

The Importance of Cooperation Between Legal Governmental Support Structures and Local Community Stakeholders for the Preservation of Indonesia Heritage

Frank Dhont*

Department of History
Nasional Cheng Kung University
Tainan, Taiwan
*Z1002001@email.ncku.edu.tw

Abstract—Based on various types of Indonesian heritage and their present state, the paper discusses the importance of sound legal support structures for protecting Indonesian heritage. It predominantly focuses on threats to the cultural heritage produced throughout Indonesia's long history of interactions with the outside world, but also includes natural heritage that formed the context for the cultural development of the archipelago. The paper uses various examples to demonstrate and highlight the importance of these heirlooms for Indonesian history and their often underestimated value for current and future Indonesian society, both as sources of economic revenue and cultural pride, in order to incentivize community support in the development and protection of this heritage within the sound legal support structure provided by the Indonesian government. The paper, therefore, not only argues for a sound legal framework for protecting Indonesian heritage, but also for the cultural and economic valorization of these assets for Indonesia's society and local communities. This method's success is demonstrated by several cases of successful heritage preservation, suggesting that this method should be extended to all forms of Indonesian heritage as successful route to preserve it for future generations.

Keywords—heritage, protection, law, society, Indonesia

I. INTRODUCTION

The United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage List provides recognition of sites deemed by the world to be of universal value. Currently, four natural sites and five cultural sites in Indonesia are included on this list. Among the four natural sites are the Tropical Rainforest Heritage of Sumatra, [1] which was deemed to be at risk by UNESCO during the 35th session of the World Heritage Committee in Paris on June 19-29, 2011, [2] and thus the Indonesian government was required to safeguard it for the future. Meanwhile, in the cultural realm,

Indonesia is home to multiple heritage sites with various degrees of international fame. Although all are of stunning importance and beauty, arguably the two most famous can be found on Java: the Borobudur Temple Compounds and the Prambanan Temple Compounds. Built in the Sailendra and Sanjaya ruling dynasties between the 7th and 11th centuries, these diverse complexes are visited by thousands of Indonesian and foreign tourists every year. Both are inscribed on the UNESCO World Heritage List [3].

These famous sites are all highly indicative of the diversity and richness of Indonesia's culture and nature. During the colonial era, Dutch authorities were already making efforts to safeguard this heritage; since Indonesia proclaimed its independence in 1945, it has likewise regularly recognized, approved of, and continued preservation efforts. Such efforts have resulted in numerous pieces of valuable scientific work, with but two examples being descriptions of Borobudur that were published in 1920 and 1931 [4]. The lengthy process of protecting these international assets has resulted in a situation wherein Indonesia's major heritage sites are receiving high-level government attention, protection, and care. For instance, since 2018 Borobudur has been covered by an Integrated Tourism Master Plan (ITMP), drawn up by the Agency for the Development of Regional Infrastructure (*Badan Pengembangan Infrastruktur Wilayah*) to develop it for touristic access and exploration [5].

The paper will argue and show through various examples and heritage cases that the extension of such protections to a wide range of other historical sites and assets in Indonesia is warranted. It holds that a sound legal framework alone is insufficient; it must be complemented by the cultural and economic valorization of these assets as sources of cultural pride that must be supported, developed, and protected by community stakeholders within a sound legal support structure. Only then can these cultural and national historical heirlooms

be preserved for the sake of future generations, both from Indonesia and from around the world.

II. HISTORICAL MONUMENTS AND NATURAL LANDSCAPES

Indonesia, being a country with rich natural and cultural diversity and a history of contact with civilizations both local and foreign, is home to an immense number of temples and ruins. New monuments are uncovered regularly. In 2019, a team of archeologists uncovered a depiction of three wild pigs in the Leang Tedongge Cave in Sulawesi; dating back at least 45,500 years, these are now thought to be the “world’s oldest-known representational artwork”, [6] and further findings have just been published this year [7]. This discovery in Sulawesi could open access for responsible tourism and development that could benefit local communities—provided that the central Indonesian government can help protect these treasures, something that is hard to achieve in certain cases. At the same time, there is also the danger of creating tourist attractions and moving away from the actual heritage. The fate of *Taman Purbakala Kerajaan Sriwijaya* (Archeological Park of the Sriwijaya Kingdom), inaugurated by President Suharto in 1994, provides a cautionary tale. As Pierre-Yves Manguin points out, only fragments of the local historical heritage was excavated; this, in conjunction with business and real estate development, resulted in local history becoming largely obscured for ordinary visitors [8].

Nevertheless, the Indonesian government is continuing its efforts to protect and promote the country’s various natural and cultural treasures. The UNESCO World Heritage Tentative List holds nineteen sites that are being promoted by Indonesia for inclusion as UNESCO World Heritage sites [9]. All are of tremendous value to world history; however, this paper will focus on one site in the Moluccas: *The Historic and Marine Landscape of the Banda Islands*, which was promoted by Indonesia as a mixed cultural and natural heritage site in a dossier submitted on January 30, 2015. In this dossier, the Indonesian government argues that: “The Banda Islands are an outstanding example of a cultural landscape, in which natural and cultural elements are intertwined. These two elements are inseparable, as the geography and climate (the natural parts) made the cultivation of the nutmeg possible, which resulted in the cultural development of the islands as a significant center of colonial trade and history.” [10] The island of Banda Neira holds both Fort Belgica (1611) and Fort Nassau (1609). Likewise, the people of the Banda Islands maintain an authenticity; as the Indonesian government argues “Moreover, the town planning is still the same as during the colonial times, therefore the feel of the islands is very much authentic. Some of the historic buildings have been restored and are being used as museums or tourist attractions. Furthermore, plans are being made to prevent the remnants of the existing unreconstructed historic buildings for further degradation. [11]” Recognizing this situation, the government had already begun preparing the site for development as early as 2011; in this year, it was among the 88 selected strategic sites for national tourism included in Government Regulation Number 50 regarding the

Master Plan for the Development of National Tourism, 2010–2025 [12]. Although this is a very important achievement, it must be connected to the local community’s stake and economic interests in this endeavor. Likewise, local community members must be incorporated as full stakeholders in the preservation of the heritage, providing a major asset that cannot be achieved solely through the implementation of a regulatory framework.

Although the example of the Banda Islands hints at the colonial rule of the Dutch, Indonesia’s cultural and natural historical assets also include a tremendous amount of historical and natural riches that are not directly connected to the long centuries of Dutch colonial rule. Such forms of Indonesian heritage are equally worthy of legal protection.

III. COLONIAL ERA HERITAGE AND LOCAL CULTURAL ARTIFACTS

Despite the efforts of the Indonesian government, major concerns and problems still plague the preservation of the wide range of Indonesian heritage. In several areas of Indonesia, Dutch rule lasted for nearly three and a half centuries; colonial control was expanded from these sites until the territory came to encompass the whole of the area of Indonesia today. This left another treasure trove of heritage. However, while older heritage is often almost literally buried in the ground, forgotten, or used by very small local communities as local traditional heirlooms, colonial heritage is ironically very prone to theft and destruction. Nevertheless, the reasons for the deterioration of these heirlooms are very diverse.

The example of various historical town centers comes to mind. In 2017, the historical town center of Yogyakarta was proposed by Indonesia as a tentative UNESCO heritage site; this followed similar proposals for the town centers of Semarang and Jakarta, made in 2015 [13]. For example, on January 30, 2015, Indonesia proposed The Old Town of Jakarta (Formerly Old Batavia) and 4 Outlying Islands (Onrust, Kelor, Cipir and Bidadari) as a site. It was argued, “No colonial town built by the VOC [Dutch East India Company] matched the grandeur and completeness (military, civil engineering and urban elements) of Dutch town planning & architecture of Batavia [14].” The statement is true enough, as the Dutch East India Company (VOC) made Batavia its central headquarters in the region, the seat from which the Governor-General would rule over the Netherlands Indies for many centuries. At the same time, however, the original town layout and historical buildings are largely gone. This area is prone to natural disasters, has seen its fair share of political upheavals, and has experienced a tremendous explosion of population and development that made Jakarta the home of the millions of Indonesians.

In 2013, the Government of Jakarta (under then-Governor Joko Widodo) announced the creation of a special economic zone. The problems of the area were also clearly pointed out. The buildings were in decay due to poor supporting regulatory structures, preventing the area from developing its tourist

potential, and owners could not readily deal with the administration to restore the buildings [15]. Since then, efforts have been made to halt the deterioration of this historical asset. The area has undergone development and even revitalization. Nevertheless, many historical buildings have disappeared over the centuries.

Also worthy of attention is the disappearance of the smaller Indonesian heirlooms, often by theft [16]. Such stories, oft lamented by the public, are unfortunately all too familiar. Many objects are illegally procured and disappear from Indonesian museums. Particularly valuable manuscripts and objects are accumulated by private collectors (often, Indonesian authorities) despite the obvious illegality of the practice. This clearly demonstrates that a legal framework is not sufficient in and of itself to safeguard the national heirlooms of Indonesia. Local stakeholders must be rewarded as custodians of local culture, even as they become the potential beneficiaries of touristic attractions, or such incidents will continue to take place. Recently, the Indonesian government has taken more action (as demonstrated in Jakarta) to make sure that more and more colonial-era heirlooms are protected. Museums and regulations remain essential in these preservation efforts.

IV. THE 20TH CENTURY NATIONAL AND WORLD WAR HERITAGE

Of a more recent nature still is the wealth of heritage that emerged in the 20th century, which includes the industrial heritage of the 20th century as well as also various episodes deemed tremendously important in Indonesian history (including its struggle against colonial rule). In Ende on Flores, for instance, is the former house of Soekarno, which was turned into a museum in 1954; [17] indeed, many places where Indonesia's national leaders underwent exile are now museums. Since independence, national history has been prioritized, and many sites have been developed around the theme of national struggle against colonialism. Often neglected, though no less important, are the various armed struggles in which Indonesia was involved—especially the World War II-era fighting that took place in the archipelago. A huge number of shipwrecks can be found in Indonesian territorial waters. One incident took place in 2016, when it was reported that six Dutch and British shipwrecks were gone, most likely salvaged for scrap metal [18]. Such wrecks are often the final resting places of male and female Indonesians who were taken as manual workers and sex slaves to areas in Southeast Asia, [19] and these sites are thus important not only as diving sites, but as war graves.

More active efforts to attract tourists have taken place in Morotai, the island where the Japanese soldier of Taiwanese origin Teruo Nakamura hid in the jungle for decades; he was only found and sent home to Taiwan in 1974. The statue installed on the site where he was found has become a tourist attraction, drawing tourists to the region. In 2016, Morotai was promoted as a tourist destination by the Indonesian Ministry of Tourism, which sought to promote development of the region [20]. This is one successful example of the government helping

local society by promoting local heritage of a far more recent nature. The potential employment of Indonesians in the tourism sector is enhanced by maximizing the different forms of Indonesian heritage. At the same time, local communities are incentivized to feel pride in their local culture and heritage, even as they benefit economically from these activities.

V. LEGAL SUPPORT STRUCTURE AND LOCAL COMMUNITY STAKEHOLDERS

The cases mentioned all point to the importance of the legal support structure provided by the government to preserve the local Indonesian heritage. Where this structure fails, is not present, or insufficiently strong, the destruction or loss of heritage takes place. The destruction of sites such as shipwrecks and historical buildings, as well as the looting and stealing of artifacts, all continue to plague the preservation of Indonesian heritage. As such, the government has responded by passing more performant policies to valorize tourism, promote Indonesian heritage in UNESCO, and cultivate local and International tourism. It has developed infrastructure to facilitate access to sites and installed legal protective support networks to safeguard Indonesia's heritage sites and artifacts. Nevertheless, issues remain. The climate of Indonesia clearly imposes various dangers. War, turmoil, greed, and misadministration have all caused Indonesian heritage to be lost. Small sites and artifacts are particularly vulnerable, as they often do not receive the same level of recognition as the larger and more famous sites that the government has promoted for recognition as UNESCO heritage sites.

It remains important to provide a regulatory framework to protect local Indonesian heritage while also facilitating access to and development of relevant sites. Such efforts must benefit local stakeholders, providing them with cultural pride and economic benefits. Only with the support of local stakeholders who have come to see Indonesian heritage as beneficial to them will it become easier to protect these Indonesian heirlooms for future generations. Cooperation between local communities and the Indonesian government, thus, is paramount for revitalizing Indonesian history and heritage and building social awareness through education, stimulation of national and regional pride, and the creation of touristic and economic opportunities. This applies for both cultural and natural heritage sites.

VI. CONCLUSION

The paper has shown that the Indonesian government has already made important progress in many areas in its protection of Indonesian history and heritage. Nevertheless, more efficient protection is necessary, as are better-coordinated and more efficient governmental policies. Often, the importance of heritage is only recognized when it is already too late. To prevent the loss of heritage, the government undoubtedly plays a role; however, it must also work together with local communities and stakeholders to help protect Indonesia's rich heritage for future generations. The paper has shown how

diverse aspects and elements of Indonesian heritage all warrant the protection and governmental attention, similar to those received by UNESCO sites and candidates. Successful development should be extended to all forms of Indonesian heritage.

This paper has also demonstrated that a sound legal framework, in and of itself, is insufficient to safeguard Indonesian heritage. It must be combined with the efforts of local communities who are allowed to valorize that heritage as a local cultural resource and source of economic revenue. This can ensure local communities' support and involvement as stakeholders, both of which are essential to prevent the loss of Indonesia's cultural and national historical heirlooms and ensure that they continue to benefit future generations both within and without Indonesia.

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