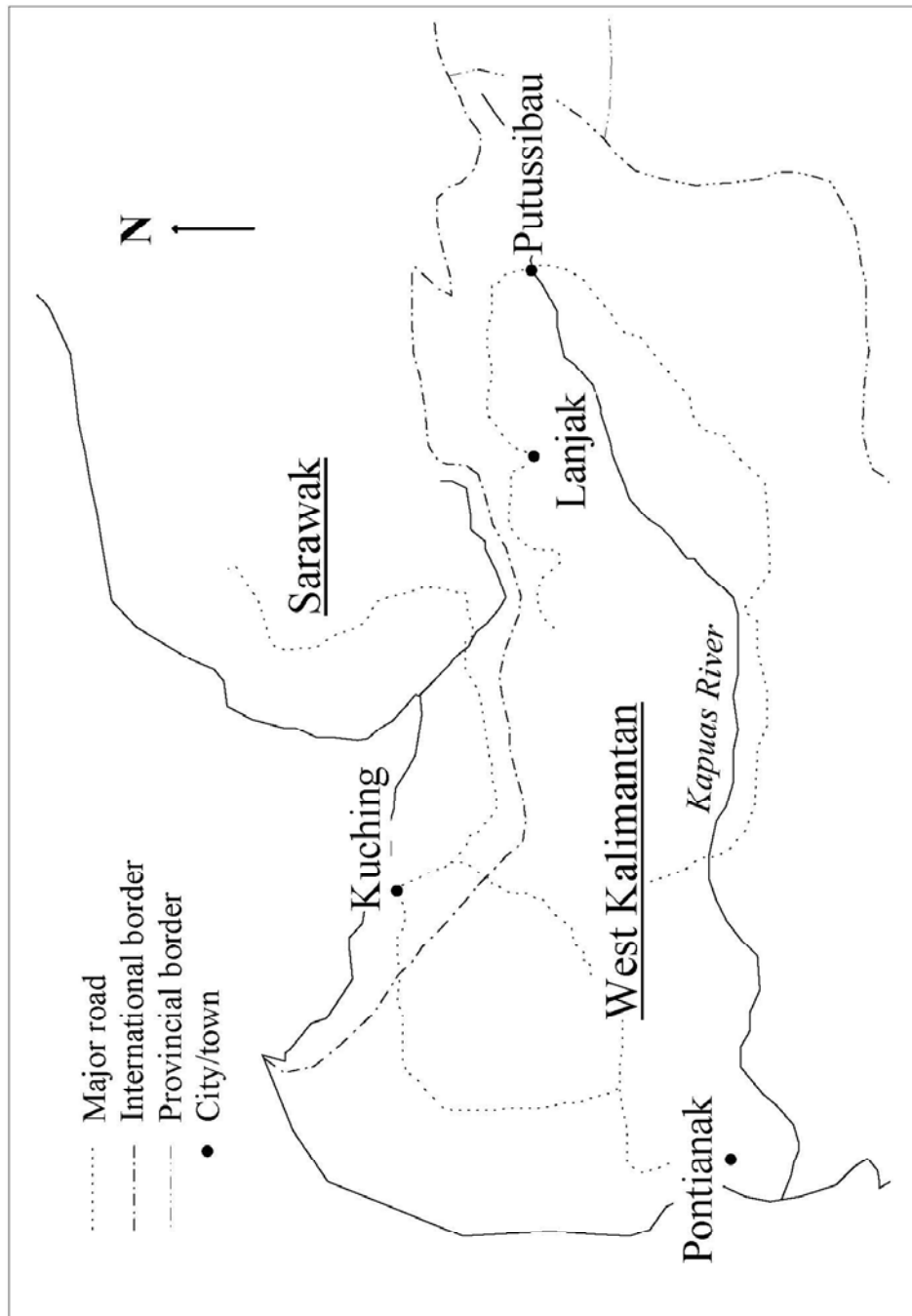
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Persons who find it politic to hurriedly shift from one side of the border to the other can hardly be considered as valuable citizens of either State.¹

Borderlands have long been the sites of violence, the result either of government incapacity or disinterest in peripheral regions, or of occasional attempts by states to assert control over “recalcitrant” border peoples (Paredes 1958; Wadley 2004). Borderland lawlessness, or the ambiguous space between state law, provides often fertile ground for activities deemed illicit by one or both states – smuggling and tax-evasion, for example (Tagliacozzo 2001). Border space may also allow the growth of local leadership built on those illegal activities and maintained through patronage and violence (McCoy 1999). In such situations, border peoples often enjoy a fair measure of autonomy from state interference, which may exacerbate their already ambiguous relations with either state (Martinez 1994a). In this paper, we examine issues of lawlessness and autonomy in the stretch of the West Kalimantan borderland inhabited by the Iban (Figure 1), with attention to recent incidents of vigilantism and gangsterism,² and to how the ambiguity and separateness engendered by the border promotes and enhances these practices.³ Obviously, vigilantism and gangsterism are general phenomena throughout Indonesia

but, as we show, the configuration of the borderland gives these phenomena their unique shapes here.

Figure 1. The borderland of West Kalimantan and Sarawak



Beginning in the mid-nineteenth century with their efforts to suppress cross-border headhunting and define colonial citizenship, British and Dutch colonization on

Borneo partitioned the Kalimantan Iban from the larger population in Sarawak. The Iban borderland was often the focus of contentious inter-colonial relations, and the Iban did their best to take advantage of differing terms and conditions that colonial rule offered on either side; for example, using the border to escape taxes and resist colonial authority (Wadley 2004). The independence of Indonesia and the formation of the Malaysian federation in the mid-20th century only furthered the partition, particularly under the heavy militarization along the border during Confrontation in the early 1960s and the subsequent Communist insurgency into the 1970s. It was not as if this cut off border populations or the rest of the province from the other side; on the contrary, cross-border flows continued largely as they had for decades. However, the building of a road network along the border in the 1980-90s facilitated an increased flow of people and goods – legal and illegal – back and forth across the border (Wadley 1998); in addition, the Asian economic crisis and the florescence of regional autonomy following the fall of Suharto's government accelerated these flows (Fariastuti 2002; Riwanto 2002; Siburian 2002).

Nonetheless, along with the remoteness of the region from Indonesian centers, the economic disparities between Indonesia and Malaysia that developed during this period kept the Kalimantan Iban economically oriented toward Malaysia, reinforced by their cultural and historical roots in Sarawak. The Asian economic crisis of 1997 and the dramatic political changes it spurred in Indonesia, including de-militarization of the border, have only intensified this orientation. The Iban position on the borderland, adjacent to a more prosperous and politically stable neighbor, has meant that their interests lie partly across the border, where they find temporary employment and occasionally places to permanently migrate. As part of the fallout of the central

Indonesian government's loss of power, the on-going boom in "illegal" logging has also figured into a mixed, local economic strategy. Yet a critical element in this boom has been the presence of Malaysian Chinese timber entrepreneurs⁴ with their local sawmills, logging operations, and Malaysian Iban workers (Eilenberg 2005; Wadley and Eilenberg 2005).

However, the term "illegal" presents a problem of meaning. Especially when understood from the point of view of borderlanders, it glosses too easily over a complex picture. "Illegal" implies a sense of wrongdoing or its potential, which may be quite adequate for state-level concerns, but it does not necessarily "represent the ways in which border residents proudly stake their economic claim in transborder trade movement" (Flynn 1997:324). On the contrary, although aware of being involved in something defined by distant politicians as illicit, borderlanders may feel no moral wrongdoing and regard such laws as unjust and unreasonable. Thus, what is illegal as defined by state law is usually straightforward for agents of the state (though they too may circumvent their own laws), while borderlanders may more routinely engage state regulation with flexibility, not feeling as beholden to adhere to laws they see as imposed from the outside and against their interests.⁵ This is most clearly seen in logging operations in the borderland since 1998 – deemed illegal by the state but legitimate by local communities now back in control of their traditional forests. (Our recognition of this issue should not be taken to mean that we condone, in any way, the activities described below, nor should our description of such activities imply that all Iban are equally involved.)

Case 1: Vigilantes

In early December 2000, a courtroom in Putussibau, the district capital of Kapuas Hulu, became the scene of murder as a group of around 300-400 men, armed with shotguns and bush knives, avenged the death of their kinsman.⁶ The victim, a Malay man named Usnata, was on trial for the January 2000 murder of an Iban moneychanger named Sandak. The courtroom killing hit the national press as the first vigilante killing inside an Indonesian courthouse, President Abdurahman Wahid met with the victim's family, and provincial officials promised to bring the perpetrators to justice (Kompas 2000b; Pontianak Post 2000a, 2000b). Yet in the months and years afterward, the incident fell "off the radar screen" of local and national authorities, and out of the several hundred who participated, no one has ever been, nor will likely be, charged in the murder.

At its surface, this appears to be another case of *amuk massa*, the seemingly spontaneous killing of people accused of often petty crime in the context of an ineffectual justice system (Colombijn 2002). But its underlying structure and motivation, something not addressed in the press, reveals the interplay of borderland identity, diminished state power, and official corruption.⁷ Sandak, the Iban moneychanger, was in fact related by marriage to Usnata, the latter having married Sandak's cousin. It was understandable then that Sandak, his bag filled with 70 million rupiah from his transactions on the border, would board a speedboat with Usnata. On the long journey to the bank, Usnata and the driver, a Padang man named Edi, apparently killed Sandak and dumped his body overboard. It was only after several months that Sandak's body was discovered, and the police began to suspect Usnata (Edi having fled the province): not only was he one of the last people to have been with Sandak, but he had been able to buy expensive consumer goods after Sandak disappeared.

Sandak's Iban kin demanded that Usnata pay *pati nyawa* or blood money in accordance with Iban customary law (*adat*). He refused, and so the case was passed to the district court for trial. After the first day of the trial, the Iban decided that Usnata would likely be acquitted as they suspected he had bribed the presiding judge, and so they organized the attack, drawing Iban from both sides of the border who were connected to Sandak. Part of their rationale, besides revenge, was that the court was corrupt and justice from the government unattainable; they were also incensed that Usnata had refused to adhere to Iban *adat*. Indeed, had he paid the *pati nyawa*, Usnata would still be alive. Thus, though stemming from common perceptions of an ineffectual and corrupt criminal justice system, this vigilante killing is far different from the usual *amuk massa* killings in places like Java which occur almost spontaneously when someone identifies a thief or similar petty criminal on the street or marketplace; *amuk massa* killings are rapid and immediate following identification and accusation. In contrast, Usnata's killing was planned and organized over several days, involved a force of men mobilized from a wide social and geographical network, occurred in a court of justice which is unique to vigilante killings in Indonesia, and involved direct but non-violent confrontation with police.

Case 2: Gangsters

In January 2005, a team of 26 government officials⁸ and one television journalist was investigating illegal logging in the vicinity of the Betung Kerihun National Park (Antara 2005; Kompas 2005a). Six weeks prior to this, police arrested three Malaysian Chinese involved in cross-border logging and confiscated both equipment and timber (Kompas 2004a), though the "ringleader," an apparently notorious Malaysian Chinese

timber boss or *tukei* named Apeng (Equator Online 2004a, 2004b), escaped. The new team set out with the hopes of apprehending Apeng, but found that their Kijang vehicles could not negotiate the bad roads. So, they commandeered Toyota Land Cruisers (with Malaysian license plates) that were among the confiscated equipment.

Photo 1. Logging road in the West Kalimantan border area (photo by Michael Eilenberg).



After the team had stopped to make camp for the night, two pick-ups with Malaysian plates and carrying around 20 armed men approached. A local Iban man, acting as leader of the group, began to interrogate the team, apparently not being intimidated by its police and military members. Upon discovering the team's purpose and its use of confiscated vehicles, the man grew angry and accused them of being responsible for the loss of local jobs. He ordered his men to seize the vehicles, to leave the team on foot. But in a curious twist to the incident, the team negotiated transport to the local subdistrict police headquarters in Lanjak, to which the local group agreed. Upon arrival in Lanjak, the locals refused to return the vehicles and fled with them across the border before the now-reinforced police could catch them.

The journalist was dumbfounded by the inability or unwillingness of the police or army to intervene; he reported that the security force members of the team had agreed with the Iban leader to not step in, perhaps to avoid further conflict with local communities. Indeed, district official later told him that the incident was a local matter, with no need to involve outside parties and no need to make it public, and the provincial coordinator of *Kail Kalbar* (an anti-illegal logging consortium) expressed his lack of understanding how locals could be more loyal and cooperative toward a foreigner (Apeng) than to their own government. He suggested that the provincial police would have to take over from the district police if the latter were unable to perform their proper duties.

Perhaps the *Kail Kalbar* coordinator had some “inside knowledge,” because within two months, provincial and national police launched *Operasi Hutan Lestari* (Operation Everlasting Forest), resulting in the arrest of several Malaysians and Indonesians (Chinese, Iban, and Malays) involved in cross-border logging. The operation also placed a ban on transporting already cut timber across the border, a move that upset locals who had derived income from the trade. They sent a large delegation (around 200 people) to the district capital, Putussibau, to promote a lifting of the ban, arguing that the timber came from community forests (*hutan adat*) and that Indonesians markets were prohibitively distant. To date, there has been no resolution, the border towns that had boomed from the cross-border flow of people and goods have become ghost towns, and the Indonesian Minister of Forestry, M. S. Kaban, has said that local communities have no legal basis to permit commercial timber cutting (Kompas 2005b, 2005c; Media

Indonesia 2005; Pontianak Post 2005a), marking perhaps the end of this phase in borderland history.

Vigilantes and Gangsters in Wider Perspective

These two cases illustrate, in their own ways, important processes of borderland life that must be comprehended in order to address the resource and social problems now facing the area.

The Kalimantan Iban have become accustomed to considerable autonomy in dealing with local civil and criminal matters, and have not been bashful in challenging attempts to reduce that autonomy. A late nineteenth-century Dutch official referred to them as *een levendig en strijdlustig volk* (a lively and pugnacious people),⁹ and though we should be cautious about an essentialized perspective such as this, it does speak to a certain cultural vitality and confidence that has been fostered, in no small part, by the unique relationship the Iban on both sides of the border have crafted with the state over the past century and a half. It is no accident that the Iban-inhabited stretch of the border between Dutch West Borneo and British Sarawak produced the most continuous border tensions between the colonial powers in the nineteenth and early twentieth centuries,¹⁰ because the Iban were so difficult to contain and pacify (Wadley 2001, 2004).

Even after formal pacification (in 1886), the colonial governments treated the Iban with caution in order not to antagonize them. For example, on both sides of the border, Iban paid less in taxes than other native peoples – in Sarawak, because they were obligated to serve on government expeditions, and in Dutch West Borneo, probably to keep things equivalent with Sarawak practice.¹¹ In addition, the system of Dutch-appointed leaders – *temenggong* and *patih* – became increasingly autonomous over time,

particularly during the great political turmoil and transition of the 1940-50s. Furthermore, the Kalimantan Iban's special affinity for Sarawak was encouraged by the Sarawak government: In 1882 Charles Brooke, the second British ruler of Sarawak, unsuccessfully offered to take the Kalimantan Iban under his control, "even if a certain portion of the land adjoining the frontier where these Dyaks are located, were transferred to the Sarawak rule"¹² – a fact that is retained within Iban historical narratives.

It is not surprising then to see the Kalimantan Iban asserting their interests in particular situations, even when it may be dangerous: During the counter-insurgency militarization of the border in the 1960-70s, the Iban rejected the Indonesian military's order to turn in their shotguns. Descending on the army headquarters in full ritual regalia and led by their *temenggong* and *patih*, the several-hundred-strong group of men said that they would turn in their guns if the army promised to post soldiers in their fields to protect them against marauding forest pigs and monkeys. To this day, the three subdistricts dominated by the Iban are the only places in the district, and perhaps the province, where citizens are allowed to keep their shotguns at home and not registered at the local police stations.

In light of this background, and in the context of *de facto* governmental decentralization and demoralization of the police and military following the fall of Suharto in 1998, the revenge killing of Usnata makes much more sense, and we see a number of historical continuities: The strong sense of cultural autonomy is particularly apparent, that customary law should precede national law locally, and that the forceful pursuit of Iban interests is entirely legitimate. The ability of the Iban to mobilize rapidly also comes through, and finds its historical parallel in nineteenth-century headhunting

expeditions that could number in the hundreds and thousands (Freeman 1960). Although changes in Indonesian political life provided them additional space to operate after 1998, the Iban involved in the Usnata incident would not have been able or willing to engage in it without the benefit of these historically precedent qualities.

With regard to the case of gangsterism, two additional factors are at work. First, as a result of national decentralization processes, district governments throughout Indonesia have had more power than they ever have, and Kapuas Hulu District officials have seen cross-border logging as a good opportunity to develop the borderland economy, which had been long neglected by the central government. Additionally, given sharp declines in financial support from the central and provincial governments, districts officials have had to find ways to provision their own ranks. Second, many local Iban (along with some district officials) do not share central and provincial government views on the legality of current logging activities, and they see the interference of “outsiders,” such as in the government operation described above, as a breach of local autonomy. The passivity of the local district police and military can be seen then as a careful response to the economic benefits they have derived from logging and a healthy respect for the ability of local Iban to take action.¹³

Following the fall of the New Order government in 1998, Malaysian Chinese timber entrepreneurs have crossed the long and porous border into West Kalimantan in order to set up local logging operations. They have routinely cooperated with local communities in need of income-generation and with unofficial approval of district governments. In addition to the economically and politically conducive climate and an international demand for tropical timber, easy access across the border through an

improved road network (originally justified by national security concerns) has facilitated such operations. For their part, local communities have viewed the forested areas along the border as their own traditional managed forest, and the harvest of that timber as the result of locally negotiated agreements.¹⁴ So that their businesses would run smoothly, the timber entrepreneurs have bribed important district and subdistrict officials, including police, military, and immigration agents at the border, a fact widely known by local borderlanders.

Photo 2. The borderland of West Kalimantan (photo by Michael Eilenberg).



In Batang Lupar Subdistrict, Kapuas Hulu District, such processes involving Malaysian entrepreneurs (known locally as *tukei*) and local Iban have been widely in play. As a consequence of their long cultural and economic affinity with Sarawak and having been long marginalized by their own central and provincial governments, many Iban borderlanders have felt little commitment towards their own state. They have seen no dilemma in cooperating with the more familiar Malaysian *tukei*¹⁵ (and their Malaysian

Iban employees), who know much more about Iban customs and language than Indonesian government officials. Local Iban have thus felt comfortable dealing with the *tukei* and their cross-border cousins. In addition, because the Kalimantan Iban have long engaged in wage labor across the border while their Sarawak kin have felt no similar pull from Kalimantan, these activities have introduced a new set of connections among the partitioned Iban, strengthening the long tradition of cross-border ethnic relations (Wadley and Eilenberg 2005).

In the years following the initial onset of cross-border logging, the provincial and national press reported only sporadically about these undertakings in the remote Kapuas Hulu (e.g., Jakarta Post 2000, 2002, 2003; Pontianak Post 2003a, 2003b). But later, as the volume of cross-border smuggling grew and the loss of resources and state revenue became too high to ignore, media attention was once more directed towards the remote border area.¹⁶ The theme then became the Malaysian exploitation of West Kalimantan resources, with provocative headlines such as “*Malaysia eats our fruit, while Indonesia swallows the sap*” (Suara Pembaruan 2003) and “*When will Malaysian ‘colonization’ of the Kalbar border end?*” (Suara Pembaruan 2004b). The stronger nationalist tone to these later reports also included an explicit criminalization of cross-border activities: The *tukei* and their Malaysian workers were now seen as gangsters armed with guns, intimidating local communities, with “*Gengster Cina Malaysia*” becoming the buzz phrase (Suara Pembaruan 2004a; Sinar Harapan 2004a, 2004c; Media Indonesia 2004).

As a consequence of this change in political will, national and provincial politicians demanded that district officials take prompt action. Despite district government assurances on dealing with these “Malaysian gangsters,” early attempts to

crack down on illegal logging in the border area were few and half-hearted, and the people arrested were mostly “small fry” (Kompas 2003a, 2003b; Pontianak Post 2004), especially as district officials were in no hurry to end the lucrative cross-border connections. It seemed that the “gangsters” would continue their activities unabated, supported by district officials and local communities (Kompas 2004b, 2004c, 2004d; Sinar Harapan 2004b). *Operasi Hutan Lestari*, however, appears to have altered the previous state of affairs. Indeed, what we may now be seeing is a national and provincial attempt to wrest control of revenue streams from the districts, with talk of re-militarizing the border and establishing oil palm plantations along its length for better control (Jakarta Post 2005; Pontianak Post 2005b). What becomes of the local borderland communities that have gained some income (albeit limited) from this logging remains an open question.

Conclusion

Located on the periphery of the Indonesian state and in close proximity to a neighboring state with which they have long cultural and economic relations, the feeling of being different is predominant among West Kalimantan Iban -- a sense of separateness and otherness from the heartland and its population, economically, culturally, and historically. In addition, one of the general characteristics that permeate Iban borderlander life is the feeling of being pulled in several directions at once, but the strength of the pull depends on the degree of interaction and relations on both sides (Martinez 1994b:12). Indeed, borderlanders with weakest loyalty to their own national state are often those with the strongest cross-border ties (Martinez 1994a:19). Politically, the Iban belong to a state that demands their unswerving loyalty, but ethnically,

emotionally, and economically, they often feel part of another, non-state entity (Baud and Schendel 1997:233), the bulk of which is located in another state. For many Iban, the connections across the border remain stronger than those with their own national heartland, resulting in a weak sense of national belonging or identity.

Often border populations maintain cross-border economic links although they may subvert national law; in many cases, they have little other choice because their national governments have failed to integrate the borderland into the larger national economy (e.g., Baud and Schendel 1997:229). Borderlanders thus exhibit a tendency to bend, ignore, and breach laws that they see as interfering with their interests and special way of life. Rigid laws governing international borders that restrict cross-border interaction may lead to diverse conflict and rule bending (Martinez 1994b:12). Furthermore, the sense of otherness towards the state as experienced by borderlanders is increased because their interests often diverge from and conflict with national interests. Seeing themselves as being marginal to a larger national unity, many Iban often feel that the distant political center does not understand the special circumstances of living in a borderland.

Its ambiguous nature of both uniting and dividing characterizes the special environment of the border. By its very nature in dividing two separate states with their often different administrative and regulatory regimes, the border thus may generate an “opportunity structure” for activities, such as smuggling and immigration, that both states deem illicit (Anderson and O’Dowd 1999:597). Smuggling and illicit trade is often described as “the borderland occupation par excellence” (Wendl and Rösler 1999:13). For example, Donnan and Wilson (1999) note how international borders can be both

“used” (trade) and “abused” (smuggling). On the one hand, borders bring economic opportunity and generate a two-way flow of goods and people, but on the other hand they facilitate economic gain through illegal import and export, such as we have seen with the smuggling of timber from West Kalimantan. Such illicit processes form the subversive economy of borderlands (1999: 87), often highly important for the livelihoods of many borderlanders and sometimes the most important economic force in the border region.

Yet this typical “borderland” scenario presents us with only part of the picture with regard to the Iban borderland, as it cannot be fully understood without reference to the special affinity West Kalimantan Iban have developed for Sarawak. Not only are they a minority group within their own province, partitioned from a much larger population in a visibly more prosperous country across the border, but they have been treated as special by successive colonial and national governments, on both sides of the border. This has allowed them considerable space to develop a strong sense of autonomy, heightening the sense of separateness that appears ubiquitous with borderlands. Under the circumstances following the Asian economic crisis of 1997 and the fall of the Suharto regime in 1998, it is perhaps not very surprising to see events turn out as they have, given this critically important historical precedent.

Notes

1. Quote from *Sarawak Gazette* (1 October 1895) in Report from Assitant Resident Burgdorffer, 2 December 1914, Verbaal 20 Augustus 1915 No. 41, Politieke Verslagen en Berichten uit de Buitengewesten van Nederlands-Indië (1898-1940), Ministerie van Koloniën, Algemeen Rijksarchief, The Hague, Netherlands [hereafter ARA].

2. Vigilantism refers to the taking or advocating the taking of the law into one's own hands (that is, the circumvention of established channels of law enforcement and justice), while gangsterism is simply organized criminality (American Heritage Dictionary 2000).
3. Wadley's field and archival research (1998-2001) was funded by the International Institute for Asian Studies, Leiden, The Netherlands and sponsored in Indonesia by the Center for International Forestry Research. Eilenberg's field research (2002-03) was funded by a Maintenance Grant from the Government of Denmark, and was sponsored by the Program Strata-2 Ilmu-Ilmu Sosial, Departemen Pendidikan Nasional, Universitas Tanjungpura, Pontianak, with additional study (2005) being funded by the WWF Verdensnaturfonden/Aase og Ejnar Danielsen Fond.
4. One anonymous reviewer notes that these entrepreneurs may not necessarily be Malaysian, but instead Taiwanese, Korean, Filipino, Singaporean, or Indonesian. Although this may be true of some areas in Indonesia where similar activities have taken place (e.g., McCarthy 2000), the timber bosses in the borderland described here are exclusively Malaysian Chinese from Sarawak (but who do have strong connections beyond the region).
5. Schendel and Abraham (2006) address this complexity directly.
6. The police, who had been on hand to prevent the rumored attack, were out-numbered and so retreated. They later negotiated with the vigilantes after the killing and persuaded them not to cut off the victim's head.
7. The following account comes from correspondence with Iban colleagues who were not involved in the incident.

8. These officials included district or *kabupaten* forest rangers, prosecutors, police, and military personnel, some of them well-armed.
9. Letter to NI Governor-General from Resident Tromp, 10 June 1891, Openbaar Verbaal 12 June 1894 No.13, ARA.
10. Letter to NI Governor-General from Resident Tromp, 4 April 1894, Openbaar Verbaal 6 June 1895 No. 12, ARA.
11. The official reason was that Iban “earning capacity” was lower, but this makes no sense as other Dayak groups in the Upper Kapuas District were also poor and distant from good markets (Letter to NI Governor-General from Resident Tromp, 4 April 1894, Openbaar Verbaal 6 June 1895 No. 12, ARA).
12. Letter to NI Governor-General from Charles Brooke, 25 September 1882, Mailrapport 1882 No. 1066, ARA.
13. Local civilian, police, and military officials are, by and large, not “local” themselves but come from a variety of places – elsewhere in the province or well beyond, such as Java and Bali. Given the link between cross-border activities and illegality, it is difficult to assess how or if local officials are involved beyond simply facilitating and collecting fees on such activities on their side of the border.
14. Although communities have been divided on the question of timber harvesting and cooperation with Malaysian timber bosses, most communities were initially happy with the arrangement, although tensions have risen lately as the side-effects of logging have appeared, such as water pollution (Suara Pembaruan 2004c).

15. Prior to their operations in West Kalimantan, the Malaysian *tukei* operated for decades in Sarawak Iban areas and preferentially hired local Iban, having learned to trust their honesty and work ethic.

16. Several incidents over the last several years of border transgressing have also served to keep things “hot” in the media as well as diplomatically (Kompas 2000a; Suara Pembaruan 2000).

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