

Building an Equitable Forest: Advancing Social Justice through Recognition in Indigenous Forest Management Practices in an Old-Balinese Village

I Wayan Suyadnya^{1*} , Desi Dwi Prianti² , Sanggar Kanto³ 

^{1,2,3} Universitas Brawijaya, Indonesia

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Abstract: This article details the values and interests inherent in the customary forest management practices of the peoples of the Old-Balinese village of Tenganan Pegringsingan in East Bali, highlights social justice from a planning perspective, and analyses the challenges villagers face in their pursuit of cultural recognition. It highlights the spiritual and ecological ties the Balinese have historically had to forests, which are seen as sacred spaces that contribute to cultural continuity and environmental balance. Despite this, modern management often overlooks these intangible values, causing ecological and social issues. Through ethnographic methods, including participant observation and interviews with traditional leaders and community members from 2022 to 2023, and drawing on earlier fieldwork from 2010 to 2012, the study finds that community-based values guide forest resource management. These values encompass protocols governing human relationships with the forest, residents' perceptions of the forest as a protector and marker of identity, and the forest's role as a spiritual space.

Keywords: customary law; indigenous right; internal justice; Old-Balinese village; recognition

1. Introduction

The 1945 Indonesian Constitution recognises *hutan adat* (customary forests) in Article 18(B), paragraph 2, emphasising respect for customary law communities and their rights. Support comes from Law No. 41/1999 on Forestry and Constitutional Court Decision No. 35/2012, which exempts customary forests from state control. Implementation is complex due to conflicting definitions and overlapping laws. Around 160 customary forests (333.687 hectares) have been recognised until 2025 (Kementerian Kehutanan, 2025), but indigenous groups

* Corresponding author's email: iwayan.s@ub.ac.id

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seek broader acknowledgement of traditional management for social justice. The government claims it lacks the resources to manage these areas. Research has mainly defined recognition through legal or policy concessions (Li, 2001; 2007; Lukas & Peluso, 2020). This article moves from procedural approaches to internal equity and indigenous governance as key measures of forest justice, emphasising their importance for equitable management. It explores customary forest recognition in Tenganan Pegringsingan, Bali, analysing local governance and how traditional values are incorporated into modern management, highlighting the community's focus on forest values and broader justice implications.

Over the past two decades, studies have focused on Indonesia's forestry sector, identifying social forestry as a dynamic arena involving state actors, capital interests, and indigenous communities (Erbaugh, 2019; Fujiwara et al., 2012; Kusuma et al., 2023; Lukas & Peluso, 2020; Peluso, 1993; Prasetyo et al., 2012; Ragandhi et al., 2021; Sahide et al., 2020; Satria et al., 2025; Sirimorok et al., 2024; Veriasa et al., 2023). The findings highlight the neglect of socio-cultural and customary values in forest management and land systems, showing how the state's positive right causes issues for indigenous communities. Researchers note ongoing negotiations and contestations of legitimacy, reshaping governance and influencing social forestry. Tensions exist between *Masyarakat Adat* (indigenous peoples) and non-indigenous actors over management rights, especially when legal frameworks fail to recognise indigenous rights (Arofah et al., 2022; Peluso, 1993). The state's dealings with customary forests complicate these dynamics (Li, 2001, 2005, 2007, 2008). Understanding local resource governance is crucial for sustainable forest management and social justice.

Despite legal efforts, indigenous peoples' rights to their forests remain incomplete. The Constitutional Court's reclassification of customary forests as "*hutan hak*" (communal forests) was a significant step, distinguishing them from "*hutan negara*" (state forests) (Arizona et al., 2019; Hasanah et al., 2024; Mahkamah Konstitusi RI, 2019, 2023). Legal recognition is necessary but insufficient, often granting only formal status without addressing power imbalances, limited resources, weak governance, or procedural barriers faced by marginalised groups. Achieving justice requires redistributing power and resources, building capacity, supporting customary governance, ensuring effective enforcement, and pluralistic institutions that recognise local norms. Indonesian civil society has campaigned for reforms, seeking not only forest management rights but also exclusive ownership of forests by indigenous communities (Zakaria, 2024). These demands emphasise the importance of respecting traditional rights and local wisdom, tied to customary land tenure, laws, and ancestral beliefs. Indigenous forest practices primarily regulate resource use and social acceptance, an ongoing and unresolved issue.

Recognising customary land and forest rights presents a significant challenge for indigenous peoples in Indonesia, particularly in regions such as Java, Sumatra, Borneo, Papua, and Sulawesi (Arofat et al., 2022; Li, 2001; Savitri, 2014; Veriasa et al., 2023). While substantial research emphasises the importance of state recognition of customary forests (Arizona, 2023; Bedner & Arizona, 2019; Li, 2005), comparatively less attention has been directed towards their practical management. Addressing this issue is essential, given that indigenous communities possess extensive local knowledge and traditional practices pertinent to the planning, management, monitoring, and equitable utilisation of forests. Future research should concentrate on their rights, customary practices, and traditional values within forest governance. Although ethnographic studies examine cultural connections to ancestral lands, there is a pressing need for more empirical research into the management practices associated with them.

Amid tensions between indigenous peoples and the state—stemming from regulatory inconsistencies involving the *Kementerian Dalam Negeri* (Ministry of Home Affairs), *Pemerintah Daerah* (local and province government), and internal challenges within indigenous communities—several prototypes of *Masyarakat Hukum Adat* (Indigenous Legal Communities, MHA) have achieved state recognition for their customary forests and community rights. According to The Registration of Indigenous Peoples (IP's) or *Badan Registrasi Wilayah Adat* (BRWA), since 2016, the Indonesian government has officially recognised 219 MHAs, as shown in Table 1.

Table 1. Distribution and Recognition of Indigenous Peoples (MHA) and Customary Forests in Indonesia

No.	Region	Number of Recognised MHAs	Coverage Area (Ha)	Total Percentage of MHAs (%)
1	Sumatra	82	309,545	37.24
2	Kalimantan	56	2,148,607	25.57
3	Sulawesi	45	600,876	20.55
4	Java, Bali, Nusa Tenggara	17	51,081	7.76
5	Moluccas	4	58,876	1.83
6	Papua	15	564,370	6.85
	Total	219	3,733,355	100.00

Source: BRWA, 2026

The state has acknowledged about 1,682 customary forests totalling 28.82 million hectares, but only 14.70% have been formally designated as MHAs. Bali hosts three MHA sites and six customary forests, as shown in Table 2. Three Desa

Adat have been officially recognised as MHA, namely (1) MHA Alas Kedaton in Desa Kukuh, Marga District, Tabanan; (2) MHA Tri Kayangan Belimbing in Desa Belimbing, Pupuan District, Tabanan; and MHA Terunyan in Desa Terunyan, Kintamani District, Bangli. This indicates that the three traditional villages have undergone a territorial identification process conducted by the community in conjunction with the government (provincial/district). All three have been verified regarding the history of the *desa adat*, law, assets and/or objects, and institutions/government systems. This verification indicates that the customary forest object and its organisational structure have received full recognition from the government. However, unlike Tenganan Pegringsingan, the object of this study, their village's existence has been recognised since pre-colonial and colonial times, which gives this village geographical and customary sovereignty compared to other villages. Therefore, the Desa Adat Tenganan is not overly concerned about village land or the size of their territory becoming a source of conflict with other neighbouring villages.

Table 2. Customary Forests in Bali

No.	Site Name	Regency	Area (Ha)
1	Mekori	Tabanan	21
2	Terunyan	Bangli	287
3	Bayung Gede	Bangli	23
4	Demulih	Bangli	40
5	Alas Kedaton	Tabanan	9
6	Tenganan Pegringsingan	Karangasem	591
	Total (Bali)	—	971

Source: BRWA, 2026

Tenganan Pegringsingan exemplifies a communal approach to customary forest land management and is regarded as a best practice in offering guarantees to all community members. State recognition of customary forests often emphasises territorial boundaries over indigenous knowledge and traditional management practices, leading to forest management via state channels.

This article examines customary village practices that effectively govern lands and forests, aiming to promote social justice. Specifically, it seeks to: (1) Detail the values and interests inherent in the customary forest management practices of the Tenganan Pegringsingan community; (2) Highlight social justice from a planning perspective within this context; and (3) Analyse the challenges villagers face in their pursuit of cultural recognition. The article contributes to discussions on customary forest management in Indonesia, using Tenganan Pegringsingan as a case study. It shows social justice extends beyond state recognition to community justice.

2. Literature Review

Tenganan Pegringsingan is an old village with a rich ecological and cultural heritage. Its forests host 18 medicinal plants and habitats for buffalo, snakes, dogs, jungle fowl, and local birds (Wijana, 2022). The forest serves as an educational resource, teaching sustainable management based on local wisdom. Wijana et al. (2020) are highlight the link between traditional practices and biodiversity, emphasising the role of natural resources in community health. Many plants are vital for religious rituals, such as *Ngusaba*, highlighting the deep connection between the environment and culture in Tenganan (Ratnani et al., 2021). Nurjaya (1985) examined environmental law in the traditional village of Tenganan, highlighting various aspects of customary law that contribute to the preservation of customary forests. According to this research, the principal instruments for Tenganan forest conservation include the structure, sanctions, and enforcement of customary law.

The existence of *awig-awig* (customary law), which strictly governs the community, ensures that residents adhere to established prohibitions. *Awig-awig* regulates access, distribution, and sanctions for resources, reinforcing social justice and ecological governance within customary framework communities. It fosters collective obligations, social sanctions, and village deliberations (customary assemblies) to uphold social balance and participatory decision-making (Geertz, 1973). It allocates access to *subak* (wet irrigation), forests, water, and resources through norms and sanctions that limit overfishing and monopolisation, promoting fair benefit distribution (Hauser-Schäublin, 2003; Kirksey & Helmreich, 2010; Lansing & De Vet, 2012). As part of environmental management, *awig-awig* enforces ecological and planting prohibitions, land rotation, and irrigation rules, using local wisdom to conserve ecosystems through environmental and spiritual practices (Hauser-Schäublin, 2003; Lansing, 1987). For the Tengananese, these practices embody a commitment to sustainable forest management and cultural preservation (Karidewi et al., 2012; Murtini et al., 2023; Raharja et al., 2024).

Suwitra et al. (2023) argue that the Tenganan forest can serve as a model for improving indigenous welfare. Its customary management, based on village land with authority and autonomy, blends customary and state law. Forests are vital for community welfare, providing local resources. Suwitra notes Tenganan's management combines conservation, with protected and production forests used for timber and non-timber products. They also offer environmental services such as trekking, agrotourism, and palm wine tourism, making Tenganan an ecotourism destination. Recognition through *Peraturan Daerah (Perda) 4/2019 on Desa Adat* affirms community rights, *Hak Pengelolaan Hutan Desa* (HPHD), aimed at reducing poverty, unemployment, and inequality.

Utilising forests for ecotourism serves as both a conservation strategy and an economic opportunity. The blend of ecological systems, cultural elements, and landscapes attracts tourists seeking authenticity (Karidewi et al., 2012; Murtini et al., 2023; Suyadnya et al., 2025; Wijana, 2022; Yoga Atmaja, 2002). Community-led conservation preserves cultural heritage and promotes sustainable tourism that is sensitive to both cultural and ecological values. This highlights the environmental and cultural importance of forests in fostering community resilience and economic growth, making Tenganan a model for integrating traditional ecological knowledge with sustainability. Conflicts emerge when tourism market pressures diminish indigenous control over space and resources, leading to cultural commodification, unequal benefits, and clashes between indigenous conservation aims and external economic interests (Ahmed, 2020; Suyadnya et al., 2025).

Aina et al. (2024) provide firm support for this argument by demonstrating that the Tenganan community maintains a resilient customary land tenure system that has effectively protected land from conversion despite significant tourism pressures. Their study explores the values embedded within Tenganan's customary land tenure system and examines its potential integration into the broader agrarian reform agenda. The findings reveal that some aspects of customary land tenure align with principles of agrarian reform (*reforma agraria*). In contrast, others do not, primarily due to influences such as modernisation, tourism, and the roles of tenant farmers. Nonetheless, the village's customary land tenure system offers a novel model for agrarian reform initiatives in similar communities. The research findings expand the discussion by demonstrating that, although some customary rules align with redistribution of ownership, factors such as tourism, modernisation, and the presence of tenant farmers pose real challenges to equality and necessitate policy adjustments to promote true inclusion.

3. Method and Theory

3.1 Methods

The research was conducted in the Old-Balinese village of Tenganan Pegringsingan, situated at the eastern tip of Bali, in the Manggis District, Karangasem Regency, East Bali (see Figure 1). This village is recognised as one of Bali's ancient settlements that practices forest management based on local traditional customary law (Nurjaya, 1985; Setiawan, 2002; Suyadnya, 2021). It is recognised as a village possessing extensive customary territorial rights, including both yards and village forests (Nurjaya, 1985). The land use within the village functions not only as agricultural land and gardens but also as a site for ecotourism programs (Karidewi et al., 2012; Murtini et al., 2023; Palmer, 2000; Suyadnya et al., 2025).

This ethnographic study employed observation, in-depth interviews, and document research (Atkinson et al., 2007; Fetterman, 2010; Hammersley & Atkinson, 2007). It challenges assumptions about humans and nature and captures community conditions through narratives rooted in local contexts. Ethnography enables a detailed examination of local forest management cases that may not be obvious, focusing on village activities related to customary forest management. Observations focused on village activities related to customary forest management. Ethnographic field notes (DeWalt & DeWalt, 2002) contributed to the development of interview guidelines. The first author engaged in activities such as tapping palm wine, working in the fields, and joining ecotourism tours while focusing on community-based forest management issues. Bias was minimised through careful participant selection, triangulation, contextualization, and maintaining a non-judgmental stance. Data was collected between 2022- 2023, with short visits in 2024, funded by university grants, and includes ethnographic data from 2010- 2012.

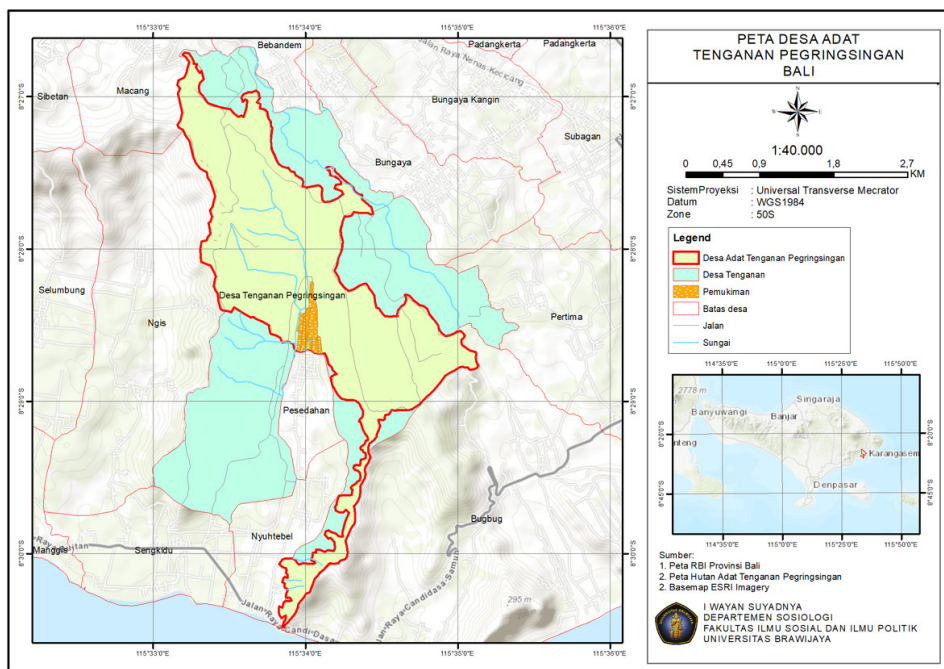


Figure 1. Map of the Desa Adat Tenganan Pegriingsingan and their forest area (Map by I Wayan Suyadnya and Baharuddin Azhar, 2025).

All interview participants provided informed consent. The study employed purposive sampling techniques to select 24 interlocutors (DeWalt & DeWalt, 2002) based on their roles in the customary village structure, their knowledge of customary forest management, and their willingness. Participants

included residents from three *banjar* (hamlets) within Desa Adat Tenganan Pegringsingan: four traditional village leaders, eight residents from *Banjar Kauh* and *Banjar Tengah*, five from *Banjar Kangin*, two Pokdarwis representatives, three *sekahe teruna/sekehe daha*, one ritual leader (*mangku desa*), and one village government member.

Although village forests are part of traditional villages, in practice, forest rights are allocated according to organisations or interest groups (*sekeha*). As a result, how these organisations present themselves influences the management and administration of village forests. The *Banjar Kangin's* interlocutor, for example, represents a group not officially recognised within the traditional village structure, highlighting the internal inequities revealed by this research. The group consisted of 16 men and eight women. Most interviews were informal and conducted in Indonesian and Balinese. The names of the interlocutors involved in this research have been abbreviated using initials to safeguard their privacy concerning the sensitive topics under discussion. Certain names have been deliberately retained in their original form with the written consent of the individuals involved in the publication. Ethnographic analysis involved categorising data into key themes.

3.2 Theory

This study explores indigenous communities' efforts to achieve socially just forests through Nancy Fraser's (1995, 1998, 2008, 2010) works of tripartite justice. Amartya Sen (2009) highlights that claims to justice vary based on argumentative foundations. Two main views - liberalism and communitarianism - shape understanding. Liberalism emphasises structuring society's institutions (Walsh, 2007), while communitarianism sees justice as rooted in virtue within specific communities, emphasising ethical living and extending justice beyond individuals to the community. This provides a basis for broader social justice concepts (Goodhart, 2012; Kelly, 2001; Widyarsono, 2011). This article references Fraser's theory, which has three interconnected dimensions: redistribution, recognition, and representation, aiming to deepen understanding of injustice and social inequality (Fraser, 1998).

Fraser (1995) states that social justice covers issues of redistribution and recognition. Traditionally, social justice has been viewed through a dichotomy, often separating social and political concerns. Frequently, redistribution and recognition are seen as separate concepts. However, Fraser argues that this opposition is a *false-antithesis* (Fraser, 1998, p. 1). She believes that both issues stem from underlying injustices within a broader socio-political context. According to her, every injustice involves both redistribution and recognition, and these aspects should not be seen as mutually exclusive.

According to Fraser (1998), redistributive politics mainly target socioeconomic issues rooted in economic injustice. To address these, efforts should involve economic measures such as promoting income equality, regulating labour, and reforming democratic policies. Fraser highlights that economic injustice from unequal resource distribution must be actively addressed. She emphasises interventions such as fair taxation, social programmes, and stronger market regulation to combat poverty and inequality. Overall, redistributive policy reallocates resources to promote economic fairness.

The politics of recognition addresses cultural injustices related to representation, interpretation, and communication, rooted in cultural identity. Fraser highlights that social justice includes cultural recognition and identity, alongside economic issues (Fraser, 1998, 2008, 2010). Marginalised groups often face discrimination, making it vital to acknowledge their identities and rights to participate fully in social, political, and cultural life. Policies support minority cultures, promote human rights, and amplify diverse voices in decision-making, aiming to respect and value their identities. Fraser stresses that representation is key to social justice, with fair, diverse political representation ensuring equal influence for all backgrounds (Fraser, 1995). Fraser (1998) argues that social justice's three facets—redistribution, recognition, and representation—are interconnected. Imbalances in one area can affect others; economic injustice can lead to social exclusion, while identity-based injustices hinder access to resources and power. True justice requires a comprehensive, multidimensional approach that combines economic, social, and political perspectives to build a fairer society. Justice involves more than fixing individual issues—it is about ensuring all voices are heard, and access is equitable.

In the Balinese context, Fraser's argument concerning the three forms of justice is exemplified through the customs of traditional villages, particularly the management of customary forests. Associational principles, such as solidarity and equality in traditional village activities, constitute an essential aspect of Balinese daily practices. For the Balinese, traditional villages embody democratic principles and depend on the cooperation of all *krama* (community members) (Geertz, 1973; MacRae, 1997). In the context of *ayahan* (labour contribution), a characteristic obligation, work is apportioned equitably regardless of social standing (Gunawan, 2014; Hauser-Schäublin, 2011). This labour contribution is recognised as a form of participation and equality based on expertise. In some ancient villages, labour contributions are allocated according to seniority within the traditional village hierarchy (Reuter, 2002a, 2002b), which initially appears to resemble feudalism but, upon closer examination, is rooted in the historical existence of the traditional village. Therefore, it is evident that justice within the Balinese traditional village context reflects a shared sense of community and ensures that all voices are acknowledged.

4. Results and Discussion

4.1 Fundamental Principles of Communal Forest Governance

Tenganan Forest is a key ecological habitat supporting diverse plant and animal species. In *Bukit Kangin*, dense trees include Rosewood, Indian lac tree, Wild Breadfruit tree (*tehep*), Candlenut, *Belalu*, Durian, Betel Nut Palm, Magnolia champaca, Lontar palm, and Betel. The hilltop forest, mainly composed of sugar palm trees, produces palm wine (*tuak*), a crucial resource for rituals and the economy (Nurjaya, 1985; Suyadnya et al., 2025). The forest supplies about 80% of the resources for rituals, including coconuts, bananas, young leaves, and spices, and produces *tuak* from sugar palms. In dry areas, cultivated plants include coconuts, mangoes, oranges, papayas, pineapples, sapodillas, mangosteens, bananas, and jackfruits.

The forest also sustains sacred livestock, such as buffalo, used in the *mati ombo* ritual (Ramseyer, 2009) (Figure 2). The land is communally owned and managed by villagers who respect traditional practices. They distinguish between *kayu kekeran desa* (forbidden trees) and other species. Forbidden trees, including durian, jackfruit, wild breadfruit tree, football fruit (*pangi*), palm oil, magnolia champaca, and candlenut, are protected; only village authorities can harvest them, and the fruits must fall naturally and be reported for proper handling.



Figure 2. Daily activities of Tenganese with the village forest in the background (Photo by Authors, 2022)

From a socio-cultural perspective, the Tenganese value their customary rights to forests and communal land. Putu Suarjana, a 52-year-old traditional leader, explained:

“The forest is like our protector—a natural fortress. Because of it, we lack nothing; it is all there, and we must use it. However, we cannot simply pick or collect forest products freely, as is the case elsewhere. This is fortunate, as without customary laws, the forest would have been depleted long ago. We are taught to take only what we need, not to be greedy. The main point is that it must be used together for the village’s prosperity.” (July 11, 2023).

For villagers, forests are vital for cultural identity and local ecology. Their traditional, law-guided management assigns philosophical importance to forests, shaping daily routines. They see forests and all living beings as symbols of human actions, central to their worldview. The forest offers spiritual security, ecological role, biodiversity, and sustainable management, fostering balance, harmony, social ties, and ecological health.

From a young age, the Tenganese are taught that forests are shared resources to be used wisely and sustainably, as they belong to everyone. Their careful approach to harvesting forest products prevents greed and promotes sustainability. The forests and rice fields are vital for their food security, providing for daily needs and rituals. This collective management reflects their traditional village governance, deeply rooted in customary values. They also believe that forest spirits and spiritual values are accessible not only to villagers but also to outsiders.

Recently, ecotourism has emerged as a key component of forest management, promoting sustainable development and cultural conservation (Murtini et al., 2023; Suyadnya et al., 2025; Yoga Atmaja, 2002). We believe that the Tenganese primarily advocate a management system for their traditional lands and forests, which we call the “*internal justice*” principle. This principle involves communal management of shared forests, where land and forest resources are allocated according to each community member’s level of use. The concept of proportional use emphasises that the forest is a shared resource actively utilised by members of the customary community, with the primary goal of maintaining equal rights for all involved. The concept of “*internal justice*” highlights community norms and practices that influence land and forest access, benefits, and voice. It shifts the focus from external legal recognition to the quality of local governance. This links recognition and redistribution theories proposed by Fraser, emphasising internal governance as key for sustainability and legitimacy. It challenges the idea that formal recognition guarantees

justice. “Internal justice” requires a multidimensional analysis — considering contextual, gender, class, and generational factors — and promotes policies that enhance customary institutions rather than just legal rights.

4.2 *Tenganan’s Forest and Its Patron-Client Relationship*

The benefits of the forest extend beyond Tenganan residents. Land is divided among village property, *sekeha teruna*, and *sekeha desa*. Traditional authority oversees the protected forest west of *Bukit Kangin*, while *sekeha teruna* and individual owners manage forest land east of *Bukit Kangin*, in accordance with ancestral agreements. Not all villagers can cultivate land; some transfer land rights, called *wong angendok pekaryan*. The forest, while communal land owned by *desa adat*, serves as habitat for non-resident land caretakers for Tenganan’s landowners. As a wealthier village, most forest land is managed by residents of neighbouring villages such as Nyuh Tebel, Pasedahan, and Kestala. Data shows 218 families, listed as *penyakap* (perpetrators), reside and work in *Bukit Kangin* and *Bukit Kauh* within Tenganan. According to *awig-awig*, these individuals are called *krama tamiu* (newcomers). Despite being within the sacred forest, some settlers can build permanent homes; 21 houses were documented for 22 families (Raharja et al., 2024).

The *penyakap* operate on long-standing social ties, with many community members recognising that some settlers have been there since their *leluhur* (great-grandfathers’) time. The origins of the perpetrators in the forest in *Desa Adat Tenganan* remain unknown. Their presence reflects a patron-client relationship maintained through customary ties between perpetrators and their owners, rooted in ancestral agreement. Villagers depend on forest owners to sustainably manage the land as a community. As one interlocutor explained:

“As I turn 60, I feel I can no longer manage everything myself. Although my children are grown, none are interested in the fields and rice paddies; they work in other fields. We have handed over garden and rice paddy management to the gardeners, who know their responsibilities and only come when needed, such as for harvesting or when gathering palm wine.” (Interview with PW, July 12, 2023).

The presence of the *penyakap* benefits not only the individuals involved but also plays a crucial role in supporting the management and conservation of the Tenganan forest. The *penyakap* is responsible for sourcing and managing these needs, collecting supplies up to two weeks in advance of the ceremonies. While this relationship is often viewed as a patron-client arrangement, it goes beyond mere economic inequality. As an asymmetrical relationship, the patron-client dynamic is usually described as a “different economic relationship” (Foster, 1963, p. 1281).

The relationship between landowners (patrons) and clients is reported as unequal (Scott, 1972), yet in practice, it persists in Tenganan (Raharja et al., 2024). Scott describes this relationship as an alliance between two groups, maintained by both parties. Although the patron-client interaction is a special case of a dyadic bond that is dichotomous and hierarchical, between a “higher” (patron) and a “lower” (client). Scott states that patron-client interaction involves an instrumental friendship in which an individual with higher socio-economic status (the patron) uses their influence and resources to provide protection and/or benefits to someone with lower status.

In the case of Tenganan, the position of the *penyakap* is not only that of a land cultivator but also an essential key actor in the village’s annual rituals. The patron-client relationship is a form of social network that is maintained and currently reciprocal. Clients don’t show themselves to be in a weak position, and conversely, patrons don’t possess dominant power in this practice. There’s flexibility in all of this, with small, non-material contributions affirming mutual recognition between giver and receiver (Pedersen, 2006, 2021).

The *penyakap* recognise their changing roles in the village. Their decreased willingness to work in agriculture has increased their social and political influence. Traditionally, villagers shared forest income equally, but now they get a larger share, shifting from 50:50 to 40:60 in their favour. This also boosts their political influence, seen in their active participation in local elections. They act as a buffer between parties involved in Tenganan forest management, reflecting broader social and political dynamics. This patron-client relationship extends beyond power struggles between Tenganan villagers and others; it promotes fairness within the community and acknowledges forests’ role in sustaining nearby livelihoods. By cultivating these relationships, the Tenganan people maintain a hierarchy that supports forest sustainability and justice for neighbouring communities.

4.3 Territorialization Practices through Customary Forests

Indigenous communities see forests as vital for subsistence (Scott, 1998), shaping identity, boundaries, and relationships. In Tenganan, forests are ecological areas that provide resources for limited, internal use. Timber is harvested only for local needs, like building a house for a newlywed. Fruits are collected for daily use with the village’s permission, after ripening naturally. Forests also mark geographic and social boundaries, symbolising sovereignty and well-being, and enhancing social cohesion and territorial integrity.

Village boundary memories, key to history, are defined by customary laws and mark forest areas. Article 12 states that village forests serve as geographic and cultural boundaries for Tenganan. An excerpt from *awig-awig*

describes the boundaries: east by the *kepuh rangdu* (kapok tree), narrowing from east to the hill west of Tenganan Pegringsingan, which is owned by Ngis, with the northern boundary extending west from Bugbug to the village's eastern hill. Regulations specify: (1) 'forest' means land outside settlements, especially the hilly land around Tenganan; (2) land in these forests cannot be sold or transferred; (3) land and trees must be preserved, with tree cutting only when old or dead and approved by traditional authorities. The awareness of the forest's function beyond its physical or geographical space can be analysed through its three territorial consciousnesses. This awareness has been shaped by the process through which the Tengananese 'created' or 'defined' their territory and cultivated a belief in the forest as a living entity.

Villagers perceive the forest as a social entity, interconnected through emotional bonds with the environment and invisible spirits such as ancestors. This territorial perspective integrates the forest into Tenganan's collective consciousness and identity, as demonstrated through customary management practices. These forests influence Tenganan's identity and function as markers, resources, and social venues. Boundaries are delineated by *awig-awig*, traditional laws that govern relationships and safeguard rights, thereby maintaining social order and stability over centuries.

The Tengananese have traditionally viewed territorial size as a crucial aspect of their community. The size and ownership of their territory serve as both economic and socio-cultural assets. Their ancestors clearly believed that holding this capital would act as a powerful symbol and a key factor in shaping their collective future. The methods and strategies used to acquire larger territories were supported by the legitimacy of the Bedahulu kingdom (Yoga Atmaja, 2002), which boosted the community's confidence in territorial issues. Consequently, the Tenganan community became firm in their views, considering territory a vital physical resource essential for establishing, maintaining, and redefining their group identity.

The boundaries of Tenganan village and its surrounding forest did not form after the village's founding but developed alongside the presence of the Tenganan people. Forests are vital for moral and political recognition. They do more than control space; they assert land ownership, sacredness, and collective identity through boundaries. Forests identify legitimate inhabitants and decision-makers, while also restricting access to rights and resources (Scott, 1976, 1998). Territory encodes social obligations and norms, shaping social order (Appadurai, 2013; Sahlin, 1999). Territorialisation creates bounded publics, defining membership, solidarity, and exclusion via institutions, narratives, and rituals. Recognition occurs when claims are validated, making belonging political; contestation reveals power imbalances as marginalised groups

transform territorial claims into formal demands (Li, 2007). As a result, these boundaries existed long before the settlement was officially established.

The temples (*pura*) serve as vital ritual sites and symbols of territorial identity, linking the *sekala* (visible) and *sekala* (invisible) realms in Balinese cosmology (Hauser-Schäublin, 2004b; Wiener, 1995). Villagers visit these temples every six to twelve months, reinforcing their bonds and community identity. These pilgrimages, especially in village forest areas, establish unique forest management and relations with nature in Tenganan. These communal rituals, driven by customary obligations to the *desa adat*, involve offerings to ancestral and protective spirits, *mekemit* (overnight stays), religious rituals, dance performances, blessings, sharing *tirta* (holy water), and food. These events, which bring hundreds together, strengthen social bonds and foster community spirit. As noted by Hauser-Schäublin (2004b, 2004a; Hauser-Schäublin, 2003) interactions with the temples, cultivate a deep sense of social closeness and solidarity, which are essential for maintaining the community's unity and identity.

Village forest management considers these forests vital physical and cosmological spaces that define territorial boundaries and rights for indigenous residents. Tenganan Forest, managed collectively, emphasising harmony and justice, regulates land distribution and resource use within traditional norms. Yet, residents of *Banjar Pande* (Kangin) often challenge this 'justice', with protests in 2024 over ancestral issues. *Banjar Pande*, exiled by the village council due to past conflicts, remains unaware of their ancestors' wrongdoings and faces social exclusion from the main community.

DP (51 years old), our interlocutor, described feeling that the injustice he faced due to past mistakes clashes with modern societal principles. He stated that, due to these past transgressions, villagers in his hamlet were denied access to forest and rice field products, despite contributing labour that should support traditional village activities (Interview, July 12, 2024). Similarly, KM (49) and LM (51) agreed that forest management practices in Tenganan seem fair to residents with *krama desa* but are viewed as unjust by the *Banjar Pande* residents (Interview, July 13, 2024).

The internal justice system in Tenganan reveals a paradox: residents, such as the *Banjar Pande*, are barred from using customary forests because of their ancestors' alleged wrongdoings. Their *krama desa* status leads to their exclusion from the system that manages the distribution of forests and rice fields. However, PG (41), a traditional village leader, denied that the community neglects the *Pande* residents. He clarified that permits for residential and land-use development reflect the village's commitment to inclusivity. PG also emphasised that the repeated requests from *Banjar Pande* residents to rejoin the

traditional village demonstrate their respect for ancestral agreements and their wish to regain their traditional rights.

This analysis broadly demonstrates that the forest, marked by village temple locations, symbolises perceived social boundaries. Temples located within the forest and at its edges are visible sites that villagers regularly observe and visit. These sacred forests draw villagers by highlighting the importance of sacred spaces and times, fostering spiritual and cultural meaning. Ritual pilgrimages to the forest borders reinforce what Bennedict Anderson (2006) is called the practice of ‘imagined community’ — a way the community collectively defines, maintains, and defends its territory. The community first outlines its territory before establishing settlements inside it. Moreover, the spatial arrangements around the forest reveal divisions that often evoke feelings of unfairness, reflecting the complex and sometimes disputed nature of territorial boundaries within the community.



Figure 3. Visitors study information about the boundaries of the Desa Adat Tenganan Pegringsingan (Photo by authors, 2024).

Territorialization within the forests of Tenganan is a regulatory process implemented by traditional village institutions to control access and activities by delineating imaginary geographic boundaries or attaching specific signs and symbols. These boundaries regulate who is permitted to enter and access resources, and who must be restricted (Figure 3). This concept of territorialization aligns with practices commonly employed by states in developing countries (Peluso, 1993; Peluso & Vandergeest, 2020; Siscawati, 2014; Suryawan, 2021; Vandergeest, 1996). In this context, the actions of the Tenganan community exemplify the concept of *mandala village* power, whereby community control over activities is reinforced by territorial boundaries. Establishing such boundaries is crucial for securing the status, location, extent, and legitimacy of land and forest rights, which are rooted in historical and cultural ties. The symbols and signs used in Tenganan serve as tangible markers of territorialization, aimed at preventing unauthorised land and forest use by individuals both within and outside the community.

Various cases demonstrate how forest communities establish territorial boundaries, emphasising that plants, their landscape arrangement, uses, and market roles are active components of territorial strategies. Plants act as agents, shaping boundaries alongside humans, rather than merely serving as resources or metaphors (Besky & Padwe, 2016; Head et al., 2014; Lounela, 2021; Tsing, 2015). Historically, territorial expansion involved conquest, warfare, forest clearing, and the formation of alliances during the pre-colonial period (Harris, 1974). Colonial-era boundary delineation often followed the rise of colonial authority (Li, 2007). Unlike conventional practices, where boundaries typically extend outward from settlements, Tenganan's boundaries have historically incorporated forests within the village's institutional framework. The community diligently established and preserved its socio-cultural landscape, utilizing forests as a strategic means of delineation territory.

4.4 Promoting Internal Justice in Communal Forest Management

Desa Adat Tenganan Pegringsingan possesses distinctive traditional knowledge of forest management. The forest within Tenganan is acknowledged as a communal resource owned and overseen by the *desa adat*, in accordance with customary justice and equality principles (Kristianto, 2016). The forest symbolises identity and functions as a form of socio-political recognition rooted in *warisan leluhur* (cultural heritage). It is believed that forests represent shared prosperity, as evidenced by communal forest ownership. All registered residents of the customary council hold equal rights to manage the forest, thereby fostering a robust sense of justice in forest governance. Forest products are equitably distributed among households. For the villagers, justice extends beyond human

beings to encompass societal regulations. Their concept of communal forests advocates for collective well-being, emphasising balanced relationships rather than minimal exploitation. Nonetheless, despite these presumed principles of justice, ongoing injustices are evident, as observed among the Tenganan residents residing in Banjar Pande. Many of these individuals are descendants of Tenganan inhabitants who were historically compelled to leave their traditional village. They now bear the burden of their ancestors past transgressions, and they lack rights to the forest. Disputes over management rights and access have raised concerns about perceived injustices.

Recognising Tenganan's sovereignty affirms indigenous authority over the state. While regulations such as Forestry Law No. 41/1999 and Ministerial Regulation No. 9/2015 provide a legal framework for customary management, in practice, enforcement is limited due to local laws. This is seen as partial recognition that does not address power dynamics. The coexistence of customary and state laws is limited, with some villages, such as *Banjar Pande*, facing inequality and limited scope for renegotiation. Recognition of equal rights in Tenganan's forest management is fundamental. *Awig-awig* states forests belong to the community, guiding villagers' actions.

The issue of internal justice in Tenganan's forest management also involves determining who holds the authority to define '*adat*' and who is consequently excluded. Customary laws (*hukum adat*) are defined and interpreted predominantly by the customary communities of Banjar Kauh and Banjar Tengah. These groups possess the right to "represent tradition," and their interpretations are regarded as the only legitimate ones. Consequently, the experiences and interests of groups such as Banjar Pande are not accommodated and are viewed as deviations from cultural norms. Variations in historical origins—such as Banjar Pande's status as "newcomers" or not being part of the core customary community—are transformed into rigid social structures. Traditional categories, initially rooted in historical and cultural context, become the basis for justifying disparities in rights to forests, village space, and economic resources, leading such inequalities to be perceived as "normal" and "traditional." Traditions and ancestral heritage are positioned as sacred and untouchable.

Any notion of amending customary laws or redistributing forest rights is readily labelled as *merusak tradisi* (damaging to tradition) or *menghianati leluhur* (betraying ancestors). In these circumstances, the value of *melestarikan tradisi* (preserving tradition) is employed to silence internal critique and reject negotiations, thereby perpetuating long-standing injustices under the guise of cultural preservation. For the majority, "fairness" entails obeying existing rules and treating individuals according to their customary status, rather than

judging whether these rules engender economic and political marginalisation of specific groups. Fraser (1995) describes this as a form of partial recognition that fails to address the transformative aspects of power structures. The coexistence of customary law and state law is evident in Tenganan; however, there is limited scope for renegotiation, as seen in the case of Banjar Pande, leaving the autonomy of traditional villages vulnerable to ongoing inequality.

The approach to customary forest management and the recognition of *desa adat* in Bali notably differ from those of indigenous movements elsewhere in Indonesia. The *desa adat* in Bali operates as a socio-cultural body with customary rights that have long been officially acknowledged by the government (state). The predominance of the Balinese population in the province encourages intercultural and interreligious harmony across the island (Hauser-Schäublin, 2013, p. 133). The recognised prominence of the *desa adat* since the colonial era underpins its greater role than the state-established *desa dinas* (official villages) (Warren, 1993, 2010). This is further supported by the Bali Province rule, which enhances the traditional village justice system, known as *Kerta Desa*.

The community's trust in resolving disputes through this institution has ultimately reaffirmed the state's acknowledgement of these institutions (Suyadnya, 2019, 2021). Consequently, Indonesia's National Indigenous Organisation, the *Aliansi Masyarakat Adat Nusantara* (AMAN), is less influential in Bali and often regarded as unnecessary (Hauser-Schäublin, 2013; Suyadnya, 2019). Historically, Bali's traditional authorities have maintained a special status, with their customary rights legally recognised and protected (Korn, 1960, 2017; Schaaremann, 1986; Vickers, 1989). This privileged position has endured through various political eras, from Sukarno's era to the New Order under Suharto, and into the period of *Reformasi* in 1998 (Suyadnya, 2021).

This case demonstrates that recognising indigenous peoples does not automatically address internal injustices. According to Fraser's framework, justice requires more than just acknowledging collective identity; it also involves fair resource redistribution within the community (Fraser, 1995, 1998). This suggests a lack of distributive justice in indigenous communities. Fraser warns that focusing only on recognition without addressing redistribution can reinforce elite dominance. Referring to Fraser, recognition helps distinguish Tenganan from other Balinese villages, like *Bali Kuno* (*Bali Aga*). State recognition grants legal legitimacy to customary laws and rights, creating a formal relationship between indigenous communities and the state through legal frameworks established by the central government (Ministry of Forestry) and Bali provincial authorities.

This reflects Slater's (1999) findings that justice is often complex and may not always align with universal principles. According to Fraser (1998, 2008),

justice encompasses dimensions of representation and political participation, emphasising the importance of giving marginalised groups a voice in decision-making. In Tenganan, *Banjar Pande's* inability to influence their future within the customary system reveals a gap in participatory justice. State recognition, which overlooks the internal complexities of customary villages, worsens the exclusion and dominance of the majority group. Using Fraser's three-dimensional theory of justice, a transformative approach is needed for managing Tenganan's customary forests. Such reforms should go beyond superficial or administrative measures; state acknowledgement of customary rights should foster more inclusive and equitable governance. An internal reassessment of customary law and forest product rights is crucial to prevent ongoing inequalities based on origins or historical status. Only by integrating recognition, redistribution, and participation can genuine social justice be achieved within indigenous communities.

We argue Fraser's framework loses relevance when recognising customary forests isn't paired with fair redistribution of economic rights within the community, as this causes injustice. Fraser notes that land and forest rights held only by '*krama adat*' can reinforce social inequalities. She suggests 'representation' to promote inclusive participation, but this only works in relatively egalitarian contexts. In Tenganan, deep class divisions make mere representation insufficient for addressing systemic inequalities. Recognition without redistribution risks homogenising the community and hiding class conflicts, tensions, and power imbalances. Instead of viewing disparities as simple injustices to fix, we advocate for internal justice—reorganising forest use and customary practices to serve all, without altering communal ownership. Our approach emphasises framing this within current moral claims, seeing past conflicts as opportunities for building respectful relations. We reject the idea that all community members automatically deserve equal respect, acknowledging complex power structures involved in social justice.

5. Conclusion

This article has examined how communal forest management in Tenganan, an old-Balinese village in East Bali, reveals a persistent layer of internal injustice that is rarely addressed in dominant discourses on indigenous rights. While much of the Indonesian debate has focused on how the state and corporations dispossess indigenous communities, the Tenganan case shows that state recognition of customary forests and *desa adat* does not automatically translate into justice for all members of an indigenous community. Instead, recognition can stabilise and legitimise historically embedded hierarchies and exclusions. By placing Tenganan Pegringsingan's internal dynamics at the centre of the

analysis, it has demonstrated that injustice emerges not only from external intervention but also from the way *adat* is defined, claimed, and enforced internally. Communal forests in Tenganan function as material resources, symbolic markers of identity, and instruments of socio-political control. Access to these forests and other village spaces is unevenly distributed, with *krama adat* from *Banjar Tengah* and *Banjar Kauh* positioned as the legitimate bearers of tradition and entitlements, while residents of *Banjar Pande* encounter economic and cultural marginalisation.

The integration of traditional values with modern forest uses—such as regulated extraction of non-timber products, palm wine production, and eco-tourism—demonstrates that Tenganan’s customary system is not static. Territorial zoning, differentiated access, and patron–client ties show how *desa adat* has been selectively adapted to new economic opportunities. Yet because *awig-awig* is treated as an unquestionable legacy of the ancestors, these adaptations tend to reinforce rather than challenge pre-existing hierarchies. Land and forest rights remain closely tied to inherited status as *krama adat*, rather than to principles of representation or fair distribution.

From this perspective, Fraser’s three-dimensional model elucidates both the strengths and limitations of existing arrangements. On the one hand, Tenganan exemplifies the significance of recognition and representation: legal recognition by the state has safeguarded communal tenure and given the village bargaining power in external negotiations. Conversely, the dimension of redistribution—defined as the internal distribution of access, benefits, and decision-making authority—remains inadequately developed. Justice is predominantly viewed as adherence to ancestral rules rather than as an ongoing assessment of their socio-economic implications for all residents of the village. Consequently, the article advocates for “internal justice” as a vital complement to current discussions on indigenous rights, emphasising that communal ownership and formal recognition do not inherently guarantee fairness.

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Author Profiles

I Wayan Suyadnya is a lecturer in the Department of Sociology, Faculty of Social and Political Sciences, and is also a senior researcher and co-founder at the Centre for Culture and Frontier Studies (CCFS) at Universitas Brawijaya, Indonesia. He has engaged in significant research encompassing critical tourism, frontier studies, cultural property, and memory/visual studies. Email: iway.s@ub.ac.id

Desi Dwi Prianti is an associate professor of media studies and the director of the Centre for Culture and Frontier Studies (CCFS) at Universitas Brawijaya. She earned her PhD in gender, media, and cultural studies from Utrecht University. Her research interests include media studies, visual studies, gender issues, and museum studies. Email: desidwip@ub.ac.id

Sanggar Kanto is an emeritus professor of sociology at the Faculty of Social and Political Sciences, Universitas Brawijaya. He maintains scholarly interests in population studies, migration, and social change. Email: sanggar.fisip@ub.ac.id