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Nooteboom, G.

Publication date

2010

Document Version

Final published version

Published in

Indonesian Studies Working Papers

[Link to publication](#)

Citation for published version (APA):

Nooteboom, G. (2010). The mutual dependence of Madurese migrants and police officers in illegal businesses in Samarinda. *Indonesian Studies Working Papers*, (11).
http://sydney.edu.au/arts/indonesian/docs/USYD-IS_Noteboom_Illegality.pdf

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Indonesian Studies
Working Papers

No. 11

February
2010

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THE UNIVERSITY OF
SYDNEY



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Series Editors: Michele Ford and Keith Foulcher

The Mutual Dependence of Madurese Migrants and Police Officers in Illegal Businesses in Samarinda¹

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In 2002, two Dutch inspection officers working on a joint Indonesian-Dutch operation against illegal trade in endangered species, flew to one of the major provincial capitals in Indonesia. Soon after they arrived, they found that a brand new camera was missing, stolen from their luggage somewhere at the airport. In a meeting with the head of the city police (*kapolres*), the Dutch officer expressed his regret: he had just bought the camera in Singapore for about € 1,000. 'Wait,' said the police officer, 'let's see what we can do.' The next morning, when the team met again, the camera was lying safe and sound on his desk. 'It's been returned,' the *kapolres* said triumphantly: 'We know how to access their networks.'²

This incident illustrates how closely knit relationships between police and criminal organisations can be in Indonesia. In many places, police officers know who the thieves and pickpockets are and the areas in which they operate. Sometimes they even know the pickpockets personally. To a certain extent, these criminal practices are acceptable or licit to the police, as one of them put it to me, 'as long as they do not disturb the people too much and do not affect government officials, military officials and officers and their families.'³ According to researchers from a Yogyakarta university, in most towns in Java, gangs of pickpockets use the 'cupboard' method.⁴ They put wallets or mobile phones they steal on the street in a special cupboard. If, after four days, no police officer, soldier or high-ranking official claims the goods, the cupboard will be opened and the items sold.

Other relationships between the police and the underworld are more serious. Researchers and journalists have found evidence for direct involvement of police officers in criminal activities or even killings (Colombijn and Lindblad 2002:19-20). Today most reported cases of police illegality are graft (Montlake 2008; Shari and Einhorn 1998), illegal logging (Casson and Obidzinski 2002), and fraud. Some of these stories are well documented and appear in the media or are exposed in corruption cases tried in courts. Others remain hidden or anecdotal, such as reported police involvement in the *petrus* ('mysterious shootings') killings of the early 1980s (Schulte Nordholt 1991; Van der Kroef 1985).

One thing the fragmentary evidence from around the nation suggests, however, is that police involvement in certain kinds of illegal behaviour is so ubiquitous that it might be called systematic. A report by the International Crisis Group shows how politicians and police officers in Bali and Lombok use local militias to levy taxes and protect the islands against immigrants (ICG 2003). Global Witness has revealed how Freeport *pays* government security forces to guard its massive copper and gold mine in Papua (Global Witness 2005). Apriadi Gunawan in the *Jakarta Post* provides a detailed account of forced prostitution in the Walet Complex, Bagan Batu, Riau, where the guards are local police officers. On behalf of bar owners, the police provide written permission to sex workers to carry out their activities. The

¹ A slightly modified version of this paper has been accepted for inclusion in *State and Illegality in Indonesia*, edited by Gerry van Klinken and Edward Aspinall, Singapore and Leiden: ISEAS Press and KITLV Press, 2010.

² Personal communication with AIVD officer (Dutch General Information and Security Service) 2003 and 2008.

³ Personal communication local police officer (*polsek*) in Samarinda (2004).

⁴ Personal communication December 2005 and August 2008 Pujo Semedi & Argo Twikromo.

same article mentions other brothels in Jakarta and Surabaya where similar practices take place (Gunawan 2006). This list of police involvement in illegal activity could be extended by many more examples.

Such stories prompt us to ask the following questions. How are relationships between the police and criminal actors in Indonesia structured? On which areas of illegality do they concentrate? How are the activities legitimised? And what is the meaning of these relationships both for the actors involved and for the functioning of the state at large in Indonesia?

These are big questions. And they are difficult questions to answer, not only because police involvement in illegality is typically covered by a veil of secrecy, but also because it usually occurs at a very local level right across the country. This paper aims to provide some insight into the intricacies of the relationship between the state and illegality in Indonesia through a local case study that investigates some hidden practices of police officers and entrepreneurs in East Kalimantan. It might well be that these practices are not specific to East Kalimantan, but reflect general patterns in the interaction between state and illegality in Indonesia.

This paper focuses on Madurese migrants in East Kalimantan, and the relationships that some of these entrepreneurs have with police officers. The analysis offers a view of local practices of illegality, in circumstances in which understanding the local is the key to understanding the wider issue of state involvement in illegal practices. It also offers an account from the perspective of ordinary people, centring on their everyday life experiences. In doing so, the paper shows how essential illegality often is to life lived at the lower levels of society. Without illegality, life would be considerably more difficult for migrants.

The research is based on fieldwork I conducted in East Kalimantan from August 2003 to March 2004, with follow-up visits in 2005, 2007 and 2008. It is a continuation of earlier work on social security, livelihood and risk-taking among Madurese in East Java (Nooteboom 2003).⁵ In East Kalimantan, I aimed to study Madurese migrants and entrepreneurs and the strategies they used to make a living under the threat of ethnic violence. Soon, however, I added illegal activities and the relationships that migrants had with police to my research focus. It turned out that to understand the successes, failures, and security of Madurese migrant entrepreneurs in East Kalimantan, it was also essential to understand their involvement in dark and underworld activities. As we shall see, my investigations led to a conclusion that illegal activities and the relationships with the police benefit migrants, and that police in Samarinda need to permit a certain level of criminality in order to keep criminality under control.

Risky business

Engaging in entrepreneurial activities is risky business, especially for immigrants who are poorly educated and originate from an ethnic group that is unpopular in the host society. The obstacles facing migrant entrepreneurs are numerous. They range from a lack of cash or credit, limited access to indigenous networks of information and support, and a general lack of insight in and access to local bureaucratic procedures. Discrimination and even threats of ethnic violence can be a problem. For low-skilled migrants, large parts of the host community are inaccessible and the better jobs are already taken and distributed among established groups. Besides wage labour at the lowest echelons of society, taking up a trade or business is often the only option.

⁵ From this area, many villagers migrate to East Kalimantan. Chapter 7 of my dissertation describes illegal activities organised by local government officials (village heads), police, army officers, criminals, and gamblers in East Java (Nooteboom 2003: 231-234).

The disadvantage of being an ethnic minority has simultaneously the comparative advantage of being distant enough from the local society and its governing norms to engage in profitable, but illicit activities. Hans Dieter Evers describes the traders' dilemma:

... of either being integrated into the moral economy of the host society, and consequently subjugated to the pressure of solidarity and sharing, or, on the other hand, of separating from the host society, facing discrimination but also being able to claim debts, to accumulate capital and to conduct business and trade successfully. (Evers 1990:11)

Elsewhere, Evers emphasises how traders tend to minimise risk and maximise trust in interethnic relationships through engaging in many kinds of trading and other relationships (Evers and Schrader 1994; Evers and Mehmet 1994:1). Such considerations largely explain why large proportions of many immigrant minority groups all over the world are entrepreneurs (Raillon 1994). And they often are successful, especially in the informal sector. The success of immigrant entrepreneurs seems to be the result of a combination of factors: their will (and need) to succeed, their strategic use of ethnic trading networks and inter-ethnic trust, their lack of assimilation, and their willingness to take up any activity, no matter how dirty, difficult or unaccepted in local society. The last of these factors explains why immigrant entrepreneurs are regularly reported as being involved in illegality.

This general picture applies to Madurese entrepreneurs in East Kalimantan. In Samarinda, the capital of the province, about 15 percent of Madurese migrants are involved in business or trade. Most of these businesses are small, but they offer work to about three quarters of the approximately 15,000 – 20,000 Madurese in the city. Some of the Madurese who migrated early (before the 1990s) are now well-off and own land, houses, cars, transport businesses, recycling firms, construction companies, gambling dens and brothels. They earned their fortunes during the late 1980s and 1990s when the economy of Samarinda was booming as a result of logging and mining. A number of these businesses operate in the twilight zone between legality and illegality. Many of them combine perfectly legal trade with activities such as theft, cheating, illegal logging or land occupation, and running sex work and gambling businesses. Many individual Madurese also work as security guards and assistants for ethnic Chinese businessmen, who in turn organise large-scale gambling at malls, discotheques and bars. However, widespread violence against Madurese in other parts of Kalimantan between 1997 and 2001 damaged the image and self-esteem of Madurese migrants, making them less attractive as guards for others.⁶ Some Madurese who had formerly worked as guards have started their own businesses, others have retreated into less risky business, or are no longer hired.

In the field of illegal economic activities in Samarinda, however, Madurese are only small players. During the massive illegal logging operations of the late 1990s and early 2000s very few Madurese were involved. More recently Madurese have also had little involvement in corruption associated with government projects, timber and plantation concessions, and with the embezzlement of royalties from mining activities.⁷ Although Samarinda citizens often view criminality as a character trait of the Madurese people, in fact they are no more engaged in illegal activities than other ethnic groups such as the Buginese, Banjarese, Javanese, Torajanese, and Butonese. Indeed, according to a middle-ranking police officer in Samarinda, Banjarese and Buginese are currently among the most criminally active ethnic

⁶ For analysis of anti-Madurese violence elsewhere in Kalimantan see Schiller and Garang (2002), Davidson and Kammen (2002), Peluso (2006), Peluso and Harwell (2001), and Van Klinken (2002). I have discussed the loss of self-esteem and its impact elsewhere (De Jonge and Nootboom 2006, Nootboom 2005).

⁷ For illegal logging in East Kalimantan, see Casson and Obidzinski (2002).

groups in Samarinda. Bugis gangs dominate protection rackets, the lucrative harbour and market areas and large-scale illegal trades of all kinds, while Banjarese gangs are involved in petty crime such as burglary and pick-pocketing. As long as criminality remains petty, and mobs of people are able to punish some of the criminals themselves through public lynching, the police seem not too concerned.⁸ In general, trust in the police in Indonesia is low and ‘people feel that lynching makes the streets safer’ (Colombijn 2002:302).

There has been much guesswork but little research on the relationships between small entrepreneurs, illegal activities and the police in Indonesia. Adopting a micro-perspective, I have followed Madurese entrepreneurs who have been involved in legal as well as illegal activities in East Kalimantan. Some of the illegal activities are deemed acceptable by the police and yield benefits to them, while others are clearly unacceptable and the police attempt to stamp them out. Also among Madurese themselves, there are different views on what is acceptable behaviour. Moreover, it turns out that police officers often collaborate with or help Madurese in carrying out many illegal activities. Before discussing these activities in detail, I will first elaborate on the research methodology I used and then sketch the background and structure of Madurese migration and entrepreneurship in East Kalimantan.

Researching illegality

Studying relationships between police and migrants in the context of illegality is not easy. By nature, illegality concerns covert activities, sensitive topics, uneasy relationships, distrust, and a shared interest in secrecy for all actors involved. Both migrant groups and police networks are difficult to enter. Access to information and sites is often blocked by gate keepers, including gang leaders and police officers, who tend to deny activities, prohibit access, or frustrate interviews and observations. Outsiders, including researchers, represent a potential threat. Silence is essential to keep illegal activities running.

Information on illegal activities is not limited to leaders though. Many people typically know something about such activities, and even have crucial information about them, because they usually take place through networks of social relationships which, in some cases, can involve huge numbers of actors. These actors usually do not know all the facts, but they generally can reveal part of the illegal practices concerned. In anthropological research, there are always ways to approach some of these people, gain access to their networks and gather pieces of insight, without mentioning illegality directly as a research theme.

The study of illegality in daily life requires an unobtrusive and indirect approach. I used a bottom-up method in which I gathered information about all sorts of economic activities engaged in by Madurese migrants in East Kalimantan, as part of a larger study on livelihood and social security styles.⁹ By studying the livelihood activities, insecurities and social networks of migrants, it proved possible also to study their illegal activities and their relationships with police officers, but from the perspective of the Madurese migrants themselves, rather than that of the police officers. In carrying out this research it was crucial for me to develop good relationships with ordinary Madurese workers, migrants and entrepreneurs. Many such people were willing to tell me about their livelihood activities – including the less legal ones – and take me to backstage areas at markets, wedding ceremonies and bars, as well as to cockfights, illegal brothels, and gambling dens.

⁸ In his discussion of public lynching across the country, Freek Colombijn (2002) mentions several examples of lynching with the police standing by, while the mobs carry on. He concludes: ‘The response of the police to mob justice is in general half-hearted [...] After the fact, however, the police accept the lynching as it is. They never try to investigate the matter’ (2002:319). See also Welsh (2008).

⁹ For the larger study see Nooteboom (2008).

I studied Madurese settlers in three clearly demarcated clusters of economic activity: brickmaking, stone-cutting, and vegetable production. The first two sectors are dominated by Madurese from Bangkalan (West Madura) and Sampang (Central Madura) respectively. Most brickmakers work on the outskirts of the city of Samarinda and stone-cutters can be found in the hills of Batu Putih and Batu Besaung, west and north of the city. In the vegetable production area of Lempake, to the northeast of Samarinda, Madurese-speaking migrants from Malang (East Java) dominate economic activities. Within these relatively homogeneous clusters of economic activity (in respect of place, descent, social class, and ethnic identity), I observed a wide range of different ways in which people tried to make a living, interpreted ethnic violence, maintained contacts with other ethnic groups, and aimed for business and social success. The research comprised three phases with a narrowing scope. In the first phase, I mapped the different economic activities, locations and backgrounds of Madurese migrants. After this phase, I selected three sectors dominated by Madurese. In the second phase, I conducted semi-structured interviews with questions on livelihood constitution, livelihood patterns, incomes, remittances, social security, perceptions of crisis and violence, relationships with state powerholders (including police officers) and interethnic relationships. In the last phase, I revisited a dozen families on a weekly basis to conduct lengthy interviews and construct life histories; I revisited some of these families in 2005, 2007 and 2008.



A brickmaking family

During the second phase of my research, I became interested in the illegal activities in which people were involved and made further inquiries among brickmakers and people working in the quarries and brothels. I further investigated key players among brickmakers and brothel workers and carried out participant observation during cockfights, gambling, and brickmaking

activities. It was almost impossible to interview police officers, officials from the State Intelligence Agency (BIN, Badan Intelijen Negara) or politicians, but I managed to carry out a few informal interviews with such people, without revealing the purpose of this study. In large part for this reason, this paper mainly adopts a perspective on state and illegality from below, looking at the interactions involved through the eyes of Madurese migrants.

Madurese in Samarinda

Most Madurese in Samarinda have not so far been very successful. They are poorly educated, but are also famous for being hard workers. This means that they are in demand in sectors where hard physical labour is required, such as in transport and construction. During the colonial era, most Madurese in this province were employed as unskilled labourers on plantations and in the mining and oil industry around Balikpapan.¹⁰ This situation remained largely unchanged until the late 1970s. From that time onwards, migrants have mainly been engaged in road construction, the recycling business (scrap metal and tyres), petty trade, brickmaking, logging, and the building and transportation sectors. Some have become very successful, acquiring heavy machinery and large trucks. As already mentioned, a small number have also been involved in illegal activities. Now, many porters in the harbour and at the markets are Madurese, as are many road workers, construction workers, garbage collectors, stone-cutters and brickmakers. Others work as security guards, carpenters, owners of repair shops and hairdressers. The banana trade and *sate* sector are dominated by Madurese, as well as most of the canteens at the main university campus. In general, Madurese migrants occupy the lower strata of East Kalimantan society.



Working hard to make a living

¹⁰ During the Japanese occupation an unknown number of forced labourers (*romusha*) were recruited from Madura to work on plantations and infrastructure projects in Kalimantan.

The Madurese in Samarinda live simply, save money to invest, marry young, and work together. They also provide accommodation to newly arrived migrants – who are often relatives or people from their villages of origin – and help them to find work. They are not attracted to education and the few Madurese in East Kalimantan who have graduated from university face difficulties in finding suitable jobs. As a result, there are almost no Madurese in the government bureaucracy or higher ranks of the police in East Kalimantan. According to Hendro (2001: 72), ‘the majority can neither read nor write’, with illiteracy rates of 40 to 50 percent for male workers and even higher percentages for women. Madurese parents often keep their children away from school to help them make a living. Religious knowledge, though, is highly valued, and several Madurese *pesantren*, religious boarding schools, have been founded in the province. Well-to-do Madurese often send their children to *pesantren* in Madura and Eastern Java. Some have made the hajj.



Serobong

Madurese in East Kalimantan are not a single group. Generally, they draw a distinction among themselves between Madurese from Bangkalan, Sampang, Pamekasan and Sumenep. These groups speak different dialects, follow different religious leaders (*kiai*) and emphasise different cultural traits. For instance, Sumenep Madurese are said to be more refined than those from Pamekasan, whereas those from Sampang are generally perceived – and perceived themselves – as being the least refined of all, as being trouble makers and unreliable. It is widely claimed that Madurese migrants in Kalimantan tend to spatially isolate themselves from other groups (Peluso and Harwell 2001: 103). In this, however, they do not differ from other ethnic groups who also prefer to live close together. In East Kalimantan, Madurese tend to settle in close proximity to each other, often in groups related to occupation and village of origin. In Samarinda, they live in old quarters close to the harbour and the city

markets. Clusters of brick makers from rural Bangkalan can be found on the outskirts of the city on otherwise unused lands. Temporary labourers who work on roadworks and building sites mostly originate from eastern Java and Sampang in Madura; they tend to live in barracks or deserted houses scattered throughout the city.



Roadworker

Migrants who stay for long periods occasionally live in mixed communities and interact with other ethnic groups such as the Javanese, Banjarese, Kutai Malay and Butonese. However, relationships between Madurese and Bugis, the second largest ethnic group in East Kalimantan, have long been tense. Traditionally, contacts with the indigenous Dayak, are relatively cordial, although they became tense following the violent attacks on Madurese by Dayaks in West and Central Kalimantan in 1997. According to many Dayak, Malay, Buginese and Banjarese informants, the Madurese have not adapted much to their new social environment. Instead of accommodating other groups, they are believed to look down on others. Their behaviour is routinely said to be arrogant, short-tempered, boorishly masculine, rude, uncivilised, unfair, avaricious and revengeful. These are all characterisations and stereotypes that have been applied to the Madurese since colonial times and which, in times of crisis, acquire additional significance because they are sometimes used to justify violence against the Madurese (De Jonge 1995). Many Madurese born in Kalimantan blame this negative image on newcomers, who they claim do not know how to behave, and on *preman* (thugs) who are members of criminal gangs often involved in illegal logging, operating brothels, running gambling dens, and smuggling consumer goods. According to them, these people cast a slur on the whole Madurese community.

Relationships with police officers

One part of the negative stereotyping of Madurese in Samarinda is that whenever a theft takes place, local Madurese are typically amongst the earliest to be blamed. This stereotyping makes it hard for Madurese to establish new businesses or to expand their existing ones. However, their disadvantageous status as migrants in the lower echelons of society also confers an advantage: they have more room to manoeuvre in the illegal sectors of the economy. To protect their position at the margins, many Madurese entrepreneurs maintain regular contacts with police officers, who protect their businesses and provide them with informal admission into illegal activities.

For the police, marginalised Madurese entrepreneurs are attractive partners, because through them the police gain access to lucrative illegal activities. Moreover, the entrepreneurs are willing to do the 'dirty' jobs which the police cannot do themselves. Examples include running semi-legal stone quarries and excavations of clay for the brick industry, running brothels, organising cock fights and other forms of gambling, running protection rackets, and even engaging in petty crime such as pickpocketing, organising pyramid games and stealing. For each activity, the participants need to pay regular premiums to the police officers who routinely visit them. These premiums range from five to twenty percent of the takings for brick, stone and transport businesses operating without licences, to over fifty percent for the most illegal and criminal activities such as running brothels or organising large gambling games. According to some Madurese informants, at least when it comes to the smaller-scale activities, police officers tend to look after their own sectors or businesses, which they do not always reveal to their colleagues, in order to secure higher gains.

Moreover, Madurese, as a feared and reviled minority group, can be used by security personnel for dirty political games involving intimidation and competition between political rivals or interest groups. Active involvement by Madurese in intimidation of business or political groups has declined in recent years. Madurese *preman* used to be involved in such activity in the 1980s and 1990s but the violence against Madurese in West and Central Kalimantan from 1997 made the Madurese more politically vulnerable in East Kalimantan, weakening their role as a political tool to be used in gang fights and protection rackets. Many Madurese are still employed as security guards, however, including in gambling dens, bars, discotheques, and brothels. Good relationships with the police are needed to maintain these positions; if relations with the police are poor, the Madurese are the first to get punished.

By not engaging themselves directly in illegal activities, the police remain removed from direct responsibility for those illegal activities, but can partake in the profits they generate. The ordinary police officers who collect the proceeds from petty illegality in turn pay part of these proceeds as tribute to their superiors within the police apparatus. The flipside of this process is that the Madurese who engage in these mutually beneficial relationships with the police end up, by participating in the publicly visible elements of illegality, reproducing the negative public image of the Madurese as a group.

Community ideas

Internally, the Madurese community does not tolerate the engagement in illegal activities. On the contrary, most Madurese are proud of their community and religious orthodoxy. They clearly distinguish between licit and illicit behaviour in business. 'Bad' behaviours are, for instance, involvement in drinking, prostitution, and gambling. Stealing and cheating customers (for example by not repaying debts, delivering lower quantity or quality of goods than ordered, or taking cash advances and never delivering orders at all) are viewed less severely, so long as Madurese are not the target and nobody gets hurt. Many Madurese

men retell stories of their own feats of cheating and stealing over and over again; doing so helps to build one's status as a 'daredevil', and shows one's strength and cleverness. Nevertheless, no matter how much money is earned by such activities, the profit is generally perceived to be 'haram' (unclean, forbidden) and cannot be used for Islamic goals such as paying Islamic tax (*zakat*) and making donations to build mosques nor – according to some purists – for household needs. Many Madurese say such profits are *uang panas*, hot money, that will disappear as quickly as it came. Some women told me they would not accept money that they knew was *haram* from their husbands, even if they badly needed it for the household. As a result, men often buy clothes, food, or presents with such money, and give goods rather than the money to their wives.

This ambiguity between norms and practice sometimes became visible to me. At *Idul Fitri*, the festivities after the fasting month, I witnessed the youngest son of Haji Yusuf visiting his father's home.¹¹ Members of the family had seldom mentioned this son in my regular chats with them, as he is a habitual gambler and works as a game organiser and security guard for a Chinese businessman in Balikpapan. I never could get a full picture of his activities, as his father and brothers did not want to talk much about him. During his visit, he offered his poor father a few Rp. 50,000 notes. But his father, quite embarrassingly for the son I thought, rejected the money and ignored his son completely. Haji Yusuf explained later to me that he did not want to take this money as it was most likely earned from *haram* activities. Later, however, at the back of the house, Yusuf's wife proudly showed me the money she had been given by her son. She had taken it gladly. Most likely, Haji Yusuf never knew how his wife paid for the kitchen supplies that month.

More broadly, illegality seems first and foremost to be a male matter, but women often condone their husbands' activities and play an important background role. They are often prominent, for instance, in money laundering, in sending profits to and investing in Madura, in managing the girls in the brothels or in establishing legal enterprises to cover illegal activities. Often they remain silent or let it pass when their husbands lose large sums of money due to gambling or fines that result from their loss of police protection. The wives of men involved in illegal practices secretly save gold or cash for difficult times, act as moneylenders to other Madurese, or invest in 'clean' side businesses for themselves. Such side businesses might involve investing in a local shop, trade, food stall (*warung*), or truck, or in cattle, land or a house in Madura. At the same time, women often try to lure their husbands away from criminal activities and sometimes play the crucial role in eventually rehabilitating them.

After achieving success in the illegal sector during their younger years, many men reach a sort of turning point when they become older, typically in their mid-thirties or early forties. They come to see the dirty and dangerous work they are involved in as emotionally exhausting or unsustainable. Gradually, or sometimes abruptly, many of them abandon their criminal activities and invest their money in cleaner business activities. They often accompany this change with a turn towards a more religious life, which they often see as a form of repentance, and which is not infrequently followed by a pilgrimage to Mecca. Such transformations are usually celebrated by Madurese friends and relatives, who do not view it as a sign of weakness or declining power, but as a move towards a better life. A 'life of sin' lived during one's younger years is almost viewed as being a prerequisite for becoming a true man and a genuine Muslim later. However most entrepreneurs pay a high price for their conversion to a more religious life. Typically, their enterprises quickly lose customers and resources, and household income diminishes sharply. A certain degree of illegality facilitates

¹¹ Haji Yusuf is a close friend of Haji Romli, whose story is presented below. Haji Yusuf used to work for Haji Romli before they went to Mecca.

economic success, and good relations with the police are essential even for running simple businesses successfully.

Three life stories

In the remainder of this paper, I illustrate how relationships between Madurese entrepreneurs and police work by discussing three examples. They are presented in ascending order of closeness to the police, and with illegality. Sudi, Romli, and Tamim (not their real names) have worked themselves up to become independent entrepreneurs. Sudi is a brickmaker without proper rights to the land he uses. He receives protection from a police officer in return for bricks or money. His good relations with the police, although costly, ensure the survival of his enterprise. They save Sudi from time-consuming bureaucratic exercises and legitimise his excavation of fertile topsoil. Moreover, his connections with the police protect Sudi against competing land claims and hostility from his neighbours. Romli, a transporter and trader of building materials, used to make a living from smuggling, theft and extortion. After ceasing these activities under police pressure, Romli fell on hard times and, through his wife and her brother, succeeded in transforming himself from a feared gang leader into a respectable community leader. Due to his good contacts with the police, he is often able to negotiate on behalf of Madurese arrested for petty crimes, reducing their fines or freeing them from police custody. In return, Romli is forced to offer intelligence to the police in cases of murder or ethnic violence. Tagil, finally, offers us a glimpse into the split life of many criminals in Indonesia: he is a gambling-boss and pimp who runs his own illegal activities, but at the same time he is an instrument in the hands of the police apparatus.

Seeking protection: Sudi

In 2003 and 2004, I met Sudi several times at his brick kiln, which is located on the back road to Bayur. When he was taking a rest, overseeing his workers or firing the bricks, he was always ready for long talks, and he openly shared the story of his life with me. Within five years of arriving in the mid 1980s in East Kalimantan from Madura, Sudi had become a successful organiser of cockfights and other gambling activities. He was feared for his aggressiveness and bad temper. Many people saw him as one of the most daring young Madurese ‘madmen’ roaming the area of Samarinda in the mid-1990s. ‘Everyone was afraid of me,’ he told me during one of our conversations. ‘I could beat anyone. Be it in fighting, drinking or motorbike racing, I always wanted to win. Sometimes I had loads of money in those days, but sometimes I lost large amounts and did not come home for days. In the end, I had a debt of Rp. 26 million.’ In one of our interviews I ventured to ask his wife, sitting toward the back of the house, but listening carefully, if she had not become angry with his behaviour, or tried to prevent him from gambling. ‘Angry? What do you think? I was mad with him. But, you know, I had better remain silent with this man. I was at home with two small children. If you get mad with hot-headed people like he was, they get even more angry and rough. It’s better to be careful.’ Sudi nods. ‘I was like that. When I came home late at night and my wife did not open the door fast enough, I kicked it in.’

After a violent fight with Bugis thugs, one of whom was reportedly severely wounded or killed, Sudi ended up in a police cell.¹² One of his maternal uncles in East Kalimantan, Saïd, had good connections with the police and succeeded in buying him out, on condition that Sudi would never again engage in crime. Saïd demanded that Sudi quit his ‘bad’ life of

¹² Sudi did not tell me much about what happened to these Bugis men, and just called them ‘wounded thugs’. I got some information about them from others, but the accounts were neither first hand nor completely unambiguous. Some spoke of one or more Bugis thugs being killed and others being severely wounded.

drinking, gambling, and living with prostitutes, and offered him a job as foreman in his brickmaking enterprise. Saïd's good relations with the police protected Sudi from the revenge of the Bugis men and their networks. From that time onwards, life went better for Sudi.

Nine years later, Saïd sold some of his possessions in Kalimantan and went on the pilgrimage to Mecca. When he came back, he went bankrupt due to his own overspending and cheating by his business partner. Sudi lost his work and started to gamble again. He lost millions of rupiah in the course of a few months. In an attempt to change his luck, he borrowed money from a friend and bought a cheap brick kiln in Bayur. This kiln had previously belonged to a Madurese who had been molested and killed by an angry mob who had accused him of theft. To obtain clay, Sudi rented land from villagers, with the help of a policeman who had been befriended by his uncle Saïd. The policeman paid money to one or two of the villagers and told them to refrain from further hostilities against Madurese. When Sudi made his first bricks, it turned out that there existed multiple land claims to the plot where his kiln was located and where Sudi obtained his clay. Villagers from two neighbouring villages claimed it as their community land and protested against the commercial excavation of the soil. Moreover, they did not want any Madurese to live close by anymore.

Sudi called on the help of the policeman who visited regularly in that period. Word of Sudi's friendship with the policeman spread fast and regular sightings of him at Sudi's kiln was enough to discourage villagers from protesting. According to Sudi, he also talked to the village heads. From that time, his relations with his neighbours have been quiet. 'I even visited their mosque and donated 4,000 bricks for its renovation. But I do not fully trust them. I need my friend the police officer. He also helped me when some Bugis men hunted me in an attempt to reclaim a gambling debt. My friend [the police officer] brought them some of my money and told them to be silent. They never returned.' The help of the policeman-cum-friend is not free though. In the beginning of their cooperation, the police officer asked for a percentage of the bricks that Sudi produced, at rate of 5,000 out of every 100,000 bricks produced. In Sudi's first year, when bricks were expensive and Sudi's production was still low, he took 17,000 bricks, equivalent to almost Rp. 6 million in value. 'It was said he was busy building a house for himself.' Later, when the price of bricks fell, the police officer wanted to have Rp. 500,000 per 100,000 bricks produced. By now, Sudi has built up a large business, and produces about 250,000 – 300,000 bricks per year, with about eight to ten people working for him. At the same time, when bricks are fired, about five or six times a year, the policeman visits Sudi and asks for money. 'I do not know where he lives, but if he comes, I give him Rp. 100,000 or more if he keeps on asking. He's actually a poor guy,' says Sudi in self-justification. 'He has got to give most of his money to his seniors.'

During my study of Madurese livelihoods in East Kalimantan, I encountered several enterprises such as Sudi's. The entrepreneurs involved gained access to land or even land titles by using close connections with the police. Some of them received direct police protection in case of land conflicts, hostility or problems with creditors. In seven of the 118 cases in my sample, entrepreneurs told me explicitly and in detail, and without prompting, about their relationships with the police: about the payments they made and the percentages taken. In another five cases businesspeople informed me about similar relationships, but with less detail.¹³ Two thirds of these twelve cases were brickmaking enterprises, most others were remote stone quarries where stones are cut for road construction.

The labourers in the quarries are predominantly workers from Sampang who for one reason or another prefer to work in far away places. Some of them are refugees from ethnic violence in West and Central Kalimantan, others are migrants with dubious legal status

¹³ I could not inquire directly about relationships with the police in all interviews with entrepreneurs. Sometimes, I thought discussing these relationships would not be considered appropriate, and in some of my first interviews, the topic had simply not yet seemed important to me.

because they lack local identity cards (KTP). Yet others have problems such as unpaid debts, criminal charges or accusations of extra-marital relationships hanging over their heads. They often mention threats against them of revenge murder (*carok*) as a reason for working at these remote places. These quarries are located in the hills and in largely uninhabited places five to twenty kilometres from the city. In the quarries, individual police officers provide protection in return for a percentage of the price earned for all the truckloads of stone that leave. They come to visit every week and sometimes bring basic supplies such as drinking water, salt, soap or rice. In the quarries, policemen are paid commissions of up to fifteen percent of the value of the stone produced. Percentages in the brick kilns are generally lower. I did not hear of any percentage higher than five percent in the brick industry. I believe percentages at the quarries are higher because people there are more vulnerable and the money covers personal protection as well as business protection.

It is money well spent. In the case of Sudi, these premiums protected the enterprise against legal claims by neighbouring villagers and freed him from harassment by old enemies. Unlike some other cases where police officers turned out to be unreliable or incapable of helping out, his relationship with the police officer yielded results. It has ensured continued access to resources and the sustainability of the family business. Five to fifteen percent is a reasonable fee for a migrant to pay for success. But premiums depend on the kind of business, the level of illegality, and the toleration of higher police officers. Sometimes the control and demands of police officers are larger.

Squeezed in loyalty: Romli

Haji Romli lives on one of the main roads connecting Samarinda to the hinterland of East Kalimantan. With his white *peci* hat and grey beard, it is difficult to guess his age, but his black eyes stare with great intensity. He talks fast and asks direct questions. With his wife, he runs a successful distribution centre, stuffed with building materials such as sand, bricks, stone, cement and timber. Since 2006, he has also operated as a subcontractor doing the rough construction work in large projects won by large contractors. In large projects tendered by other players, Romli takes care of the supplies, the ground work, the foundations and sometimes the construction of brick walls, sewage systems and roads. Other subcontractors take care of the wood, iron and roof work, and other building work. Romli also tenders directly for smaller projects, such as public buildings, small roads, drains, and the like. The trade and contracting business are basically his, but his wife organises the transportation. She owns four trucks and an excavator. Romli usually uses two of these trucks if he gets construction orders. 'I only take large orders such as houses, blocks or shops, otherwise I do not make a profit. If it's a big job, I will send for more labourers from Java and use trucks from fellow Madurese businesses.'

As my research progressed, I slowly discovered how important Romli was as an informal leader in the Madurese community, and as broker in relations with the police. He negotiates bribes when Madurese are arrested for petty crimes or taken into custody after traffic accidents. He supports Madurese occupying land that is claimed by others, and he mediates in property conflicts. He takes parts in tendering for projects. He was also involved in peace negotiations during ethnic tensions in 2005 and 2007.¹⁴ In return for his loyalty to East Kalimantan's elites, he has been granted excavation concessions in the rocky hills of

¹⁴ The 2005 negotiations, which were initiated by East Kalimantan's security forces, are briefly described in De Jonge and Nooteboom (2006: 470-471). At the end of 2005 tensions rose between Dayak and Madurese in Samarinda due to the stabbing of the son of a Dayak adat leader and the deaths of two Madurese. Romli was invited to the security meetings and was able to calm Madurese groups who called for revenge, increasing his political influence and improving his contacts with high ranking security officials.

Batu Besaung and is able to secure construction projects. Whenever ethnic tensions rise in Samarinda or its vicinity, he is called upon by the town mayor, members of the East Kalimantan parliament, or the head of the police or of the military to prevent Madurese from engaging in violence. He is regarded as influential among the Madurese and loyal to the interests of the ruling elites who rely on the maintenance of stability.¹⁵ During our conversations, a constant stream of Madurese people moved in and out of his house, asking for advice, borrowing money, or discussing matters of political interest. The continual beeps and rings from his several cell phones also illustrated the extent of his social network.

In the 1970s and 1980s Romli was a notorious gang leader and gambler in Samarinda. His wife saved part of the profits and at the end of the 1980s she bought a truck to rent out and use to transport construction materials. In those years, Romli was involved both in simple theft and in swindles that involved goods that were never delivered and loans that were never paid back. He also organised gambling fraud on a large scale. However, he is quick to point out that 'We did not steal from our friends and fellow Madurese.' It is also said that he was involved in several killings of Bugis rivals, but he always remained vague on this point. These rumours add to his reputation for toughness. To this day, Madurese who killed Bugis gang leaders in those years still retain a lot of respect among members of the Madurese community.

'In the 1980s, it was not safe in Samarinda,' Haji Romli recalls quietly. But he reached a turning point:

I lived a bad life and almost daily we had fights in the market. I was clever enough never to be caught and I had many friends in the police who informed me when activities were getting too hot. One day, a high police officer came to my house and asked me to stop stealing and to help them fight criminality. If I rejected [their offer], I would be the first Madurese to be taken to prison, they said. I could not do anything but obey. Moreover, deep inside of me, I already knew the things I was doing were wrong. I longed to live a better life.

From that time onwards, Romli gave up being a gang leader and ceased stealing. 'I also did not fight anymore, but rather tried to prevent my people from gambling,' he adds. 'I was regularly asked by police officers to 'convert' certain hotheads and criminals who were fighting and making trouble in the market. I had to turn them into hardworking people which I did through offering jobs. The police would allow me to continue to organise gambling, but they asked for a part of the profit.'

Only after Romli went on the pilgrimage to Mecca did the gambling activities stop. Haji Yusuf told me once that Haji Romli had persuaded him to go to Mecca. 'He even provided part of the money to me,' Yusuf said. 'But, we could not quit our habits at first. During the long wait at the airport, we continued gambling for money. Only after our return from the holy land, we stopped gambling for money. Now we use penalties.' In the meantime, his wife bought a second truck and due to an increasing demand for construction materials, business expanded and Romli offered work to a number of former members of his gang. Not everyone accepted his change to a regular life. Many of his former followers continued with their previous criminal activities, others joined different gangs or started businesses of their own. 'The majority remained loyal to me and after some time, I was able to persuade them to start working for me.' Eventually, the police caught most of the notorious thieves in his group. 'I was a good leader and I paid to get them out of prison,' he says with a self-confident

¹⁵ See De Jonge and Nooteboom (2006) and van Klinken (2002) for a description of these elite interests in East Kalimantan.

smile. 'It was a good investment. They are now my most loyal workers... And I made some good friends in the police, which is important.'

Living dangerously: Tagil

Tagil is involved in much more dangerous activities. He is a notorious gambler, and also a known *preman*, gang leader, organiser of cockfights, and operator of a large bar-cum-brothel in Damanhuri, a prostitution compound on the edge of Samarinda. In a season, 30 to 40 women and girls work in this brothel. Most of them come from mainland East Java and 40 to 60 percent of them speak Madurese. But none of them originate from the island of Madura itself according to Tagil: 'We would never permit any Madurese women to do this. It would make us ashamed. She would be killed.'

On Saturdays and Sundays, Tagil organises cockfights on the outskirts of Samarinda. During these fights, in which large bets are taken, two to three hundred people participate. Most are Madurese and Bugis, but also Chinese, Banjar, Javanese, Dayak, and Butonese attend. The stakes are high. Especially Chinese and Bugis, but also sometimes Madurese, can bet large amounts. On days like Christmas and New Year, stakes per fight can amount to tens of millions of rupiah. At the same time, spectators bet with smaller amounts ranging from Rp. 50,000 to Rp. 500,000. From each fight, the winner pays a percentage of 10 percent to Tagil who, for his part, pays half of the money to policemen who are secretly present in the arena and to higher ranked police officers. Tagil also earns money from the entrance fee of Rp. 5,000 paid by each spectator, and from other gambling activities that take place at the site, such as Cap Ceki, card and dice games, and from the rents collected from the dozens of ordinary vendors there. The rents range from Rp. 10,000 per day for a single cigarette seller to 50,000 for a fully equipped food stall offering several kinds of food and drinks.

Tensions around the cockfights get so heated that Tagil's gang members sometimes need to restore order. If they are unable to do so, the undercover policemen who are present intervene by shooting in the air, arresting people or even randomly shooting some of the fighters in the leg or knee. With payment, and mediation provided by Tagil, the arrested gamblers can be freed. The usual fees for the police in such a case depend on the status of the captured person and the severity of the offence, and range from Rp. 5 million to Rp. 15 million. The ties between Tagil and the police who attend his cock fights are close. They regularly visit each other at home, or go out to eat or drink together. Police officers are said to visit his brothel as well.

In one of my visits, Tagil told me how in the early 1980s he was hunted by the police for having murdered a competing Bugis gang member:

I fled to Madura to a place where they would never be able to find me. After a few years, a distant relative of mine succeeded, after making large payments, to erase my name from the police archives. The police officer at that time urged me to never commit murder again and asked if I wanted to help with searching for criminals who fled to Java. That's what I did and I still sometimes do. I have become quite good at it. Last year, we chased down a lad in Malang who had raped a girl here and run away to Java.

But things are not as secure as Tagil made out when I met him that time. 'The police are asking for more and more money all the time,' he complained in a confident moment later in 2004. 'The work is dangerous and I cannot do business with the new chief commissioner. I would prefer to retire and move to Java. But I am obliged to keep in touch with them. It's like a forced marriage.' He hopes to be able to save enough money for a quiet retirement. In his

home village in Madura, he is no longer welcome. ‘They won’t take my money there anymore. It’s *haram*, they say, unclean.’

A few months after this talk, in early 2005, Tagil was sent to prison by the new chief of the police who accused him of verbally abusing the governor of East Kalimantan. At a meeting with high ranking officials, Tagil had argued against the closure of the Damanhuri complex during Ramadan and accused the governor of being inconsistent because some complexes remained open, while others had to close. The governor took offence. Other people subsequently told me that Tagil’s business had in fact been declining for some time, as he had been unable to deliver sufficient funds to the police. The new chief of police demanded more money than Tagil wanted to or could pay. Remarkably, the Damanhuri complex did not close during Ramadan that year and Tagil continued to run his activities from within prison.

Three months later, and after paying large sums of money, Tagil was freed. Some people say that one or two of his uncles, large-scale entrepreneurs with good connections with the governor, paid to free him. The uncles told me that they gave Tagil some help to succeed in business. ‘This is just a family obligation,’ they said. By 2006, Tagil joined his uncles’ new business. They had just acquired a badly managed coal concession and started to excavate in areas contested by other claimants, with the backing of influential police officers and politicians. In 2008, Tagil and his uncles were busy supporting candidates for the provincial elections. One uncle expressed an ambition to go into politics. The fact that their business is risky and legally dubious does not prevent them becoming involved in politics, in fact it makes political connections and protection all the more important.

Out of wedlock

Madurese migrant entrepreneurs in East Kalimantan face numerous obstacles in making their enterprises work. Brickmakers face difficulties in obtaining land rights and cheap firewood, transport entrepreneurs face insecurities in obtaining transport licences, and workers in stone quarries need protection against exploitative middlemen and insecure contracts. Moreover, Madurese migrants are not among the most favoured ethnic groups in East Kalimantan and sometimes face severe discrimination and hostility. This is not always for the wrong reasons, as some Madurese migrants are, or have been, involved in illegal and illicit activities such as organising cockfights, gambling, theft, gang fights, and running prostitution rackets. Madurese entrepreneurs and *preman* involved in such illegal activities find it crucial to maintain good relationships with police officers, generally low-ranking ones, for protection and to keep their activities running. They maintain these relationships with police officers by way of regular visits and payments of either irregular sums or fixed shares of the profit from the businesses concerned.

If we invert our perspective for a moment, it immediately becomes apparent that the relationships with Madurese migrants are also beneficial for the police. Besides generating additional income, these relationships offer the police access to a closed migrant community and help them to control that community.¹⁶ In cases of increased ethnic tensions or unacceptable rise in crime, the police use their contacts among entrepreneurs, *preman* and ethnic leaders who depend on them for business success. These same contacts can now be used to help control their own community and fight criminality. These individuals might provide the police with information, they may utilise their own networks to try to calm social tensions, or to curb the activities of particular members of the community, and in extreme cases they might even detain aberrant members of the community and hand them over to the police.

¹⁶ The strategy is similar to one used by the army’s special forces unit (Kopassus), which frequently recruits criminals to use in counter insurgency campaigns (Liem 2002: 202).

These examples show that the mutual dependence of Madurese entrepreneurs and police officers not only provide direct financial and legal benefits to the parties involved, but also sometimes serves a higher goal of maintaining security and stability for society at large. It is ironic to note that this social control is only made possible by allowing criminality and instability to exist at controlled levels.

In the cases of Sudi, Romli and Tagil, it is difficult to demarcate precisely where the border between legality and illegality lies. It is also not necessary. The twilight zone between legal and illegal activity offers Madurese entrepreneurs and the police many financial and political opportunities. The police offer migrants protection and in return both sides get a share of the profits generated by illegal activities. At the same time, the police make no promises to tolerate *all* forms of criminality. On the contrary, they can use their connections with gang leaders to help fight crime. They get to control the underworld by a combination of taxation and repression. At the same time, they also get a constant flow of rents and cash from illegal activities.

Bribes, commissions and the profits of illegal activities lower the transaction costs for disadvantaged groups who cannot, or do not know how to, earn a living from formal and legal economic activities. Without the payments and commissions, it would probably be much more difficult for Madurese to sustain their economic activities. At the same time, it should also be pointed out that the police are also dependent on the entrepreneurs. Police officers are still underpaid in Indonesia but they face high expectations in their social environment (from friends, family members, neighbours and so on) that they will maintain a comfortable lifestyle and offer help when it is needed; they also face demands for contributions from their superiors within the police apparatus. In short, there is a successful and mutually-beneficial ‘marriage’ between entrepreneurs. The intimacy of the marriage makes it unlikely that there will be an early victory in Indonesia’s repeatedly-proclaimed war on corruption.

The marriage, however, is often not based on love. Just as some marriages involve a certain amount of discretion and even deliberate blindness, the relationship between the police and Madurese businesspeople and criminals in East Kalimantan is also based on a sort of paradox. The police in Samarinda need to permit a certain level of criminality in order to keep criminality under control. By permitting some forms of ‘petty’ criminality (such as pick-pocketing, stealing, cheating, gambling, prostitution) – activities which are detested by the community, but which can be dealt with by mobs through lynching and public justice – they are able to gain access to and control the worst forms of organised crime (such as killings, gang fights, gang rapes, car thefts) and even ethnic violence. They do this by mingling into and engaging in the networks of criminal groups.

This world of petty criminality, in East Kalimantan at least, involves collaboration between police and small entrepreneurs, and the regular payment of small fees (5 - 15 percent of turnover). The payments are essential to the smooth functioning of the system, a system that is based on personal contacts and offers an alternative to a properly functioning Weberian taxation and policing system. It can thus be argued that the state in Indonesia needs to be involved in illegality to be able to control criminality. And state officials have been relatively successful in this. From a citizen’s perspective, Indonesia is a relatively safe country. In most Indonesian cities, people live free of the constant fear of being robbed, killed, or raped. And when justice falls short, the police leaves the mob with enough space to take revenge. A premium of 5 to 15 percent is a much lower sum for security than the taxes most people pay in countries free of corruption. Illegality is not only destructive, it can help to sustain order in society.

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