

# **LAST AND PAST CULTIVATION: LAND USE CUSTOMS AND RIGHTS UNDER LAND PRIVATIZATION IN SUMATRA**

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This paper examines interpretations of land use customs among a community undertaking land privatization. The Petalangan of interior eastern Sumatra, Indonesia, had traditionally used clan-owned forests for their swidden agriculture. Under this system, a cultivator had temporary but exclusive use of a plot while cultivating it; others could use that plot after it had been fallow for at least two harvest seasons. However, the expansion of oil palm plantations in the early 1990s decreased the available forestlands and led to land commodification. As a result, land was enclosed and became private property. Villagers have claimed land rights based on individual histories of cultivation. In many cases, the person who had last cultivated a site has obtained land rights based on the customs of the communal land system. In some cases, however, land rights have been obtained not by the last cultivator but by the previous cultivator. In the latter case, the last cultivator's use was interpreted as a temporary use of the past cultivator's private land, invalidating the customary land system not only in the present but also in the past. In the rivalry to obtain private land, these two interpretations of the customary land system have been used to suit their situation, and thus the customs of land use have not disappeared linearly.

**Keywords:** Custom, Forest use, Land privatization, Sumatra, Swidden cultivation