10. Concluding Remarks

> All around the world, from the coldest arctic regions to the warmest tropical seas, there is a crisis in the world's fisheries. Quite simply, there are too many people chasing too few fish. … [T]hroughout the 1970's the world's per capita fish production actually declined. Correspondingly, the catch per unit of fishing effort and the catch per dollar invested in the fisheries also steadily declined (McGoodwin 1990: 1).

McGoodwin's findings should have come as no surprise. More than two decades before, Hardin (1968) had warned that this crisis might occur. However, the crisis is still disturbing because since Hardin's predictions, academics and resource managers from a range of disciplines have been trying to find solutions to avoid the crisis, and McGoodwin's study shows that they have not yet found an effective strategy. We might then pose the question: What is wrong with the discourse on fisheries management?

Following Hardin (1968) who argued that 'free for all' common property lay at the core of the problem of the discussion of fisheries management, many have come to agree that property rights are an essential element for creating sustainable and socially-just resource management systems. However, there is considerable debate over which property rights are the most suitable for fisheries management. Early on, private property and sole ownership, together with 'arrangements that create coercion' (Hardin 1968: 26) were proposed as the best solutions for coping with the tragedy of the commons. Nevertheless, evaluation of these solutions, which place government as a key element in resource management systems, has exposed many problems. These problems are associated with theoretical inadequacies (such as improper assumptions), implementation difficulties (such as market imperfections), and limits on government ability to effectively organise resource management.

Criticism of Hardinian thinking has led to increased discussion of traditional communal marine tenure which attempt to correct some of the misconceptions about human behaviour that give support to the 'tragedy of the commons' theory. For example, the assumption that people tend to maximise their self-interest in exploiting the commons is corrected by pointing out that the existence of communal property rights and associated regulations form the basis for cooperative action in resource use. Observations on other aspects of traditional marine resource management, such as traditional resource knowledge, alternative worldviews about the relationship between humans and nature, and social cohesiveness point to practices that are more effective and efficient than the solutions proposed by Hardin and his followers. The alternative studies convinced scholars and fisheries managers that communal

marine tenure was the best way to manage marine resources sustainably and equitably. As a result, they suggested that governments should formally legalise the practice of traditional marine tenure and argue that the government's legal acknowledgement and support is needed in order to stop the decay of traditional tenure practices caused by the introduction and intensification of the market economy and 'modern' bureaucracy.

In Maluku the discourse on *sasi*, which as previously defined is the system of beliefs, rules and rituals pertaining to temporal prohibitions on the use of a particular resource or territory, has been a central element in the advocacy of community-based marine resource management. Early stages of the discourse on *sasi* promoted the view that it was inherently a sustainable resource management system and provided for a fair distribution of marine resources. More recent analyses note that the practice of *sasi* was based more on political and economic interests than sustainable and socially-just resource use. Since the practice of *sasi* involves multiple parties with various political and economics interests, the application of the practice differs from one party to another (Pannell 1997). These re-examinations of *sasi* have highlighted the more 'romantic' arguments developed at an earlier stage.

While I agree with these more recent views on *sasi*, this discussion has neglected an important aspect which I consider to be the main issue in the discourse on marine resource management: the issue of property rights—an issue originally put forward by Hardin. Although concepts related to sea ownership such as *petuanan laut* and *meti* or even communal marine tenure are sometimes mentioned, there is no discussion of the meaning and importance of these concepts for the community or theory of marine resource management. This book addresses this gap by providing a critical examination of communal marine tenure, and challenging the arguments put forward by those who are assured that communal property rights provide the best basis for marine resource management. At the same time, it is also a commentary on the discourse about traditional marine resource management in Maluku which has tended to focus mainly on *sasi*.

The core issue discussed in this book is the politics of marine tenure. Four conflicts have been analysed to see how 'politics' affects marine tenure in Kei Islands. Three of these conflicts broke out in Dullah Laut Village during 1996–97, namely: (1) the raid on an illegal fishing company; (2) catching the cyanide fishers; and (3) the clove season incident. The fourth conflict involves the Sather and Tutrean villagers and has been ongoing for more than fifty years. While all four conflicts pertain to marine tenure including the questioning of boundaries and distribution of rights over sea territory and resources, issues involved in these conflicts were various and complex. The following is a condensed version of my analyses of these conflicts.

1. Refering to the raid on the fishing company, I argue that this conflict was strongly influenced by the political jostling between three political parties over the head of the village position. The three parties involved were the modern village leader, the descendant of the traditional village head, and the head of the Christian settlement. To them, traditional marine tenure was critical to winning the village leadership and thus controlling marine tenure was seen as a demonstration of village leadership potential. The fact that these three political leaders in one way or the other were involved in leasing use rights for their cyanide fishing business is proof that resource sustainability and social justice were not their concern.

2. My discussion of the second conflict, triggered by the operation of outsider cyanide fishermen in village sea territory, focuses on the politics of legality. In this regard, I suggest that there is room to argue that formal law, regulation, and policy do accommodate traditional marine tenure. In fact, it was the rules and procedures of traditional marine tenure that were used to deal with the conflict through the power and interest of military and government officers. Traditional marine tenure was used by military and government agencies to cover up their involvement in the illegal business of cyanide fishing. The village leader, who tried to bring the case to the attention of formal institutions, was powerless against them. This case not only counters the popular discourse that traditional marine tenure is not aknowledged in formal Indonesian law, regulation and policies, but also shows that marine tenure and its relevance to resource management is much more complex. It demonstrates that formal acknowledgement alone does not make traditional marine tenure a self-contained institution. In practice, the power structure between traditional right holder units and external agencies determined the implementation of marine tenure. The case also demonstrated that formal legality did not guarantee the effectiveness of communal marine tenure in terms of resource sustainability and socially fair distribution.

3. The clove season incident looks at the relationships between market forces and the institution and practice of customary marine tenure. Through the analysis of this incident, I argue that the market economy does not always necessarily degrade traditional marine tenure. My evaluation of the impact of the international trade of frozen anchovy shows that people have been prompted to strengthen traditional marine tenure in order to exclude others from fishing in their territory. While I do not believe that forms of marine tenure 'appear as if from nowhere' (Hviding 1989: 5–6), there is no doubt that people manipulate and revive traditions in order to secure access to newly valuable resources. To express it differently, as the value of a resource increases, people strengthen their claims on communal marine tenure and use them to play the politics of exclusion.

4. My analysis of the Tutrean and Sather villages' conflict generates two conclusions. First, even in terms of tradition, communal marine tenure is a subject of contestation. This is clear from the conflicting claims about sea boundaries made by both Tutrean and Sather villagers that are in reference to narratives of origin—a main source of all discourse and practices of tradition. Furthermore, through various stages of dealing with the conflict, the government involved traditional institutions and leaders were always consulted. Yet, the conflict that had lasted more than half a century did not come to an end. The second conclusion notes that the conflict over marine boundaries between these villages was not only about marine tenure per se, but about precedence contestation between the noble of Tutrean and the free people of Sather. For the noble of Tutrean, controlling the sea territory was a traditional symbol of their nobility in relation to the free people of Sather. For the Sather villagers, it was a symbol of their independence, of being free people. Thus, it was very clear that communal marine tenure for these villages involved the social relations between the two in the social structure of the community.

If I were to define or identify communal marine tenure in Kei Islands, I would describe it as the following: communal marine tenure in the Kei Islands differs from the systems described in the current literature. For example, in the Kei Islands, not all of the rights over a sea territory are distributed equally to all members of the right-holding unit. It is only the use right that is distributed equally to all members of the community (Chapters Five and Six). In fact, even those who have an affinal relation are granted this right. By contrast, the property right is only in the hands of the core members, in this case the origin *fam* of the community (Chapters Four and Six).

Another important feature of communal marine tenure in the Kei Islands is its fluidity. When I note that property right over sea territory is in the hands of the origin *fam*, the question of what is the definition of this group arises. In the case of Dullah Laut Village, they are from the noble origin *fam*, as demonstrated by the decision-making over property right claims being made by the political leaders in the village, and the nobles holding exclusive authority over political issues. Nevertheless, if we question who are the origin nobles that really hold the property right, we will not find an answer that is agreed upon by all origin *fam* because there is disagreement between origin *fam* members over the issue of leadership. In Chapter Six for example, I discuss a conflict between the modern village leader and the descendant of the traditional leader over the issue of who held the right to allow a Taiwanese businessman to fish in the village sea territory. In the case of the conflict between Sather and Tutrean villages (Chapter Nine), the definition of the right-holding unit is even more contentious with long-term and violent disagreement between the nobles and the free people over who holds power in territorial and political domains.

The fluidity of communal marine tenure practise exists not only in terms of the right holding unit but also in relation to sea boundaries. In all villages discussed—Dullah Laut, Tutrean, Sather, and many other villages that I have not detailed—the sea boundaries between one village and another have been a significant source of conflict (see Chapters Four, Five, and Eight). This is a clear indication that there are no fixed boundaries that define whether a particular sea territory is under the control of a particular social group.

The fluidity of communal marine tenure is also apparent when considering the exclusivity of a territory. Although the exclusivity of the sea territory is formally defined in terms of the level of exploitation and the distribution of the catch, in practice the application of these criteria is often subjective (Chapters Five and Eight). Therefore, it should not be surprising if we find that someone who only does non-commercial fishing—an activity which is defined as 'free for all'—is driven from a sea territory because he does not have a good relationship with the owners of the territory. By contrast, we might find that a fisherman who is clearly fishing for commercial purpose is allowed to do so in another's sea territory because he is a good friend of the village head or other members of the right-holding unit.

What explains this fluidity? For one thing, the practice of communal marine tenure—as well as communal land tenure—is based on narratives of origin (*toom*) that are open to multiple interpretations. Hence, it often happens that more than one narrative of origin exists describing a particular issue or territory. These circumstances create multiple interpretations of boundaries as well as who are the appropriate right-holding units. Another important explanation is that the practice of marine tenure is embedded in the social structure of the community which is dynamic and constantly changing. Thus, even when people talk about the traditional concepts of community, definitions and developments introduced by external forces such as the modern state are also taken into account. Conversely, when the locals talk about the community, although they may refer to modern structures such as the village, people still utilize the traditional structures and terms. This is because people consider the introduction of modern formal structures—whether they be Dutch, Indonesian, Muslim or Christian—to be additions or enrichments to rather than replacements of the old structures (Chapters Two, Six, and Nine). Therefore, there are no apparent boundaries between traditional and modern constructions. It is a continuum like the flow of a river.

The embeddedness of communal marine tenure in the social structure of the community is apparent in contestations between social groups within the community. Contestation between and within different social ranks—which is seemingly one of the main ways by which the community keeps changing—usually concern control over the political and territorial domains within the

village. Traditionally, control over each domain was separate with control over the territorial domain under the lord of the land who was a free person, and politics under the control of the traditional village head who was a noble. However, modern village organisation does not differentiate between these two domains. In the modern conception, those who control village politics are assumed to be the leaders of all matters related to the political and territorial domains of the village. Conflict over coastal boundaries between Sather and Tutrean and the issue of who has the rights to lease sea territory to an outside fishing company in Dullah Laut are examples of how the practice of marine tenure becomes an integral part of the contestation between free and noble villagers as well as between various groups within the nobility (Chapters Six and Nine). These conflicts are also examples of the inseparability of marine tenure and village politics.

Further, the embeddedness of marine tenure in the social structure of the community leads me to conclude that people do not always consider marine tenure when considering the relationship between people and the marine environment. In particular circumstances, control over marine territory is used in situations of social contestation and is considered to be an index of precedence. In this sense, people do not consider the practices of marine tenure to have anything to do with sustainability or the fair distribution of marine resources.

In addition, considering the role of marine tenure and its implementation in the discourse on community-based management and local ecological knowledge (LEK) and practices, it really problematises the validity of the discourse's basic premises. The assumptions 'that (1) local populations have a greater interest in the sustainable use of resources than does [sic] the state or distant corporate managers, that (2) communities are more congnisant of the intricacies of local ecological processes and practices, that (3) communities are more able to effectively manage those resources through local or traditional forms of access' (Tsing, Brosius and Zerner 2005: 1) and that (4) one of the key attributes of LEK is a people's shared system of knowledge or other expression about the environment and ecosystem relationships (Davis and Ruddle 2010) are questionable. In fact, discourse on the issues revealed that people used marine tenure more for political and social reasons at the expense of resource sustainability or a just resource distribution. These findings question the validity of the first three premises. Because marine tenure is also subject to contestation and disputes indicate that the practice not only means different things to different people, but that the meaning is also contradictory between different people. This creates inconsistencies within the fourth premise. Without reconsidering these issues, the problems are carried over to the more advanced discourse on collaborative management that will now be the focus of my discussion.

Communal Marine Tenure: Co-Management Problems

As noted in the introductory chapter, co-management is currently the most popular discourse of marine tenure as well as other common pool resources management. In theoretical terms, co-management is the result of a review of highly centralised and community-based resource management and its supporting theories. In practical terms, co-management refers to the management practice of government and fishing communities working together in crafting, implementing, and evaluating policy related to marine tenure. This means that there should be some transfer of power and obligation between government and the community. In this regard, government acknowledgement or even legalisation of the community management and rights system has been proposed as a way of creating co-management practices.

The lessons from the practice of communal marine tenure in the Kei Islands suggest that there would be problems in applying this principle. For example, if we start with the government's recognition of traditional marine tenure, I am afraid that government acknowledgement would generate further conflict. This is because as the case studies demonstrate, marine tenure is a contested practice. In such circumstances, government acknowledgement might only stimulate conflicting economic and political claims among segments of the community over the sea territory. While the economic interests relate to the benefits to be derived from the extraction of the resources, the political interests related to an acknowledgment means that the state recognises the special association between a particular segment of the community and the marine resource. Of course, this could become excellent ammunition for members of the community that are in contestation with others. Thus, the empowerment of tradition through formal government acknowledgement might lead to the risk of abuse. As previously noted, both traditional and 'modern' (government) leaders have been known to use tradition for their own benefits. This is what is popularly known as the 'elite capture phenomena' (Béné et al. 2009).

Furthermore, local conflicts not only demonstrate that the community is not homogenous or 'a unified, organic whole' (Agrawal and Gibson 1999) but that they are 'riven with differences in status' (Allison and Ellis 2001). The conflicts also show the presence of conflicting interests among the various segments of the community. This raises the following question: to whom in the community should management responsibilities be delegated? In conflicts over precedence within the community, people are often more concerned with gaining and holding power than respecting others in an equal relationship. In fact, the conflicts reveal the tendency of certain groups within the community to claim their superior status over others. Further, even if we assume that we can choose

a representative from every segment of the community, negotiating sustainable and socially-just resource management remains problematic because segments within communities might create alliances with external agencies. (cf. Agrawal and Gibson 1999). Such alliances are not always in accordance with the benefit of the whole community or sustainable resource management. The case studies in this book show the tendency of particular segments of the community to trade their rights over the sea for political and economic support from local bureaucrats and the fishing industry. The key problem in developing systems of representation is how to avoid the collusion of some stakeholders to achieve their goals at the expense of other stakeholders. This book shows that issues of representation and community bargaining power cannot be separated from social differentiation, conflict within the community, and connections with external agencies.

Communal Marine Tenure and the Current Problems of Indonesian Fisheries

The discourse on traditional marine resource management in Indonesia has basically consisted of criticism of the failure of centralised government to promote sustainable use and fair distribution of resources. 'Government' here refers to the New Order Regime led by former president Soeharto who accumulated political power to control people and resources. New laws, regulations, and institutional arrangements were created to replace the supposedly deleterious structures of Soeharto's New Order Regime after it ended in 1998. It was then declared that Indonesia had entered an era of reform.

The maritime and fisheries sectors were among those subject to these changes and marine tenure is one of the issues that has been reformed. The *Law of Local Government* or *The Law of Local Autonomy*[1] (Law No. 22, 1999) has delegated power to the local govement to manage up to 12 miles of marine territories and resources. The authority to manage the first third of these areas is held by the district government or municipality, and the rest are managed by the provincial government. These articles introduce a new practice of marine tenure in Indonesia and draw boundaries between three different parts of the sea: (1) the sea territory from the coastal line to four miles;[2] (2) the sea territory from four

1 This law was revised by the Law No. 32, 2004. However the new law still maintains the articles referring to the distribution of management rights over the sea.

2 This is based on the assumption that the provincial sea territory is 12 miles, which is not always the case because some provinces are separated by less than 24 miles. For these provinces, the sea territory is less than 12 miles which means that because the law defines the district's sea territory to be one third of the province's territory, the district sea territory would be less than four miles.

to 12 miles; and (3) the sea territory from 12 miles to the Exclusive Economic Zone (EEZ).[3] The articles also define the right-holding units for each segment of the territory.

There has been a mixed response to this new marine tenure policy. The response has created conflict between fishermen who used to fish outside of their administrative sea territory (see for example Anonymous 2000a, b, d, e, f, and g). A well-reported conflict occurred between fishermen from the northern coast of Java and fishermen from Masalembo on the island of Madura (Anonymous 2000h). Driven by their belief that the fishermen from northern Java had encroached upon their sea territory, the fishermen from Masalembo captured and burned a Javanese boat. Fishermen from the northern coast of Java swept their sea territory in order to find Masalembo fishermen with the intention of burning one of their boats in return. This conflict and similar conflicts in other part of Indonesia[4] suggest that the main issue was the economic interest in excluding others from exploiting the same resources. None of the reports mention that ecological or environmental concerns were a driving factor for this exclusion. Although for a short period of time, the conflict decreased the pressure on the resources—since those who were driven away could not come back immediately—I do not think that the local community was automatically stimulated to consider the sustainability of the resource.

Interestingly, the reasons given by the Madurese fishermen when they raided the Javanese fishermen operating in Madurese waters were from both the *Law of Local Autonomy* and traditional marine tenure practices. Again, as in the Kei islands (Chapters Two, Six, and Nine) people seemingly considered the introduction of a new system by the government as an addition to the existing traditional practice. Such circumstances add to the complexity of marine resource management problems.

The implementation of the *Law on Coastal and Small Islands Management No. 27/2007* might also exacerbate this problem primarily because there is inconsistency in the law itself. Article 16 (1) notes that the use of the marine coastal area is given in the form of Use Right of Marine Coastal Area (*Hak Pengusahaan Perairan Pesisir* or HP3). This right covers the use of a marine coastal area from the surface up, and down to the bottom of the sea [art. 16 (2)]. Article 18 notes that government can grant the HP3 to any Indonesian citizen, any company (established according to the Indonesian law) or traditional society.[5]

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3 The outer boundary is not mentioned in the law because the law only pertains to the distribution of the sea territory within Indonesian administrative sea borders.

4 Some examples were the conflicts between fishermen from Gresik and Mojokuto in Jawa and fishermen from Jakarta, and between fishermen from the northern coast of Java and those from Madura as highlighted in Adhuri (2003 and 2009) and Fox et al. (2005).

5 In February 2010, a coalition of NGOs, community organisations, and indivual fishermen lodged a legal request to Mahkamah Konstitusi (the Constitutional Court) to cancel these articles. After more than a year of

These articles obviously assume that the government controls marine coastal areas and are an attempt to stimulate competition between the three groups to aquire HP3 from the government. This clearly means that communal marine tenure is overlooked. On the other hand, article 61 (1) stipulates that government acknowledge, respect, and protect traditional communities', traditional fishing communities' rights, and local wisdoms over coastal[6] and small islands areas. Contrary to other articles on HP3, this article clearly provides the basis for coastal communities to exercise their customary marine tenure and associated management practices. Secondly, even if HP3 only covers coastal marine areas that are not under the traditional claim as argued by some of the leaders in the Ministry of Marine Affairs and Fisheries, a blind adoption of communal marine tenure could be problematic. The success of the revitalisation of traditional or 'pre-existing management systems' (Ruddle and Satria 2010) in other parts of Indonesia is attributed to the re-contextualising of the system to the specific needs and circumtances of the fisheries sectors (Satria and Matsuda 2004; Adhuri 2009; Satria and Adhuri 2010). This means that although the traditional system provides a sound foundation, some adjustments and reconfiguring are needed to convert it to a better resource management system.

Recent Developments in the Kei Islands

The collapse of the New Order Regime in 1998 brought about many changes including violent conflicts in 1999 and changes related to decentralisation policy. The following is an account of the roles of both local elites and tradition in these changes. At the end, I will reflect on ways in which these changes could affect the direction of marine resource management in the islands.

Violent conflict with religious underpinnings broke out in the Kei Islands in 1999. Unlike in Central and North Maluku where conflict lasted for years and was widespread, the conflict in the Kei Islands was short lived (three months) and concentrated in several places. The effectiveness of the reconciliation process taken during the conflict in the Kei Islands was attributed to the role of local tradition and traditional elites. For example, the conclusion of a minor conflict in the territory of Maur Ohoiwut—a kingdom on the northern part of Kei Besar Island—was due to strong leadership from the king and other traditional leaders in the domain (Laksono 2004). It was recounted that in order to avoid the conflict spreading to his territory, the king called most of the traditional leaders in his domain and explained the agreements, laws, and regulations that bind them together in harmony. He also insisted that they adhere to these traditions and

legal proceedings, the Contitutional Court agreed and cancelled them on 16 June 2011.

6 Coastal territory covers land (the land boundary of the coastal subdistrict) and marine (up to 12 miles) areas.

that as a result, no one should be involved in the conflict. The traditional leaders brought these messages back to their people and some of them arranged a joint patrol in their territory which saved their communities from any bloodshed.

The same strategy was also developed and implemented for reconciliation processes to heal the rifts between villagers after the conflicts in the Kei Islands. This time led by local elites, traditional songs were song, narratives of origin were chanted, and old rituals were performed. Indeed, this was the time when tradition was re-discovered and revitalised (Thornburn 2005). These traditions re-emphasised the importance of 'being self-corrective and acknowledging the presence of rightness in others', reminding the law of Hukum Larvul Ngabal and refreshing ancestors' agreements of peace and reconciliation (Elmas 2004; Laksono 2004; Kaplale 2004; Ngamelubun 2004 and Silubun 2004). This strategy was considered to be one of the main elements that brought peace back to the people of Kei Islands.

The fall of Soeharto's New Order Regime was followed by a policy of decentralisation in Indonesian politics. The central government, facilitated by the implementation of the *Law of Local Government* No. 22/1999 in 2000, transfered the authority to govern territory and people to local (particularly district and municipal) governments. The revision of Law No. 22/1999 and its replacement with Law No. 32/2004 has switched the election of district and municipal heads (as well as governors at provincial levels) from local parliament members to the people. Both changes have opened the door for local elites to play a more significant role in local political dynamics.

Making use of the decentralisation, Kei Islands elites succeded in changing the Kei Islands from two subdistricts—Kei Kecil and Kei Besar—into one district and one municipality, Maluku Tenggara District and Tual Municipality respectively. This means that with the consent of the central government, they created a new government body—the Tual Municipality. They also kept the Maluku Tenggara District from covering the Aru Islands and Maluku Tenggara Jauh leaving it to exclusively cover the Kei Islands.[7] At the subdistrict levels, the Kei Kecil subdistrict was split into seven subdistricts and Kei Besar became three subdistricts (ICG, 2007).

Interestingly, tradition also plays an important role and was instrumental in local political contestations. For example, in the fight over the seat of head of Maluku Tenggara District that took place in 2003, it was noted:

> On 16 September, invoking *adat*, the *raja* of Tual, from the same family as the losing Golkar candidate, M.M. Tamher, ordered that fences of

7 Maluku Tenggara Barat and Aru Islands subdistricts split from Maluku Tenggara District and upgraded to become independent districts in 2000 and 2003 respectively.

> coconut leaf (*hawear*) be placed around the *bupati*'s office and elsewhere in Tual, including the airport, harbour and the major bridge linking the islands of Kei Kecil and Dullah, disrupting schools, commerce and transport. Sometimes defined as "*adat* no trespass signs", the fences are considered impassable under *adat* law: those who dare to cross them risk "the wrath of unknown forces" (ICG 2007: 6).

This protest was directed at the winning candidate who was accused of manipulating the election using the support of President Megawati's husband and a Jakarta businessman who owns the largest fisheries company—PT. TJ—on Dullah Island. Although, this protest did not affect the appointment of the winning candidate, it created a very tense atmosphere in the district.

To give another example, in 2009 22 traditional kings in the Kei Islands representing the five and nine groups awarded the director of PT. TJ a traditional title called 'who stands in front and distributes' or *primus inter pares* (*dir u ham wang*). (Anonymous 2000c, Hooe 2012). Traditionally, this title was granted to a distinguished leader who would make a positive contribution to the order and lives of many in the Kei Islands. The holder of this title is also considered as powerful as any of the leaders. The appointment was performed with a traditional ceremony in the largest field in the centre of the district, which brought about a huge protest from various elements of the community. Thousands of people from various backgrounds, led by the Muslim University Association, blocked the main road in Tual. The protest was not only driven by anger against the traditional leaders for abusing tradition, but also for possible abuses by the director of PT. TJ. There were rumours that the traditional leaders had been bribed by the director of PT. TJ., and that this award was considered the equivalent of giving PT. TJ the monopoly on importing staple foods such as rice, sugar and coffee to the Kei Islands. Above all, since PT. TJ was considered a large fisheries company, people feared that giving this title to its director would lead the company to essentially control the marine territory and fisheries. It was the fear of a recurrence of the violent conflicts of 1999 that forced the district head to cancel the appointment.

What affect have these changes brought about by the end of the New Order Regime had on the practice of marine resource management in the Kei Islands? The short term consequences of the 1999 conflict were that all of the outside-owned fishing companies were driven away and a freeze was placed on coral reef fish and anchovy export. The presence of outside fishing companies and pressure from the international market had been leading to higher levels of exploitation and conflict in the islands. When these companies left and the freeze put into effect, the absence of external fishing companies, the disruption of the international fish trade, and the absence of fisheries conflict coupled with the successful reconciliation of the 1999 conflict provided an opportunity for locals

to reconsider and re-craft a better approach to marine resource management. The government's decentralisation policy also provided a chance for villagers in the Kei Islands to better manage their resources. When reflecting on the ways in which locals used tradition to avoid conflict and for reconciliation, it's apparent that local elites and villagers have proven their ability to move in the direction where common goals and interests override self interests, and where tradition can become an effective tool. However, we also see from the political games of the post-New Order Regime that local elites do not stop using tradition for their own gain and at the cost of public interest. This means that constestation for power and control over resources is still rampant, and that tradition can be utilised for both good and selfish causes. The future of resource management in Kei Islands will depend on which of the two uses is more frequent.