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### Gangster or social bandit?

*Rise and fall of an Indonesian preman*

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# Terrain

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## Gangster or social bandit?

Rise and fall of an Indonesian *preman*

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Traduction(s) :

Truand ou bandit social ?

### Résumé

In Indonesia, following post-1998 government reforms, a specific strain of activism has developed that sees typical NGO subjects, such as indigenous rights and land rights of the poor, championed by groups that have a decidedly more violent image than NGOs do. Usually registered as *ormas*, or mass organizations, these groups combine a repertoire of democracy and social responsibility with established cultural notions of “strong men” who defend their community and engage in crime on the side. This mix is a potent concoction that allows a skilled *ormas* leader (who is nearly always male) to take diverse roles and refer to multiple sources of legitimization for his actions, depending on his position in local society. This brief ethnographic vignette describes the rise, some actions, and eventual demise of Bahrudin, an *ormas* leader in Paser, in the province of East Kalimantan.

### Entrées d'index



**Keyword** : Indonesia, social activism, criminality, violence, ethnicity, Kalimantan

## Texte intégral

- 1 *Pak* (Mr) Bahrudin and I first met in an alley between the neighbourhood mosque and a carpenter's workshop on an early evening in June 2004. I was on my way to have dinner in a nearby restaurant; he was on his way to perform his Maghrib prayers at the mosque. The alley was tiny and covered in wet sawdust. Passing one another was only possible by carefully moving aside and around the other person. I saw a man in his fifties, lean, but with a muscular build still visible on him. He wore an old t-shirt, a sarong, and a *peci*, the black edgeless hat worn by Muslim men throughout much of Southeast Asia. He sported a large moustache and looked at me curiously. Tanah Grogot, the small city where our alley was located, is the capital of the district of Paser in the province of East Kalimantan, on Borneo. Tanah Grogot is rarely visited by foreigners, and the few who do visit are generally Korean miners employed by the Kideco mining company, which operates a large coal mine in the district. Bahrudin looked me up and down and asked me what I was doing in "his" alley. I told him about the restaurant, but also that I was conducting research on land conflict in the province and had come to Tanah Grogot to study a few specific cases I had heard about and discuss them with the parties involved. "Well," he said, "you'll want to talk to me, then. I am the highest customary leader here and head of a major community organization. I live a few doors down. Come and see me one of these days." Intrigued by such a confident and somewhat boastful self-introduction, which is a far from common style in this part of Indonesia, I agreed to do so.
- 2 When I came by Bahrudin's house a few days later, he sat in his front room wearing a military-style uniform with various intriguing-looking insignias and shoulder marks. He explained that these indicated his rank as *entero*, or paramount leader, as per the *adat* (custom) of the indigenous Paserese population. As such, he told me, he defended the customary rights to land and forests held by this population, to which he himself belonged as well. At this time, indigenous claims to land and resources had a measure of recognition in national law but were categorically ignored in practice. While *adat* claims have become much more prominent in national law since then, their formal status is generally still uncertain today. Yet as a result of increased democratization and autonomy for the lower levels of government, notably the districts, that followed upon the ending in 1998 of the 30-plus years of the New Order regime, local attention for such claims, if not recognition, has considerably increased. Paser is a resource-rich and sparsely populated district with a sizeable minority population of Paserese, who consider themselves to be the original population of the area. The Paserese are the largest population group living in the mountainous interior, while a mixed Paserese-migrant population lives along the district's coastal plane. These migrants originate from many parts of Indonesia, but the largest majorities are Javanese and Buginese from nearby Sulawesi.
- 3 With the new emphasis on the region as a political and societal unit, Paserese started to speak out against migrants, mining, and plantation companies receiving plots of "their" *adat* land through permits issued by central government. These Paserese were not alone or unique in doing so. *Adat* as a basis for identity, land claims, and minority unity made inroads throughout Indonesia, as many indigenous groups felt they were owed rights and indemnifications.<sup>1</sup> *Pak* Bahrudin, as a Paserese *adat* authority, would take up the plight of those claiming their *adat* lands had been "stolen" by such "outsiders", even if the "theft" was based on official and legal land deeds or usage permits.
- 4 Bahrudin would not involve local government in his efforts. Civil servants were largely of migrant descent and hence, in his view, not on the side of the Paserese. When his assistance was requested to settle a conflict over land, he would first go and find out whether there were any valid *adat* claims sustaining the Paserese involved. If so, he would inform the party using those lands of his conclusions and propose a settlement. Such a settlement would usually consist of sharing the land if possible, of leaving it to



the Paserese party if required for growing daily sustenance crops, or of paying an indemnification in case the opposition, such as a mining or plantation company, was powerful and well connected. Often a settlement would be reached, and if this included a financial compensation, Bahrudin would generally receive 10 to 15 per cent in appreciation for his services. Such payments were, however, not mandatory, or so I was assured by two persons who had given him such a “gift”, but made freely. This percentage was deemed appropriate to thank someone whose assistance had been crucial to an outcome and was similarly applied for thanking government officials, judges and others. On occasion the process would not be that smooth, and then Bahrudin would mobilize the members of the PBA-PDS (*Pertahanan Benuo Adat – Paser Dayak Serumpun*, Defence of our *Adat* – Dayak Paser Branch, hereafter PBA) to join him in visiting the party violating *adat* and jointly request for the problem to be solved. The PBA, which was established in 2001, was organized along a military-like command structure: Bahrudin as *entero* was the commander-in-charge, but he had three adjutants each in charge of members from a specific area of Tanah Grogot and its vicinities. These members could be mobilized quickly by mobile telephone, and getting 10 or 20 of them assembled took a matter of 15 or 20 minutes. I witnessed this several times; it was always impressive. Their arrival would be announced by the sound of motorbikes speeding towards us, after which bikes and riders, mainly young males with a decidedly tough air about them, materialized in dust clouds and exhaust fumes. They were all Paserese, many wearing camouflage or green shirts with PBA logos.

5 I was somewhat puzzled by this display. So far, I had encountered local and national NGOs furthering the rights of indigenous peoples as well as customary leaders, but none that operated like this. NGOs tended to be based in the province’s main cities and be in contact with local government representatives as well as with foreign donors. These were activists who published reports, petitioned government officials, organized discussion meetings, and were always on the lookout for donor funding to keep their organization going. NGO activists frequently hailed from local ethnic groups claiming *adat* rights, but generally they were not customary leaders or *adat* experts themselves. Usually they were young, often just out of university, and, by their urban location, geographically quite remote from their generally rural communities. Customary leaders lived out in these rural communities where *adat* was applied in regulating daily life. They rarely came to the city, had no access to government representatives or foreign donors, often spoke poor Indonesian because they were versed in Paserese, and were not activist. If such a community lost *adat* land to a mine or plantation, these customary leaders would protest to the company but generally would be resigned to their fate.

6 *Pak* Bahrudin and his PBA were something else. The existence of a paramount customary leader, as he claimed to be, was vehemently denied by *adat* leaders out in Paserese mountain communities, yet they had no objections to him claiming such a status in the city. They suspected that Paserese *adat* there differed from their own, as it did between the various mountain communities as well, so if they had an *entero* there, then why not? As long as Bahrudin did not come to their mountains and try to lord it over them. I asked the PBA adjutants whether the PBA considered itself to be an indigenous peoples’ NGO. The question was received with laughter by the organization’s secretary. NGOs, according to him, were only after funding to pay for their board’s interests and did little for the population they claimed to represent. In Paser, NGOs were not helping the population at all. The most prominent indigenous peoples’ NGO in Paser, he pointed out, was run by a retired government official who was not even Paserese and agreed to all governmental plans, including plantations on *adat* lands. That organization only existed to legitimize government policy and to keep critical voices out, the secretary felt. The PBA operated in a markedly different way: it was organized as an *organisasi kemasyarakatan* (societal organization), or “*ormas*”, which made it a legal entity under national law in a different category than an NGO. Furthermore, the PBA derived social legitimacy from its claim to *adat* authority, which meant that it considered itself to be subject to customary law first and to national law



only second. The PBA and Bahrudin would not petition anybody or lodge requests, the secretary explained, as their authority was based on indigeneity and the seniority of the Paserese as a population group in the area. If their assistance was requested, they would inform parties what ought to be done according to *adat* and, depending on the situation, assist in getting the *entero*'s decision carried out. "You need a strong guy for this," the PBA secretary explained to me, "someone who is an expert in customary law and who is not afraid to deliver his verdict. Who understands government and has friends in the army. A tough guy, like Bahrudin." I asked him whether Bahrudin was a *jago*, then, or even a *preman*. The secretary burst out laughing again.

7 My question was blunt, although I did not realize that at the time. "*Preman*" was how some of my acquaintances in the nearby city of Balikpapan referred to each other, and I had heard it used before in the Mentawai Islands among young guys as well. It referred to someone who dared to speak his mind, who goes his (always his) own way, who objects to things he does not like and who achieves the goals he sets himself. In a more negative (and more general) usage, "*preman*" refers to gangsters and to hoodlums who are associated with street crime and violence. They are the local neighbourhood toughs who extort protection money from the street vendors and bus drivers, but also provide some form of security to the local population.<sup>2</sup> Up to 1998, the central regime had kept a tight rein on such *preman*, using them to do its dirty work and provide inroads into the criminal economy, but at the same time controlling crime in and through such groups—if necessary by killing their members and leaving the bodies in public spaces as warnings to others. Yet the presence and involvement of *preman* in the state's legal and illegal affairs did allow for a normalization of violence and criminality as part of state practice, giving *preman* and their activities a veneer of officialdom.<sup>3</sup> A *preman* attitude did not involve finesse but required swagger, directness, and the potential for violent eruptions, and was supported by the relation of *preman* to individuals affiliated with the regime. When that regime came to an end in 1998, its patronage system did not disappear, but travelled with the decentralization of government authority from the central to the local level of society. This meant that in each district, such as Paser, government officials could seek to set themselves up as powerful patrons, but so could Bahrudin and other 'tough guys' like him. Yet a *preman* attitude has its disadvantages as well: it suggests a coarse, impolite person who may well not be very pious and lacks morality, all social disadvantages in Indonesia. A likely association with violence, possibly drugs, alcohol, and crime is almost automatically part of the popular image.

8 While such a "devil may care" mindset might be expected among adolescent males out to make their mark in society, for men of senior age, like Bahrudin, a *preman* attitude is a more serious position to take. It implies a critical attitude towards the powers that be, a potential lack of respect, and the inherent capacity to use violence, but it also endangers one's moral and religious standing. Bahrudin displayed such a critical attitude against the government, the body which he felt systematically ignored customary rights of the Paserese population by furthering the development of plantations and mining sites on their lands. He even went so far, one might argue, as to position himself in such a way against his fellow Paserese, given that he designated himself supreme customary leader with a title that none of the *adat* leaders I met had ever heard of. For Bahrudin and his PBA, toughness, independence, and a hint of violence shaping their image would not go amiss. The attitude, I thought, was certainly there. Yet Bahrudin was no street criminal and clearly after something grander. He felt that *jago* suited him better, despite this being a Javanese term and thus foreign to Paser. A *jago*, he suggested, is a tough guy like a *preman*. He goes his own way and is willing to use violence in achieving his goals, but he is also a responsible champion of his local community, whom he protects against criminals, theft, and injustice. More than a *preman*, Bahrudin pointed out, a *jago* is likely to be an intelligent person who has morality, uses his brain, and follows his religion conscientiously. He has muscles and a sense of responsibility, but he also knows how to plan, develop a strategy, and be diplomatic. An *entero*, Bahrudin felt, combined these aspects and, furthermore, is a specialist in *adat*, which is only possible after years of scholarly study. He needs to



display his wisdom and social understanding in settling conflicts, but he also needs to ensure that, unlike with NGOs, people take him seriously and respect his powers. An *entero*, Bahrudin suggested, helps those who are being treated unfairly, and he will not shy away from taking on strong adversaries. Yet in the literature a *jago* is frequently associated with crime as well. He is a local champion and guardian, but he also goes and steals in other communities and is a powerbroker who may put his own interests over those of his community.<sup>4</sup> A *jago* is a social bandit who uses violence to protect and assist, driven by a deep sense of justice and honour that transcends those of the law and the state, but whose muscles are also for hire to the highest bidder. As such, the *jago* provides order in one capacity but is an agent of disorder in the other, making power in the sense of the capacity to use violence, to make one's will be done, central underpinnings of *jago* authority.<sup>5</sup> Bahrudin's activities and social positioning contained many such elements: he was a strong and fierce man who argued for justice for the indigenous population, the Paserese, threatening violence against those "illegitimately" using *adat* lands and positioning himself centrally as a powerholder between those different parties. He created a legal void to operate in by basing his justice in *adat* law and designated himself its supreme expert and ensured backing from relevant state authorities. As a retired military sergeant, he had good connections among Tanah Grogot's garrison and knew that those connections could help out in case of troubles with government or the police, particularly as the military and the police had a private rivalry going on between them. As such, Bahrudin had positioned himself in a grey zone of legality as well as in a power rift, which he used to his advantage in staging demonstrations, displaying the power and fierceness of his PBA members, and directing those against companies and migrants in the name of *adat*. He did this with care, avoiding open brutality or wild violence, but migrant entrepreneurs in Paser mentioned to me that, to them, he and the PBA were a bunch of thugs who threatened violence and arson and blackmailed people into paying them off simply because they were not ethnic Paserese.

9 The rise of Bahrudin and the PBA in Paser was also sustained by a new respect and perhaps awe for indigenous groups in Kalimantan (Indonesian Borneo). In a series of recent violent conflicts, Dayak, a denominator connoting the main indigenous groups of Borneo, had attacked ethnic Madurese settlers in the provinces of Central and West Kalimantan, killing hundreds in the process. While the Islamic Paserese generally did not associate themselves with the mostly Christian Dayak, this display of mass ethnic violence and the ability of the Dayak to displace the Madurese, who are feared throughout Indonesia for their fierceness, brought Bahrudin to add the Dayak "D" to the PBA's name and establish connections with Dayak *ormas* in the province. As Dayak groups throughout East Kalimantan started to organize, Bahrudin and the PBA began to get invited to attend meetings of militant indigenous peoples' groups throughout the province. Political, economic, and societal connections increased and strengthened the position of the PBA, while the associations with other *ormas* sustained its image as a dangerous and potentially violent organization. Moreover, Bahrudin acquired a reputation for traditional magic, which became part of the repertoire of the *entero*.

10 The PBA became a manifest societal force in Paser from spring 2004 onwards. Its members came out in several conflicts between local farmers and plantation companies and quickly established a reputation for being tough negotiators. They would not settle for initial indemnifications but instead demanded high sums and expenses to be paid for themselves. Sometimes companies would agree to leave the farmer in place, provided he would start growing crops for them. In a few cases, fires destroyed company buildings when negotiations were slow, but no accusations of PBA involvement were made public or reported to the police. In private, I was informed of suspicions and "near-certainties" of the PBA's involvement, but the people uttering these, including government officials, felt that the societal support for Bahrudin, the recent ethnic violence, and the PBA's link to the military made them too formidable to take on at this stage. They were waiting for open crime or violence to make their cases public, but that was exactly what the PBA sought to avoid. The PBA did so by



threatening violence indirectly, suggesting its potential for it, and countering governmental or police limitations to its actions by invoking the customary traditions of *adat* as an alternative source of legitimization to the law of the state.

11 Earlier that year, a descendant of Paser's last sultan, who had been deposed by the Dutch colonial government in 1916, had brought claims to the district court for the return of private lands belonging to his late ancestor. As these claims moved steadily through the hierarchy of courts, they increasingly created unrest among those Paserese villagers and farmers who saw their lands disputed. Bahrudin approached the district government and declared that the Paserese sultans were not indigenous but of ethnic Bugis descent. They had come from nearby Sulawesi and thus could not claim any hereditary rights to land in Paser. He argued that *adat* superseded any claims such migrants might field and, as the Paserese farmers who stood to lose their lands mainly based themselves on *adat*, he asked the government to publicly confirm his statement.<sup>6</sup> The district head was in two minds: a large part of the population, including himself, were ethnic Bugis who valued the history of Paser as a former sultanate, while ethnic Paserese were likely to object if the government did not confirm Bahrudin's claim. The district head declared that the case lay with the courts and so was out of his hands, but that the police would not allow further demonstrations in order to avoid social unrest. Bahrudin reacted by gathering his supporters and staging a multiple-day *adat* ceremony, a cultural event, not a demonstration, in front of the district head's office. He chased away evil spirits from the area in order to restore harmony and made it quite clear which "evil spirit" in particular had to depart for that goal to be attained.<sup>7</sup>

12 The sultan's descendant temporarily moved to the nearby town of Balikpapan to get away from the tensions, but he did not drop his claim. In Paser, Bahrudin called a gathering of the PBA to announce that the sultan's descendant was acting against societal harmony and causing unrest and fear among the population. He warned publicly that the sultan's descendant had to drop the case in order for calm to be restored. This warning was fully in line with Paserese *adat*, he maintained, in which such a warning is known as *tembarau*. As no reply was forthcoming, a few weeks later Bahrudin announced that the PBA had passed an *adat* sentence on the sultan's descendant, called *peondang*. Effectively this declared the sultan's descendant an outlaw under *adat*: anyone wishing to was free to beat him up or harm him in another way, if not to kill him. If he would not revoke his claim, the PBA announced, the next step would be *penirak bombai*, which would have his killing sanctioned by *adat* rules. The sultan's descendant responded through an interview to a local newspaper, stating that he was entitled to the land by inheritance, whereas the farmers claiming *adat* rights were squatters. Then, one of his houses in Paser burned down completely. The official explanation named a neglected backyard fire as the cause, but on the street, people spoke of strong magic invoked by Bahrudin's earlier *adat* ritual. The PBA confirmed that its leader controlled strong magic and affirmed that this was the cause of the house's burning. A few days later, I was informed by a contact in government that the local fire engine had been called away to what turned out to be a quite insignificant fire in a remote part of the district, thus preventing its arrival at the burning house in time to do anything but put out the last cinders.

13 By now, the district government had involved itself and sent a delegation to the Supreme Court in Jakarta to discuss the case, in which that court eventually concluded that the sultan's heir had a principal right to the land but would nevertheless not receive it due to errors made in the administration of the land in the 1960s. The sultan's descendant agreed to a financial settlement proposed by the district government which also included the condition that he would drop the case and not pursue new claims. The PBA celebrated the case as a great victory and declared that justice was served for Paserese *adat*.

14 In spring 2009, I returned to Tanah Grogot for a research visit concerning poverty and access to justice as part of a larger comparative project. I looked up Bahrudin, as I was curious about the role of the PBA, which had been prominent when I left in spring 2005. I met him at his house, where he awaited me in a splendid uniform and



accompanied by two adjutants. He told me that the 2004 actions had brought the PBA to prominence and had spurred other Paserese to start similar organizations, of which there were six by now. This had divided Paserese strengths, and whereas demonstrations (or rituals) would previously bring out a large crowd, this was now a lot harder as rival groups would take money to stay away or denounce the demonstration's cause. Bahrudin still refused to collaborate with local government in furthering the development of plantations and mines and had a year earlier called in the National Anti-Corruption Commission (KPK) from Jakarta to look into a specifically dirty case. The commission's researchers had not gotten very far, as the administration and the region's parliamentarians had been less than cooperative. The case had petered out and was, Bahrudin feared, as strong an antidote to the PBA's reputation as the case against the sultan's descendant had been a driver propelling them to prominence.

15 Furthermore, Bahrudin's contacts in the military had retired and left Paser, leaving him without support in the garrison. A newly arrived chief of police had begun referring to a National Police instruction on countering *premanism* to forbid *adat* demonstrations and look into the PBA's activities in assisting Paserese in land claims against companies. Recently Bahrudin had been called to the station and informed that the PBA could be considered to be harassing legitimate land users. He thought that, rather the other way around, the police were harassing him and that clearly something had changed as they would not have dared to do so a few years earlier.

16 Yet Bahrudin had also entered into what he called a "collaboration" with the Social Affairs Department of regional government, even though its head was a Buginese. The department had approached him to submit project plans for funding that would be aimed at alleviating the plight of Paserese in need of assistance. Rather than proposing such projects themselves, the department sought to implement policies and aid according to what the Paserese wished for, and they had invited Bahrudin to work with them in this. As I was sitting at a desk one morning in the department talking with some of its officials, Bahrudin entered without seeing me. His appearance and behaviour were markedly different. He was bare headed and did not wear a PBA uniform but a batik shirt instead, like all other citizens would wear on such an occasion. Rather than giving fierce looks or speaking loudly and at length, he averted his eyes and gave short, polite answers. We had a coffee when he left, and he told me that he usually would receive the requested budget from the department, but only if the sums were small, thus allowing the PBA only a marginal impact. He understood the department's reservations against allocating him more but felt that this was a way for government to control him.

17 I last saw Bahrudin in summer 2010. He had lost weight dramatically, hardly resembling the portrait of himself in uniform that hung on the wall behind the couch in his living room when I visited. He could only eat rice porridge, he informed me, and small amounts of that had been his only food for recent months. Doctors in the province's main hospital in Balikpapan had diagnosed him with oesophageal cancer caused by his continual smoking, but he laughed loudly when telling me this, as he knew better. This was magic used on him by his opponents in the district. He laughed again at the thought of all the trouble they clearly had gone through to break through his own magical defences and the efforts they must be engaged in to keep their magic up. He thought it was a pity that the government and immigrants had succeeded in dividing the Paserese so thoroughly. The PBA had lost all but its most loyal members, and it was obvious that his killers-to-be had to be Paserese, for no migrant would know magic strong enough to deal with him. He did not mind dying, he told me, but he would wait a bit longer just to see whether their endurance would last.

18 About a month later, I received a text message from Bahrudin's son saying that his father had passed away. In the days that followed, additional messages by others told me that the electricity had cut out in Tanah Grogot at the moment of his death, and that it had required the strength of ten grown men to move his emaciated body.

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*Comparative Ethnography of Security Groups in Indonesia*

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**Notes**

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5 Lee Wilson, *Martial Arts and the Body Politic in Indonesia*, Leiden, Brill Publishers, 2015, p. 181.

6 Legally this statement did not make sense as private property rights to land supersede *adat* claims in Indonesian land law.

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