The struggle for land rights: Indonesian (urban) Agrarian Reform and (against) the Global Land Forum in Bandung

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INDONESIA PROMISED AN AMBITIOUS PROGRAM of agrarian reform. Based on that ambition, Jokowi's government released a presidential regulation on agrarian reform. This was done, together with the 2018 Global Land Forum meeting, in Bandung, several months before the presidential election. This month, the Indonesian presidential election has been a contest, with the incumbent Jokowi winning a second term from 2019–2024.

Under Jokowi's government, Indonesia has made a reform that would deconstruct the structure of land tenure by giving land certificates to the peasant households. This reform, known as the Agrarian Reform Campaign, is the most significant reform in Indonesia's transition into a market economy. In the narrow definition, agrarian reform would be done through redistribution and certification, with the community empowerment program hopefully increasing prosperity.

From the beginning, Indonesia's Official Account and NGOs uncritically imagined that this campaign will lead to great success for the farmer and for the economy as a whole. This mainstream narrative argued that inequality in urban and rural for the land tenure would result in economic inefficiency; thus this campaign will be increasing land productivity under the agrarian reform agenda. Jokowi makes the agrarian reform agenda a national priority program, which has been enacted in the Indonesia's National Medium-Term Development Plan 2015–2019 (Rencana Pembangunan Jangka Menengah Nasional–RPJMN).

Through the Global Land Forum (GLF) 2018 agenda, which is main event of the International Land Coalition (ILC), Indonesia's agrarian reform program got attention and international legitimacy as a huge success in the development of land tenure and land distribution. Together with other ILC members, who were organizing this event, the Consortium for Agrarian Reform (Konsorsium Pembentukan Agraria–KPA) succeeded in utilizing the Forum so that Government of Indonesia enacted Presidential Regulation (Peraturan Presiden/Perpres) No. 86/2018 on Agrarian Reform in front of worldwide NGOs coming from ILC-members' countries and international financial institutions who had been "encouraging" the existence of the land market.
KPA and other ILC members in Indonesia were appointed as the next Forum’s host when the last GLF was held in Senegal in 2015. Then, they chose Bandung for the event due to historical and political significance of Bandung as an important icon since the Asian-African Conference. The committee articulates a similar spirit as the Asian-African Conference of 1955, a spirit of anti-colonialism and anti-imperialism.

Leaders at the Bandung conference in 1956.

Indonesia is becoming an important part of GLF. Some of Indonesia’s NGOs were not only ILC members, but also had been involved in and claiming themselves as a part of the social movement for Indonesian agrarian reform. In fact, as time goes on for the GLF, agrarian conflict, people’s evictions and land grabs for business, capital, and corporate interests never ends. The actual agrarian reform never happened. Tenure security for peoples in rural and urban areas are more threatened; agrarian conflict happened massively because the land grabbing phenomena exists massively. Infrastructure development penetrating and aggravating Indonesia by converting peasant lands and concentrating urban lands for property interests results in inequality on the land tenure, segregation and gentrification in many sectors.

What is ILC, what is GLF? And how are these important for Indonesia?

GLF is a biannual international meeting held by ILC. ILC was founded in 1996, was initially named the Popular Coalition to Eradicate Hunger and Poverty, and was an attempt to eradicate poverty, famine and injustice in land access before it was changed into ILC in 2003. The goals of project were empowering the poor, especially in rural areas, by giving them access to productive assets, including lands, waters and other natural resources, and involving them in policymaking at the local, national and international level. Because land reform was the main strategy to implement the project, ILC had been chosen as a new name of the coalition.

Nowadays, ILC members consist of NGOs, peasant unions, regional NGOs, research institutions, agricultural producers' associations, as well as international, multinational and transnational organizations, including The World Bank. There are 206 members coming from 64 countries, including Indonesia, which include the Consortium for Agrarian Reform (Konsorsium Pembangunan Agraria-KPA), Sayogyo Institute (Sains), Indonesian Network for Community Mapping (Jaringan Kerja Pemetaan Partisipatif—JKPP), and Rimbawan Hiduta Indonesia (RMI). Now, KPA is the ILC Asia host and was appointed as one of the event coordinators for the GLF meeting that was held in Bandung this year.
It has been written in the Strategic Document 2016–2021 that ILC’s vision is a just, equal and inclusive world, which guarantees tenurial rights without poverty, while the ILC’s mission is to form a global alliance of civil society and inter-governmental organizations that works for putting peoples at the center of land governance.

Thus, ILC has been seen as consistent with the World Bank’s global land policy reform guidelines according to the Land Policies for Growth and Poverty Reduction (2003) document. In addition, ILC has sought to get Civil Society Organizations (CSOs) into the United Nations and/or the World Bank framework. It means that if it is impossible to hope that ILC’s decisions and regulations will be free from capital and corporate interest. The formulas that are generated formally in GLF have been expected to influence international and national policy about tenurial justice. GLF formulas became a basic legitimization for policy drafting, among some international and multilateral institutions who are part of ILC, including the World Bank.

ILC, GLF and the social movement for Reforma Agraria (in Indonesia)

Therefore, in spite of many from ILC members stating that they were an actor in the social movement, it is very difficult to say that ILC represents the movement. But, it could be said that ILC is heavily connected with the interests of very strong elites and also could be controlled by them.

In spite of some social movement groups that are members of ILC, the standpoint is contra-land grabbing, which is in opposition to other members like the World Bank that have no problem with “land grabs.” The World Bank and others have their own terminology of “land grab,” which is a large-scale land acquisition that, as long as human rights are violated in the process, is believed will give equal benefits and prosperity. In this coalition, due to the imbalance of power among members, the pro-capital group is more powerful in determining ILC’s policy, leading it to embrace capital instead of focusing on the land tenure system and peasant-poor rights.

The dominant view within ILC about land grabbing tends to give more space to corporations to do their capital accumulation. So, the policy offered only prevents more negative impacts in land acquisition practices for large-scale extractive economic purposes, rather than stopping an increasing corporate land grabbing action. It is beyond the scope of this essay to discuss how to implement an agrarian reform agenda. Neoliberal perspectives penetrated smoothly, efficiently and effectively into ILC, which has been one of drivers of land reform discourse throughout the world, including in Indonesia. Institutions such as the World Bank and its proponents have co-opted and shrunk land reform into a movement only about giving legal certainty and land certification, which are fit into making an efficient land market and making it easier to transfer the land for capital accumulation purposes.

Land certification through Jokowi’s Reforma Agraria agenda gives easy access for poor peasants/peoples to be involved in land market scheme. The land will be an active asset, since the title goes to the bank as collateral in order to get some funds. The land is not merely for capital production purposes in the agricultural sector, but it will be also used for any other purpose. The most important factor is making the land become a live asset, as with the Hernando de Soto idea about Reforma Agraria. It means throwing more people into the economic wheel of banking capital circulation, which in practice is heavily controlled by capitalism, strengthening the wheel that then grinds the peasants down. This kind of agrarian reform point of view is very different from the other views of agrarian reform formulated by the Old Order regime in Indonesia. The main goal is deconstructing an unequal land tenure structure for social justice and prosperity.
By a thorough examination, the issuance of Presidential Regulation on Reforma Agraria (Perpres RA 2016), along with the GLF event, is not a coincidence. Although it does not want to negate struggle of spontaneous peasant movement in various places in Indonesia, Perpres RA 2016 is one of the systematic ways global land policy is controlled by the World Bank. To fulfill his administration’s commitment to agrarian reform, Jokowi has tried very hard to find new resources to fulfill all of his promises. About a month ago, the government, through the Ministry of Agricultural and Spatial Planning (ATR) and the National Land Agency (BPN), signed a contract with the World Bank for a land titling project, namely the To Accelerate Agrarian Reform Program (One Map Project) that needs legal standing to spend all funds covering the debt project. Instead of using the old laws on land, UU No. 5/1980 Basic Agrarian Law, he passed the Perpres Agrarian Reform 2016 just a day after the GLF opened, which has been formulated since Jokowi had elected as the new President in 2014. Through GLF, it is a good sign that the current Indonesian government has managed to run in two ways, a populist way and authoritarian way, which is marked by Reforma Agraria implementation in the capitalist way.

It is also too exaggerated to say that the GLF is a forum to empower the social movement for Reforma Agraria. Actually, after a number of GLFs conducted until now, agrarian conflict, evictions and land grabbing for business interests (such as plantations and property), capital accumulation and corporate power have never diminished. If the GLF claims to support agrarian reform implementation, it has only succeeded to make a new regulation that tends to open a new space for capital accumulation. Although Jokowi’s government claims that they have been successful in making agrarian reform through certification, it is not Reforma Agraria like that thought by the founding fathers of this nation, when independence came. It means that the GLF that empowers the social movement for actual Reforma Agraria, against eviction and against land grabs, has never existed.

Using depoliticization on the poor peasant, and liberating the rural workers to compete with the urban workers, agrarian reform is seen as solution. On the other hand, agrarian reform functions as the political basis for Indonesian neoliberalism that consequently accelerates trends in the economic, political and social sectors towards the concentration and creation of the land market elaborated by existing agrarian regime.

Some questions arise about the relation between existing conflicts and the members of ILC that are involved in the GLF. Especially in Indonesia, those members are active, and even as key groups, in advocacy of agrarian reform implementation. Thus, what is the purpose behind the GLF? Whom it made for? What kind of forum involves stakeholders that were directly and indirectly involved in giving financial stimulus and conflict stimulus to land liberalization? Furthermore, and this is raising an important question, why were a majority of peasant unions, even NGOs in Indonesia that have a direct involvement in agrarian reform, peacefully embracing this agenda?
Why Bandung’s protest?

Despite of issuing the Perpres No. 06/2016 on Agrarian Reform during the GLF 2016 in Bandung, the GLF remains in contradiction within the goals of agrarian reform itself. Since the Agrarian Reform formulated and issued is a pro-market and pro-investment land policy, there will be so many unfavorable things happening to peasants and poor people, both in rural and urban areas. The GLF 2018 will be only a space to have legitimacy for Jokowi’s Agrarian Reform program from worldwide participants, including international financial institutions, such as the World Bank. Hence, Bandung’s groups have their own opinions about why the GLF 2018 should be protested, which is not about the technical matter that Bandung recently has been an extremely busy city due to a huge number of visitors every week, but also about the substance of the event and reasons for choosing Bandung as the venue for this event.

Bandung was chosen as a city that has inherited an anti-colonialist and anti-imperialist spirit, since it once hosted the Asian-African Conference in 1955. This was the first international conference of Asian and African nations affirming their own sovereignty and independence as the right of every nation. The spirit was against colonialism and imperialism in various forms that nowadays will be borne in capitalist character. The contradiction is that the World Bank is involved in this event, as are also ILC members. Even though there is debate among ILC members about ILC’s standpoint on the dependency of donor institutions, the World Bank itself in fact has given a huge foreign debt to the Indonesian Government, including for Reforma Agraria implementation. That is clearly contrary to the spirit of anti-colonialism and anti-imperialism.

Agrarian Reform at least should be addressed against the land grabbing phenomenon. Another part of the everyday life of Bandung’s people during five years under Mayor Ridwan Kamil’s government was the land grabbing phenomenon of Tipe Kampung Kota (urban kampung) inhabited by the urban poor. This is all to create a land market through the hands of the city government at the expense of the people for the interests of capital as financialization of urban land with accumulation by dispossession. It caused the dispossession a thousand citizens in the name of “slum upgrading” in the heart of Bandung city. This is a national project under KOTAKU program, which is funded by the World Bank, Islamic Developing Bank and Asian Infrastructure Investment Bank, and has started since 2018.

Those “slum upgrades” are a part of the land registration scenario that is included in Jokowi’s agrarian reform scheme. The new inhabitants or those who remain register their land, and then those plots of land become bankable. It is the mechanism that occurred and has been called an urban land grab. On the other hand, a lot of un-transparent administrative schemes are used for evicting the urban poor. There is violence involved in implementing such a program, even under Ridwan Kamil, who is known as one of major leaders in Indonesia who are respectful to the people. Then, GLF became an exhibition to the public, the National Government and the international institutions (especially the World Bank) developed the slogan of Bandung “Kota Ramah HAM (Hak Asasi Manusia)" (Human Rights City). I prefer the other acronym of HAM — Hotel-Apartment-Mall.

Those were the major driving factors for a lot of the protest to the GLF meeting in Bandung coming from the peasant movement and the urban civil movement. The People’s Alliance Against Eviction (Aliansi Rakyat Anti Penggusuran, ARAP) had been becoming a mainstream civil movement in protesting GLF forum.

Through statements and worksheets, ARAP was giving a standpoint about why the 2016 Global Land Forum in Bandung had to be rejected. Through that worksheet, ARAP underlined GLF-involving stakeholders’ roles and interests. Also, ARAP was relating an ongoing agrarian reform agenda and its state, people and market’s implication to a global agenda that used GLF to narrate its role. Moreover, ARAP issued the People’s Principles Against Land Grabs, Evictions and Neoliberalism’s Global Land Policies, containing ten principles about anti-colonialism and anti-imperialism issued since Asia-Africa Conference Declarations in 1955, principles which are a backbone for the struggle against land grabs, evictions and neoliberal Global Land Policies.
The protest arose as an agrarian movement contesting a mainstream narrative for its assumptions that everything related to agriculture is manageable through good governance principles and instruments like transparency, business and human rights frameworks and corporate social responsibility. A large-scale land investment’s narrative anchored to an old assumption, that institutional access and control of land and the people’s mode of production was inefficient economically.

In the second period (2019–2024), we will see how Jokowi’s government will realize agrarian reform ambitions. The present’s changing context involves a discourse relating to the ways the agrarian movement emerged and the ways its character evolved politically and spatially through a cross class, multi sector and broader geographically agrarian movement, and also through an alliance for social justice struggle, as ARAP had been doing in Bandung. “Let a New World be born in Bandung for a genuine land reform, not land grabs!” | P

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