

## ***Hantu Laut*<sup>1</sup>: The Ghosts of Colonialism in Indonesia’s Marine Conservation**

### **Introduction**

The Indonesian archipelago is a chain of more than 17 thousand islands, spanning for more than 5,100 kilometers (3,100 miles) east to west, between the tip of peninsular South-East Asia to the north of the Australian continent (Frederick & Worden, 1993). More than 60% of the people who live in these islands live in coastal areas, this means that more than 100 million people are highly reliant on the coastal and marine environment (Adyasari et al., 2021; Burke et al., 2012). Indonesia was also a former Dutch colony for over three centuries from the 1600s up to the second world war, when the archipelago was colonized by Japanese forces from 1942 to 1945. This long colonial period meant that the Dutch left behind numerous marks in Indonesia, including its culture, language, and most crucially in the context of this paper, its laws, and policies. Even now, nearly 80 years after Indonesia’s independence, the legal and governance system in Indonesia continues to be based on the Dutch systems that were put in place during the colonial era (Talib et al., 2022). One of such systems is related to the governance, management, and conservation of the marine environment and the natural resources contained within it.

By borrowing Banu Subramaniam’s concept of interdisciplinary haunting, in this paper I will frame the links to colonial era ideas and policies as a “ghost” that haunts marine environmental conservation as a nature-culture construct in Indonesia (Subramaniam, 2017). At the same time, I will also borrow Bruno Latour’s metaphor and treat marine conservation in Indonesia as a Black Box that needs to be opened, with the aim to understand it in a more comprehensive manner, while donning his two-faced Janus mask that would help me to have multiple simultaneous points of view over a certain topic or concept (Latour, 2015). Through this approach, I will start the unboxing process by discussing one the ways conservation is defined. I will follow this by exploring the ghosts of historical colonial policies that gave rise to (and continue to haunt) resource management and conservation policies in Indonesia. These will be further illustrated by discussing how marine resource management policies in two locations that represent the northwestern and the southeastern limits of the Indonesian archipelago have been shaped by colonial era policies. I will finish the paper by discussing how the ghost of the

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<sup>1</sup> “*Hantu Laut*” is Indonesian for “Sea Ghost.” Stories and local knowledge about ghosts, taboos, and curses are a common part of local culture and folklore in many coastal areas in Indonesia. To me, these stories and knowledge seem to represent a form of kinship (Guerin, 2021) and reverence between people living next to the sea, these ghastly figures may embody the natural forces of the marine environment that provides so much for people living on coastal areas, while also being able to destroy and take their lives at any time.

colonial past continues to haunt present marine conservation policies in Indonesia since the late nineties.

Before we start out journey, however, I would like to offer a Land Acknowledgement statement, followed by my own positional statement. Hopefully, these will provide some background context for how and why I arrived at the viewpoints, arguments, and conclusions that I will be offering in this paper.

***Land (and Water) Acknowledgement<sup>2</sup>***

I acknowledge that The University of Rhode Island (URI), the institution that enables me to write this paper, take this course, and pursue my degree, occupies the traditional stomping grounds of the Narragansett Nation and the Niantic People. I aim to honor and respect the enduring and continuing relationship between the Indigenous people and their Land and Water by learning more about their history and present-day communities, and by becoming stewards of the land that I, too, currently inhabit.

Based on the materials discussed in this course, I am also now more aware of what URI's status as a "Land Grant Institution" means. It means that URI is a direct part of the systemic history of territorial appropriation from the Indigenous people of North America, specifically the Narragansett Tribe, but also many other Tribes across North America whose Lands and Waters have been appropriated and taken over through a manner of disproportionate power relations, to be used to fund and support the endowment, establishment, and development of URI and other Universities across America as a consequence of the Morrill Act (Lee & Ahtone, 2020; Moore, 2023). I also need to acknowledge that Southern Rhode Island was the site of the largest African slave holdings in the New England region, and that business owners in the region, as well as the University, continued to benefit from the slave trade long after the practice was abolished in the North (Wilder, 2013). URI's campus and some of its early benefactors are therefore part of the history of genocide, slavery, and indenture that comprises a portion of America's legacy (Moore, 2023).

I acknowledge that studying here, working here, and being here means that I continue to benefit from this colonial system. In my opinion, the bare minimum I can do, and need to do in the context of this paper, is to acknowledge the sovereignty of the Narragansett Tribe over their Lands and Waters that we currently live, study, and work in. I also fully acknowledge that I have been benefiting, both unwittingly and wittingly, from the results of oppressive and suppressive systems and policies in all the lands and regions where I have lived, worked,

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<sup>2</sup> This acknowledgment is inspired by (and adapted from) the Land acknowledgement in the MAF 500 Course Syllabus, as provided by the MAF 500 course coordinator Prof. Amelia Moore, as well as from URI's official Land Acknowledgement text (Moore, 2023; URI, n.d.)

studied, and set my foot on. Systems and policies continue to take place throughout the globe up to this minute, continuously resulting in the loss of sovereignty, rights, livelihoods, and even the lives of people.

***Positional Statement: Reflection of my own links to colonialism***

Having acknowledged these conditions, I feel that it is important to continue by reflecting on my own positionalities, especially regarding my personal links to colonialism. I am a Muslim Indonesian of Javan descent, hailing from the city of Bandung<sup>3</sup>, a mountainous city in Western Java, Indonesia. I went to elementary and high school in buildings that were former colonial infrastructure used by the Dutch colonial officials and high-ranking indigenous elites. My hometown is also the location where a number of newly independent countries and those not aligned with either the western and eastern blocs voiced their intention to “guard their independence and sovereignty” during the 1955 Bandung Conference, an event that continues to be a source of pride for many citizens of Bandung.

Despite no longer being a Dutch colony (or possibly because of being a former colony), racism and segregation are still rife in Indonesia. I have seen with my own eyes and experienced in person how those who are of the majority Javan tribal descent (of which I am one), those who are Muslim (which I am as well), and those who live on the island of Java (especially in the capital Jakarta, where I have also lived in), hold a disproportionate amount of power and opportunity over those who are of other tribes, ethnicities, religions, or those who live in the other Indonesian islands.

Thanks to these privileges that I enjoy, I was fortunate enough to continue my higher studies in other countries. I received my BSc. in Marine Biology from Te Herenga Waka (Victoria University) in the city of Te Whanganui-a-Tara (Wellington), Aotearoa (New Zealand), a university that was built by the people of the nation that came and colonized Aotearoa and was aptly named in honor of the colonizer’s sovereign Queen Victoria. Living in Aotearoa was the first time I was exposed to, and came to realize, the inequality and inequity experienced by indigenous communities as I learned about the history (and present reality) of the Māori people’s plight for recognition of their rights in the face the disproportionate amount of power held by the Pākehā (or white New Zealander) colonists and settlers.

My studies next brought me to Europe, where I had the privilege to receive an Erasmus Mundus scholarship, a study program funded by taxpayers across the EU and probably by the wealth of European Nations, whose financial foundations were built on colonialism and

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<sup>3</sup> The city was administratively established as a resort town for Dutch colonial era plantation owners in 1810, but archeological evidence suggests that people have lived in the area since prehistoric times.

imperialism. This Master's in Environmental Sciences, Policy, and Management (MESPOM) program brought me to Budapest in Hungary, namely to the Central European University, which was founded by the billionaire George Soros<sup>4</sup>. This program also brought me to the University of Manchester in the UK, where I had my second close encounter with Queen Victoria<sup>5</sup>.

Following the completion of my master's degree, I worked as a consultant for an ecotourism project funded by the Norwegian government, followed by working for an environmental conservation BINGO (Big International Non-Government Organization), where I learned how much influence international donors and corporate interests have in driving the strategy, design, and implementation of marine conservation projects. I also had the opportunity to work for a project managed under a United Nations agency, where things felt remarkably familiar to my NGO experience (albeit much more bureaucratic), before departing to the US and starting my PhD program here in URI.

These experiences have molded and formed my perspectives, subjectivities, and worldviews, which I tap into while writing this paper. In the past, I considered myself a pragmatic marine conservationist. I felt that the ends (conservation objectives) justified the means, which are sometimes questionable at best. Following this course, I decided to write this paper to open the marine conservation black box and converse with the interdisciplinary ghosts represented by the intricate links between marine conservation and colonialism.

### **Defining Conservation**

As I open this haunted black box and don my two-faced Janus mask (Latour, 2015; Subramaniam, 2017), the first apparition that flies out is the word "conservation" itself, a simple word that is often presented (especially by conservationists) in a positive light. I will take as an example the definition for conservation as provided by the International Union for Conservation of Nature and Natural Resources (IUCN – the world leading authority on nature and environmental conservation). The organization's core strategic document defines conservation as, "*The management of human use of the biosphere so that it may yield the greatest sustainable benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations.*" The document then continues by stating that conservation "*...is positive, embracing preservation, maintenance, sustainable utilization, restoration, and enhancement of the natural environment.*" The paragraph then further defines "living resource conservation" to be "*...specifically concerned with plants, animals and*

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<sup>4</sup> Whose economic policies, in my opinion, have contributed to the 1997 South-East Asian economic crisis. The crisis that resulted in race and religion-driven conflicts and violence across Indonesia, ending in the collapse of the dictatorship of former president Soeharto.

<sup>5</sup>The University of Manchester started its life under the name of "Victoria University of Manchester."

*microorganisms, and with those non-living elements of the environment on which they depend.*” (IUCN et al., 1980, Chapter 1, Paragraph 3).

If only taken at face value, I would probably argue that there is no apparent downside to environmental conservation given its benefits for the human race, both present and in the future. However, as we continue to look deeper and start peeling the layers of this particular definition, things become less black and white. For one thing, this definition does not specify who is supposed to be the beneficiary, and whose use of the biosphere will be managed. Are these supposed to be the same people? The definition’s broadness also highlights the issue of justice and equity in the distribution of the supposed benefits of conservation through their absence (Bennett et al., 2021). In the broad sense of this definition, conservation could be used to justify the management of resource use in one part of the world, as long as it “*yields the greatest sustainable benefit*” to others in present or in the future, while these potential beneficiaries can be anywhere else on the planet. This definition also does not explicitly state any objection to harming those who are being managed in the name of conservation, for example through land and ocean grabbing processes (Bennett et al., 2015; Cribb, 2007). Therefore, this narrow definition has the potential be used to justify the use of conservation as a tool to benefit current and future generations while at the same time bringing harm to others (or at least resulting in an inequitable status quo).

Based on the discussion above on this one particular definition of the word itself, I would argue that conservation is a complex nature-cultural construct (Subramaniam, 2017). It combines the western ideal of “wilderness” and environmental preservation, supported by biological and environmental sciences, and implemented through political and legal processes, with social and economic consequences (Bennett et al., 2021; Cribb, 2007; Cronon, 1996). Unfortunately, most uses of the term “conservation” usually highlight only the first two parts while the other parts about social consequences are often glossed over or treated as an afterthought, or as a box needing to be ticked (Bennett et al., 2021; Cronon, 1996; West, 2016). How conservation is defined would also depend on who is doing the defining, where and when is it being defined, whose perspectives and interests are being served in the process of defining the term, and the historical processes that shape all of this.

This makes trying to define “marine conservation” quite a challenging task (Ray, 2013). However, for the purpose of this paper, I feel that a rough guide on what the term means would be helpful for the reader. After taking the information above into account, as well as my own standpoint and perception, and only for the purpose of discussion in the following sections, I will intentionally adapt IUCN’s definition of conservation (despite all its shortcomings) and define “marine conservation” as “*the management **and governance** of the human use of the **marine and coastal environment, ecosystem, and resources**, so that it may yield the greatest sustainable benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations*”, with the bolded words being what I added or changed in IUCN’s definition. By the end of the paper, I will try to incorporate the lessons that I have

learned while writing this paper and offer an updated version of this definition, so please stay tuned.

### **The Colonial Links to Marine Conservation in Indonesia**

Continuing on with our journey, the next layer of the marine conservation black box that we will attempt to open and unbox is the colonial past of marine conservation in Indonesia. However, since “marine conservation” in the way the term is used in the present day and defined in the previous section is not yet a commonly used concept before and during the Dutch colonial era, in this section I will discuss relevant human activities and processes conducted to manage and govern the marine and coastal environment, ecosystem, and resources.

Before we start talking about the colonial era, I will briefly describe how in pre-colonial times, native people living on the islands that would one day make up the Indonesian archipelago have already utilized and managed their natural resources through communal and traditional principles. For centuries, prior to the arrival of the European colonists, these people lived with little indication of resource over-exploitation, although an inequitable distribution of power and benefits is likely to have occurred given these islands were ruled and managed by local kingdoms and chiefdoms. Coastal communities also used indigenous and traditional governance mechanisms to manage their marine resources. Some of these mechanisms survived the colonial age through to present day independent Indonesia. For example, the *Panglima Laot* institution in Aceh, the *Hoholok/Papadak* practice in Rote Island of East Nusa Tenggara, the *Awig-awig* customary law in West Nusa Tenggara and Bali, the numerous traditional practices and arrangements in Papua and Maluku collectively known under the common name *Sasi/Egek*, as well as several other mechanisms still implemented across Indonesia (Estradivari et al., 2022; Keliat et al., 2021; Mujiburrahman et al., 2021; Oktavia et al., 2018; Talib et al., 2022; Utama et al., 2020). However, the way these practices are currently implemented has most likely experienced changes as a result of colonial policies as well as other post-independence processes, and their current practice may be significantly different from what was in place prior to the colonial age (Talib et al., 2022).

Similar to most governance sectors in present day Indonesia, the marine conservation and resource government sector in Indonesia carries the hallmarks of past colonial policies. The most obvious aspect is in regards to how current Indonesian legal and governance systems, along with the codes for the nation’s civil, criminal, and commercial laws, were modeled based on the Dutch system that was put in place during the colonial era, and that many legal terms in Indonesia still uses old Dutch words till this day (Odering, n.d.). This legal and governance system also governs the nation’s overall natural resource governance processes, which includes the conservation and management of marine and coastal resources (Estradivari et al., 2022; Li, 2010; Muawanah et al., 2018; Talib et al., 2022). Another example is the hierarchical division of territorial governance in Indonesia, where the Dutch colonial government divided their territory into “Governorates/*Gouvernement*,” which is then further divided into

“Residences/*Residentie*” and “Regencies/*Regentschappen*.” This division forms the basis of the *Provinsi* (Provinces) and *Kabupaten* (Regencies) division in Indonesia, with each level having different scope and responsibilities related to the governance of natural marine resources (Estradivari et al., 2022; Kaho, 2012).

If we dig deeper, however, we begin to see even more links to the colonial past. I will attempt to proceed by dividing this section into two aspects that I consider to be key for marine conservation, namely the management of natural resources, and the governance of the marine environment. I will first discuss the management and governance of natural resources in general through colonial policies, and I will follow this by giving examples of how colonial policies have affected the governance of the marine and coastal environment in two locations in Indonesia.

### *Natural Resource Management in the Colonial Era Indonesian Archipelago*<sup>6</sup>

European explorers first colonized the Indonesian archipelago in the early 1500s, with the Portuguese establishing their first colony on these islands back in 1509. The Portuguese maintained colonies in these island between 1509-1641, and they returned in 1820-1850, where their colonies were mostly based on the eastern islands of Maluku (Legge et al., n.d.; Talib et al., 2022). They were then followed by the Dutch, and then the Japanese who took over the islands during World War II (1942-1945) (Legge et al., n.d.; Talib et al., 2022). The period of the Dutch colonial rule over the Indonesian archipelago was the most significant, spanning from 1596 – 1942 (and followed by the post-independence struggle in 1945-1950 when they attempted to reestablish their colony after Indonesia’s declaration of independence) (Legge et al., n.d.; Talib et al., 2022). The Dutch colonial period can be further divided into the Dutch East India Company (*Verenigde Oostindische Compagnie/VOC*) rule (1603-1799), direct rule under the Dutch monarchy (1799-1806 and 1811-1942), and a period of proxy French and British rule following the Napoleonic Wars (1806-1811) (Legge et al., n.d.).

During this significant period of Dutch colonization, the colonial government created and established an infrastructure of governance and institutions, primarily to support sectors relevant to the management and extraction of natural resources such as plantations (spices, wood, rubber, tea, and coffee), mines, as well as coastal and marine resources such as fisheries (Itawan, 2023; Talib et al., 2022). The Dutch were also responsible for the development of physical infrastructure that supports the extraction of these resources, such as roads, seaports, railroads, and the establishment of permanent settlements around centers of natural resources

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<sup>6</sup> The Dutch colonial government used the term “Dutch East Indies” to refer to their colony, and “East Indies” to refer to the whole region (Odering, n.d.). However, for this paper I have chosen to consistently use the term “Indonesian archipelago” when referring to the region in general not being specific to the modern independent State of the Republic of Indonesia.

(Cribb, 2007; Itawan, 2023; Talib et al., 2022). Market-based large scale nature extraction and landscape transformation to facilitate this extraction process also started to take place during the colonial period, resulting in the destruction of ecosystems and significantly altering traditional patterns of resource use in many communities (Itawan, 2023).

Another significant impact of the Dutch resource extraction policy is the movement of people used as hard laborers and slaves from some parts of Indonesia to work in major plantations and mines, both elsewhere in Indonesia and in other Dutch colonies in Africa and South America, resulting in major displacements of people (Itawan, 2023; Pellu, 2008; Talib et al., 2022; Vink, 2003; Welie, 2008). In some cases this has led to villages, traditional settlements, and even some small islands being completely abandoned due to insufficient working-age populations, while at the same time, the introduction of non-local people (especially Javanese people) into other areas also resulted in the displacement of original native communities (Pellu, 2008; Vink, 2003; Welie, 2008).

The colonial government also introduced a new system that governed land property rights to better manage the extraction process, replacing informal traditional rights to territory and governance systems long held by the local people (Li, 2010; Talib et al., 2022). This change in marine governance systems was designed to enable and facilitate the flow of resources (especially spices, agarwood, precious metals, as well as some valuable marine commodities such as pearls, sea snail shells, sea turtle shells, and dried seaweed) from Eastern Indonesian islands and ensure their swift arrival to the Western Islands, especially to Batavia (the colonial name for Jakarta) on the island of Java, from which these commodities would be shipped to their final destination in Europe or Mainland Asia (Adhuri, 2013; Fox & Sen, 2002; Lowe, 2013; Talib et al., 2022).

The Dutch colonial government also established several specific rules and regulations that formalized marine governance in the Indonesian archipelago. This includes the formal acknowledgement that village governments have the ‘right to avail’ (*beschikkingsrecht*) that gives them the authority to govern the use of natural resources within their village territory, a policy that was then abused by local elites, resulting in the privatization and exploitation of communal lands, which benefited the colonial government (Talib et al., 2022). In addition, starting from the early 20<sup>th</sup> century, the Dutch colonial government also created a unit to formally manage fisheries resources in 1905 under the *Departemen van Landbouw, Nijverheid en Handel* (Department of Land and Agriculture), and in 1939 they created the first formal national level legal mechanism that controls coastal and marine areas under an Ordinance called the *Territoriale Zeeen Maritieme Kringen Ordonnantie* (Talib et al., 2022). All of these policies formalized and institutionalized coastal and marine resource management as an extractive process and developed the sea as a space to be traversed for the profit and benefit of the colonial government (Talib et al., 2022).

Despite the focus of Dutch colonial policies on resource government mostly related to extraction for economic purposes, especially prior to the 20<sup>th</sup> century, the Dutch colonial



government was also responsible for the creation of the first nature protection policies and the establishment of the first nature reserves in Indonesia by the early 20<sup>th</sup> century (Boomgaard, 1999; Cribb, 2007). The Dutch colonial government felt that they were obliged to carry out preservation of the natural environment due to an increase of nature preservation movements and environmental policies being implemented by other countries in Western Europe and North America (Cribb, 2007). This view was echoed by the renowned naturalist, Alfred Russel Wallace, who explored<sup>7</sup> the Indonesian Archipelago in the mid 19<sup>th</sup> century with the support and blessing of the Dutch colonial government (Lowe, 2013). Wallace felt that the collection and preservation of nature and natural history samples was an important endeavor that should be undertaken immediately by governments and scientific institutions in all European colonies for the purpose of scientific study and interpretation (Lowe, 2013).

In 1884, a Dutch colonial government *Staatsblad* (Ordinance) was issued that enabled the establishment of forest reserves, while in 1909/1910, another colonial government *Staatsblad* was issued to protect mammals and bird species, the first official legal protection of wildlife to be implemented in the Archipelago, soon followed by the protection of other animals and the establishment of nature reserves throughout the Dutch Indies colonial territories. In 1932 another *Staatsblad* allowed the establishment of Nature Reserves and Wildlife Sanctuaries (Barnard, 2011; Boomgaard, 1999; Cribb, 2007; Djumanto et al., 2021). These policies reflected the “Ethical Policy<sup>8</sup>” that underlies Dutch colonial government policies developed in the late 19<sup>th</sup> – early 20<sup>th</sup> century. Some of them remained in effect and become adopted by the newly formed post-independence Indonesian government (Boomgaard, 1999; Cribb, 2007; Djumanto et al., 2021).

However, the establishment of these reserves displaced native local people who lived within the reserve areas, and the protection of these animals prohibit local people from hunting wildlife for sustenance, while these same policies allowed colonial hunters to access the reserves for recreational hunting. Thus, the nature reserves became hunting “property” for Dutch colonial elites (Boomgaard, 1999; Cribb, 2007). The Dutch colonial government has used nature conservation to assert control over local people and claim mastery over the environment and resources in their colony, with an approach that is similar to what is now termed, “Fortress Conservation” (Erb, 2012). Despite their claim that these policies were put in place to protect wildlife, it was colonial Dutch hunters who wiped out Tiger populations

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<sup>7</sup> Wallace used the information and knowledge he collected from his expedition (which was enabled by numerous mostly nameless indigenous people of the archipelago) to develop his theory on biogeography and natural selection and described the transitional biogeographic zone between Asia and Australia, which was later called Wallacea and bordered by the imaginary Wallace’s Line named in his honor.

<sup>8</sup> *Ethische Politiek* – The Dutch colonial government’s official governance policy, an early attempt to apply development theory in their Dutch East Indies colony in the Indonesian archipelago. It consists of three main policy strands: (1) intervention to promote economic development; (2) education of natives to create future leaders who will lead the colony in partnership with the Dutch, and (3) protection of indigenous society from the damaging consequences of modernization and capitalism (Cribb, 2007)

from Java and Bali, as well as significantly reducing the population of Sumatran Tigers, Sumatran Rhinos, Sumatran Elephants, and Javan Rhinos (Boomgaard, 1999).

Despite their culpability in the extermination of wildlife, the Dutch colonial government, through their nature preservation policies, solely puts the blame for environmental damage on the native local people by considering them unable to manage their own resources, thus justifying the colonial government's role of resource stewardship and the right to manage these Lands and resources (Cribb, 2007). In addition, there are indications that the colonial government had another hidden agenda to achieve through the establishment of nature reserves, namely as a counter-insurgency measure to quell the uprising of local people through the militarization of reserves, the appropriation of land rights, the limitation and denial of access to strategic areas within the reserve, and as a part of their divide and conquer policy limiting contact and communication between settlements on different sides of reserves (Minarchek, 2020).

### *Examples of the Effects of Dutch Colonial Policy on Marine and Coastal Governance*

In the previous section, I mentioned several examples of how traditional and customary marine resource governance mechanisms have existed in the Indonesian Archipelago since pre-colonial times. Interestingly, many of these traditional and customary resource governance mechanisms in the Indonesian archipelago are in essence embodiments of customary ownership and tenurial rights over the marine environment and the resources within it, which put them in contrast to the *Mare Liberum* principle held by the Dutch government that the sea should be accessible to anyone (Abdullah et al., 2018; Talib et al., 2022).

In this section, I will give two examples of how Dutch Colonial policies have affected previously existing institutions and mechanisms that govern marine and coastal environments and their resources. The two locations presented here are Aceh, which represents the North-Western tip of the Indonesian archipelago and where the *Panglima Laot* institution can be found, and Rote Island, which is the southernmost island located on the Eastern part of the Indonesian archipelago and where the *Hoholok/Papadak* mechanism can be found (Abdullah et al., 2018; Estradivari et al., 2022; Keliat et al., 2021; Oktavia et al., 2018; Utama et al., 2020).

In Aceh, the *Panglima Laot* is a customary institution recorded since the 14<sup>th</sup> century, consisting of traditional figures who serve under the authority of the Sultan of the Aceh Kingdom<sup>9</sup> (Abdullah et al., 2018; Utama et al., 2020). Original traditional roles primarily

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<sup>9</sup> The Aceh Kingdom was established as a result of a series of colonization process carried out by Middle-Eastern and South-Asian Muslim traders that started before the 13<sup>th</sup> century (Perret, 2011). I acknowledge this colonization process also happened and have significant

relate to upholding the Acehese customary law of the sea, which include the regulation of marine trade, management of fisheries, as well as coastal defenses (Abdullah et al., 2018; Utama et al., 2020). However, during the colonial era, as a result of the Dutch colonists' attempt to claim the Aceh territory, the role of the *Panglima Laot* adapted to focus more on strategic roles in relation to managing war logistics and the mobilization of people into battle against the Dutch. Some *Panglima Laot* even participated directly in the war (Utama et al., 2020). This indicates that their role as coastal community figures puts them in a better position to coordinate efforts to rise against the colonial government and unify different communities, despite the colonial government's policies that were designed to divide the local communities and prevent them from coordinating with one another. This means that as a result of the Dutch colonial era, the *Panglima Laot*'s original role in managing and governing the marine environment shifted into that of a military commander. This lasted until the end of the Dutch colonial rule (Utama et al., 2020). Following Indonesia's independence, the *Panglima Laot* institution transitioned back to a role similar to their original marine resource governance function, and with the dissolution of the Aceh Kingdom they became the social and customary leader of their own coastal communities (Abdullah et al., 2018; Utama et al., 2020).

In the island of Rote, in East Nusa Tenggara, the *Hoholok/Papadak* system is a traditional natural resource governance mechanism that predates the arrival of European colonists. It can be applied to both terrestrial natural resources as well as marine and coastal resources (Haning, 2019; Keliat et al., 2021; Oktavia et al., 2018). This mechanism is a customary regulation that prohibits the theft and acquisition of natural resources that rightfully belong to others, and provides a set of mechanisms related to prevention, monitoring, sanctions, and dispute resolution (Haning, 2019; Keliat et al., 2021). Spatially, this mechanism is managed within the scope of a *nusak*, which is a self-governing territorial unit/domain that represents the different indigenous familial clans and language dialects on the island (Haning, 2019). During the colonial era, the Dutch enacted several policies that recognized and legitimized eighteen *nusak*, acknowledging their 'right to avail' as mentioned in the previous section (Haning, 2019; Talib et al., 2022). This process resulted in deadly conflicts against the colonial power and between these *nusak* themselves as some attempted to jostle for power and favor with the colonial government. The *nusak* that gained acknowledgement from the Colonial government received more benefit compared to the others, a policy that clearly reflected the Dutch's divide and conquer approach in subjugating local communities in the archipelago (Haning, 2019; Talib et al., 2022). During the colonial period, the Dutch also conducted the abduction and forceful displacement of several settlements and villages on Rote, forcing the Rote islanders into the Dutch colonial slave trade, resulting in whole villages and *nusak* being abandoned and

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effects to the resource governance mechanism in Aceh through the establishment of the Kingdoms in Aceh, which resulted in the creation of the *Panglima Laot* mechanism by the 14<sup>th</sup> century (Utama et al., 2020). However, I will not go into further details about this colonial era in this paper which focuses more on the Dutch colonial era that affected the whole Indonesian archipelago.

resettled by people from other *nusak* and other islands, resulting in social shifts that have persisted until now (Hägerdal, 2012; Pellu, 2008; Vink, 2003; Welie, 2008). In addition, the Dutch colonists also introduced Christianity and allowed other religions to establish in Rote. Religious institutions then become a major power in Rote Island, directly affecting the local life and social structure, holding a comparable level of influence and power with local customary (*adat*) institutions (Oktavia et al., 2018; Pellu, 2008).

These are just two brief examples of how Dutch colonial policies affect marine and coastal resource governance mechanisms in several ways across the Archipelago. Even from these two examples, we can see how Dutch policies in one part of the region caused a transition of resource governance mechanisms to different primary functions, which then transitioned back following the end of the colonial era, while in other parts of the region, Dutch policies on territorial acknowledgement and spatial divisions of local communities resulted in governance mechanism transitions and significant social-dynamic shifts which persisted even after the end of the colonial area. There are still many more examples of how colonial policies affected coastal marine resource governance mechanisms across the Indonesian archipelago (Boomgaard, 1999; Cribb, 2007; Itawan, 2023; Keliat et al., 2021; Li, 2010; Lowe, 2013).

### **Colonial Ghosts in Indonesia's Post-Independence Marine Governance and Conservation**

As we leave the Dutch colonial age in our rear-view mirror, we can open the next layer of the marine conservation black box as we move forward to see how the colonial policies we previously discussed have continued to haunt coastal and marine resource governance policies in Indonesia post-independence and into the contemporary era.

Right after Indonesia declared its independence in 1945 and up to the 1960's (the "Old Order" period), the primary concern of the newly founded Indonesian government was to repel Dutch recolonization attempts, quell internal conflicts rooted in past colonial policies, and nationalize assets of Dutch companies dealing with natural resource extraction to improve the economic condition of the fledgling nation (Talib et al., 2022). During this period, in 1957, Indonesia presented the Djuanda Declaration to replace the *Territoriale Zeeen Maritieme Kringen Ordonnantie* and repudiate the colonial *Mare Liberum* approach to its internal waters, limiting access by foreign entities to marine resources within these waters. This became the basis of Indonesia's acknowledgement as an Archipelagic State based on UNCLOS article 46 (Raharja & Karim, 2022; Talib et al., 2022).

In the New Order (1966-1998) era under the Soeharto regime, Indonesia doubled down on extractive industries and the marketization of natural resources, processes that began during the colonial era including the expansion of existing and the establishment of new infrastructures facilitating the extraction of coastal marine resources (Lowe, 2013; Talib et al., 2022). This regime adopted strong top-down governance, with a heavily centralized power in Java (especially Jakarta), as well as rampant corruption across the country enabled by

government officials at the Provincial and Regency levels who were granted power to govern their territory for their own benefit and for the corporate cronies of the regime, echoing Dutch *beschikkingsrecht* colonial policy (Lowe, 2013; Talib et al., 2022). It is also during this period when the first nationalized Protected Areas (PAs)<sup>10</sup> were established in 1980 based on pre-existing colonial Nature Reserves, with management plans and governance mechanisms that carried fortress conservation ideals used by the colonial government (Erb, 2012). It was during this period, following the establishment of these PAs, when powerful conservation BINGOs led by Euro-American experts started working in Indonesia in the 80s to support the Indonesian government in managing and implementing scientific and conservation activities within these PAs (Lowe, 2013).

The downfall of the New Order happened in 1998 following the South-east Asian economic crisis, resulting in massive changes in the governance of natural resources in Indonesia and bringing in the Reformation Era (1999 – now), when major decentralization processes took place to improve the distribution of power (Lowe, 2013; Talib et al., 2022). It is during this period when the Ministry of Marine Affairs and Fisheries (MMAF)<sup>11</sup> was established, and as a result, the management of coastal, marine, and fisheries issues, previously handled by multiple authorities following the Dutch colonial model, is now coordinated under this single government authority (Talib et al., 2022). In the marine resource sector, the government is now pushing for the spatial planning and zoning of marine, coastal, and small island areas (RZWP3K<sup>12</sup>). At the same time, participatory conservation discourse has been brought in, primarily by conservation BINGOs and international agencies, to replace fortress conservation ideals, and even more recently Blue Economy discourse has come into the spotlight (Lowe, 2013; Talib et al., 2022). These events indicate the continual move away from old-style colonialism, however its ghost continues to linger as neo-colonial ideas brought in by these new discourses appear ready to take hold, driven by capitalist and neoliberalist forces, while, social justice and the equal distribution of benefits from conservation and marine resource governance to the marginalized communities impacted by these policies remains uncertain. (Igoe & Brockington, 2007; Li, 2010; Moore, 2021; Talib et al., 2022).

## Discussion: Conversation with the Colonial Ghosts of Indonesian Marine Conservation

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<sup>10</sup> These include the Gede Pangrango National Park (NP) in West Java, Baluran NP in East Java, Gunung Leuser NP in Aceh, as well as what is effectively the first Marine Protected Area (MPA) with the Komodo Islands NP in East Nusa Tenggara (Supriatna & Margules, 2022).

<sup>11</sup> During the early days of MMAF, many of leaders received training, consultation, and support from URI and the Coastal Resources Center (CRC) through USAID's Indonesia Marine and Climate Support (IMACS) Project, and many MMAF officials have received education from URI ever since (Ricci et al., 2013; URI, 2013, 2014, 2022).

<sup>12</sup> *Rencana Zonasi Wilayah Perairan, Pesisir, dan Pulau-Pulau Kecil* (Marine, Coastal, and Small Islands Zoning and Spatial Plan)

In the previous sections, we have opened the Black Box of marine conservation, and traced its roots in Indonesia to the colonial (and pre-colonial) era. Through our journey, we have seen that the idea of marine conservation is not a novel one. The idea of nature conservation itself traces back to the “pristine wilderness” construct of the western world, which was then propagated to European colonies, including to Indonesia (Boomgaard, 1999; Cribb, 2007; Cronon, 1996). Colonial governments view this construct from a very euro-centric point of view, ensuring its benefits adhere to the interests of white colonists through the implementation of a fortress conservation approach, while pushing the burden and cost on the native local people (Boomgaard, 1999; Cribb, 2007; Talib et al., 2022). Similarly, the governance of marine resources during colonial times was also done primarily for the benefit of the colonial government, mainly to collect profit and build colonial capital through the trade of coastal resources (and the slave trade of coastal community members) (Talib et al., 2022; Vink, 2003; Welie, 2008). Colonialism was, and continues to be, an infrastructure for the governance and extraction of marine resources, and science was used as a colonial infrastructure to justify colonial policies on marine resource management that disproportionately affected local people (Lowe, 2013; Mohammed et al., 2022; Talib et al., 2022). These past discriminatory colonial policies led to the antipathy of local communities against conservation efforts, even after the end of the colonial era, as the association of conservation with settler nationalism weakened the appeal of conservationist ideas in independent Indonesia (Cribb, 2007)

With the advent of participatory and community-based marine conservation, one might hope that all the colonial idea of conservation has been left behind. However, present day marine conservation continues to be haunted by ghosts of these colonial ideas. Discrimination is unfortunately still part of the process, resulting in sand causing power imbalances as well as divisions among local people, the disproportionate distribution of power between conservation authorities and members of the local community during decision making processes, and an unequal distribution of benefits from marine conservation activities (Bennett et al., 2015, 2021; Erb, 2012; Igoe & Brockington, 2007; Lowe, 2013; Talib et al., 2022).

Despite the ghosts that haunt marine conservation, I still think it holds a significant role in the management of the marine environment. However, I also realize now that marine conservation is not a panacea for all issues related to the marine environment and it should not be wielded lightly without taking into consideration potential consequences to local people. Marine conservation should consciously incorporate a sense of kinship with the environment, and the communities whose lives are directly interlinked with the environment that to be conserved. Marine conservation should be conducted with the intention of safeguarding continuous access to resources and the benefit of local people as its primary objective, and not for the purpose of maintaining a “pristine wilderness” construct (Bennett, 2019). It should not be driven by the interests or benefits of neocolonial ideas driven by capitalistic greed to continue the ‘business of usual’ production of goods that shift the burden of conservation to other locales. Marine conservation programs need the direct involvement of local people in their decision-making

processes who should drive marine conservation efforts with full sovereignty in managing their own environments.

### **Conclusion**

Going back to the definition of “marine conservation,” I will end by offering my own personal definition given what I have learned so far. Going forward I will personally define “marine conservation” as *efforts to manage and govern natural resources in the coastal and marine ecosystem and environment, led and driven by people who are in direct relationship to these resources, ecosystems, and environments, and involving other actors with indirect relations with them, aiming to reduce and prevent ongoing negative impacts resulting from human activities and to provide an equitable sharing of benefits for local communities whose survival and existence depends on their access rights to these marine resources, ecosystems, and environments, while taking into account the past and present processes that led to the issues that these efforts attempt to address.* This is quite a mouthful, but I do not think that this definition is sufficient. However, I hope this will help soothe some of the colonial ghosts that haunt me personally.

I conclude this paper by acknowledging that while marine conservation is far from perfect, I am still a marine conservationist at heart. Acknowledging the ghosts of conservation’s colonial past allows me, at a personal level, to be more conscious of what marine conservation projects can become and more aware of how social equity and justice should be considered as one small step towards decolonizing marine conservation.

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