

GENDER ISSUES IN LARGE SCALE LAND ACQUISITION: INSIGHTS FROM OIL PALM IN INDONESIA

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GLOSSARY OF TERMS AND ACRONYMS

Adat	Custom or customary
BAL	Basic Agrarian Law (also UUPA)
BMD	Badan Musyawarah Desa (Village Consultative Council)
BPD	Badan Perwakilan Desa (Village Representative Council in reform era, Badan Permusyawaratan Desa (Village Consultation Council after 2004 revision of law on local government).
BPK	Badan Perwakilan Kampung (Village Representative Body) responsible for community decision-making
BPN	Badan Pertanahan Nasional (National Land Agency)
Bupati	Head of district-level government (kabupaten)
Bugis	Ethnic group originating from the south west peninsula of Sulawesi, historically significant as seafaring traders. Largest population of Bugis outside Sulawesi live in East Kalimantan.
Camat	Head of sub-district level government (kecamatan)
Dayak	Term applied to riverine and upland ethnic subgroups with distinct languages and practices, located in the interior of Indonesian and Malaysian Borneo. This study includes Dayak Kantuk Sebaruk and Dayak Gai'ai, some mention of Dayak Kenyah, Dayak Punan
Desa	Village
Gaharu	Eaglewood or agar wood
FPIC	Free Prior and Informed Consent
Hak milik	Freehold tenure (under Basic Agrarian Law categories)
Hak ulayat	Customary or communal rights of avail
HGB	Hak Guna Bangunan: building rights (under Basic Agrarian Law categories)
HGU	Hak Guna Usaha: commercial use rights (concession, under Basic Agrarian Law categories)
HPH	Hak Pengelola Hutan - forest concession right
HPHH	Hak Pemungutan Hutan – forest harvesting right
HPL	Hak Pakai Lahan – land use right
Inti	The core, nucleus or central part of a commercial or state-owned plantation that is directly under the management of the company (in contrast to the plasma)
Izin lokasi	Location permit

Kawasan hutan	State forest
Kebun	Tree crop orchard / form of agroforestry, often involving cash crops such as rubber, oil palm, cocoa and similar
Kelapa sawit	Oil palm
Kepala kampung	Village leader (now elected directly rather than appointed)
Koperasi	Cooperative
Ladang	Swidden fields (usually for rice and vegetable cultivation)
LPM	Lembaga Pemberdayaan Masyarakat - Community Development Agency
Melayu	Malay ethnic group, original inhabitants of riverine and coastal areas of Kalimantan. In Long Ayan and Gunung Sari sometimes referred to as orang Berau ('native' of Berau district)
Petani sawit mandiri	Ondependent smallholder oil palm producer
Petani sawit plasma	Smallholder plasma producer (incorporated into company system)
PKK	Pemberdayaan Kesejahteraan Keluarga, family empowerment organization
Plasma	The area of a commercial plantation that is allocated to smallholders, either as planted land for them to manage through own labor and receive revenue from (as outgrowers) or as a dividend, managed by the company with revenue given over once cultivation and labor costs have been deducted
RT	Rukun Tetangga – neighborhood association
Surat garapan	letter enabling use of land
Surat perjanjian	Letter of agreement
SKT	Surat keterangan tanah – letter of clarification of land tenure usually issued by village and subdistrict officials acknowledging the right to a particular plot of land
Swidden	Fields for food cropping, often as part of a shifting cultivation cycle
Tanah adat	Customary land (may be recognized as such under state law
Tanah negara	State land
Tanah terlantar	So-called 'idle lands'
TGHK	Tata Guna Hutan Kesepakatan – Agreement on Forest Use (maps designating forest functions.
TKI	Tenaga Kerja Indonesia – literally, Indonesian workforce, but usually refers to Indonesian migrant workers (implies transnational or cross-border migration)

SUMMARY OF MAJOR RESEARCH FINDINGS AND RECOMMENDATIONS

The oil palm boom in Indonesia continues to be a major driver of land acquisitions in remaining tropical forest frontiers, drawing on a wide range of actors into its production, and transforming both rural landscapes and livelihoods in the process. The growing body of research and evidence on the social and economic effects of oil palm expansion does not adequately consider the gender dimensions of the oil palm boom, thereby lacking a balanced view of both women's and men's experiences. This is in spite of the overlapping and distinct ways in which women and men are engaging in the oil palm economy as workers, members of smallholder households and communities risking displacement from the expansion.

This report attempts to rectify these knowledge gaps by considering women's voice and agency in decisions related to palm development, and the gendered distribution of associated benefits and costs from oil palm development. We consider the implications of oil palm expansion on women's access to resources (financial, social and natural), division of labor within the plantations, and in the distribution of care responsibilities. We use an intersectional approach to gender analysis that considers how gender interacts and intersects with a wide range of social relations such as age, ethnicity, religion, class and geography. Rather than pre-assuming that women's interests are necessarily distinct from those of men's, we tease out the ways in which these social relations, in interaction with gender, mediate people's engagement with oil palm. We also examine the effects oil palm investments have on social relations, including gender.

The central questions that the research seeks to answer are:

- What processes of land acquisition for oil palm are taking place and how have different categories of men/women been able to engage with these?
- How does women's and men's access to, use of and value attributed to land change as oil palm replaces other crops and as wage opportunities emerge?
- What kind of employment opportunities have emerged in the oil palm economy, for whom, under what terms and conditions and how do they shift division of labor at the household level?
- What role do governments, cooperatives, and customary institutions play in mediating land acquisitions and the distribution of benefits and costs?

The research is located in three research sites in East and West Kalimantan (Sentabai, Long Ayan and Gunung Sari), where large corporate-driven expansion sits alongside out-grower schemes engaging smallholder farmers, and smaller level investments from in-migrants and local people alike. Taking a case study approach, the research is largely ethnographic and draws on a combination of intra-household survey, focus group discussions and in-depth life histories of research participants' experiences in each community.

The following brief outlines the major findings of the research, what these findings reveal with respect to broader problems associated with oil palm expansion, and lessons the study offers for policy reform and advocacy.

Most significant research findings

Context: macro and case-specific

The gendered impacts of large scale land deals for oil palm in Indonesia are shaped by a critical gap separating local communities from the state and corporate investors in terms of interpretations of land ownership and access, and in terms of contrasting gender norms and ideologies. The policy and regulatory context in which palm oil is expanding in Indonesia is characterized by parallel and overlapping socio-legal systems (customary and official/bureaucratic/administrative), systemic challenges with establishing a coherent land registry, lack of transparency and different/competing interpretations of ownership of land. At the same time, a male-dominated and patriarchal state gender ideology lands uneasily in local contexts where women's structural importance in natural resource-based livelihood systems and the relative significance of differences based on ethnicity means gender hierarchies are not pronounced. These underlying contextual elements are evident in each of the case-specific findings, and underlie some of the contrasts seen between predominantly Dayak communities (Long Ayan, Sentabai), Berau Malay (Gunung Sari) and Bugis migrants from Sulawesi (now located in and around Gunung Sari).

Prior to oil palm, in each of the communities, women's status in the family and community stemmed from their active role in swidden rice cultivation. Although women did not always formally own land, their labor is what gave value to the land. In two of the communities (Long Ayan and Sentabai), women could own plots and were able to exercise voice and agency in managing the land independently. However, the relatively egalitarian approach to livelihood decision-making at a household level did not translate into women's agency in public spaces and political spheres, which remained male-dominated, with men representing community interests in any dealings with outsiders and those from other groups.

Land acquisition processes:

Land acquisition processes lacked transparency, and community engagement in deliberations was through non-representative intermediaries. There was a failure to ensure full understanding of the implications of oil palm investment and benefit-sharing arrangements, and opportunity to opt out was limited. Women were subject to a second layer of disadvantage due to a combination of community norms restricting their active participation in public spaces and state and company concepts of gender where negotiation is via a 'representative' male head of household.

My land was said to be under HGU [company concession], I felt like I didn't want to give it up. But everyone else around us have given their land up. I was afraid that if I didn't agree too they [referring to the company] will call us stubborn and send us to jail".

Semi-structured individual interview with woman, Long Ayan, Sept 2016

"My husband didn't ask me, but he informed me when he gave our land to the company for plasma".

Semi-structured individual interview with woman, Sentabai, Sept 2016

There were considerable grievances around the ways in which corporate land acquisition unfolded in all research sites. Community members felt they were in uneven playing fields as they negotiated the acquisition of land for oil palm with private companies, intermediary organizations (cooperatives), and government. Land acquisition processes were characterized by top-down

information sessions, lack of recognition of customary land, the silencing of dissent, community members not fully understanding what they were getting in to, lack of strong leadership to challenge the company and collusion between companies and village elites.

The skewed processes of negotiations between companies and community members paved the way for considerable inequity in the initial compensation paid for land and distribution of subsequent benefits in the form of dividends. Lack of transparency and uninformed consent led to unfair compensation and dividends or plasma payments that are yet to be received and/or considerably lower than what was promised to communities during the negotiation processes. Both women and men were disadvantaged with benefits flowing only to a select few households.

Women faced an additional layer of dispossession because they had been excluded from decision-making processes, and yet large tracts of land that were handed over included swiddens, managed and used by women, and from which women derived considerable material well-being and symbolic standing.

Gender norms that limit women's participation in public spaces/political spheres more generally, also restricted women's engagement in the institutions that govern oil palm. Oil palm was framed by companies and by village officials as a "man's business." Women did not have access to the male-dominated networks through which decisions were made. Their exclusion from negotiating spaces has meant their voices were not heard and they were dependent on husbands, fathers and sons as conduits of information. Companies negotiated the transfers of land and compensation with male household members, even when the land being given to oil palm was swidden land. This meant that negotiations between companies and 'local people' neither reflected consensus at the household level nor did the transfer of 'benefits' trickle down to all household members.

Gendered changes in resource access, division of labor and livelihoods:

Oil palm has resulted in some gains in livelihood and well-being, but this comes at the cost of reduced access to forest resources, the loss of subsistence agriculture and household control over food (rice) security, greater reliance on a cash economy, and environmental degradation, especially in the form of polluted water sources, all of which have disproportionately impacted on women. Employment opportunities for women have opened up in the oil palm economy, but lack of decent employment conditions for women workers a real concern.

I need to get to the plantation by 5, so I have to wake up at 3 to cook for the family. I arrive at home at around 3 pm from the oil palm plantation. I usually go tend to my paddy ladang after work in oil palm. My ladang [swidden] is about an hour away and I have to rely on motorcycle.

Semi-structured interview, woman, Sentabai Sept 2016.

The fertilizers hurt my hands when there are cuts like these...I am scared. But what can I do? The target I must meet is so high and the gloves only slow me down...I want to educate my children so that they can do well...I don't want them to lead the same life as I have lead.

Pandang, woman, Sentabai, January 2016

Both women and men have benefited from reported household livelihood improvements due to oil palm, especially in instances where they have been able to invest independently in this sector. In some areas, oil palm is emerging as a primary source of income, with subsistence rice and vegetable cultivation an add-on rather than the focus of livelihoods. Forest-based activities such as seeking gaharu resin, timber, honey, rattan and other forest products, including hunting and fishing have become secondary sources of livelihood in what are now oil palm communities. In all three villages, community members voice aspirations to engage in independent smallholder oil palm cultivation, yet the financial terms of their current engagement with large scale land investments by oil palm companies prevents many from pursuing oil palm as a livelihood strategy.

Women have found regular wage work in the oil palm plantations and the opportunity to earn cash work whilst taking care of domestic and food security responsibilities. However, women are over-represented in the casual employment category, the wages they earn do not amount to a 'living allowance' and they are not entitled to any benefits (such as stable income, paid sick leave, child care). Payment is based on high daily targets and the work that women do exposes them to harmful chemicals and pesticides. Attempts to limit pregnant and breastfeeding women's exposure to such risks has effectively been discriminatory, in the absence of alternative forms of work in the oil palm sector that they could undertake in the interim.

Women's roles and responsibilities in the household have shifted in response to these changes. They now take on wage work in addition to swidden farming responsibilities and family care. In the absence of facilities offered by the state or the company to re-distribute care and domestic responsibilities, women are left to make ad-hoc negotiations with their husbands who are already struggling to make ends meet and provide for their families. The impacts on women are therefore age-differentiated. Younger women's work burden has increased, while older women, many of whom favor swidden work rather than wage labor, find themselves depending on male relatives as cars and motorbikes are needed to access increasingly distant forests and rice fields.

Oil palm and the marketisation of land

Oil palm has eroded customary authority to determine how land is used, by attracting small-scale migrant investors and through the imposition of the plasma benefit-sharing arrangement, which erases women's spatially complex current and future entitlements to swidden rice fields. Women's role and knowledge in creating and maintaining tenure boundaries is rendered obsolete with further consequences for gender equity.

Access to the benefits of large scale land deals for oil palm investment in all three sites is through the allocation of plasma – a revenue arrangement based on households receiving two hectares of land planted with oil palm from which they receive a dividend, once set-up, and management and labor costs have been deducted. By its very design, community members enter into a debt arrangement with the oil palm companies in relation to what they perceived to be their own land.

The uncertainties around 'plasmas' allocated to communities for entering into partnership agreement with companies have led to heightened processes of the re-valuation and commodification of land. This has been accompanied by conflict within communities due to an

ensuing rise in overlapping and contested claims, the arrival of outside investors, and the reduction in local people's abilities to acquire new land and/or re-claim their land. Whilst this has meant exclusions generally, the erasure of women's knowledge of diverse swidden locations, coupled with corporate adherence to the state's concept of gender roles has had the effect of further reducing women's voice and agency in the public sphere.

Corporate oil palm expansion can also attract independent smallholder investment in oil palm by outside investors, changing the face of the community, socially and economically, and unleashing a raft of other changes. In Kampung TKI, a neighborhood in Gunung Sari founded by migrant oil palm laborers, women play a direct role in smallholder oil palm cultivation. Whilst they too are excluded from formal negotiations over land and decision-making in oil palm value chains, women in this community play an important role behind the scenes as their social capital holds together multi-local oil palm livelihoods that link Kampung TKI with the oil palm plantations of Sabah, Malaysia (in which many still have relatives) and communities in their homeland in Sulawesi. Links to these spaces are maintained by children's education and elder care responsibilities.

Both large-scale and small-scale investments in land have eroded customary authority to define and regulate land access and use, intensifying competition, fostering the emergence of a land market (including the buying and selling of plasma) and raising the prospects of conflicts between migrants and local communities. Although the institutional arrangements that have emerged to support migrant smallholder investors in oil palm have opened new opportunities for local people to take this path, opportunities for women to engage in these emerging institutional arrangements are limited by prevailing gender norms that cut across different ethnic groups.

Institutions mediating investor-community dynamics:

Institutions mediating investor-community dynamics are a site through which key gender exclusions emerge. The main institution mediating the relationship between oil palm companies and the local communities in each case is the oil palm co-operative. This body plays a critical role in managing plasma, procuring seedlings, credit, and monitoring harvesting and profit-sharing. At least in the Gunung Sari case, this role has extended to incorporate independent smallholder oil palm producers enabling access to processing facilities and other resources. However, the cooperatives were easily co-opted by the companies as companies paid all the operational costs of the cooperative (such as administrative fees for registration, transportation, and salaries). Thus, the cooperatives represented company interests rather than those of the community.

There is a lack of transparency over the distribution of benefits accruing from oil palm plasma. Benefits are contingent on fostering good social connections with the cooperative board, and while the lack of transparency is experienced equally by both men and women, gender norms prevent the latter from being able to foster or nurture relationships with the cooperative, the company and its representatives in the community. Moreover, the lack of transparency and trust between the community and the cooperative, is also evident between different sections of the community, where some households appear to have done better than others. This kind of mistrust is also a problem at the intra-household level, where husbands and wives know very little about each other's plasma –

its location, what benefits accrue from it, what debt remains on the resource. The gender dimensions of this relate to women's exclusion from the social networks and day-to-day social relationships formed and nurtured on the porches of houses, often at night. Formal business is often conducted in informal, masculine spaces. Thus, whilst there are issues generally regarding benefit flows from plasma, the imposition of gender norms that restrict women's participation in the networks that enable people to realise the benefits of access puts women in a particularly difficult situation.

Free Prior and Informed Consent, nucleus-plasma scheme and growing small-scale investments

While the findings of this research are context and case-specific, they are illustrative of the broader problematic ways in which palm oil has expanded in Indonesia. These include the granting of concessions to companies amidst lack of recognition of customary land (implementation of the constitutional court ruling recognizing indigenous peoples land).

The ways in which 'free prior and informed consent' (FPIC) are interpreted as merely a tool to relay information about decisions that have already been made at higher levels of government. FPIC also focuses narrowly on company – community dynamics and fails to recognize hierarchies and differences within 'communities'.

The benefit-sharing arrangements between companies and local people have progressively favored corporate interests, and a lack of transparency erodes benefit-sharing arrangements between companies and local people.

In light of these loopholes in regulations and multi-stakeholder responses, focusing attention on the oil palm companies is an important necessary step. But such interventions are likely to miss a whole layer of oil palm governance at the community-company interface, where gender based exclusions are most pronounced. As small-scale investor-driven oil palm growth picks up further momentum, such exclusions are only going to rise.

Recommendations for policy and advocacy:

The Indonesia case study serves to highlight the far-reaching consequences of highly unequal terms and conditions of indigenous peoples incorporation into the oil palm economy. Not only are they displaced from their customary land, but also get locked into structurally unequal relationships with companies and experience an overall erosion of diversified livelihoods. Applying a gender lens to attend to these processes is all the more important as it points the central role that women play in cushioning households against these eminent risks because of the cultural and symbolic role that they play in these communities. But equally importantly, using a gender lens also shows how

troubling the current debates and discussions on ‘sustainable palm oil’ is and as it effectively invisibilizes women. As the research points out women can be both drivers of the processes of expansion (such as amongst the Bugis and members of indigenous communities wishing to invest in smallholder oil palm), and also a social group that is being rendered voiceless in the face of considerable changes on their lives and livelihoods.

Policy reform and advocacy aimed at minimizing these risks of exclusion and unfavorable inclusion of local women and men need to consider different phases of expansion (pre and post-land acquisition) and gear efforts at various levels (micro – interface between communities and companies and macro – larger policy and enabling environment).

The major entry points for reform and advocacy are on – Free prior and informed consent, partnership between local communities and companies, promoting decent employment, and supporting opportunities for local women and men who wish to invest in independent oil palm. These need to be in tandem with and complement existing efforts.

The growing responses to safeguard the rights of local communities and women workers in the oil palm economy, by a wide range of actors involved in oil palm and through multi-stakeholder initiatives (such as the Roundtable on Sustainable Palm Oil), is a welcome sign. These also present avenues to work alongside both state and private sector actors since they are the ones who organize processes of land acquisition. Equally important is to support reforms underway to recognize customary institutions and customary land so that ‘formal legal frameworks’ can be reconciled or bridged with ‘customary frameworks’.

Having said that, these existing responses are inadequate in their current form, as we have shown elsewhere (Sijapati Basnett et al. 2017 for multi-stakeholder initiatives such as Roundtable on Sustainable Palm Oil (RSPO) and Indonesian Sustainable Palm Oil (ISPO), and Banjade et al. 2016 for tenure reforms in Indonesia), and there is room for further improvement.

Free prior and informed consent and distribution of benefits and costs:

‘Free and prior informed consent’ continues to be interpreted narrowly as applying to company-community interaction during the process of land acquisition only, and it’s understood in a gender neutral way. In Indonesia, focusing on the micro-details of how FPIC is designed and executed is necessary but this needs to be complemented with opening up the granting of concession rights to oil palm companies for greater public scrutiny and deliberation. Equally important is the strengthening and building momentum for the implementation of policy directives aimed at recognizing customary land and ‘adat’ institutions. (This includes constitutional court ruling 35 of 2013, which does not go far enough and is lagging behind in implementation).

At the community level, the findings of the case studies point to the importance of establishing transparent, accurate and accessible line of information and communication between investors more broadly (including companies) and local people in a way that allows local people to understand what their rights are, and what they are, or not, consenting to. **Broad-based leadership in the community (such as of existing religious organizations, customary institutions) is key in representing community's interests during negotiations, particularly in contexts where the State and private companies appear to gain from the transactions.**

The findings of case studies demonstrate that communities are often not prepared for the changes in community dynamics (power, wealth) that emerge once land has monetary value. Hence, supporting them to understand some of the unintended outcomes of land acquisition processes unleashed by oil palm, is critical.

It is also important to ensure that FPIC is carried out at the intra-community level in a way that recognizes diversity, inequalities and differences in perspectives within the community and promotes broad-based participation from all stakeholders. This necessitates establishing platforms for everyone to come together, and finding ways of reconciling different and competing interests rather than brushing aside any dissent.

In order to ensure that these general recommendations safeguard the rights of both women and men in local communities, it is important to **understand women's rights within customary systems, ensure that any attempt to recognize customary systems or to alter investor-community dynamics, does not undermine women's pre-existing rights.** As the case studies illustrate, external parties involved can undermine women's status in the family and community if they impose their own perspectives on gender roles and do not take into account the reality of gender roles on the ground.

Furthermore, it is imperative to ensure that information about details of the land transfer, the pros and cons, rights and responsibilities of communities and companies are communicated in a way that's accessible to women and that women too have a voice in the final decisions related to oil palm development. **The case study findings suggest that it is inadequate to simply add women to masculinized public spaces and assume that they, too, will express their views. Gender norms restricting women's public presence are carried over in negotiations over oil palm. Instead, it's important to find spaces where women do participate, reach out to women's networks, empower women leaders and build a critical mass of women representatives, to ensure decisions regarding oil palm development reflect both women's and men's views.**

Rather than FPIC seeking consent on highly unequal terms and conditions of agreement between investors and local people, it is also important to address some of the underlying aspects of the contracts such as co-determining the price of land (and/or using benchmarks of prices that are agreed by all sides), and improving the benefit and debt sharing arrangements in nucleus-plasma schemes. Here too, it is integral to reach out to both women and men before signing agreement with anyone party in the household, and ensuring that both women and men know about and can jointly access dividend payments.

Some practical measures to implement these principals may include: offering legal advice to both women and men in local communities, communicating lessons from other contexts, facilitating broad-based participation of women and men during the negotiation processes, supporting leadership within the communities to scrutinize the agreements and voice dissent, piloting and drawing lessons from innovative community-company partnership models aimed at leveling the playing field.

Decent employment conditions for women workers:

As Sijapati Basnett (2017 et al.) point out, in comparison to FPIC, enhanced working conditions for women is better rooted in the agenda on multi-stakeholder initiatives to promote sustainable palm oil. These include anti-discrimination against workers based on gender, measures to address gender based violence and harassment of women workers in plantations, and health and safety against exposure of pregnant and breast-feeding women. While these are welcome signs and reflect an alignment with some of the key gender concerns highlighted in this report, both the design and implementation of these measures need to be further enhanced.

A broader based and globally recognized definition of ‘decent employment’ needs to be employed as benchmark against which to compare how jobs in oil palm fare. According to the International Labour Organization, this includes: “opportunities for work that are productive and deliver a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men”.

The focus of global advocacy and policy reform must be on working with local women and men, and reformists at the various levels, to enhance women worker’s options and safeguard their rights, rather than pushing for blanket social clauses in trade agreements (such as to US and EU markets) that only end up curtailing women’s employment opportunities. This is in line with Naila Kabeer’s (2004) argument to promoting gender equality in the garment factories of Bangladesh, which also employs predominantly women workers.

First and foremost, the over-representation of women in the ‘casual work’ category needs to be recognized as a symptom of discriminatory practices in the work force and as a marker of lack of mobility on the basis of gender of workers.

There is also a need to **re-visit whether wages earned by women in the plantations constitutes as ‘livable wage’, and allows them to meet minimum household requirements in the face of rising costs, monetization of the economy and changes in broad-based expenditure patterns.**

Third, **greater monitoring of compliance with health and safety standards for all women workers need to be prioritized. Provisions to absorb pregnant and breast-feeding women in other jobs in the palm oil economy need to be carefully considered so that their reproductive choices are not affected by availability of work.**

Fourth, redistributing women's care burden also needs to be firmly embedded on the agenda so that oil palm work does not end up increasing women's drudgery and reducing their overall wellbeing. In this respect, **options for offering quality, affordable, and reliable childcare services for workers employed in the plantations, whether in permanent or flexible basis, need to be better considered.**

Gender responsive smallholder inclusion in sustainable palm oil production:

In all the case studies, both local women and men voiced an interest and commitment to investing in independent oil palm outside of contractual terms and conditions with companies. Supporting local people to realize such aspirations is important for broadening their options and opportunities to benefit from oil palm on their own terms. At the same time, it could prove to be an effective way of 'increasing the size of the pie' in the form of gains that can be materialized from the oil palm economy, rather than introducing/reinforcing competition over rights and resources within existing systems only.

Offering support for realizing these would likely entail: recognizing customary land and women's rights within them; improving access to information, credit, technology and others for both women and men; enhancing access to markets, including through independent mills; and linking these producers to markets where premium price for oil palm is guaranteed.

There are a number of entry points for ensuring that any related services support both women and men equally. **These may include recognizing local women's and men's interests and priorities, which in the case studies reflect an interest to add oil palm to existing portfolio of livelihoods (swidden agriculture and subsistence food provisioning).** Another would be recognizing both women's and men's rights under customary land tenure. Some pointers for information and communication were discussed earlier.

Setting up of transparent, representative and effective cooperatives and/or strengthening ones that already exist where such opportunities exist, is also important. Here again, the issue of supporting women to take on key decision-making positions, training women leaders, promoting broad-based participation of a wide range of women and men in the governing the cooperatives, becomes integral.

In conclusion, for far too long, gender issues have been relegated to the periphery of the sustainable palm oil policy debate. It is now time to address both the institutions and norms that have served to exclude women at various levels, and govern oil palm in a way that serves to reconcile the goals of gender equality and women's empowerment with the promotion of environmentally responsible and economically viable oil palm. This report draws out key lessons, and provides some pointers and entry points based on evidence from detailed, ethnographic research across three modes of inclusion and exclusion of local communities in the face of small and large-scale expansion of oil palm.

SYNTHESIS OF THREE CASE STUDIES ON GENDER & OIL PALM

1.0 Introduction

Large-scale land acquisitions driven by foreign and domestic investors alike, are having profound effects on rural livelihoods and landscapes across tropical forested landscapes. For some, such land acquisitions are an engine of economic growth and employment opportunities. For others, they are a cause of dispossession of land and resources, alienation of labor rights, and exclusion of smallholders from lucrative production systems. The oil palm boom in Indonesia has been a major driver of land acquisitions, drawing a wide range of actors into production systems in ways that complicate simple narratives of a corporate sector dispossessing reluctant rural communities (Cramb and McCarthy 2016: 1). This report focuses on the gendered impacts of land acquisition and investment in oil palm, where rapid expansion of smallholder oil palm investment by small-scale producers, returning cross-border migrants and other groups sits alongside an expanding corporate sector.

Our study finds that whilst oil palm has brought short-term economic opportunities, gender equity is challenged by the interplay between gender norms, the modes by which communities engage with and are incorporated into oil palm systems and the erosion of security over access to land. The study examines contrasting experiences of land acquisition and engagements with oil palm in three communities in Kalimantan, where land acquisition for oil palm investment is transforming landscapes, livelihoods and local access regimes in profound but varied ways.

Our study shows that gender dynamics are an important dimension of these experiences in three related ways: first, in terms of the gendered impacts of oil palm investments on men's and women's resource access and livelihood opportunities, secondly, in terms of the engagements different categories of men and women have with oil palm as they seek the betterment of their livelihood prospects; and third, how gender norms and relations facilitate and enable particular kinds of pathways for oil palm development within communities.

Current debates and policy discussions on the social and economic effects of oil palm expansion on local people have thus far been largely gender blind. The few studies that exist tend to be underpinned by assumptions of women's victimhood despite the varying ways in which differently positioned women and men apprehend and engage with processes of change. This report develops a deeper and more intersectional understanding of gender-specific impacts and responses to various kinds of land acquisitions for oil palm in terms of changes to gendered resource access and livelihoods, the role (or absence of) women's and men's capabilities, voice and influence; and finally, gendered processes of exclusion, compensation and/or benefit-sharing in oil palm contexts.

The cases discussed in this report each reflect a particular 'mode of incorporation' of a community and landscape into large scale oil palm systems. The impact of land acquisition is shaped by regulatory regimes at various scales, investment modalities, the relative strength and effectiveness of advocacy groups in demanding for rights and safeguards in different communities, and a combination of all of these factors. The cases provide an opportunity to examine the resilience of

various categories of women in collective and individual tenure systems, where class and ethnic privilege and marginality intersect with gender in complex ways.

Table 1: Study Sites

Case study sites	Site characteristics and agroecology	Social groupings
Sentabai, West Kalimantan	Swidden livelihoods, cultivation of upland rice. diversification with non-timber forest products including gahuru (eaglewood resin). Some small scale mining, rubber cultivation. Oil palm makes up half of the village.	Total of 412 households, with the majority identifying as 'Dayak Sebaruk Kantuk'. Other ethnic groups still an influential minority. Majority are Christian.
Long Ayan, East Kalimantan	Upland forest margin area, previously dominated by swidden rice cultivation and non-timber forest products, especially gaharu, some rattan. Upland area of Segah river, main sources of current livelihood include swidden rice cultivation, some independent oil palm and plantation labor.	154 households, mostly Dayak Ga'ai. A small percentage of Berau Malay, Javanese, Bugis (from Sulawesi) and other groups from the Nusa Tenggara Timur (NTT) islands live in this community. Dayak Ga'ai were the original settlers. Other ethnic groups were also present (such as Bugis from Sulawesi, Javanese, other Dayak groups) but didn't amount to an influential minority. Majority of Dayak and NTT people are Christian, the Javanese and Bugis largely Muslim.
Gunung Sari, East Kalimantan	Mix of lowland and upland forest, swidden upland rice and swamp rice planted; swidden rice cultivation. Main sources of livelihood include independent oil palm cultivation and plantation labor.	Berau Malay (original inhabitants) who are Muslim, influential newcomers comprising approximately 900 Bugis cross-border migrant workers repatriated from Malaysian oil palm companies, also Muslim.

Source: focus group discussions in West and East Kalimantan, 2016.

Questions guiding the research undertaken in each community focused on:

- (i) What processes of land acquisition for oil palm are taking place and how have different categories of men/women been able to engage with these? In order to address this question, the research explored negotiations over land acquisition in contexts of community and individual property, the experiences of different kinds of investors, and patterns of participation, decision-making and consent;
- (ii) How does men's and women's access to, use of and value attributed to land change as oil palm replaces other crops, and as wage labor opportunities emerge? What changes in men's and women's resource access are evident, and how are means for realizing the benefits of resource access impacted by oil palm investments?

- (iii) How are gender divisions of labor changing and does this vary amongst women of different ethnic groups, different ages, and different marital status as engagement with and dependence on forest-based livelihoods shift, and wage and investment opportunities emerge in palm oil economy?
- (iv) What is the role of governments, cooperatives in mediating land acquisition and the distribution of benefits?

These questions were addressed through a mixed methods approach comprising an intra-household survey, focus group discussions and individual interviews in each community.

The report begins by situating land acquisition in broader discussions, beginning with an outline of Indonesia's oil palm boom (remainder of Section 1). Subsequent sections examine forests and resource tenure (Section 2), and the conceptualization of gender in a complex, multi-ethnic setting like Indonesia (Section 3). Section 4 sets out the landscape and livelihood history of each community, with an emphasis on the gender dimensions of resource access, livelihoods and population dynamics. The impact of oil palm is considered in Sections 5 and Section 6. Section 5 focuses on the gender dynamics evident in processes of land acquisition by large scale companies, whilst section 6 considers the direct and indirect impacts of oil palm on gendered resource access and livelihoods.

In Section 7, the report turns to the institutions that mediate the ways in which communities are being incorporated into oil palm systems, including state, private sector and community-level institutions, and examines how gendered processes are in evidence across these domains. The report concludes with a summary of key findings and their policy implications.

1.1 Situating Oil Palm Investment in Indonesia: Corporate and Smallholder Modalities

Pressing social justice questions have arisen as vast areas of public land (defined as state forest) has been allocated for large-scale commercial development of oil palm in Indonesia. In 2014, oil palm plantations covered an area of approximately 10.96 million hectares an increase of 4.69% on the previous year (BPS Indonesia 2014a). Such investments have been accompanied by conflict over land rights as areas defined as state forest or as 'under-utilized lands' are typically livelihood resources for local and indigenous communities (Casson 2000; Colchester et al. 2006; McCarthy 2010; Obidzinski et al. 2012). Table 2 shows the extent of oil palm investment in Indonesia generally, and in East and West Kalimantan in particular.

Table 2. Economic Indicators and Oil Palm Investment in Indonesia in 2014

Indicator	Indonesia	East Kalimantan	West Kalimantan
Area (km ²)	191 093 100	12 906 700	14 730 700
Total Area of Oil palm (hectares)	10 960 000	740 092	959 226
Large-scale oil palm (state)	769 357	51 995	58 744
Large-scale oil palm (private sector)	5 935 465	486 596	571 390
Smallholder oil palm	4 739 986	210 541	329 092
Population (2010 census)	237 641 326	3 553 143	4 395 983
Human Development Index (2015)	69.55	74.17	65.59

Sources: BPS *Sensus Penduduk* (Population Census) 2010; BPS *Indeks Pembangunan Manusia 2015* (Human Development Index); BPS *Statistik Kelapa Sawit Indonesia* (Oil Palm Statistics of Indonesia) 2014.

To date, examination of the gendered impacts of oil palm expansion has focused on the corporate sector and on large-scale land acquisitions (Julia and White 2012; Li 2015; Elmhirst et al 2015). However, as Table 2 illustrates, the growth and resurgence of independent smallholder investment in oil palm is also a factor in the land acquisition phenomenon, the gender dimensions of which have yet to be examined. This sector accounts for around 43% of the land area under oil palm in Indonesia overall (BPS 2014).

The definition of ‘smallholder’ used in government statistics includes a number of different modalities, including those incorporated within the corporate sector as ‘outgrowers’ (petani sawit plasma), local smallholders investing in oil palm independently of corporations (petani sawit mandiri), and migrants who acquire frontier land in order to participate in the oil palm boom. The definition of ‘outgrower’ has also shifted in recent years where private sector corporate investment is through a partnership (‘kemitraan’) arrangement through which companies take control of 80% of the development area, assuring smallholders a 20% share in the form of a ‘dividend’ from the estate (usually the equivalent of the production benefit from a two-hectare allocation, which is referred to as ‘plasma’) (McCarthy and Zen, 2016).

Independent smallholders may include farmers who switch from other tree crops to grow oil palm, but also includes independent migrant investors. Whilst individual oil palm smallholdings among this ‘independent’ migrant group may be relatively small in size, incrementally these account for a significant element in land acquisition in some localities. This report examines gender issues among three of these modalities: petani sawit mandiri (independent smallholder oil palm farmers), migrant independent smallholder oil palm investors, and local people whose incorporation into oil palm systems is through plasma ‘dividends’.

2.0 Forests and Resource Tenure in Indonesia

Understanding the impact of large scale investments in oil palm on local communities requires a knowledge of the shifting terrain of forest and land governance in Indonesia, particularly in the so-called outer islands, in which East and West Kalimantan are located. Governance involves deliberation around who gains access to resources, the conditions of access, and how decisions on access and use are made, and in Indonesia, such deliberations are marked by considerable legal complexity (McCarthy and Robinson 2016: 11). Parallel sets of norms, rules and laws govern land and forest tenure, and whilst plurality of land institutions is not necessarily a problem per se, the opportunity for abuse in a context of bureaucratic competition, a weak judiciary and highly unequal power (Bedner 2016) has created the kinds of problems that underpin processes of land acquisition for oil palm.

Under Dutch colonial rule, a distinction was drawn between registered land that was subject to Dutch law with European-style individual property rights, land under state domain, including forests, and land under customary (*adat*) property systems. Under indirect colonial rule, *adat* areas were

subject to a right of avail (*hak ulayat*), which enabled communities to use the land and control access to its resources according to the community's customary arrangements.

For many communities, access to land continued according to a system of *hak ulayat*. In many local communities, including indigenous people such as Dayak, however, customary arrangements include a number of different tenure categories (see Sirait 2009): (1) The commons: lands possessed by the whole indigenous (*adat*) community. These lands were forest and other commonly used areas, and could be used for farming by new members of the community with the permit of the *adat* chiefs and elders. (2) Descendant land: that which is possessed by families, usually the descendants of the ancestors who established the community (in previous years, the longhouse) in the area. Such lands were mostly used for mixed agroforests, and included sacred forests and graveyards. Sirait (2009) suggests that the benefits from these lands were shared among the descendant group and the community with consent of the descendant group members. This land could not be transferred to persons outside the descendant group, but the land could be converted to private lands belonging to a descendent household with the consent of the descendant group leaders. (3) Individual lands: private lands under the management and control of individual households, with the benefits shared by members of those households. These individual lands could only be transferred to members of the same IP residing in the same village.

After independence, efforts to replace legal complexity with a single framework led to the 1960 Basic Agrarian Law (BAL), which had the effect of enabling a 'national interest' claim to override the principle of customary community rights to land. BAL tenure categories include *hak milik* (freehold), commercial use right (*Hak Guna Usaha* or HGU), building use right (*Hak Guna Bangunan* or HGB) and land use right (*Hak Pakai Lahan* or HPL).

Under the New Order presidency (1966-1998), and following Law 5/1967 on Forestry a dual system emerged, whereby the BAL was applied to areas outside the forest estate (i.e. non-forest land), and the Ministry of Forestry would apply forestry law to areas zoned as forest land (Lucas and Warren 2013). Tata Guna Hutan Kesepakatan (TGHK) allowed very limited rights in areas defined as 'forest estate'. This meant that around 72% of the nation now fell within what Peluso and Vandergeest (2001) have dubbed the 'political forest'.¹ Areas zoned as state forest (*kawasan hutan*) were further divided into land use categories that included production forest (mainly for timber extraction and timber plantations), protection forest (known as *hutan lindung*; mainly for the purpose of ecological protection), conservation forest (which include national parks and nature reserves), and convertible forest, which is forest conversion into industrial scale agricultural land and other purposes (including transmigration resettlement sites, mining and infrastructure development).

On this basis, concessions for timber extraction in production forests have been granted (*Hak Pemungutan Hasil Hutan* or HPHH), whilst other forms of state resource control include conversion of forest area to land for agriculture, principally through state-run commercial plantations and the associated development of transmigration resettlement schemes. 'Forest land' was excluded from the provisions of the Basic Agrarian Law (which had some recognition of local, customary resource access), effectively leading to the legal disenfranchisement of whole populations from ancestral lands, which were recast as 'empty' or 'under-utilized': a framing which continues to underscore the granting of concessions by local government.

¹ The term 'political forest' deliberately draws on Peluso and Vandergeest's (2001) extensive discussions of the role forests have played in state political strategies in Southeast Asia. The term conveys the assumption of state authority over forests, superseding the rights, claims and practices of forest dwellers.

State control was thus enacted over areas characterised by local customary use, and this has served the purpose of enabling the granting of logging concessions (Forest Utilization Concession, or HPH) and conversion for development (i.e. HGU) for timber plantations, and oil palm. Most oil palm plantations are established on state lands and companies are later given a stewardship contract (HGU) valid for 25 years with the possibility of extension. HGU cannot be issued by the state on *adat* land, but it can be issued on state forest land. Hence, designating areas as 'state forest land' is what has enabled concession granting and the dispossession of local communities who are then unable to fully realise the benefits of access to land. Within the political forest, however, there has remained the de facto coexistence of overlapping resource access regimes with local communities, state and commercial interests (McCarthy 2013). For example, a vernacular form of freehold title is provided by the surat keterangan tanah (or SKT), a letter issued by village and subdistrict officials acknowledging the right to a particular plot of land. However, such coexistence becomes problematic where forms of development require more exclusive forms of resource access, e.g. in the case of large scale oil palm investment.

Although the reform period (from the late 1990s onwards) brought moves to decentralise power to the regions, the concession system associated with the New Order has remained, enabling corporate developers to enclose large areas of land for plantations (including oil palm), whilst the business sector and local government officials have, until recently dominated resource sectors. The legacy of military, political and business elites benefiting from a concession system providing them access to land at the expense of the rights and needs of local communities, underscores and gives shape to the impacts of land acquisitions for oil palm in Indonesia generally, and in this case study in particular. In May 2013, Indonesia's Constitutional Court determined that the subordination of *adat* forests under state forests was unconstitutional (Rachman and Siscawati, 2013: 7; 2016). However, there remain uncertainties over the implementation of this decision, and thus far, its impact is not felt in the case study communities.

Finally, in analysing the impacts of large scale land acquisitions in Indonesia, it is necessary to go beyond clarifying which plot of land 'belongs' to whom, and understand instead why and how land and associated resources are meaningful to people, and how, through social relationships, people are able to realise the benefits of access (Ribot and Peluso 2003). In much of East and West Kalimantan, customary tenure practices exceed the notion of land as a mere location for agricultural production. Rather, land, and the benefits people can derive from land, can concurrently be valuable for socio-economic, cultural, spiritual, ecological, and political reasons.

Moreover, within such customary systems, a variety of property holders, beyond 'land owners', can derive benefits from land through leasehold, share-cropping, and clearing new forest land. Past and future generations are recognized because they influence bundles of rights and opportunities of current property holders (de Vos 2016 von Benda-Beckmann and von Benda-Beckmann 1999). In sum, property relations and access to resources in Indonesia generally, and particularly in the 'political forests' of East and West Kalimantan, is both pluralistic and uneven, and this underscores the gendered impact of large scale land acquisitions. It is also relevant for looking at the gendered impact and cumulative effects of smaller scale land acquisitions by smallholder oil palm investors.

3.0 Contextualizing gender in Indonesia: an overview

To make sense of the gendered impacts of large scale (and migrant smallholder) land investments in Indonesia, 'gender' and 'gender inequality' need to be placed in context, particularly with regard to resource access and forest-based livelihoods. As with much of Southeast Asia, gender binaries and gender hierarchies in Indonesia are fluid and complex: gender is often less marked than other social categories, such as age, position in the sibling birth order and marital status. As Sears notes, gender 'may be one of the least contested sites of discontent in contemporary Indonesia where poverty, ethnic tensions, persecution, and disease coexist within global networks of late capitalism' (Sears, 1996: 4). This means that gender questions are often hidden from view, masked by other, apparently more pressing concerns.

The relative lack of gender hierarchy, and the structural importance of women in Indonesia relates historically to prevailing economic and social conditions such as: (i) the availability of frontier land and women as pioneers in land development; (ii) low population densities in some places (as was previously the case in East and West Kalimantan) meaning that women's agricultural work was a household essential; (iii) rice-based agrarian systems in which women are dominant; (iv) the relatively late development of a centralised state encouraging a distance between the patriarchal state and local culture; (v) the predominance of bilateral kinship, inheritance of land and other resources by daughters; and (vi) women's control over money and management of family finances (Colfer 2008, Atkinson and Errington 1990; Van Esterik 1982). Gender also intersects with age, marital status and position in the life course. Within the household and kinship systems, authority is often conferred upon the mother role through the construct of Ibuism (ibu meaning mother), which permits women to 'go beyond narrow domestic boundaries in order to pursue economic and political activities beneficial to their families' and this may expand into the participation of women in public spaces under particular circumstances (Locher-Scholten and Niehof 1987: 7).

These general points aside, across Indonesia, gender is understood through its intersection with ethnicity, sometime analysed as adat or custom, which shapes gender norms, kinship practices and property relations, and it is within this intersection that critical gender concerns emerge. For example, in Dayak communities, social relationships are not ordered by a fundamental code of gendered differentiation, and there is limited evidence of norms restricting or enabling activities purely on the basis of gender. Women and men have historically been able to inherit plots of land (e.g. fruit gardens), the mutability of gender roles has historically been shaped by men's travel for work or hunting forays, and women play a central role (symbolically and materially) in swidden rice cultivation. Adat cannot easily be distinguished as an originary domain of social practice due to cultural flows associated with European colonialism and global capitalism, and for Dayak groups generally, Christianity.

For other groups in the case study, e.g. local Melayu (sometimes self-identifying as orang Berau) or Bugis (originating from South Sulawesi), cultural flows associated with Islam intersect with gendered adat practices and discourses. In both of these groups, principles of social differentiation associated with generation or class are relatively marked compared to within Dayak communities. In other words, "bilateral forms of kinship give women sources of power in everyday relations, and bilateral inheritance ensures their access to productive resources" (Robinson 2009: 20).

Whilst gender complementarity and equality are notable in Indonesia, in everyday life the overall prestige and power enjoyed by men typically exceeds that of women, and this in part reflects the ways that gender practices and relations are also shaped by the gender discourses and practices of the Indonesian state. State gender ideology comprises an ideal pattern of gender centering on a household in which men exercise power over women. Many state-led development interventions carry this ordering of gender, and its associated definitions of appropriate gender roles: usually, a

male bread-winning household head, and a female care-giver. Whilst the origins of this ideology are generally placed within the New Order government (1966-1998), this kind of ideology continues to pervade both private- and state-led development initiatives and interventions, not least those associated with access to land and property. So whilst there is nothing specific that restricts women from taking title to land, in practice such ideologies mean there is a default to a male titular head.

The state's homogenizing of gender is particularly troublesome when it rubs against local gendered adat practices such as those associated with Dayak and Melayu communities in East and West Kalimantan and this again underscores some of the particularities of the gender impacts of large scale land acquisitions in the Indonesian context. The intersection of gender with ethnicity is significant because ethnicity is more than an identity position, but is associated with a historical relationship with a centralising state, with particular resource access histories, and with different kinds of relationship (material and symbolic) with the forest and forest resources.

4.0 Landscape history and livelihoods prior to oil palm

The gendered impacts of oil palm investments in Indonesia reflect the interplay between modes of incorporation into oil palm systems and an underlying landscape history, which includes changing population dynamics, land use and resource governance. The three case study communities are all located in Kalimantan, the Indonesian part of the island of Borneo. This part of Indonesia has long been associated with resource extraction, principally of timber and minerals, pursued by the state and international corporations, with local communities largely being either displaced or bypassed in these arrangements. Local communities themselves have, historically, based their livelihoods on upland and swamp swidden cultivation and forest products, the latter for subsistence and for sale. Until recently, access to these communities was by river, with rivers playing an important role for transport and communications with other groups, the coast and regional centres. Migration has played a role in all three communities: in the establishment of the communities themselves, through long-term population movement of Dayak communities from the interior mountains and towards the lowlands, through state resettlement programmes of Dayak, Berau Malay and Javanese (to sedentarize shifting cultivators or to provide land for landless farmers from elsewhere in Indonesia), and through in-migration of other ethnic groups, e.g. Bugis from Sulawesi) in search of opportunities on a resource frontier.

Sentabai

Sentabai is located in Selah Hilir subdistrict, Kapuas Hulu District, West Kalimantan province. The total number of households in the village is 412, and total population approximately 1,530, with 791 men and 749 women. The majority of the village identify themselves as 'Dayak Kantuk Sebaruk', with a small population of Melayu (Malay) and other ethnic groups who have migrated from other parts of Indonesia, including Java, Sumatra, East Nusa Tenggara provinces. The Dayak Kantuk Sebaruk originated historically from settlements along the Putat River before moving to Dusun Sentabai along the Kapuas River. The other ethnic groups came later on, and the most recent wave arrived around mid 2000s to work as oil palm workers. Sentabai has had a history of attracting natural resource extracting companies to the village. Between 1997/98, there were considerable logging activities taking place in the village with many men employed for the major logging company operating in the area. Sentabai was also a site of gold mining between 1987 and 1996. Much of the logging and gold mining activities have ended in the village or exist only in small, sporadic cases. Oil

palm dominates half or more of the landscape. The main sources of livelihood include swidden agriculture for cash crop production and wage work in oil palm.

Long Ayan

Long Ayan is located in an upland area of the Segah river basin (Segah sub district), Berau district, East Kalimantan province. According to population records maintained by the Segah Sub-district office, between the periods of 2011-2015, Long Ayan comprised of 154 households of which 310 are men and 258 are women with a total of 568 individuals. The population predominantly identifies itself as 'Dayak Gaai'. The majority of people are Catholic. There is also a very small number of households from other ethnic groups including Javanese (Muslim), Bugis originally from South Sulawesi (Muslim), other Dayak groups such as Kenyah and Kayan Dayak (Catholic and Protestant), and other ethnic groups, estimated by key informants to number no more than 10% of the total population. It was not possible to get a precise distribution of the population by ethnicity as such records are not kept by the sub-district. The Dayak Gaia community originated up-river, but disease encouraged people to leave and instead settle at Long Ayan in the 1960s. As is the case with Sentabai, much of the logging has now ceased. Livelihoods comprise predominantly of swidden rice, some rattan collection, hunting, mixed trees cultivation (kebun), small-scale gold mining, and wage work on nearby oil palm plantations. Large numbers of households are now experimenting with independent smallholder cultivation of oil palm.

Gunung Sari

Gunung Sari is located in a lowland area close to the river Segah in the subdistrict of Segah, Berau District, in East Kalimantan. Here, the original Berau Malay (or Melayu) ² community is being incorporated into oil palm through a combination of large-scale expansion and smallholder driven investments. Gunung Sari was established in the early 1970s by families displaced by major floods, who were then supported through the regional government's Population Resettlement Scheme, or RESPEN to encourage permanent settlement. Livelihoods prior to oil focused on rice farming (swamp and upland swidden cultivation, which involved both men and women), fishing, hunting and the collecting of timber and eaglewood resin (gaharu) (men's tasks); and the gathering of wild foods and medicines (women's tasks). Since 2004, several oil palm companies have invested in the sub-district of Segah and within the vicinity.³ The community has been incorporated into the plasma arrangement of PT Hutan Hijau Mas, which also owns and operates the nearest CPO mill to the community, located in Tepian Buah. A defining feature of Gunung Sari is the role played by land acquisition by returning Bugis oil palm laborers, originally from Sulawesi. Since 2004, more than 900 migrants have established a community on the edge of Gunung Sari, and this has become known locally as Kampung TKI (which translates as village of Indonesian migrant workers). Most of these migrants have returned from Malaysia where they were working as oil palm laborers. They have brought with them economic and social remittances that have enabled them to acquire land,

² Under international law and in Indonesia Malay are defined as indigenous people, through the self-identified category of 'masyarakat adat' (peoples governed by custom). Masyarakat adat groups transfer and inherit lands through the application of customary law (Colchester 2011).

³ This includes including PT Berau Karetindo Lestari (to the north west), PT Natura Pasifik Nusantara (to the west), PT Malindo Mas Perkebunan (to the north of Gunung Sari) and PT Hutan Hijau Mas. Both PT Malindo Mas and PT Hutan Hijau Mas are part of the Malaysian-owned Kuala Lumpur Kepong Plantation Holdings (KLK), which in 2014 had a total of 32,056 hectares in its East Kalimantan land bank, and cleared 3,700 and 7,300 hectares to make way for oil palm in and around Gunung Sari. See Kuala Lumpur Kepong Annual Report, December 2014. See also Chain Reaction Research (2015)

successfully cultivate oil palm independently of any large-scale company and to establish a frontier oil palm community that is being incorporated into formal palm oil markets.

In each of the three cases land acquisition for oil palm has been overlaid across a landscape that was actively being used and managed by indigenous groups and other small-scale farmers, but where there has been a long history of logging, timber concessions, transmigration settlements and mining. Each one of these communities has, in the last 10 years, been reconfigured as a resource frontier for Indonesia's oil palm boom.

4.1 Trajectories of Resource Governance

In each of the three communities, village-level governance reflects a combination of 'adat' (customary) leadership through an 'adat' council and official leadership through the village-level government. The latter sits at the lowest tier within a bureaucratic hierarchy from central, provincial, district and sub-district levels. The village head is now elected, whereas previously (and at the time of the oil palm negotiation), this was a post that was granted by the district government.

Formal village leadership includes the Village Representative Body (Badan Perwakilan Kampung or BPK, responsible for community decision-making) and the Community Development Agency (Lembaga Pemberdayaan Masyarakat or LPM, which is responsible for the administrative functions of the community). In parallel to this is the Adat Council, which is responsible for decisions over customs (e.g. marriage and inheritance practices) and access to Long Ayan's customary land. The village head and the customary head are separate figures. The village leader is an important figure for access to land in that he is responsible for confirming residency in the community, and it is this which provides entitlement to use rights of land (i.e. the issuance of a surat garapan). In each of the three cases, the village leaders were men, and their role was very much as a conduit for implementing state programmes or interfacing with external bodies, such as oil palm companies.

In Long Ayan, the leadership of the formal village government bodies are all men, although women have, in the past, occupied particular roles in both the BPK and the LPM. In the adat council, women have official roles, although at the time of the surveys, were not in positions of leadership. According to the vice-chair of the LPM, initial negotiations with oil palm companies involve formal village officials in the first instance, and this information is then delivered to the Adat council, the BPK and finally the LPM, whereupon community meetings were called to evaluate the proposals.

A similar arrangement is in place in Gunung Sari, with the Adat council taking second place to the formal village leadership. Women were not part of the leadership, other than in relatively junior administrative positions. Leadership in Gunung Sari has, in the last 10 years, undergone some changes, since the formal village leader position is now an elected post. Also of significance in Gunung Sari are the neighborhood leaders (all men) in Kampung TKI, the migrant communities on the fringes of the village, who now play a role in issuing land use certificates.

In all three communities, it was rare for households to have possession of a Certificate Hak Milik (i.e.) the certificate of land ownership, which is the most credible legal documentation issued by the National Land Agency (BPN). Although most intrahousehold survey respondents in the three communities described having 'private lands', only a handful had Hak Milik. In Gunung Sari, a third of households had Surat Keterangan Tanah (SKT), which is a village level recognition of ownership.

In Indonesia, it is very expensive to register land at a level above the village because of the procedures that have to be followed by the National Land Agency (BPN) to map the land before a certificate of land ownership is issued. BPN can only issue an individual certificate if the owner can prove that he/she owns the land and there is no dispute regarding ownership. But in the frontier areas of Indonesia, such as in East and West Kalimantan, such ownership can be highly contested with multiple and overlapping claims within and between communities, state land, and private concessions. The Surat Keterangan (SKT) is more commonly used, but this confuses the legal status of the land even more. Of significance for this study is the lack of clear transparency over the legal status of land and different interpretations of different actors, some of whom are able to exert much greater power and authority over access to land than others. In the midst of opaque and confused regulations, networks of political connection become of paramount importance, with power resting in the hands of well-connected men.

4.2 Gendered Resource Access Prior to Oil Palm

Gendered resource access and livelihoods prior to oil palm exhibits a number of commonalities across the communities, for example, the central role played by swidden rice cultivation, and within this, the central role women played in its cultivation, harvest and processing. Swidden rice cultivation predominated, with women taking an important material and symbolic role in its cultivation. Much of women's status derived from their active involvement in swidden rice cultivation. As is common in other parts of Kalimantan, the gender division of labor in swidden rice cultivation involved women and men marking out the plot (having established within the community and via adat leaders that a particular area of forest could be cleared), men cleared the heavy trees (with women assisting, clearing smaller material), men and women planted together (men making the hole in the ground, women dropping in the seed). Women were responsible for weeding, men and women harvested and carried the harvest home, women were involved in processing the rice harvest and selecting seeds for the following year. Work was carried out in large groups (reciprocal collective labor). Rice was (and still is) for household consumption, and regarded as jointly 'owned' and managed.

According to interviewees in both Long Ayan (Dayak) and Gunung Sari (Berau Malay), the parcels of forest-land that were cleared for swidden cultivation were generally left for fallow after the harvest and then re-planted after a year or so. Even land that was not in use/'left idle' was claimed by individuals as private land and fruit trees were generally used to demarcate ownership. Since prior permission had to be sought from the adat (customary) leaders to open up land and plots that were cleared were demarcated, everyone knew whose land belonged to whom.

"The land was still forest, newly opened. Just swidden farming. At the most, we planted bananas"

Semi-structured interview, Berau Malay woman farmer, Gunung Sari, 27 Sept 2016.

In both Long Ayan and Sentabai, land was viewed as being in abundance, and access to the land was defined by whether individuals had labor and capital to be able to open the land and bring it into cultivation. Those who could not clear their own land, fell ill or couldn't manage their land for various reasons, could also borrow or lend to their relatives. As long as the borrower didn't plant trees (for timber or fruits), they were free to borrow as long as they needed. The centrality of

women's labor to realising the benefits of access to land therefore meant there was a relatively high level of gender equity.

In the Berau Malay community of Gunung Sari, typically between one and two hectares were cultivated by families, planted with upland or lowland-riverside (swamp) swidden rice intercropped with maize and vegetables, alongside fruit trees which were used to mark boundaries, and surplus fruit sold or gifted to neighbours. Compared to other communities in the study, gender differences in relation to land 'ownership' was more marked. For example, in the household survey undertaken in Gunung Sari, there was only one instance of a woman's name being on the (certificate of land use) surat garapan, and one where both the husband's and wife's name was on it. For the majority of households, men were the official titular heads of households with regard to 'ownership'. The data allows us to compare the situation prior to and after oil palm, and this pattern has remained stable, with the male village head exerting considerable power to grant requests for access to land.

Although women were excluded from being named on land access documents, as with Sentabai and Long Ayan, the land only came to hold a value and be of benefit by virtue of the application of women's labor, and by extension, family labor. Moreover, in circumstances of land abundance, families could accumulate more than two hectares by deploying family labor (including women and children) to bring additional land into cultivation and demonstrate a capacity to cultivate a wider extent of land. Plots of up to 10 hectares were not unusual in Gunung Sari, as the quote below attests:

"The average size was 4 hectares, because if you want to make your land bigger, it takes longer and you must ask for more letters so you can clear more. People asked for more letters, making surat garapan (use rights certificates) claims for his father, mother, son, until his grandson. If we were on our own, it would be just two hectares that we could have."

Community profile interview, male village council member, Gunung Sari, Sept 2016.

The importance of women's labor in realising the benefits of resource access accounts for women's relative power within the household. According to our survey data, prior to oil palm land use decisions were generally made jointly. As one of the key person interviews suggest, household-level decisions on land use were negotiated between men and women, rather than simply dictated by the male head of household. This pattern of land acquisition through the issuance of a surat garapan (and more recently, a surat keterangan) by the Gunung Sari village leader, continues to this day, and feeds into the patterning of gendered resource access that has emerged. In Gunung Sari surveys suggested women played a slightly less prominent role with respect to management and transfer of swiddens: this in part reflects slightly more restrictive gender norms (compared to Dayak communities) and the fact that most households followed Muslim principles of gendered inheritance, based on ideas of men's family caretaker role (which justifies a larger share of resources to men).

In the Dayak communities of Long Ayan, access to and control of swidden plots (ladang) was possible for both men and for women – daughters and sons could inherit their parents' plots equally. The size of inheritance was not determined by gender rather by respective contribution in helping parents to clear and cultivate swidden plots and in taking care of elderly parents. Women had considerable control over the land that they owned. Women made decisions to invest, change, sell the land, on their own and often times in consultation with their natal families. Their husbands and ex-husbands had very little say and were rarely a part of these discussions. Such individualized land rights

irrespective of gender means that a man or a woman within a household may 'own' a number of plots located in different parts of the landscape having brought these to the marriage. Household land resources were/are therefore gendered in geographically complex ways. A key point was the lack of restrictions on women 'owning' plots and the voice and agency they were able to exercise in managing the land independently of men.

Other features of resource access and livelihoods in the communities prior to the advent of oil palm also contrast. For example in the upland villages of Long Ayan in East Kalimantan and Sentabai in West Kalimantan, the community profile and life history interviews indicate that livelihoods prior to oil palm combined swidden rice cultivation, cultivation of forest-based products for subsistence and cash, and work in logging and artisanal mining. In particular, valuable commodities such as gaharu resin (eaglewood or agar wood resin) and rotan sangai (rattan) were sold to Chinese middlemen. Other subsistence activities included fruit gardens and fishing. Gaharu in particular was a valuable commodity, and its collection was largely done by men. As the community's customary head recalls:

"It took a long time to collect gaharu. They [men] have to stay in the woods for 15 days to a month. We usually collected gaharu after merintis [the initial activity of marking out the plot before clearing the land to make swidden plots], tebang [when the large trees on a future swidden plot are felled], after the drying period while waiting for the land to be dry we went into the forest. So we could use 1-2 months to collect gaharu, so it didn't affect our activities in cultivating the fields." Key person interview, male adat (customary) leader, Long Ayan, August 2016

Men also were employed in small-scale gold mining, which also involved temporary migration from the community. This pattern of male temporary migration is linked to women's prominent role in swidden rice cultivation for subsistence (marking out plots, planting, weeding, harvesting and processing), and also in household decision-making more generally. Norms around strong, independent and materially savvy women livelihood managers have tended to prevail. The combination of swidden rice cultivation and forest-based livelihoods gives rise to (and is shaped by) a combination of de facto individual 'ownership' (of swidden plots or *ladang*, and forest gardens) and collectively managed resources.

Changing resource governance at national level opened up the area to commercial logging in the 1970s, introducing a cash economy as men (mostly young men) found work with logging companies. In the Long Ayan customary head's words:

"Everywhere people started to work for wage because there were logging companies established here. At that time the forest was still good, there was life then".

Key person interview, male adat (customary) leader, Long Ayan, August 2016

Logging also altered the physical accessibility of the area around Long Ayan and Gunung Sari: prior to logging, the Segah River was the main communication route for both communities. Similar processes were at work in Sentabai, where the logging company PT Mitra Harapan Sejahtera operated between 1987 and 1996. Logging introduced overland travel, as logging roads made some areas accessible. Despite the imposition of forest use categories (TGHK) at this time over what the national government regarded as 'state forest' (see section 3 of this report), in terms of forest access and use, the community regarded the forest as common property under adat (customary) rules, with certain areas held as sacred and therefore not open for cultivation. In all three communities, the

practice of combining subsistence with cash continues even though land under swidden has shrunk while oil palm has expanded exponentially.

Overall therefore, a combination of women's prominent role in swidden rice cultivation, dependence on women's labor in forest swiddens and male temporary outmigration led to gender norms that highlight strong independent women and relatively egalitarian household decision making, even as public community level decisions may be made by men (as will be discussed subsequently).

4.3 Population Dynamics

As is the case throughout forest areas in Indonesia, livelihoods in the past were inherently mobile. Long Ayan, Gunung Sari and Sentabai were in fact established by mobile communities in the past, generally moving from up river in search of new swiddens. In Gunung Sari, the village was established after floods destroyed the community's former settlement in Tanah Merah. Assistance was provided by the government, which was rolled into a resettlement (or sedentarization) programme. As resource frontier areas, each community has been affected by in-migration from different parts of Indonesia. In East Kalimantan there is a strong linkage with the south western peninsula of Sulawesi, where Bugis populations originate. In Sentabai, other ethnic groups such as Javanese came originally during the logging era, but more recently, people arrived to work on the oil palm plantations that were being established. In the 1990s, the Indonesian government granted large scale timber concessions (Hak Pengusahaan Hutan or HPH)⁴ on state land, which brought access roads and opportunities for local people to trade forest and agricultural products for sugar, coffee, cigarettes and other needs.

In Gunung Sari, migration has had a pronounced impact. The Indonesian government in 1997 brought the settlement of landless people from the island of Java through the establishment of a transmigration settlement based on industrial timber (Hutan Tanaman Inti or HTI). Effectively, subsistence livelihoods had given way to market engagements long before oil palm was on the scene: thus, Gunung Sari may be characterised economically as a diversified market based system in which rice cultivation (both upland and swamp rice) figures strongly, and where household income from agriculture was supplemented by non-timber forest products and from wages earned in the logging sector even prior to oil palm.

More recently, Gunung Sari has been transformed by the arrival of several hundreds of migrants seeking oil palm based livelihoods and access to land for small-scale independent oil palm investment. This began in 2002 with a small group of families from Sulawesi, and then soon after, a second wave of returning cross-border migrants (also originally heralding from Sulawesi, with many being relatives of the first wave). The migrants had been drawn by the promise of access to cultivable land, and for those coming from Malaysia, this was a need driven by the expiry of employment permits in Malaysian oil palm plantations. Social ties with people in Gunung Sari,

⁴ Up until 1998, under this system revenue flow from the HPH concession holders went directly to national government. In this area, the main forest concessions were held by PT Sumalindo Lestari Jaya, who managed 140,000 hectare on behalf of the Astra Group owned by Bob Hasan, a prominent Suharto crony (Obidzinski and Barr 2003).

including key political figures, coupled with a shared Muslim identity (which helped in welcoming migrants) were factors driving this phenomenon.

The migrants settled on land that had originally been allocated by the state for conversion to a transmigration settlement, but as that scheme had been abandoned, the land was regarded as 'idle' but convertible to agricultural uses. This may be one factor why the Department of Forestry (which has responsibility for state forest land) did not intervene to prevent settlement in the area. Interviews with the former village leader of Gunung Sari described how he had been persuaded to welcome returning cross-border migrants because they were Indonesian citizens who had been thrown out of Malaysia, describing them as 'part of our family of fellow Indonesians'.

His justification for acting for the well-being of migrants may be slightly after the fact as the arrival of land-seeking migrants has been controversial for people of Gunung Sari. Today, the migrant population has since swollen, now comprises around 900 families mostly located in neighborhood (RT) 5 (known as Kampung Toddopoli Temmalara) and RT 6 and 7 (generally known as Kampung TKI) and has surpassed the original Berau/ Melayu population in Gunung Sari. The migrant settlement is about 7 km from Gunung Sari, with houses spread out along a former logging road, and interspersed by smallholder plantings of oil palm.

Processes of migrant land acquisition will be discussed in the next section. To summarize, landscapes, livelihoods and gendered resource access have been undergoing successive transformations long before oil palm was established in these areas. Practices of resource access, inheritance, swidden cultivation and livelihood diversification have shaped, and are shaped by gender norms in all three communities, and have provided a variegated context in which large scale land acquisitions have subsequently unfolded. The next section explores the various mechanisms and terms in which land has been acquired for oil palm in the three case study areas, and the gendered impacts and engagements that have ensued.

5.0 Processes of Large-scale Land Acquisition: uninformed consent and women's exclusion

Across the three research sites, indigenous communities were on uneven playing fields as they negotiated the acquisition of land for oil palm with private companies. The companies had already secured concession permits prior to entering into negotiations with the communities. The interactions between communities and companies were characterized as 'process of being informed' rather than as a process of seeking consent. These in effect meant that the communities were left to bargain over benefits and had little in the way of exercising consent over the actual transfer over their land. The unfavourable negotiations were further compounded by information asymmetries between local people and companies, lack of accurate documentation during the interactions between the two sides, divisions and hierarchies within the communities amidst collusion between village elites and the companies.

Women faced a second layer of dispossession in the oil palm plantation land acquisition processes. Women were largely absent from decision-making processes both at the community and household level, and any dissenting voices from women were silenced by powerful elites who sought to gain from the expansion. Gender norms that limit women's participation in public/political spheres more generally, also restricted women's engagement in decisions related to oil palm. Many formal

decisions were made in informal spaces, such as the front porches of private houses belonging to powerful men in communities, where women's presence would be considered unusual. Moreover, the scripting of 'oil palm' as a male crop meant companies actively sought male community leaders and household heads during the negotiation processes, assuming that they were acting in a representative capacity and that their views reflected consensus at the household level.

Women's exclusion from negotiating spaces mean that women's voices were not heard and they were dependent on husbands, fathers and sons as conduits of information. Companies negotiated the transfers of land and compensation with male household members, even when the land being given to oil palm was 'swidden land managed by women for household food provisioning and from which they derived material and symbolic standing in their households and communities. It is to these processes of uneven negotiation, which constitute a second layer of dispossession for women, that this section now turns.

In each of the cases, the process of large-scale land acquisition began with oil palm companies securing concession permits from district and provincial authorities, first, and only then seeking consent to acquire land from local users. As such, it closely resembled what McCarthy and Robinson (2016) observed elsewhere in Indonesia that the role of local landowners and customary institutions was "reduced to bargaining over the benefits offered by developers under licences that had already been issued by higher authorities" (pp.8).

In all cases, local communities were lured by all the benefits that the companies professed would accompany oil palm expansion. In Sentabai, local land owners were assured that "within 48 months, the plasma smallholders will have money flowing to their bank accounts without doing anything". In other words, the company would absorb all the labor and capital related costs associated with oil palm development. In return for their acquiesce, companies offered local communities compensation for loss of crops (PT NPN only), 2 ha of plasma per household per company, improvement in community infrastructure (electricity, water, education) and higher employment opportunities.

"NPN came around 2003-2004 and they first met with Adat Institution figures. They promised the community that each family will receive a 2 hectares plot, people will have welfare like people in Brunei, and the company will develop village public facilities".

(Semi-structured life history interview with Dayak man, native to Sentabai, Sept 2016)

"The company promised us that they will not only develop oil palm plantation for themselves, but also for the community, and later, community will receive the profit without doing anything. They promised us a 2 hectares plot per household".

(Semi-structured life history interview with Dayak man, native to Sentabai, Sept 2016)

The companies also approached the local communities at a time when other sources of income were limited, such as in Sentabai, when the price of rubber, which had thus far been a credible source of cash, were dwindling rapidly.

Community consultation involved top-down 'sosialisasi' – a term used to describe the process of being 'informed', and this is common practice in company-community negotiations. In Gunung Sari it was clear that in fact, the decision to allow the investment by the oil palm company had been made

by the government prior to the company even entering negotiations with community leaders. Thus, many members of the community today regard their village leaders as having failed to protect them, and even to have made deals behind their backs.

According to the male former village leader of Gunung Sari who had been in post when the acquisition was first agreed, there were people who agreed, and people who did not. A number of people objected and refused to take the compensation that was being offered by the company, which amounted to 5 million IDR (rupiah) per hectare for those whose private land was in the oil palm concession area. Some pretty strong persuasion tactics were used by both the company and the village leadership at the time. People were given no choice because the other members of the community had accepted the compensation – this amounted to some kind of peer pressure. At the same time, the village leadership told people that if the company was not allowed to invest, their community would never advance.⁵ However, it is evident that at the time of negotiations, many people in all three case study sites did not understand what they were entering into. In Gunung Sari, the community was told that in return for every 10 hectares of land acquired from them by the company, two hectares would be given to each household as plasma. This would be managed by the company, and from which they would receive the profits. However, there was a lack of knowledge and understanding by all as to what the community was entering into.

"The company said their mission was to develop the plantation with plasma agreements. We were still unsure about oil palm. They said if people have 2 hectares [per household] they will prosper. That's what I remember of their words...we just wait for the results. At that first meeting, most of us from Gunung Sari were just passive, we didn't respond. The company said that the plasma would be treated the same as the core, from planting, to maintenance. The entire village was present, then after that, the village government attended meetings with the District government."

Interview with male Key Person from Gunung Sari Cooperative Management, September 2016

And there was little in the way of strong leadership to challenge the company with searching questions. Indeed, in Gunung Sari, some interviewees have mentioned suspicions that some members of the village government were benefiting materially, having diffused dissenting voices. Adat leaders were also silent at the time, even as they have gone on to sound their concerns over what happened. As shifting cultivators unused to sedentary forms of property rights, there was an assumption both in Gunung Sari (and Sentabai) that the company would hold the land for one crop cycle and then move on. Effectively, they were persuaded into giving their consent, but without full and transparent information. The former village head in Gunung Sari, for instance, was rather dismissive when asked about the impact on people's access to land, and this reflects a prevailing sense that there was abundant land – a few thousand hectares would not be missed:

"The people who gave up their land still had access to other land. It was not a problem."

Key person interview with male former village leader, Gunung Sari, Sept 2016.

⁵ From interviews with key persons including the current head of the Adat (customary) council, Gunung Sari, September 2016.

Overall, it was clear in all three sites that decisions were largely confined to a select group of people and most people were left unaware or only marginally involved in the actual negotiations. While most were convinced by company rhetoric about the positive livelihood benefits that would ensue oil palm, there were limited spaces available in which to voice dissent, both locally and extra-locally. These exclusions were apparent for both men and women in the communities, but as discussed below, opportunities for women to engage in negotiations were even more limited than those of men. For women from lower social groups, this was limited even further.

The following table summarizes the process of land acquisition in each of the cases.

Table 3: Land Acquisition and Modes of Incorporation into Oil Palm Systems

Research site	Mode of incorporation	Companies	Process of land acquisition
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Sentabai, West Kalimantan	Half of the village under oil palm concession. Nucleus-Plasma scheme (80:20 basis) with minimum independent smallholders	3 companies, PT PGM (since 2015) and PT Paramitra Internusa Pratama (PIP), both part of PT Sinarmas Group occupy the vast majority of concession.	<p>Process started in 2007 with companies reaching out to adat (customary) leadership to hand over land for oil palm expansion. Socialization meetings held at village level and focused on compensation, plasma, management of plasma and inti, dividends to be received, opportunity for wage work, and infrastructure provision.</p> <p>Local people persuaded to relinquish their land for oil palm because companies approached them at a time when rubber (main source of cash income) prices were very low, promised that they would receive dividends on plasma, and wage opportunities available in nucleus and plasma. Dividends would amount to decent household income and company would absorb all labor and capital associated with plasma development.</p>
Long Ayan, East Kalimantan	Oil palm concession in 4 neighboring villages, including Long Ayan. Nucleus-plasma scheme (80:20) basis with growing number of independent smallholders at the early stage of investment.	PT Natura Pacific Nusantara, PT Berau Karetindo Lestari, PT Mulia Inti Perkasa, PT Agrindo Sukuses Sejahtera. PT NPN started in 2003/2004. 2 companies have secured HGU and 2 only have location permit. 2 companies started harvesting and 2 have just started, including those with location permit only..	<p>Oil palm companies began taking interest in early 2000. Initial negotiations with palm oil companies involve formal village officials in the first instance, and information then relayed to Adat council, the village representative body and finally community meetings ('sosialisasi') held to evaluate proposals.</p> <p>Concession permit for PTN Natural covered lading (privately owned fields) and forest (communal) land whereas for other three only covered 'forest land' claimed as communal land.</p> <p>All companies offered plasma, compensation for common land, but compensation for private land only under NPN.</p> <p>Long Ayan initially resisted large-scale land investment, but then eventually persuaded because seen</p>

			as a vehicle for improvement of livelihoods.
Gunung Sari, East Kalimantan	<p>Oil palm concession granted on former logging concession, incorporating all of Gunung Sari under nucleus-plasma (80:20) with compensation paid to those cultivating HGU.</p> <p>Investment by migrant smallholder investors on land allocated for transmigration. Encroachment of migrant smallholder investors onto Gunung Sari customary land. High levels of investment in independent smallholder oil palm in Gunung Sari itself.</p>	<p>Investment in 2004 by PT Hutan Hijau Mas (HHM), subsidiary of Malaysian group Kuala Lumpur Kepong (KLK). Location permit and now license to open 7,305 hectares in Gunung Sari (although other sources suggest much larger than this. Migrant investment from 2005. Establishment of a mill in 2010 (owned by HHM) and cooperative for smallholders to access processing and markets.</p>	<p>Issuance of location permit by Berau District government, followed by negotiation with village leader, then adat leader. Community 'sosialisasi' to establish consent. Community persuaded by business model of nucleus: plasma. Oil palm seen as a vehicle for improved livelihoods. Frustration with plasma system has encouraged smallholder investments in order to hold on to oil palm profits.</p>

Sources: community profile interviews, key person interviews, August-September 2016

Across the three case studies, the vast majority of women and men were excluded from negotiations over oil palm. But women faced a second layer of exclusion due to oil palm, which was not a household level decision but was a product of the ways in which the community interfaced with the company and the local government. There are complex reasons for the gender-specific exclusion. In part, it reflects the way oil palm is socially-constructed in village, regional and national gender discourses as a 'man's crop', just as subsistence (and household nutrition) is equated with women. It is also reflective of a longer term positioning of men as the group that interfaces with the state. Oil palm companies are seen as part of a state-business assemblage. Gendered discourses colouring oil palm as a crop and the practices of 'consultation' are partly internalised by women (although not all women) as is illustrated by the following quotation by a Dayak woman respondent in Long Ayan.

"I am afraid of the thorns in the oil palm tree.. I don't want to be responsible for it".

Semi-structured life history interview, Dayak woman, Long Ayan, Aug 2016.

She added that she would only help her husband with oil palm and contrasted oil palm with other cash crops such as cocoa, rubber and gaharu where she felt that she was more willing to take on a greater decision-making and management role. Nevertheless, women were keen to be a part of oil palm decision-making process as it would inevitably impinge on how they earned their livelihoods and contributed to their households. As one of the interviewees explained:

"Back then when the company came, they never held meeting with us "the women". We were invited only once, there were five women. But we only listened, not talk. The village staff, a local person [i.e. Dayak], told us "palm oil is not women's thing", despite the fact that we are the ones who provide meals at home. We cannot plant chilli,

papaya, cassava and corn if all parcel of land is occupied by palm oil.....I once told the kampong staff but not directly to the company - "If only I were the staff, I will not do it [i.e. let oil palm be grown everywhere], there will be no land left for our children and grandchildren". Again he answer "This is not women's thing". I said "it's not only me who has children and grandchildren, you do too"

Semi-structured life history interview, Dayak woman, Long Ayan, Aug 2016.

As this quotation reflects, women articulated their concerns with regard to food security and care for the prospects of future generations, and as this woman appears to suggest. But by defining oil palm as a men's only issue, key decision makers appeared to direct the discussions to men only and exclude women's concerns in their deliberations.

In Sentabai, pre-existing norms were carried over to new spaces where negotiation over oil palm are situated. Women enjoy considerable 'strategic' freedom in their everyday life within the household. There are also complementarities in roles and responsibilities between women and men. But this autonomy and freedom didn't extend to village level. For instance, when asked 'who owns land' and 'who makes decisions' on land in their household, the majority of the respondents reported 'jointly'. But when asked whether women play a role in public decision-making related to infrastructure, policy/government, then women's participation was negligible. Such clear disjuncture between women's voice and agency at the household and community level have been observed by scholars in a range of contexts across Indonesia (See Li 2015, Colfer et al. 2015).

In Gunung Sari participation of women in the meetings around land acquisition was limited and this added a further layer that limited access to information for free and informed consent. In many instances, only the household head came to the meeting, as representative of the family. Whilst there were no obvious restrictions on women's participation, women were not directly invited to join in. Gender stereotyping evident in the practices of companies and local government coupled with community norms in which it is men that are the public face with outsiders made it unusual for women to play a publicly active role in negotiations with company or government representatives, even when in other spaces women were vocal and active (as we show in a later section). Negotiation was undertaken at the individual level, and this tended by to be mostly men as representatives of their households. Interviews in Gunung Sari suggested that men were giving up land that included their wife's land, or their brother's land. The more land that could be given up to the company, the higher the amount of plasma that would be allocated (see section below). In this way, households were able to accrue more than 2 hectares of plasma as the allocation required the use of identity cards (KTP).

At the individual level, the intra-household survey data suggests that the company approached husbands over wives to negotiate the acquisition and to hand over the cash compensation. Among 16 (out of 32 randomly selected respondents) in Long Ayan, who stated they gave up land to large scale oil palm company suggests that at a household level, decision making over whether to accept the proposals offered by the oil palm company rested in many cases with men (n=7), but in five cases the decision was made jointly, and in three cases, involved the whole family, and only one mentioned the wife as main decision-maker. Of 17 households in Sentabai, 14 households stated that the compensation was received by husband and only 3 by women. While we do not imply that women were at all excluded from the compensation use within households, the way the company chose the husband over the wife to handle the money is illustrative of how a masculinized new,

external system (in this case, oil palm) is introduced in a setting where prevailing gender norms place women at the heart of household money management.

There were different reasons provided for why women felt voiceless and didn't resist the terms and conditions of their inclusion into large-scale oil palm. In Sentabai, women's representation in decision-making positions within formal and informal village authorities were marginal. Apart from two junior officials in village government, there were no women as head of neighborhoods, no women in the adat (customary) institution. Although it would be problematic to assume that having women present would automatically translate into women's voices and concerns being represented in decision-making, having women there would have normalized their presence in spaces where negotiations happen.

In Dayak communities, women said that they often expressed their grievances amongst themselves but they don't dare (*tidak berani*) to raise them in front of their husbands or at the community level for fear of transgressing gender combined with religious norms of 'good Christian wife'. Men and women felt that they were duped by the company and they could have done something about it had they been given the correct information from the outset. Whereas for women, they felt equally deceived by their men folks as well as the companies and that they had limited/no recourse to justice both within their household/community as well as outside of it.

Although most women were persuaded to join their husbands and to relinquish their land for oil palm, women interviewees who initially dissented said that they were left with no choice but to follow suit. Still others feared the informal and formal repercussion of resisting, sentiments that are reflected by the quotations below.

"If we dance, we dance together. We don't dance alone".

Semi-structured life history interview, Dayak woman, Long Ayan, Sept 2016.

"My land was said to be under HGU, I felt like I didn't want to give it up. But everyone else around us have gave their land up. I was afraid that if I didn't give it up they [referring to the company] will call us as stubborn and send us to jail".

Semi-structured life history interview, Dayak woman, Long Ayan, Sept 2016.

In Sentabai, too, women were largely excluded from the negotiation process, and expressed an additional layer of grievances among women directed against their male folks for their adverse incorporation into oil palm. Very few attended the socialization meeting between companies and local people, not because women were deliberately excluded from these platforms, but because it was assumed that men would represent the interests of the entire household.

"How the company came and approached the villager for oil palm, we know nothing about it, it was with men".

Focus group discussion, Sentabai, view expressed by Dayak woman, Aug 2016.

The few women who did attend, remained silent.

"I think there were few women attended the socialization, but they were only there, didn't say anything."

Semi-structured individual interview, Dayak man, Sentabai, Sept 2016

“It was the men, elders and youth who said something, but I forgot whom and what”.

Individual semi-structured interview, Dayak man, Sentabai, Sept 2016

At the household level, women said that decisions about participating in plasma scheme was made exclusively by men and women were only informed once the finer details had already been decided.

“My husband didn’t ask me, but he informed me when he gave our land to the company for plasma”.

Semi-structured individual interview, Dayak woman, Sentabai Sept 2016)

In summary, the skewed processes of negotiations and the resulting dispossession of land are problems that affect all members of the community, and there is an issue of lack of transparency and informed consent that affects both men and women. For women, however, the process is doubly opaque and they are doubly misinformed: their de facto exclusion from negotiating spaces and lack of recognition in letters confirming resource use rights means they were dependant on husbands, fathers and sons as conduits of information and there was limited opportunity for their voices to have been heard.

Gender norms, which position women as key to swidden rice cultivation, mean women are most likely to voice concerns over the replacement of food cropping spaces with oil palm. Yet these concerns could not be heard because women were restricted from accessing spaces for negotiation. Thus, a combination of local gender norms and state/company stereotypes in their programme design have in effect facilitated the process of land acquisition with limited local opposition.

6.0 Gendered Changes in Resource Access and Livelihoods Due to Oil Palm

Across the diverse contexts represented by the case study communities, oil palm has brought mixed blessings. There are a series of direct impacts on livelihoods and resource access, and these are both negative and positive. The same can be said for the indirect impacts of oil palm on livelihoods: these are both negative and positive. These patterns reflect local histories and the positioning of particular groups of people vis-à-vis the oil palm sector. For local Dayak and Malay communities, the impacts of oil palm are embedded into wider (and longstanding) processes that have affected customary tenure arrangements and security of access to resources which close down some opportunities for forest-based livelihoods. For the migrant smallholder oil palm investors, oil palm is part of a wider strategy for them to invest in their future, or their children’s futures, but this too is shaped by gender norms and stereotypes that serve to exclude women or incorporate them on unfavourable terms. As people in all three communities move further towards planting oil palm as part of a wider suite of livelihood activities, gendered exclusions are reproduced.

Despite these variations, what is clear is that across the research sites the skewed processes of negotiations between companies and community members paved the way for considerable inequity in the initial compensation paid for land and distribution of subsequent benefits in the form of dividends. Nevertheless, there is a certain level of disassociation between the processes of exclusion of women and local communities from negotiations, and the more longer-term effects that oil palm

has brought to the community. Women and men have both benefitted from reported livelihood improvements in the family due to palm oil, primarily attributed to wage work. And yet, these livelihood gains have come at a cost of a more limited access to forest resources, the loss of subsistence agriculture and food security, greater reliance on a cash economy and environmental degradation, especially in the form of polluted waters.

Furthermore, women have found stable wage work in the oil palm plantations and the opportunity to earn cash work whilst taking care of their multiple responsibilities. But, women's work are over-represented in the casual employment category, the wages they earn do not amount to a 'living allowance' and they are not entitled to any benefits such as paid sick leave. Payment is based on high daily targets and the work that women do exposes them to harmful chemicals and pesticides. In addition, the fact that many have not been able to negotiate distribution of care and domestic responsibilities at the household level with neither their husbands nor the state or company, has meant that oil palm has significantly increased women's drudgery. It is to these direct and indirect impacts of corporate investment in oil palm that the report now turns to.

6.1 Direct Impacts of corporate investment in oil palm.

The direct impacts of corporate investment in oil palm are of three kinds: first, compensation for loss of land; secondly, incorporation of people into the 'plasma' system of the companies, and thirdly, the addition of plantation wage work to people's existing livelihood portfolio.

In exchange for forgoing current and future rights to use communal and private land, local communities were offered compensation and promised the distribution of plots planted with oil palm in the form of plasma. Research participants across three sites said the company painted a very positive picture about the benefits of oil palm to persuade villagers to join the scheme. Details, nuances, potential trade-offs were all glossed over. It was not until negotiations commenced at the individual level, plasmas were distributed and oil palm started in the village, that the local people understood that there was considerable discrepancy between what was promised and the actual benefits and costs of oil palm.

The partnership agreement between companies and local people are inherently unfavourable for local communities. For example, corporate acquisition of land in Gunung Sari (by PT Hutan Hijau Mas) and in Long Ayan (by PT Natura Pacific Nusantara, PT Berau Karetindo Lestari, PT Mulia Inti Perkasa, PT Agrindo Sukuses Sejahtera) is undertaken on a business model that includes a plasma revenue sharing system, in accordance with Berau District Government Regulation No. 25 (2003), which stipulates that every plantation company must establish a partnership with communities around its plantation in the form of a dividend distribution or nucleus-plasma scheme (sometimes referred to as plasma-inti). This means dividends are split 80:20 between the company (nucleus) and the community (plasma), with benefits divided within the community according to how the 'plasma' was allocated.⁶ This is effectively the allocation of profits from 2 hectares of plasma land per household once the cost of land clearing, planting, crop maintenance and other operational costs

⁶ Peraturan Daerah Kabupaten Berau Nomor 25 Tahun 2003 Tentang Perijinan Usaha Perkebunan Di Kabupaten Berau (Berau District Regulation No. 25 Year 2003 on Licensing of Plantations in the District of Berau).

had been deducted. This has meant that the local communities have entered into a debt arrangement with the company in relation to what they perceived to be their own land.

The limited voice and influence local communities were able to exercise in their negotiations over land acquisition with oil palm companies resulted in skewed distribution of benefits between local communities and companies, and considerable departures between what the companies promised to compensate to landowners and customary institutions and what was actually handed over in practice. This is particularly exemplified in terms of compensation for land given to communities, and dividends that 'plasma-holders received. While both women and men were affected by such adverse incorporation, the implications were also gender specific too. The table below compares what was promised in the negotiations with what has transpired in practice.

Table 4 : Plasma Promises and Actual Practice

		Promised during negotiations	Actual practice
1	Plasma	Re-allocation of 20% of land handed over as plasma. Both inti and plasma managed as a block without the need of labor contribution from plasma holders.	Plasma holders often do not know location of 'their' plasma. Has the effect of establishing indebtedness as costs of establishing oil palm must be paid off. Plasma certificates retained by company: lack of transparency.
2	Dividends from plasma	Plasma holders to receive regular dividends within 4 years, amounting to regular and decent income for holders and families.	Lack of transparency over how dividend is calculated, variations in monthly income unexplained and seemingly random, according to 'grading' of quality of oil palm fruits. Gunung Sari – sale of plasma, creation of a land market.
3	Wage work	Employment opportunities for local communities in nucleus (core planation) and plasma.	In Gunung Sari plentiful work in early stages, limited opportunities now; lay-offs of daily workers, continued employment of contract staff, hardening preferences for Javanese workers. In Sentabai, Dayaks preferred to combined oil palm with swidden cultivation thereby creating labor vacuums during peak swidden seasons. Company filled vacuums by employing migrant laborers, but this had an effect of introducing an additional layer competing with Dayaks for permanent jobs in planations and other facilities offered by company.
4	Monetary compensation for land handed over for oil palm	Company to compensate for value of resources 'lost' from land handed over.	Company retains ability to determine cost of land. As land not yet monetized, no benchmark for contesting by local communities. Sentabai – private land and widespreak grievance that compensation offered low and unfair..

			Long Ayan – private and common land. Gunung Sari – private land.
5	Cooperative	Interface between company and community on behalf of community, manages oil palm, plasma dividends, dividends from sale of oil palm fruits. May also provide guidance to smallholders.	Long Ayan – co-option by company. Elite male capture. Lack of transparency and increase in grievances between company and community, between women and men within community. Gunung Sari – co-option by company, and elite male capture. Smallholder oil palm cooperative formed, not co-opted by company but captured by small group of powerful and politically connected men (Bugis migrant leaders).

Sources: Focus group discussions and key informant interviews, Aug-Sept 2016

These impacts are explored in more detail in the sections that follow.

6.1.1. Compensation for lost benefits from concession land

There are slightly different arrangements made in the communities with regard to the compensation that was paid to people for loss of current and future livelihood from land that was given over to the oil palm company concessions. In Long Ayan the company offered two layers of compensation, one for common (customary) land and one for privately held land, whereas in Gunung Sari, compensation payment was made for privately held land. In all three communities, the companies determined the compensation amount with little or no opportunities for local people to have a voice.

In Sentabai, there was widespread grievance that the company undervalued their land and the compensation offered was very low and unfair. As the following image of an official agreement of compensation demonstrates, PT Persada Graha Mandiri gave 2.560.000 for giving up 5.12 ha of land. This amounts to 500,000 IDR (or less than 50 USD) for 1 ha of land that they were mostly using for 'ladang' (or swidden farming).

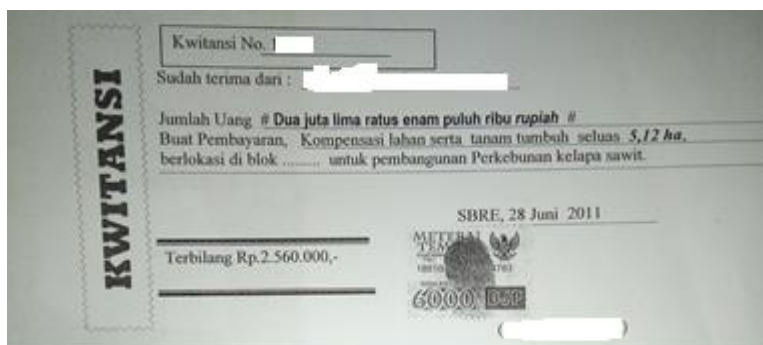


Figure 2: Land transfer between company and a Dayak informant, Sentabai, West Kalimantan

Two reasons were cited as to why communities felt that they had little room to negotiate higher rates. First, their land had never been valued in monetary terms and hence, there was no benchmark against which to bargain with the company. Prior to oil palm, and in circumstances of seemingly abundant land, the amount of land held by a family was not necessarily a marker of wealth or status.

Secondly, in all three communities, companies considered that local people weren't entitled to higher compensation because the land didn't belong to them. In Sentabai, company representatives said that they were not compensating local communities for their land but for the labor that they contributed towards clearing state land to make way for oil palm plantations. Such classification of community land as 'state land' instead of private land is captured in the formal agreements made between the communities and the companies in each of the case studies.

This was in complete contrast to how people within the communities viewed land tenure in the village, as is illustrated by the following quotation:

"I don't think that here still is the state's land; here in Sentabai, only adat and individual land"

Focus group discussion, comment by Dayak man, SentabaiSept 2016.

With a few well-connected exceptions, in all three communities all families were entering into an arrangement that removed their access to land. However, what is evident in the Letter of Agreement (surat perjanjian) issued from the company to people in Gunung Sari and Sentabai is that such letters do not recognise local customary (adat) rights to land in accordance with the Indonesian government's recent law (2013) that purports to recognise customary rights to forest land. Instead, the letters make reference to Tanah Negara (state land), and effectively support the claims of the state over community land (Rahman and Siscawati 2016). Households are thus being compensated for lost 'use rights' rather than there being any recognition beyond this. It is unclear whether there might be any sort of future return to these 'use rights' if the investing companies decide to move on, as is always possible given the history of commodity investment and other kinds of crop booms. Longer term security and equity are particularly uncertain, and it is apparent that future inheritance rights have been handed over.

For example, documents from Sentabai state categorically that the land being compensated was previously state land, the land is being handed over to the company for oil palm, that the handover was conducted without force and was decided by consensus between the community and the company, that the children, grandchildren of the person who handed over the land, and/or any other third party, do not have any right to reclaim the land in any form in the future, that the person who handed over the land will be responsible if there is any claim over the land in the future, and that the company has paid cash compensation, the amount of which is agreed by both parties.

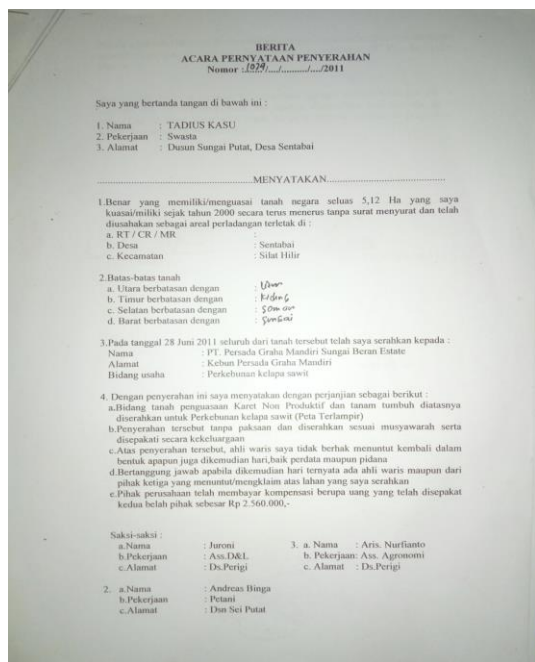


Figure 3 Illustration of contract (only a page out of several pages of document)

In Sentabai, despite this contract, there seemed to be a lot of confusion over the terms and conditions of the handover. Many of the respondents perceived that they were leasing their land to the company for fixed period, some said 25 and others 30, 35. Their children and future generations would be able to reclaim the land once the lease was over.

“During the socialization and negotiation, the company said that after their permit time is finished, they will return the land to the community”.

Individual semi-structured interview, Dayak man, Sentabai, Sept 2016.

Such departures between local and company understanding of terms and conditions of land transfer was by no means unique to Sentabai. In Long Ayan, interviews with village elites and analysis of the official letters provided by the companies to the village leaders to secure agreement of land acquisition shows a divergence of understanding over what ‘land acquisition’ implied. Village leaders assumed (wrongly) that the acquisition was temporary, for one 35-year cycle. But the letter of agreement itself does not acknowledge that this is community land in the first place: rather, what communities are signing up for is an agreement that ‘their’ land belongs to the state. The interviewees blamed the cooperative staff for not disclosing such information, even as the cooperative were directly involved in the handover of land, and payment to communities. Because no minutes were kept on the discussions during ‘socialization’ meetings, local communities had no way of verifying what the company promised and what was understood/interpreted by the community. There was no way of holding the companies to account for not fulfilling their obligations too. A lack of transparency was experienced by both men and women, but women experienced a second layer of mystification.

The women in Sentabai were particularly vocal about their dissatisfaction with the process of incorporation into oil palm. During focus group discussions with women (three Dayak and two Melayu), women said that they felt the terms and conditions of the handover was unfair. The biggest portion of the land would be handed over the company for the ‘inti’ and only 1/5th would be retained in the form of plasma. The women said that they didn't understand their husband's decision

to give up their land and only receive 20% plasma. They felt that it was loss for them. The money from the company (compensation and plasma harvest) was transferred to husband's account and wife didn't understand what it used for. One woman complained that although the land given to the company was considered to be hers, she personally had not benefited:

"In 2010, I gave land to Oil Palm Company, I didn't receive anything in return".

Individual semi-structured interview, Dayak woman, Sentabai Sept 2016.

Women were particularly resentful of the agreement because the land that was given up also included 'ladang' that they managed for household food provision. Men were responsible for clearing the land (including using fire) but it was women who planted, harvested and managed ladang, growing rice and vegetables for household consumption, often soliciting men's labor but making decisions on their own. And yet, women felt that they had no voice over which plots of land would be handed over for oil palm.

"Most land given away to oil palm were ladang".

Focus group discussion, comment by Dayak man, Sentabai Sept 2016.

To summarize, households are being compensated for lost 'use rights' rather than there being any recognition beyond this. Differences in responses between the communities may reflect how recently oil palm was established. In Sentabai, the most recently affected community, women felt very strongly that the lands being given up were being taken without their consent as their husbands fell into line with village leaders' decisions to forego land to the company. In Long Ayan, this sort of sentiment was now more muted, even though ladang had also been given up to the company: it was, however, voiced by older women who had complained that the company had effectively taken away their 'larder', and that this had been men's decision, not women's. In Gunung Sari, where oil palm has been established for the longest, complaints were mostly with regard to the lack of benefits that were accruing from plasma.

As far as the settlement received by the communities goes, it is unclear whether there might be any sort of future return to the 'use rights' at the end of the concession period: this will depend very much on the status the compensation letters could have in any future negotiations as to whether the oil palm concession is on state or adat land, according to new national government rules. One telling point is that in Gunung Sari, Bugis people, living within the boundaries of Gunung Sari but regarded as newcomers and not part of local adat, did not receive compensation for private land (i.e. land that they were using that fell within the boundaries of the oil palm concession). This suggests an ambiguity as to whether companies recognized adat: those considered to be within adat communities were recognized as being due compensation (whereas relative newcomers did not), but none were recognized as 'owners' of the land in the first place. Adat appears to be marked, but then disavowed by the companies and the District governments with which such documents are drafted.

Longer-term security and equity are particularly uncertain, and it is apparent that future inheritance rights have been handed over. These problems affect all members of the community, and there is an issue of lack of transparency and informed consent that affects both men and women. For women, however, the process is doubly opaque and they are doubly misinformed: their de facto exclusion from negotiating spaces and lack of recognition in letters confirming resource use rights means they

were dependant on husbands, fathers and sons as conduits of information and there was limited opportunity for their voices to have been heard.

6.1.2. Elusive Plasma Plots and Opaque Dividends

Day to day relations with oil palm companies is through a cooperative (kopasi), established in each community to conduct land mapping and to resolve conflicts between the company and people. The cooperative is also responsible for handling plasma arrangements, including the distribution of plasma within the community, and the management of dividend payments from this. Each cooperative management board had members of the community sitting on them, but these tended to be coopted elites from within the community. None of the cases had women on the Management Board of their respective cooperatives. For example, in Gunung Sari, the cooperative management Board included members from the community, but these were from the middle and upper social groupings (as per the wealth ranking conducted by the field team) and none were women.

Once the cooperative was formed, the Board then collected identity cards (KTP) and family cards from each household head so that they could be registered as recipients of smallholder plasma. A list of names was then submitted and ultimately, a list of the names of plasma recipients sent to the Bupati (Leader) of the District government. The names listed in the recipient list was the name of the head of the family, and in most cases this was in men's names, although widows (i.e. women heads of household) could be listed. In Gunung Sari, a total of 230 households received a plasma allocation – notable is that the list of recipients included non-natives. In other words, receipt of plasma depended not on ethnicity, but on residency as recognized by the issuance of identity cards to those living within the administrative boundaries of Gunung Sari at the time of the acquisition. So plasma was received by a handful of Bugis already resident in Gunung Sari. However, those living in the neighborhoods that make up Kampung TKI did NOT receive any plasma allocation. In Long Ayan, where four companies were operating, the allocation of two hectares per family meant in theory, each household would have access to plasma dividends from 8 hectares of land.

Effectively, the system of distributing plasma had a number of gender implications. First, it was based on the idea of a male head of household, thus mimicking the gender ideology of the Indonesian state, which positions men as breadwinners, and women as dependents. This stereotyping has been the subject of much criticism for the ways that it overrides more nuanced and egalitarian gendered practices of resource access and entitlement in communities across Indonesia, but in particular, in indigenous communities such as Dayak. Secondly, the use of identity cards (KTP) is significant as effectively decisions over entitlement are lodged with political leaders (the village head, in conjunction with the District Head). In effect, access to resources rested on a small but powerful grouping of political figures, all men, creating a system that was vulnerable to elite male capture.

The plasma system did not progress as hoped by the community. There has been considerable disquiet about a lack of transparency over the distribution of benefits accruing from the oil palm. Firstly, plasma holders often are unaware of the precise plot of land that is 'their' plasma. However, the plasma resource is accessed purely 'on paper': under a dividend scheme such as this, households would, in theory, hold a letter outlining the hectares from which they would benefit in terms of income generated by the oil palm once costs (for labor and processing) had been deducted by the company. In other words, realising the benefits of access (following Ribot and Peluso's (2003)

‘theory of access’) was contingent on the smooth and transparent operation of this dividend scheme. There was no expectation that households would provide the labor themselves for the oil palm.

Interviews with both community members and cooperative staff in Long Ayan showed that most recipients did not know where ‘their’ plasma was located. None had received any income from their plasmas. But importantly, the plasma scheme was itself predicated on poor returns to those receiving the plasma. Households were due to receive the remaining portion of profit after the companies had deducted the repayment of bank loans and company management fees. Any official documentation regarding plasma allocation has not been released as letters are held in company offices and no copies are distributed to the plasma holder. This made it very difficult for the community members (men as well as women) to hold the company to account. Furthermore, widespread concerns were articulated that the companies were not managing plasma land as well as the inti (nucleus) and the company did very little to address these concerns. As a consequence, the allocation of the plasma was opaque and the benefits from plasma elusive for all in Long Ayan, as the quotation below suggests:

“I know that my name is listed in cooperative as plasma holders, 8 hectares in total. But I only shown 2 plots from 2 companies (4 hectares). I have no idea about another two. But for the two plots that I’ve seen, I and other villagers are still disappointed. Our plasma were not fertilized, were not cleared, were not managed. Only inti that is taken care, and now they start harvesting from the inti”.

Semi-structured individual interview with Dayak man, Long Ayan, Sept 2016

In Sentabai, the companies promised to absorb all the labor and capital costs associated with plasma, dividends that would amount to a decent income for landowners and their families, and that location of plasma allocation would be in their village and close to the inti. But the companies provided limited/no details on the plasma such as precise location, map etc. this made it difficult to inquire how productive and profitable the plasma was, and decipher what the community was entitled to receive in dividends.

“The company said that our plasma is in Biyan Village, but I don’t know at which part. I have no document or map on this. Whilst during socialization, they said that our plasma will be located near inti.”

Individual semi-structured interview, Dayak woman Sentabai Sept 2016

“I don’t know where my plasma is. None from the company ever spoke to me about this”.

Individual semi-structured interview with Dayak man, Sentabai Sept 2016

Secondly, plasma holders are never informed of the precise costs incurred by the company for clearing land, planting and maintenance. So plasma recipients had no way of knowing the level of debt they had entered into, and how much they were likely to receive from the sale of the oil palm once it started producing. For example, in Gunung Sari, the amounts paid varied from Rp 450,000 to Rp 1.8 million per hectare. The variation in revenue was never explained directly by the company, instead this was reported to the cooperative board and this was then never passed onto the community members themselves.

society, income will be greater if we have 2 hectares, you would be able to buy anything. All this talk in the front of the house. Now what is there.”

Semi-structured individual interview with Melayu woman plasma recipient, Gunung Sari, Sept 2016

Interestingly, the quotation above makes reference to the negotiations that happen on the porch – an idiom for what is said in ‘public’, rather than what goes on behind the scenes. Within the community, experiences with plasma depend on relationships with the company and its representatives in the community, and clearly these sorts of relationships need to be nurtured. For example, although fees are not a requirement for obtaining the surat garapan (letter entitling people to use land) from the village head, or for securing a plasma claim, a number of interviewees described giving a ‘gift’ of money as a good will gesture.

The lack of transparency was experienced equally by both men and women, although a second layering of exclusion is introduced for women where gender norms have rendered them silent and disempowered in the process of plasma allocation, and they are now unable to find a pathway for holding the companies to account, as the two quotations above suggest. the prospects for women of having any influence over the board was even less than that of men.

“I heard about plasma before, they said that we receive plasma, but we don’t know where, whether it has been planted. Probably the cooperative knows about it, it’s their job. I don’t know about other people, but I really know nothing. I wanted to ask, but I’m too embarrassed, as I think other people are smarter than me”.

Semi-structured individual interview with Dayak woman, Long Ayan Sept 2016

In Gunung Sari more recently there has been a new innovation in the plasma system, that of granting ‘plasma perempuan’, or women’s plasma; which entitles married and widowed women to also be granted plasma on a more or less equal footing with me. This has meant that households often have more than one plasma claim: the husband’s and the wife’s. However, the lack of transparency that is a problem at community level (engendering mistrust between Cooperative Board members and the community, and between different sections of the community) may also be a problem at the intra-household level, where husbands and wives know very little about each other’s plasma – its location, what benefits accrue from it, what debt remains on the resource.

Transparency issues in plasma allocation – one man’s story

Eligibility for plasma allocation is based on possession of an identity card that verifies residence in Gunung Sari. One man described how he and his wife had both brought their individual plasma allocations to their marriage. When they divorced, the wife sold the plasma. When her husband protested, his ex-wife said that it was only her plasma that had been sold. He then took his concerns to the village council to establish which was his plasma and to check it had not been sold. But he was told that both his and his wife’s plasma allocation had been merged, and therefore his wife had in fact sold his allocation too. As the plasma certificate is held in the office of the company (to be returned to the plasma holder once they have completed paying costs and fees) this meant investigation with the BPN (Badan Pertanahan National or National Land Board). Here, he discovered that there was plasma in his name, but that the name on the certificate had been changed to the name of someone in high authority. Had he not looked, this would not have come to light until later when, having finished paying fees and credit, he might have himself wished to sell the land. It is likely that he would not have been eligible for any benefits from the plasma, had he not uncovered what looked like deliberate malfeasance.

Source: individual semi-structured interview with Melayu man, Gunung Sari, September 2016

Such lack of transparency and confusion over the plasma is one explanation for why large numbers of people have gone on to sell their plasma allocation in all three communities. Those from the middle social bracket were most likely to have sold their plasma, using the money to pay for children’s education or to buy motorbikes. One man described how he and his wife decided to sell their plasma when they heard that the Gunung Sari Cooperative was going to raise the credit they owed so as to buy a truck for transporting the oil palm. He sold his plasma for Rp 30 million.

Thus, while on the face of it, plasma offers a new strand to a suite of livelihood activities for people in all three communities, so far, the benefits have not been fully realized by the majority of people. Instead, a lack of transparency has engendered mistrust and conflict within the community, and between those from the community who have been co-opted onto the Cooperative Board, and those outside. The gender dimensions of this are similar to those found in land acquisition processes described in the previous section: much weight is attached to social networks and day-to-day social relationships, which are formed and nurtured on the porches of houses, that may require money offered to smooth decisions through, and that are, in a very everyday sense, excluding of women. Thus, whilst there are issues generally regarding benefit flows from plasma, the imposition of gender norms that restrict women’s participation in the networks that enable people to realise the benefits of access serves to put women in a particularly difficult situation. Moreover, limited transparency is creating a situation where intra-household/intra-familial mistrust and anxieties are emerging.

6.1.3 Opportunities and costs of Plantation Wage Work

A third direct impact on livelihoods and resource access in the three case study communities comes from the availability of wage work at the oil palm companies. When the company first began their investment work was plentiful for clearing land, planting and early maintenance of the trees. As the

trees have matured, work availability is more restricted, but opportunities for contract work or daily labor remain.



Figure 5: truck taking wage workers from Kampung TKI, Gunung Sari to the plantation. Note the participation of mostly young women. *Photo credit: Luter Tarigan /CIFOR*

Both women and men agreed that oil palm expansion has led to considerable increase in wage work opportunities for Dayak women and men (in Sentabai and Long Ayan) and Melayu men and women (in Gunung Sari and Sentabai). For migrants who have made their home in Kampung TKI in Gunung Sari, this work has been a critical component enabling them to become established as independent growers of oil palm, providing for daily living expenses while their own/independent oil palm becomes established.

A clear division of work has emerged between women and men. Women spray pesticides, collect loose fruit from the ground. Men are primarily responsible for harvesting. These gender differentiated roles are imposed both imposed by the plantations and also internalized women and men in the community. Company representatives stated in interviews that women are more diligent at performing repeated tasks, such as spraying and fertilizing, than male counterparts. 'Harvesting' was associated with men's work because it was viewed as being physically more challenging than collecting loose fruit and spraying which was seen as easier. In this way, gender discourses regarding 'bodily strength' were evoked to define who was hired for what purposes in the plantations.



Figure 6: Pruning oil palm trees is generally a man's job. *Photo credit: Rebecca Elmhirst*

Women's work is much more regular/steady throughout the year, whereas men's was not but men's was more lucrative than men's. Both men and women were paid equally (Rp 78,000/day) regardless of the nature of their work (i.e. harvesters were not paid more than pesticide sprayers). But, men preferred to fill the surge in demand for male construction work that had opened up as the plantations and related infrastructure were being set up. Construction workers were required for constructing housing, company offices, roads and other infrastructure. The wages that were offered for construction work was significantly higher (Rp 100,000 to 150,000/day) than for oil palm harvesting. Furthermore, during interviews, Dayak men said that they considered 'harvesting' to be a very difficult task and the wages that were earned not commensurate with the hard work that they had to put in it. So while men had a choice in terms of different jobs in the plantation, women did not have any other option other than to accept these jobs. Most respondents said that although the wages they earned were a welcome additional cash to their overall household income, it didn't amount to 'living allowance' in the face of commodification of food (i.e. the need to purchase land), and introduction of additional expenditures, particularly education of children.

Interesting gender dynamics were further unleashed as a consequence of these differentiated responsibilities. Men were constrained by the short-life cycle of their work on land clearing while women struggled to manage multiple responsibilities alongside oil palm as the plantation became established. Men were experiencing dwindling opportunities as the plantations were already set up and the demand for construction work was on the decline. In Sentabai, for instance, although company representatives denied women's wages were target-driven, women workers we interviewed all agreed that they had to meet high targets (approximately 300 kg of fertilizing per day), and described their jobs as 'backbreaking work'. In the absence of provisions to re-distribute care responsibilities for women employed in the casual employed category, only a few were able to successfully bargain for a re-negotiation of care and domestic responsibilities within their male counterparts. Even amongst communities with greater fluidity between women's and men's domestic roles and responsibilities, such as amongst Dayak people in Sentabai and Long Ayan, the cyclical nature of men's work meant that they had to seek employment elsewhere which left women to assume these responsibilities too.

The addition of oil palm work meant considerably greater work burden imposed on women and the everyday difficulties they confronted in balancing their triple work burden – oil palm, care/household, and swidden.

"I have been waking up at 3 every day since I started working at the oil palm company. I need to get to the plantation by 5, so I have to wake up at 3 to cook for the family..I arrive at home at around 3 pm from the oil palm plantation. I usually go tend to my paddy ladang after work in oil palm. My ladang [swidden] is about an hour away and I have to rely on motorcycle"

Ssemi-structured interview, Dayak woman, Sentabai Sept 2016.

"Domestic work is all under women's responsibility. If we get sick, our home will a chaos"

Focus group discussion, comment by Dayak woman participant, Sentabai, Aug 2016.

Furthermore, the job of fertilizing and pesticide spraying exposed women to harmful chemicals. While the company, at least in Sentabai, had provided women workers with adequate attire, it didn't monitor their use unless women were pregnant and/or breastfeeding. Some were aware of the health effects and hence, protected themselves. Others felt that they wouldn't be able to meet their high targets if they were to wear gloves and other protective gear. Still others felt that their reproductive decisions were affected by their work, and that these requirements had become a de-facto discrimination against as there was no way of absorbing pregnant and breastfeeding women in other jobs, even if temporarily.

Reflecting on their anxieties over the oil palm expansion, two women interviewees stated that they would have preferred to work on rubber as opposed to oil palm because it was more steady and allowed them greater flexibility with childcare and pregnancy.

"[Referring to rubber] I would start work at 2 a.m. and then return home by 4 or 5 a. to breastfeed my baby...but with oil palm, I had to stop working when I learned that I was pregnant"

Semi-structured individual interview, Dayak woman, Sentabai, Sept 2016.

An early promise of the companies in each of the cases was to employ local residents in the plantation, whether they have the expertise or not. In fact, the promise was fulfilled by the company only in the first years when there was still much work to be done which also requires a lot of manpower. Jobs included open land, sow the seeds, planting and caring for palm seeds: all very labor intensive jobs. In Gunung Sari, as the trees have matured, the company then began to reduce hiring. Various methods are used to reduce the amount of labor, such as by changing the working system from days to contract, inserting workers from outside the region, increasing the requirements to become laborers for example by asking high or high school diploma, especially for permanent workers. In the case of Sentabai, the companies started bringing in or attracting workers who were willing to work in the plantations without interpretations. Dayak households prioritized combining oil palm work for cash with management of their remaining swidden land for family food provisioning, which the company claimed filled a labor vacuum during peak swidden seasons. This effectively meant that not only were the terms and conditions of employment dwindling for local Dayaks, they had to compete for the plantation jobs with the in-migrants.

DIBUTUHKAN
LOWONGAN PEKERJAAN KELAPA SAWIT
PT. SINAR MAS
LOKASI KALIMANTAN BARAT

PERSYARATAN

1.) BERKELUARGA	2.) LAKI-LAKI (LAJANG)
- KTP (Suami-Istri)	- KTP
- FC KK	- FC KK
- FC Surat Nikah	- Umur Maks 37 th
- Umur Maks 37 th	- Foto 4x6 2 lbr
- Foto 4x6 2 lbr	- Surat Keterangan Dokter
- Surat Keterangan Dokter	

FASILITAS

1. MESS / Tempat Tinggal Layak
2. Listrik / Genset
3. Air Bersih
4. Gaji : Rp. 1.900.000,-/BULAN + BONUS + Minggu Libur
5. Sudah Mendapatkan Beras 17kg/bulan (Lajang & Keluarga)
6. Alat Kerja Dan Alat Dapur Sudah Disediakan
7. Poliklinik Dan Tempat Ibadah Disediakan
8. Biaya Sekolah & Pendidikan Gratis
9. Asuransi Ketenagakerjaan / BPJS
10. Biaya Akomodasi & Konsumsi Gratis Selama Diperjalanan

100%
RESMI, GRATIS & DITERIMA

Hubungi :
Bpk. Hans, SE
0896 9662 6266

Figure 7: Advertisement for recruiting oil palm workers, Sentabai. Notable here is that men may be recruited individually (Laki-Laki) where as women are subsumed under family recruitment which rests on production of a marriage certificate.

In addition, oil palm plantations created two layers of workers – permanent and contractual. ‘Permanent’ jobs were more coveted because they came with housing, electricity, clean water, schooling for children, basic health, rice ration, accommodation and food during the re-location period. These were ‘perks’ in addition to a stable source of income, such as 1,900,000 per month as stated in the advertisement below. In Sentabai, only two Dayak people have been able to become permanent workers (as ‘Mandors’ or supervisors), all of the remaining were casual workers. This is because the company required that all workers work two years continuously with good evaluation before they can qualify for consideration for permanent jobs. These two criteria (two years and good evaluation) served to exclude Dayaks who needed more flexibility to combine subsistence with oil palm, and a livelihood cushion to fall back on in case oil palm declined just as other forms of their cash income had demised during their lifespan (such as logging, mining, and rubber). This aggravated resentment and suspicion towards in-migrants and the fueling the view that migrants were advancing while the Dayaks were stagnating or declining. Such views towards in-migrants was shared by both women and men alike in Sentabai. Although grievances were articulated in terms of Dayaks versus migrant workers, it could be argued that Dayak women were doubly disadvantaged due to the opening up of plantation jobs to in-migrants. First of all, women’s work were seen as easily replaceable and did not qualify as ‘permanent work’. Second, since Dayak women workers needed even more flexibility than their male counterparts did to combine work in the plantations with their multiple responsibilities, rules specifying eligibility for permanent work, further disadvantaged Dayak women from assuming permanent positions. Consequently, most women were of the view that it is critical to continue combining swidden agriculture with wage work so as to cushion women and their families against labor regimes, and a strong desire to educate their children so that the next generation has an option to exit and/or be incorporated into palm oil in more favorable terms than they had been.

laborlaborTo summarize, whilst wage work opportunities have added another element to livelihoods, the impacts have been gendered and uneven, due to gender stereotypes in recruitment, the gendering and ethnic exclusions of the labor process in the plantation itself. The low and dwindling terms and conditions of employment, higher risks of exposure to chemicals have meant that taking on these jobs for women is an indication of lack of choices rather than an exercise of choice.

6.2 Indirect Impacts of corporate investment in oil palm.

There are a number of indirect impacts of corporate investment in oil palm that relate to livelihoods and resource access, and these are experienced as positive and negative by people across all three communities. In the sections below, we consider the ways in which corporate investments have indirectly affected access to and the availability of resources, and how such investments have also facilitated the dramatic rise in independent smallholder investment in oil palm by migrants and local communities alike.

A key point that arises from data in all three communities is that there is a disassociation between processes of inclusion/exclusion and the socio-economic effects of oil palm expansion. Although the negotiation process between companies and local communities to make way for large-scale oil palm has effectively excluded women and non-village elites, the broader changes that oil palm has unleashed has been highly contradictory. On the one hand, the employment and investment opportunities that oil palm is engendering, is being added to existing livelihoods, and thereby, diversifying the portfolio of household livelihoods. On the other hand, oil palm investments are simultaneously eroding customary authority to define and regulate land use whilst intensifying competition over land, on the other hand. Such conflicting changes have meant that the voice and autonomy that women are able to exercise in customary land tenure arrangements is being undermined even as women are benefitting from higher incomes, and overall increase in household wellbeing due largely to oil palm. The extent to which rise in incomes are sustainable, however, is questionable in light of the structural relationship between companies and local people amidst growing insecurity over land. Furthermore, in the short-term, these livelihood gains have come at a cost of amore limited access to forest resources, the loss of subsistence agriculture and food security, greater reliance on cash economy and environmental degradation, especially in the form of polluter water sources.

The table below summarizes the principal indirect impacts of oil palm in all three communities, demonstrating a mix of both positive and negative implications for well-being in the short and longer term.

Table 5: Indirect Impacts of Oil Palm in East and West Kalimantan

1.	Access to forests, natural resources and forest-based livelihoods	Decline in water quality and need to purchase water for the first time. Decline in environmental quality across all sites. Reduction in availability of forest foods. Increase in distance from homestead to ladang (rice fields). Increase in women's work-load particularly in Sentabai. Women's material and symbolic dispossession from swidden land.
2.	Expansion of the requirement for cash income and growing structural dependence on companies	Expanded market for local produce. Increase in need for cash for purchasing food rather than relying on subsistence production only. Need for cash for major purchases (e.g. motorbikes) Cash to meet educational aspirations for youth Accelerated transition to cash-based economy. Overall wellbeing of household dependent on structural relationship with company.
3.	Investment in independent smallholder oil palm as part of a wider livelihood diversification	Overall, widespread aspiration to invest in oil palm independent of structural relationship with companies. More experimentation found in Long Ayan, but confined to higher socio-economic group. In Sentabai, greater constraints to establish independent oil palm.
4.	Arrival of migrants	Sentabai, new layer of social differentiation introduced with the arrival of migrants to work in oil palm plantations. Differentiated access to infrastructure and rise in ethnic tensions. Gunung Sari, new layer of social differentiation introduced with arrival of migrants as smallholder investors in oil palm. Differentiated relationship with company and rise in ethnic tensions
5.	Changing forms of resource governance	Overall, weakening of customary (adat) institution's authority to determine land use. In all cases, concessions were already granted and adat institutions left to bargain over benefits only. In Long Ayan and Gunung Sari, authority over land allocation and use decisions granted to village council rather than adat leaders. Insertion of village leadership in bureaucratic hierarchy (from subdistrict to district government).
6	Heightened monetization and speculation over land	Value of land skyrocketed in all cases. Rise in fictitious plasma speculation. Growing land grabbing by outsiders (migrants) especially in Gunung Sari.

Sources: Intrahousehold surveys, individual interviews and FGDs, Long Ayan, Sentabai and Gunung Sari, August to September 2016.

This section explores each of these indirect impacts in more detail, showing how gender norms and gender relations shape, and are shaped by each of these, leading to particular consequences for different categories of women.

6.2.1 Enhancement of Material wellbeing

Many of the impacts of oil palm on access to resources are weighed up alongside other changes which have facilitated capacities to realise the benefit of access. In each of the communities, the

level of social welfare can be said to be better now than when compared to 10 years ago. For example in Sentabai mean income of 57,651,000 IDR is considerably higher than Gross Regional Product nominal per capita of 42,432,080 IDR for Indonesia as a whole. Understandably, many respondents attributed 'improvement in overall welfare' to the expansion of oil palm in their village. When asked what the impacts of oil palm was, in Long Ayan, 22 out of 32 respondents said that their overall household income had increased; 14 said their overall family wellbeing had increased; and 11 said that it was stable.

In a wealth ranking exercise conducted during data collection, it became apparent that on a number of indicators, many families have seen their livelihoods and overall well-being improve since the arrival of oil palm. Today, many families own a motorcycle, some have a car and for many families, they are able to afford to send their children to senior high school, and even up to college. Ten years ago, livelihoods were based on cultivating subsistence rice and vegetables, accompanied by the sale of some forest products, and from wages earned by male migration (*merantau*). Today, the introduction of a market economy, new jobs and livelihood opportunities mean that people can already have cash from the results of work in the company, investing in oil palm themselves, and through trade in the local area.

The presence of oil palm plantations has brought increased numbers of people with their workers from outside the region. While this fostered resentment and conflict, on the one hand, it has also contributed to raised household incomes as produce from people's gardens (*kebun*) can be sold to these 'imported' workers, on the other. In addition, people have been able to grow oil palm themselves, independent of the company, and in communities such as Gunung Sari where this has been established for longer, are now feeling the income from oil palm. Oil palm is emerging as a primary source of income, with subsistence rice and vegetable cultivation an add on rather than the focus of livelihoods. Such is the case with activities such as seeking gaharu resin, timber, honey, rattan and other forest products, including hunting and fishing. These have become a second job for what are now, oil palm communities. At the same time, these livelihood gains have also come at a cost, as will be discussed in the subsequent sub-sections.

6.2.1. Access to Forests, Natural Resources and Forest Based Livelihoods

Conversion of former swidden land and forest areas to oil palm has led to a number of key impacts on access to forests, the quality of natural resources such as water and fisheries, and the nature of forest-based livelihoods in all three communities. In each, new restrictions were being imposed on clearing land for swidden cultivation whilst opportunities to generate income from forests and trees were being eroded. While the former arguably affected both women and men, the latter had very gender specific implications. Swidden cultivation of upland and swamp rice is an important domain for Dayak and Melayu women in material terms (rice being the main staple in all communities), and in cementing the symbolic power of women as 'household managers' in both ethnic groups.

Women worked hard to maintain *ladang* fields, and often this meant opening new land at much greater distances from the homestead. In Sentabai, out of the 32 respondents who participated in the intra-household survey, previous ownership of *ladang* was 4 ha in average, after oil palm it decreases to 1.6 ha. Similar patterns were seen in Gunung Sari, although some households had dealt with this by opening land that was up to 10 km away from their home. In Long Ayan, cultivation of rice swiddens remains an aspiration and a mainstay of livelihoods.

But with expanding cultivation of oil palm, as was the case in Gunung Sari, swiddens are located at a considerable distance from houses, and this poses some difficulties for women in combining rice farming with domestic responsibilities. In Long Ayan, whilst there is considerable flexibility in gender roles around, there remains an expectation that this domain is ultimately women's responsibility. For the most part, divisions of labor around domestic work and subsistence agriculture involve the sharing of activities between men and women, and also among the wider kinship group.

However, the impacts of evermore distant rice fields on women varies depending on their age, and this relates to the practical difficulties of accessing distant rice fields overland. Combining agriculture and domestic work has meant in many cases that motorbikes are needed in order to get to the fields. Cash wages from plantation work and easy access to credit (available in Indonesia specifically for purchasing motorbikes) have enabled even relatively modest households to buy motorbikes, and nearly all households in Long Ayan have access to this kind of transportation. However, for older women their use is gendered. There are no restrictions as such on women riding motorbikes to their swiddens, and it is common to see women tackling long distances to reach them. But difficult terrain makes this a challenge for older women, who are therefore dependent on men as drivers. Norms associated with older women's competency in securing material well-being independently of men are therefore challenged further by new forms of dependency associated with the realities of getting to distant swiddens.

"It is easier to get to my ladang by motorbike. I cannot ride a motorbike. I have to ask my husband to drop me and to pick me up again. I will only go to ladang if he does that. But I cannot always rely on him to pick me up all the time and I have to walk back a long way on my own"

Semi-structured interview, Dayak woman, Long Ayan, Aug 2016 interview).

For respondents such as HL, an older Dayak woman in Long Ayan, the removal of the forest has a material and symbolic power in relation to food and eating:

"I'm a bit confused, now it's like the company takes our cooking pot; only few parcels of land are left, but still, the company keeps expanding their area"

Semi-structured interview, Dayak woman, Long Ayan, Aug 2016 interview).

Women interviewees in Sentabai pointed to the impact that reduction of 'ladang' land has had on household food security, and the risks that they have been exposed to by relying on a single crop (i.e. oil palm) for cash income.

"Today, it is difficult to get vegetables; previously we have so many kind of vegetables; bamboo shoots, pakis and kecelang. Today we only have bamboo shoots, there are still many pakis in the oil palm plantation, but because of the chemical spraying, they became dangerous to eat. Kecelang is not there anymore."

Semi-structured individual interview, Dayak woman Sentabai Sept 2016.

Similar reductions in forest cover have also brought changes to livelihoods, often with consequences for the variety of subsistence diets. The conversion of forest to oil palm has meant limited options for hunting or gathering of forest products. Out of the 32 households who participated in the intra-household survey in Long Ayan, the vast majority (n=25) said access to natural resources has decreased since the expansion of oil palm in their village. Other resources have also been damaged

by oil palm. Women in Long Ayan said the loss of the forest meant diets had been affected as there was less pork (*babi hutan*, hunted by men) and fish was also a problem.

Findings in this study concurs with that of others, where changing access to forest lands has a particularly acute impact on many Dayak communities because of its impact on resource management systems, food security and safety nets provided by forest resources (Colchester et al. 2006; Gönner 2011; Urano 2014). To this we would add that it has also an acute impact on other ethnic groups in forested areas, such as the Melayu in Sentabai and Gunung Sari, who perhaps have received less attention than other ethnic groups.

6.2.2 A Cash Economy: Deepening Dependence on Wage Work

As oil palm has taken over the landscape, women's relationship with the forest has altered as opportunities such as the production of handicrafts using rattan, bamboo and other forest products have gone, and this has particularly been felt by older women even as these skills are lost to a younger generation:

"Now we cannot take rattan from the forest anymore, there is no more forest. Before, we a group of two or three women could get into the forest to get the rattan to make lenjung and hats. Now we have to buy the rattan".

Semi-structured individual interview, Dayak woman Long Ayan Aug 2016

A critical issue was the effect of reducing the forest for oil palm on water resources. The vast majority of intra-household respondents (n=29 out of 32) said environmental quality had declined since oil palm expansion in their village. Whilst water quality has been affected by logging and by mining, the impacts of intensive use of herbicides associated with oil palm cultivation are apparent now:

"Now, we have to buy water, previously we could take water from the forest and even drink it without boiled; and back then, there was no disease. Now we have to buy water, six thousand rupiahs per gallon, we cooked the water before drink it, but still there are many disease, I'm confused why."

Semi-structured individual interview, Dayak woman Long Ayan Aug 2016

In Sentabai, one of the issues discussed during the focus group discussion with men was on the official complaint that the local community filed against the company for polluting their water sources with residues from oil palm that were dumped into the river. The community has had to purchase water for the first time. The field researchers observed that on average, households were purchasing around 1-2 gallons of water per week.

"The most negative effect of oil palm is the polluted river. Previously we could use water from the river for daily consumption, the water was great, it was clean and fresh".

Semi-structured individual interview, Dayak woman Sentabai, Sept 2016

"The water from river is now colored brown, we don't want to drink it; we buy drinking

water in gallon”

Semi-structured individual interview, Dayak woman Sentabai, Sept 2016

This sentiment was echoed in a women’s focus group discussion in Sentabai in August 2016, where women commented that they purchased drinking water from the local shop at a cost of IDR 10.000 per gallon. In all, 24 out of 29 respondents in the intra-household interviews conducted in Sentabai also agreed that oil palm was contributing to environmental degradation in the village.

A common thread linking the impacts of oil palm on forests and water resources is the need for households to access these resources through cash. The requirement to ‘buy’ rattan in order to maintain diversified forest livelihoods, or to purchase water rather than simply draw it from the river shows how subsistence livelihoods based on communal resources are being replaced by a commoditized cash-based household livelihood system. In this regard, reduced access to forest-based livelihoods is not being expressed as a decline in well-being because for now, it is being off-set by the availability of oil palm plantation wage work in each of the three communities.

As one woman in Long Ayan put it:

‘I work as a daily-based laborer at the oil palm company. I also cultivate the field [her own swidden]. At first I didn’t want to make fields but upon seeing other people make fields it just didn’t feel right.’

Semi-structured individual interview, Dayak woman, Long Ayan, Aug 2016.

The suggestion here was that the lure of cash income rather than hard swidden work had initially drawn this respondent away from her own swidden, but she then became anxious that she would be giving up an important element of her livelihood (and her social identity as a Dayak woman). In focus group discussions with men, attitudes towards women’s wage work were generally relaxed. Wage work was fine to help the household economy as long as women didn’t leave their ‘obligation’, i.e. their rice fields and their domestic responsibilities.

Whilst the availability of cash through new forms of wage work means food security in general terms is not compromised, the expansion of oil palm has served to continue a trend that began when commercial logging was being established in the area, through the introduction of processed foods such as noodles and tinned fish. What is apparent is the limited opportunity for women to augment diets with fruit and other forest foods, where oil palm has impacted on geographical access to forests and women’s time to do so (where travel is now required).

Wage work was thus incorporated into increasingly diversified household livelihoods, along with opportunities that came with improved roads to transport agricultural produce and burgeoning demand amongst neighbouring migrant oil palm workers. In Long Ayan and particularly Gunung Sari, many were also generating cash as small-scale traders selling vegetables and other crops that were planted in their swiddens. The improvement in infrastructure and ready demand that the larger oil palm economy provided, was proving to be beneficial for them.

There were similarities and overlaps between younger and older women. In Sentabai, younger ones said that one of the most positive aspects of oil palm is that schools and educational facilities are now available in the village. There is more wage employment. Older women seemed to be less informed about the details of land transfer and land prices than their younger counterparts. Both agreed that heightened dependence on cash was a major concern for future generations. They

lamented on the loss of ladang land, expressed anxieties over having to rely on a single crop, no other options and nor more land available for subsistence.

One focus group discussant mentioned that while her aspiration to educate her children are being fulfilled, it also means having to find the necessary funds to pay for higher/continued education. Already education was her highest overall household expenditure and she expected this to only increase further as her children (now in junior school) grow older and she will have to cover their lodging and food expenses. She feared that her rising household expenses would only make her more dependent on oil palm.

To this end, some of the transformations brought by oil palm were integrated into existing livelihoods as part of what Gönner (2011) describes as ‘waves of opportunities’ for communities who would frequently switch from one income source to another, depending on resource availability, market prices, seasonality and so on, regarding this as a resilient strategy for coping with external shocks. No more so was this the case than with engagement in independent smallholder oil palm: a relatively new innovation in all three communities.

6.2.3 Engagement in Independent Smallholder Oil Palm

Engagement in the cultivation of oil palm on a smallholder basis, independently of the company, is something that is in evidence in all three communities. In Long Ayan and Sentabai, this type of cultivation is in its infancy whereas in Gunung Sari, in-migrants have settled on the fringes of the community, creating the neighbourhood of Kampung TKI, and with it, large areas given over to independent smallholder cultivation of oil palm, an investment now being adopted by all those able to in Gunung Sari itself. Here, just as Potter (2008) notes from West Kalimantan, for some communities in Kalimantan more broadly, oil palm continues to be heralded as a potential wealth-creator for smallholders.

Throughout the interviews, it was clear that both women and men who participated in the study had aspirations to start their own oil palm.

“I believe that planting oil palm tree will bring benefits to us, because the trees’ high endurance, and doesn’t need much efforts to manage”.

Individual semi-structured interview, Dayak man also working as a mandor (foreman) in a company plantation, Sentabai Sept 2016

“My husband and I decided to plan oil palm together. This is our land, we should also benefit from it, not only the company.”

Semi-structured individual interview, Dayak woman now married to a Javanese teacher civil servant, Sentabai, Sept2016).

“We got the seeds from our friend. And we learned how to plant it by watching the way the company plant it”.

Semi-structured individual interview, Dayak woman, Sentabai, Sept2016).

“If I have enough saving later on, I’ll make my own oil palm plantation, buy other parcel

of land, and build a swiftlet nest”.⁷

Semi-structured individual interview, Dayak woman, Sentabai, Sept2016).

Out of the 32 respondents who participated in the intra-household survey in Long Ayan, 15 are investing in independent oil palm. This is a stark increase from when the first phase of this research was carried out in Long Ayan in 2014 when there was only two people in the village planting oil palm independently. The average plot for independent cultivation is only 2 ha. 14 of these respondents said they opened up primary forest to make way for oil palm, and their underlying motivation was to try (n=8) and increase income (n=7). When asked how they obtained seedlings for the oil palm, most respondent said that they got it from loose fruits (n=9) and that they were reluctant to purchase the seedling through an official agent (n=9). Oil palm is a family investment for all of them, and none have started harvesting. These findings suggest that all the respondents are in the early stages of experimenting with oil palm.

Most echoed findings from recent studies that while everyone can plant oil palm, being a successful smallholder requires considerable investment (Obidizinski et al. 2014). The community's underlying source of grievance with the company was that with the limited profits that they would generate from plasmas and the difficulties that they would have in earning back the land that they lost, they feared that they wouldn't have the capital and land to plant their own oil palm. Their grievances were related to the modes of inclusion in large-scale oil palm; and how the contractual or labor relationship with companies had jeopardized their options to benefit from oil palm in their own land.

In Gunung Sari, independent smallholder investment in oil palm has changed the face of the community, socially and economically, and unleashed a raft of other changes, explored below. In Gunung Sari, smallholder oil palm was initiated in Kampung TKI, a neighborhood established by migrants. Under the guidance of Pak X and Pak H, migrant oil palm farmers, in tandem with the oil palm company, first of all established a smallholder cultivator's group (Kelompok Tani Sawit Mandiri) and a cooperative that serves oil palm smallholders and provides the connection with the company. The apparent success of migrants in Kampung TKI with oil palm, compared with the woeful returns from plasma experienced by plasma recipients has encouraged people in Gunung Sari to begin investing in smallholder oil palm also, and this was partly a motivation in Sentabai and Long Ayay, where people compared the relative health of oil palm on the company's inti, compared to that on the plasma. Gunung Sari farmers now also have access to the services of the cooperative set up in Kampung TKI by the network of migrant leaders and local government representatives, including the Department of Cooperatives, to provide stewardship of the sale of oil palm to the company, and provision of fertilizer and so on.

Around the year 2010/2011, people in Gunung Sari began to grow oil palm independently, following the lead of migrants, who themselves had been successful, partly because of the skills and knowledge they had brought with them from their sojourn in Malaysia. This kind of skill was not in evidence in Gunung Sari, so there was greater dependence on others for advice and guidance.

The gender divisions of labor in smallholder oil palm are similar to those on the plantation. Men generally are responsible for the heavier tasks, whilst women do lighter tasks, including weeding, fertilizer and pesticide application, and the harvesting of loose fruits. Decision making is largely jointly with regard to pursuing oil palm as a livelihood option. There are some subtle differences

⁷ Swiftlet nests are sold for export to Chinese communities in Singapore and Malaysia, as well as within Indonesia. This represents a new form of high-value livelihood diversification.

noted between Gunung Sari original inhabitants and those in Kampung TKI with respect to women's involvement, and these reflect women's specific life histories and life geographies, and the path dependencies these set in motion.

Ibu Sakka, woman oil palm migrant living in Kampung TKI

Ibu Sakka came to Gunung Sari 10 years ago from Sabah, Malaysia, where she lived in what she describes as a Bugis town. Her family had originally gone there to find work in plantations – in Sulawesi, they had been landless. Whilst she was in Sabah, she and her husband began to plant oil palm independently on land she had leased from local people. However, this was subsequently not allowed and she had to resume working as a laborer on a plantation. Ibu Sakka did not want to spend the rest of her life as a wage laborer, and preferred to find a livelihood and have her own family's land. She maintains links with Sulawesi – her parents are there, and she has sent her children there to go to school. She says the process of acquiring land in Kampung TKI took persistence and patience, involving many visits to different offices by her husband, and it required the support of the neighborhood head [i.e. the migrant leader, Pak X]. Now she plants several hectares of oil palm close to her house, which she maintains in tandem with her husband and on occasion, other relatives from Sabah or from Sulawesi. She is knowledgeable and capable when it comes to cultivating her oil palm. Profits from the oil palm have enabled her to improve her house, buy motorbikes and make fairly regular journeys back to Sulawesi.

Source: life history interview with Bugis woman, in Kampung TKI, Gunung Sari September 2016

According to the intrahousehold survey, in the latter, there is more direct everyday involvement of women in oil palm activities and decision-making in Kampung TKI, and much of this relates to the life histories of women in Kampung TKI, in particular, their experience as oil palm laborers in Malaysia, that gives them the knowledge and confidence to input into decision-making. It is also the case that women in Kampung TKI play an important role in holding together the multi-local oil palm livelihoods that link Kampung TKI with the oil palm plantations of Sabah, Malaysia (in which many still have relatives) and communities in Sulawesi, where children may go to be educated and where some Kampung TKI women have elder care responsibilities.

To summarize, across all three communities there has been an interest in, and an increase in households investing in oil palm independently of companies. This is in part related to dissatisfaction with large scale oil palm and an awareness that the crop can be profitable when households are free of the unfair terms by which they are incorporated into large scale plantations. The capacity to benefit from oil palm relates to skills (in the case of Kampung TKI, brought from Malaysia) and also on access to companies via the cooperative, and here there is differentiation within communities along ethnic lines. These are explored more in a later section.

6.2.4 Changing the Value of Land and Small-Scale Land Grabs

One of the most profound implications of oil palm expansion has been that from having no/limited monetary value, land in the village now has a monetary value. In surveys, it was very difficult to decipher what the current market rate for 1ha of land was as it seemed to be in perpetual flux. One of the respondent said that she bought a plot of 2ha of land from her neighbor for 2 million in 2013 (IDR 1,000,000 per ha). She used the land for rice and rubber (Se-individual interview Sept2016). This

is significantly higher than what the company gave as compensation for land for oil palm (2.560 million for 5.12 ha in 2011, as showed in an informant's receipt).

Individual and focus group discussions revealed the rise in speculation over plasma land within the Dayaks and between Dayaks and outside investors, in both Gunung Sari and Sentabai. Plasma holders sold their land to pay for necessities, but also to make quick money. One of the respondents in intra-household survey mentioned that he bought a 8 ha of plasma land for IDR 27 million, which roughly amounts to IDR 3,375,000 per ha in 2012. If the plasma had been established in 2010, around the time that the first plasmas were established, the value of 1 ha of plasma increased by 6.75 times.

In such a situation, as pointed out during the focus group discussions with men, there was a lot of impatience amongst the plasma holders to wait until the plasma matured. The participants recalled stories about how plasmas had been re-valued and changed hands as many as three to four times. Understandably, they expressed growing concern that such heightened commodification of land was leading to conflicts within the community with the ensuing rise in overlapping and contesting claims; attracting outside investors; and reducing local people's abilities to acquire new land and/or re-claim their land.

Women in comparison, feel that they have been completely excluded from the heightened process of re-valuing and exchange of land. A woman respondent stated that she knew that her husband had bought plasma several months ago and then sold; she didn't know anything about the price and/or what it was used for. She explained that she didn't feel comfortable asking her husband any questions because he had made it clear to her that it was his domain and not hers.

In Gunung Sari, outside investment has come in the form of migrant entrepreneurs seeking land on which to establish independent oil palm smallholdings. In-migration began with the arrival of just seven people (initially, all were men) who settled on land that had originally been allocated by the state for conversion to a transmigration settlement. Acceptance of the migrants had initially rested on a perception that land was abundant, and also that the migrants were Indonesian citizens who had been thrown out of Malaysia, described by the male former village head as 'part of our family of fellow Indonesians'.

The migrant population now comprises around 900 families mostly located in neighbourhood (RT) 5 (known as Kampung Toddopoli Temmalara) and RT 6 and 7 (generally known as Kampung TKI). The rapid growth of Kampung TKI led to a requirement for more land and in 2004, the District government provided backup land area of 3,500 hectares in Gunung Sari for allocation to newly arrived families. Prominent in peoples' minds is the impact of what they see as 'migrant land grabs', which are overwhelmingly viewed in negative terms. In an interview with the former village head, who had originally given the go-ahead for the arrival of returning oil palm workers, he expressed a degree of dismay over what had transpired. In his view, these were far from these being people in trouble that were in need of help, as he had originally been led to believe.

"They are all rich people, these migrant workers (orang TKI). Now certificates for land use are being given to people who don't even live here.

Key person interview, male former village leader, Gunung Sari September 2016.

The rapid expansion of migrant land claims meant land was reworked as a commodity that could be bought or sold, or at least, accessed via connections with key figures in the community. Among the community of Gunung Sari, there was a sense that access to land was not undertaken fairly or

transparently. In the eyes of some in Gunung Sari, it is easier to obtain new surat garapan for Bugis (and those with good social connections or cash to pay) than it is for the Berau Malay, particularly those unable to pay a fee. Women complain that migrants acquiring land for planting oil palm has meant access to the forest is much more limited, and that this had a negative effect on their livelihoods.

In sum, the introduction of a land market and formal processes of buying and selling land has shifted gender norms in relation to land transfers as negotiations and transactions are more formalised and not based on family or friends.

7.0 Institutions that Mediate Incorporation: Gendered Voice and Choice.

A wide range of institutions such as different layers of the government, customary authority or *adat*, cooperatives, and civil society organizations of various sorts mediate the incorporation of local people into oil palm, both directly and indirectly. The following table outlines some of the salient roles that these various institutions played across the three research sites. In the following narrative, we focus on various layers of government and oil palm cooperatives in particular.

Table 6 Companies and Communities: the role of government and institutions

Government	Provincial/District	Provincial level plays a critical role in defining land use in at least two significant ways. First, perpetuating overlapping claims by issuing 'location permits' to corporations, even though the final concessions (HGU) are granted at the national level. Second, issuing of BPN certificate recognizing individual land. But process onerous to follow for local people and hence, the majority do not have such documentation.
	Village	Not as influential as upper levels of government, but still plays a crucial formal and informal role in mediating overlapping claims to land and defining benefit-sharing arrangements between companies and local people. Village council issues SKG, recognizing private cultivation rights to land. But, problematic because competes with BPN even when doesn't have the same level of official legitimacy and is at times, also issued in areas that are already classified under different land categories (such as state forest land or concession land). Second, risks undermining

		<p>'adat' (customary) authority in defining and regulating land use.</p> <p>In all cases, complicit in the fostering of unfavourable benefit sharing arrangements between local people and company in particular cases.</p>
Adat (customary authority)	<p>Plays a critical role in accepting palm oil in the first place. Convincing community to accept. Representativeness varies. But authority being undermined due the nature of formalization process - concessions being issued at levels beyond their reach, and need to accommodate to new layer of village bureaucracy.</p>	
Cooperative	<p>Has the potential to mediate between company and community on behalf of the community.</p> <p>But in the case of Long Ayan, co-opted easily by the companies and used as an arm of the company.</p>	
NGOs/advocacy organizations	<p>In Long Ayan, natural conservancy played a critical role in mobilizing a group of villages to resist against large-scale palm oil. No evidence of any organization working to promote favourable benefit-sharing arrangements between companies and communities nor to provide services (such as seedlings, planting etc.) in support of independent smallholders in both Long Ayan and Sentabai. In Kampung TKI, in comparison, migrant social networks were instrumental in organized, smallholder driven land grabbing and oil palm development. Religious organizations and affiliations were central to Melayu people acquiescing to in Gunung Sari. But in Sentabai, church was unable to intervene in oil palm in Sentabai.</p>	

Sources: focus groups and key informant interviews, Gunung Sari, Long Ayan and Sentabai, Aug-Sept 2016.

7.1 Government at national, district and village level

Government authorities play a wide range of significant roles, which include defining and regulating land use, defining parameters of negotiation between companies and communities, and mediating any conflicts between local communities and companies with regards to land. Across the research sites, these authorities are either disengaged, segments of them are colluding with companies, and/or are superimposing parallel structures rather than recognizing and strengthening existing ones.

In all three case studies, various layers of the government were complicit in unfavourable inclusion of local communities in oil palm. The Indonesian central government was also relaxing its support towards smallholder development, which was a sharp departure from the Suharto era (from 1966-1998) when oil palm was seen as a major vehicle for rural socio-economic improvement and the government actively experimented with a range of schemes for smallholder inclusion and betterment. While the results of these schemes were mixed, plantations were required to allocate 70% of the total land to smallholders thereby favoring smallholders in spirit. But since the demise of the Suharto regime and succumbing to greater pressure by donors to end its interventionist or

‘market distorting policy approach’, the Indonesian government has taken a ‘hands-off’ approach stressing the role of the private sector in a ‘new’ business-led oil palm expansion era.

Under this new model, which coincides with when oil palm began across the research sites, plantation companies are able to take up to 80% of the development area, while smallholders are assured of only a 20% share. A new ministerial regulation in 2013 marked a further move away from the state-supported oil palm development, by allowing that the 20 percent of the smallholder area could now be located outside the estate concession area (Zen et al. 2016). Therefore, some of the underlying grievances that we have documented during our research related to terms and conditions of the land exchange, uncertainties over the location of plasma, have been facilitated by the overall policy change in Indonesia. As Zen et al. (2016) point out, procedural unfairness of the land acquisition process and debt and benefit-sharing arrangements, as are also documented through our case study, have become endemic under this new model.

Furthermore, following decentralization in Indonesia in 1999, the district administrators have become critical in determining the continued profitability of oil palm operations. While some have taken a decisive position to support smallholders, others have resorted to rent-seeking and corruption as the rapid expansion of oil palm in a way that favors corporate interests, and presents lucrative opportunities for local authorities. Oil palm companies are also investing heavily in managing relations with local authorities, both formally and informally. Hence, instead of decentralization supporting ‘bottom up participation and inclusion’ as was professed by its proponents (Ribot 1999), it has left too much scope for discretion without also a coherent, overarching platform for promoting smallholder rights, inclusion and empowerment by local authorities.

In each of the research sites, provincial and district authorities had issued concessions to oil palm companies on land that was classified as ‘state land’, thereby effectively disregarding overlapping claims by local communities under customary tenure systems. Hence, these levels of government were complicit in skewing the level playing field between companies and communities in negotiations over land exchange and benefit sharing arrangements, even if they were absent from the negotiation table all together as was the case in Sentabai. The hands off approach was a problem too because the rhetoric of positive gains from oil palm during the socialization process were not officially recorded and hence, it was the community’s word against the company’s. Indeed, senior officials at the police said that the community needed to be blamed for agreeing to a contractual agreement that was unclear and unfavorable. The police had refused to intervene on behalf of the community when the latter had launched a complaint against the community for polluting their rivers.

In all three case studies, there was a clear disjuncture between sense of ownership of land and formal recognition of that ownership. In Long Ayan, for instance, none of the 32 respondents who participated in the intra-household survey said that they had legal recognition on the private land that they owned. In semi-structured interviews, participants said they could open up approximately 1 ha of forest-land for swidden cultivation per family per year as long as they had prior approval from their adat leader and exchange labor from their relatives and neighbors to help with the land clearing. There appeared to be no clarity over which land fell under company concession (HGU) and which was still available to the community to build swiddens. Since early 2016, the village council has started to issue letters recognizing individual’s cultivation plot (SKG) so as to minimize land-related disputes caused by overlapping claims. But it also meant that the ‘adat’ authority is further confined, a new layer of authority has been juxtaposed to mediate land rights and regulate land use at the local level. It is not yet clear to what extent this would recognize women’s existing rights to

land under adat system rather than undermine them, and/or make women more dependent on men to interface between themselves and government officials. Experience in Gunung Sari suggests that women's existing rights may well have been erased.

On that note in Sentabai, although none of the respondents who participated in the study (survey, interviews and FGD) said that they had any formal recognition over their land (including plasma land), according to the Bupati (the District head)'s decision letter regarding officially recognized plasma holders, each of the plasma holder's land status is stated as having 'BPN certificate'. This document was used by the company to access collateral from commercial bank for developing plasma plots, the amount ranging from 38 – 45 million IDR/hectare. Commercial banks require clear land status in order to process loans. This shows that Bupati was willing and able to release an official document even when there was no evidence of BPN certificate belonging to plasma holders and ongoing disputes related to land status between the companies and plasma holders. What Sentabai is experiencing in terms of differences in 'legal' papers and competing understanding of land tenure, could very well be an outcome of collusion between company and local authorities. Given the sensitivities around the issue, it was difficult to verify and explore further during the research process. What is perhaps more evident is that all the land is registered under men's name, thereby excluding women from formal ownership and undermining the rights they enjoyed under customary tenure systems.

NOMOR POKOK PETANI PESERTA	NAMA PETANI PESERTA	UMUR (THN)	PE KERJA AN	ALAMAT	LUAS CALON LAHAN YG DIUSAHAKAN (HA)	KONDISI LAHAN			STATUS KEPEMILIKAN LAHAN	JARAK DARI RUMAH KE LOK. KEBUN PONG	KET
						VEGETASI	TOPOGRAFI	JENIS TANAH			
1	2	3	4	5	6	7	8	9	10	11	12
2716 /REV-BUNMAKH2012	STANA	47	Petani	Sungai Putat	4,00	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2717 /REV-BUNMAKH2012	TADIUS KASU	26	Petani	Sungai Putat	1,24	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2718 /REV-BUNMAKH2012	TAJA	74	Petani	Sungai Putat	2,00	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2719 /REV-BUNMAKH2012	TANYAN	42	Petani	Sungai Putat	4,00	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2720 /REV-BUNMAKH2012	TASIANA IKA	23	Petani	Sungai Putat	0,74	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2721 /REV-BUNMAKH2012	UBUS	40	Petani	Sungai Putat	3,31	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2722 /REV-BUNMAKH2012	UNA	22	Petani	Sungai Putat	3,43	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2723 /REV-BUNMAKH2012	YANA	21	Petani	Sungai Putat	1,00	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2724 /REV-BUNMAKH2012	YUSEF GANDI	22	Petani	Sungai Putat	3,27	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2725 /REV-BUNMAKH2012	YULUS MENYAYA	33	Petani	Sungai Putat	1,79	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	

Total Luas Lahan yang Disediakan (Ha): 103,49

Jumlah Petani Peserta (PP): 97

Luas Lahan Rata" (Ha): 1,85

Luas Lahan Minimal (Ha): 0,02

Luas Lahan Maksimal (Ha): 4,00



BUPATI KARAS HULU,
KALIMANTAN TENGAH
NASIR

Explanation: The table in the following letter lists members of the Mitra Bintang Moga

Figure: Bupati decision letter regarding officially recognized plasma holders, No.46, 2012, Sentabai

The Role of Oil Palm Cooperatives

The day-to-day interface between the community and the company was done through the setting up of four cooperatives, one cooperative per company. In Gunung Sari and Long Ayan, this is in accordance with Berau District Regulation No.25 which stipulates that every plantation company must establish partnership with community around its plantation in the form of dividend distribution or nucleus-plasma scheme, and the cooperative's role is to conduct land mapping and resolve any conflicts between the company and people.

But the introduction of ‘cooperatives’ further complicated this relationship, layering the information sharing in a number of ways that served to obfuscate the nature of land acquisition (between company and community leaders) and exclude women and dissenting male voices in the formal process of ‘sosialisasi’ – this Indonesian term refers to a process whereby people are informed of and persuaded (sometimes forced) to accept policies made higher up in the government. Establishing cooperatives make sense from both the community’s and the company’s perspective. The company would not have to deal with individual members whereas the community could negotiate with the company through a unified voice. The cooperative would also play a critical role in managing plasma, procuring seedlings, credit, and monitoring harvesting and profit-sharing. But in the case of each of the cooperatives operating in Long Ayan, although cooperative members were elected by the local community, all operational costs (such as administrative fee for registration, transportation, and salary) were paid by the company.

As a consequence, in Long Ayan the cooperatives were easily co-opted by the company, and became an arm of the company rather than as vehicle for representing local community’s interests. And indeed, there were many departures between what the cooperative members felt were their primary roles and responsibilities and those perceived by the community members and stipulated under law (as mentioned above). Cooperative leaders saw themselves as a conduit or intermediary, translating between the language and practice of local government and the corporate sector, and that of the community. In interviews, they appear to have absorbed government narratives of forests and resource access, using terms such as ‘under-utilized land’ to refer to logged over forest, that may otherwise be used for a future swidden plot or as a space for activities such as hunting or gathering forest products (more on this later).

While the major criteria for electing community members to serve as cooperative staff related to honesty and transparency, in practice, this too was gender-exclusive. Only men who had earned a reputation as being trustworthy could qualify for these positions. Such criteria served to further cement gender-based exclusions given the role of the cooperative in mediating between the company and the community. As such they stand in stark contrast to rules about who can occupy adat and village council positions. While the latter had historically been occupied by men, there was no rule as such barring women from being involved. The cooperative staff met with company representatives on a regular basis (annually and as needed) to discuss a wide range of issues pertaining to plasma distribution and management. Women were effectively excluded from such spaces of direct negotiation with company.

The community perceived that the cooperatives were failing to fulfil their fundamental mandates and the perceived co-option of the cooperative by the company was a major source of grievances between the company and the community.

“I asked the cooperative staff and the village government about our plasma. They said that they will raise this with the company. But I haven’t heard any follow ups. (They should’ve followed it up) since I know that they receive salary from the company.”

Semi-structured individual interview with Dayak man, Long Ayan Sept 2016

Women, in particular, felt particularly left out as is illustrated by the quotation below.

“During the meetings with the company, I heard about the plasma, they said that we have already gotten plasma. But where is it? How do I access it? I have no idea. If it’s already planted, or just initiated, or already harvested, I don’t know. The cooperative

should know better. I don't know about other people, I myself haven't heard anything.”
(Es-individual interview with woman, Sept2016)

“I heard about plasma before, they said that we receive plasma, but we don't know where, whether it has been planted. Probably the cooperative knows about it, it's their job. I don't know about other people, but I really know nothing. I wanted to ask, but I'm too embarrassed, as I think other people are smarter than me”.

Semi-structured individual interview with Dayak woman, Long Ayan Sept 2016

In Gunung Sari too, key decision-makers within the cooperative are men and it is an ostensibly male space (see discussion above regarding land acquisition). Membership of the cooperative is based on the identity card (KTP) and therefore through this mechanism women are able to join the cooperative. However, out of 300 members, fewer than 10 are members. In return for facilitating the sale of the oil palm, the cooperative takes an overhead of 10% of the profit. Other deductions may be made, however, depending on the quality of the fruit. Challenging the cooperative is something that men are involved with, and happens in instances where men query how their oil palm has been graded, and therefore the level of return they can expect to receive from the company. Interviews suggest that there is considerable unevenness across both Kampung TKI and Gunung Sari in terms of which men are best placed to have any influence in relation to transactions with the cooperative. This again is suggestive of the ways in which men's social networks are crucial for negotiating benefit sharing arrangements of smallholder oil palm also. Connections with the key actors such as the Head of the cooperative, the migrant leader (and now neighborhood head) and the village head in Gunung Sari can make the difference between successful smallholder investment and investments that do not reach their potential.

The situation in Gunung Sari is illustrative of similar processes in all three communities, where well-connected men would meet informally on porches of houses, often at night and over coffee and cigarettes to discuss formal business matters. Such spaces are not women's spaces and prevailing norms mean it would be unusual for women to sit with the many – doing so would mean everyone is uncomfortable.

The gender dynamics in such arrangements point to an intersection of gender with social class (in terms of connections to powerful individuals) and ethnicity (where this maps on to communities of origin and kinship networks), although not, as it turns out, religious identity. Women's engagement in these arrangements is contingent on their husbands or other male relatives as the 'spaces' in which such relationships are fostered are male spaces (see discussion above). Thus although women play a critical role in inserting smallholder oil palm into diversified household livelihoods, their capacity for voice and influence is muted when confronted with the workings of male-dominated networks that shape processes of land acquisition (for smallholder investment in oil palm) and that feed into the workings of the cooperative with which they must work if they are to have access to oil palm processing and markets.

8.0 Conclusions

This research project has examined the gendered implications of land acquisition and oil palm investment, through three in-depth case studies. We initially sought to compare and contrast smallholder-driver oil palm expansion vis-à-vis corporate, large-scale ones, but we quickly found that

overlaps between large and small-scale oil palm was more characteristic of the landscape and of household livelihoods. And hence, studying both large-scale and small-scale simultaneously provided for richer analyses and more closely reflected the realities of the landscapes than the neat division between such scales of operation ever would. Furthermore, 'small-scale' turned out to be even more diverse than 'large-scale', and hence, our study focused on rapid expansion of smallholder oil palm investment by small-scale producer, returning cross-border migrant and other groups which co-existed alongside an expanding corporate sector. Teasing out the implications of oil palm in each of the case studies was further complicated by the fact that each context reflected landscapes, livelihoods and gendered resource access that had been undergoing successive transformations long before oil palm was established in these areas.

Bearing in mind these potential complexities, our methods focused on the processes of negotiations between communities and companies, and the role of different institutions such as various layers of the state and social movements in the process. We were also open to investigating a wider array of direct and indirect implications that ensued oil palm expansion in these contexts. Indeed, one of the most significant findings of our research is that in all three case study contexts there is a disassociation between processes of inclusion/exclusion and the social-economic effects that accompany oil palm expansion. Although the negotiations process between companies and local communities to make way for large-scale oil palm has effectively excluded women and non-village elites, the broader changes that palm oil has unleashed has been highly contradictory. There is widespread aspiration to invest in oil palm independently, but the contractual relationship between companies and local people have/will restrict local people's ability to do so profitably.

Our research finds that oil palm was transforming these landscapes and the gendered dynamics of resource access in profound ways through the silencing of dissent in the negotiations with oil palm companies that accompanied large-scale expansion of oil palm, restricting practices of resource access, inheritance, swidden cultivation even as oil palm was expanding livelihood options. Gender serves as a critical lens through which to examine the implications of oil palm in these communities and yet gender dynamics within and beyond communities are central for understanding how oil palm unfolded in these regions. Each of the case studies served as distinct instances of mechanisms and terms in which land has been acquired for oil palm, and the gendered impacts and engagements that have ensued. And yet, there were central findings that were common to all. Hence, while the findings of the case studies are very contextual, they also serve to outline some of the factors that are leading to profoundly inequitable outcomes as a consequence of oil palm. Here we outline some of the salient factors.

In all three case studies, the process of land acquisition to make way for large-scale oil palm involved top-down 'socialisasi' – a term used to describe the process of being 'informed' even as the decision to allow the investment by the oil palm company had been made by the government prior to the company even entering negotiations with community leaders. Many were lured by the promises that companies professed would accompany oil palm expansion, including that the communities would benefit from dividends being paid on their 'plasmas' with companies absorbing all costs associated with oil palm cultivation in both plasma and inti. The vast majority did not understand what they were entering into, and there was little in the way of strong leadership to challenge the company with searching questions. Indeed, it was clear in all three sites that decisions to consent to oil palm were largely confided to select group of people and most people were left unaware or only marginally involved in the actual negotiations. While most were convinced by the company rhetoric about the positive livelihood benefits that would ensue oil palm, there were limited spaces in which to voice dissent both locally and extra-locally. Such skewed processes of negotiation between

companies and local people paved the way for considerable procedural inequities in land exchange and distribution of 'plasma' in all three case studies. Regardless of how much the companies offered as compensation to individual households and what types of land (private or communal) companies decided to compensate for, the local communities were only being compensated for 'usufruct rights' rather than ownership rights; local communities were (unknowingly) giving away any claims, present or future, to their land all together; and the companies dictated the amount to be compensated. The costs and benefit distribution for plasmas were also inherently unfavorable to communities, the companies were under no obligation to disclose the location of plasma, the details of how much of the labor and capital costs would be absorbed by the companies and how much by the communities.

Issue of lack of transparency, uninformed consent, unfair compensation and elusive plasma that characterized large-scale land acquisition in all three case studies affected both women and men. For women, however, the process is doubly opaque and they are doubly misinformed: their de facto exclusion from negotiating spaces and lack of recognition in letters confirming resource use rights means they were dependent on husbands, fathers and sons as conduits of information and there was limited opportunity for their voices to have been heard. While there is no real evidence of intra-household forms of 'intimate' exclusion or dispossession, the scripting of oil palm as 'men's business' by company representatives and village officials and the internalization of this perspective amongst community leaders served to silence women's dissenting voices and curb their overall participation in community-company-local government interactions. Women's overall exclusion from negotiations over oil palm expansion had pronounced implications for women and men in general while gender specific implications were also cross-cut with life-cycle processes and ethnicity. Companies negotiated private transfers of land and compensation with male household members rather than with female and male, even as much of the land that was given away for oil palm conversion was 'swidden land', through which Dayak and Melayu women acquired considerable material and symbolic capital within their communities. Older women in these communities, in particular, were affected by the distancing of their 'ladang' or swidden fields from their homesteads and the constraints that this imposed on their mobility. The need to balance between eroding swiddens and wage labor in the plantations, translated into significantly increased work burden for younger women in particular.

This research project has documented considerable grievances between local communities and companies, but it was clear that these were largely directed towards unfavorable modes of inclusion in large-scale rather than towards oil palm in general. Indeed, both women and men who participated in the study had aspirations to start their own oil palm but lamented that the contractual relationship between companies and local communities over land and labor, had jeopardized their options to benefit from oil palm independently. In all three cases, local communities had limited avenues for voicing their concerns. Government officials were ostensibly absent and inaccessible or were actively colluding with companies or were undermining customary systems rather than strengthening their accountability. To what extent these outcomes were systemic of state-companies-powerful elites dynamic would be difficult to decipher through a three-case study research project alone, nevertheless, what is clear is that voices and influence of local communities are restricted due to an overall policy environment that is favorable to capital rather than to reconciling potential tensions between communities and corporations. Governance of cooperatives was a clear problem across the research sites as was their susceptibility to co-option by powerful elites and/or companies to represent company interests rather than community's. Where gender exclusions come into play is in terms of interfaces with the cooperative and the company, the key decision-makers within the cooperative are men and it is an ostensibly male space. Even when women play a critical role in inserting smallholder oil palm into diversified household

livelihoods, their capacity for voice and influence is muted when confronted with the workings of male-dominated networks that shape processes of land acquisition (for smallholder investment in oil palm) and that feed into the workings of the cooperative with which they must work if they are to have access to oil palm processing and markets.

The case studies have shown how large scale investments in oil palm can engender a whole series of direct and indirect impacts, many of which have very clear gender dimensions relating to gendered access to and control of resources, gendered livelihood opportunities, and impacts on voice and choice. A particularly profound change taking place as is illustrated by the Gunung Sari case study area relates to the arrival of migrant smallholder land investors, who bring with them skills, capital and labor power, which they put to work in opening up other areas of forest. The impacts of oil palm on local communities therefore, is complicated by a further layering of such impacts, this time from the cumulative effect of these smallholder migrant land acquisitions. Both large-scale and small-scale investments in land across the case studies have eroded customary authority to define and regulate land access and use, intensifying competition, fostering the emergence of a land market (including the buying and selling of plasma) and raising the prospects of conflicts between migrants and local communities.

At the same time, migrant investment in smallholder oil palm, and in particular, the institutional arrangements that have emerged to support that (e.g. the nexus between the migrant leader, the smallholder oil palm cooperative, local government and the oil palm company) has accelerated the incorporation of smallholder oil palm into existing livelihoods, bringing considerable material benefits to households even as security of customary tenure is being eroded. Opportunities for women to engage in these emerging institutional arrangements are limited by prevailing gender norms that cut across different ethnic groups. These norms restrict women's ability to participate in male-dominated networks of power, which involve intense negotiations, often at night, on the porches of peoples' homes. Women may facilitate such meetings from behind (providing coffee, providing a congenial environment) but their active participation is limited. Thus, as formal decisions are made within informal spaces, opportunities to influence decisions are heavily restricted.

This key finding from the case studies demonstrates the importance of understanding social dynamics and the gendering of spaces of authority in oil palm contexts. Focusing attention simply on the oil palm companies and encouraging them to adopt gender mainstreaming principles in their corporate social responsibility arrangements is an important necessary step, but likely to miss a whole layer of oil palm governance where most of the gender exclusions are to be found. It is at this rising independent smallholder category and community-company-government interface (including through cooperatives) that attention needs to focus in exploring the range of options and strategies that advocacy organizations (such as RRI) can adopt to promote the rights and interests of women in indigenous and forest-dependent communities.

Annex 1: Research Questions and Data Collection Tools

1. What processes of land acquisition for oil palm are taking place and how have different categories of men/women been able to engage with these?
 - a. How are processes of land acquisition negotiated at community and household level, and how does this manifest with regard to communal and individual property?
 - b. Are there differences in gendered processes of acquisition between large scale, medium and small scale land investors?
 - c. How do gendered forms of knowledge and participation shape processes of information, decision making, consent and agency?
2. How does men's and women's access to, use of and value attributed to land change as oil palm replaces rubber, rice fields, mixed tree gardens, or forests, and as wage labor opportunities emerge?
 - a. What changes in men's and women's resource access are evident, and how are means for realizing the benefits of resource access impacted by oil palm investments?
 - b. How are gender divisions of labor changing and does this vary amongst women of different ethnic groups, different ages, and different marital status as engagement with and dependence on forest-based livelihoods shift?
 - c. Under what conditions can resource access of women of different groups within community be safeguarded and enhanced?
3. What are the implications of land acquisition for local food security and household well-being?
 - a. Do different modes of exclusion and incorporation lead to different food security outcomes, and how are such outcomes gendered?
4. What is the role of governments (national, provincial, district and village), civil society, customary and hybrid governance in mediating processes of land acquisition and the realization of benefits?
 - a. How are women and men represented or excluded from different kinds of governance institutions and civil society groupings?
 - b. What are the prospects for strengthening gender-inclusive voice and choice within such institutions, and how might this be achieved for differently positioned actors (including age, ethnicity, marital status)?

ANNEX 2: Research TOOLS EMPLOYED IN EACH CASE STUDY

<i>Tool</i>	<i>Purpose</i>	<i>Sample Respondents</i>
<p>Activity 1. Community profile interview</p> <p>A questionnaire comprising closed and open questions, data from which is analysed thematically.</p>	<ul style="list-style-type: none"> – To provide background social, economic, and political information about the community, including a sketch map locating the village in relation to the company and other key landscape features and a wealth ranking to map different socio-economic groups and their engagement with oil palm; – To provide a timeline of key events over past decade; – To understand the socio-political context in which oil palm has developed – To identify the extent and community dynamics of large scale oil palm, incorporated smallholder oil palm, and independent smallholder oil palm and the interconnections between each of these – To map out connections with oil palm companies, government (at different tiers), customary institutions and civil society groups – including processes of acquisition (who involved, how involved) and (where appropriate) resistance and exclusion. 	<p>Key informant with a position of authority in the community.</p>
<p>Activity 2. Gendered community resource map.</p> <p>A focus group interview based on the construction of a community map. Both the map that is produced and the discussion around this were subject to thematic analysis.</p>	<ul style="list-style-type: none"> – To provide detailed information on different kinds of tenure and resource access regimes across the community – To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc) – To provide detailed information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community. – To explore peoples' perceptions of opportunities and constraints/problems associated with different forms of livelihood, resource access and food security, and the effects of oil palm on these. – To explore current / prospects for sharing the benefits of oil palm. 	<p>For the female focus group: 4-5 local women who have a direct interest in natural resources (as farmers or natural resource management)</p> <p>For the male focus group: 4-5 local men who have a direct interest in natural resources (as farmers or natural resource management)</p>

<p>Activity 3. Community transect walk</p> <p>This is a structured observation exercise which involves members of the field team accompanying male or female key participants (should be two together) normally by motorbike or 4WD vehicle (as distances are quite large) across the extent of the community (north to south, or east to west, depending on key landscape and land use).</p>	<ul style="list-style-type: none"> – To provide general information on agro-ecology and resource opportunities/constraints. – To provide an overview of different kinds of tenure and resource access regimes across the community – To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc) – To provide general information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community. – To explore peoples' perceptions of opportunities and constraints/problems associated with different forms of livelihood, resource access and food security, and the effects of oil palm on these. – To explore current / prospects for sharing the benefits of oil palm. 	<p>1 or 2 key participants from Activity 2.</p>
<p>Activity 4. Intra-household survey</p>	<ul style="list-style-type: none"> – To provide brief data on range of livelihoods (inc migration), extent of dependence on oil palm, access to resources/tenure, contacts with companies, farmer group participation, divisions of labor, food security and aspirations. – To identify potential respondents for inclusion in activity 4 and 5. 	<p>A sample of 30 households, stratified to represent households considered to be from the lower, middle and higher socio-economic groups of the community.</p>
<p>Activity 5. Seasonal and daily calendar interviews</p> <p>An individual interview using a seasonal and daily calendar pro-forma to establish temporal patterns in livelihoods, and the links between oil palm, forest-baese livelihoods and domestic work, and how these vary for men and women.</p>	<ul style="list-style-type: none"> – To provide detailed information on seasonal and daily activities across the livelihood system including domestic work, on farm subsistence production, cash crop cultivation (oil palm, rubber etc), forest product gathering, wage work, temporary migration, education, participation in community events 	<p>2 men and 2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i> 2 men and 2 women who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i> 2 men and 2 women</p>

		who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i>
<p>Activity 6. Semi-structured life histories</p> <p>An individual interview to understand the gendered impacts that oil palm has had on family and livelihood history over the past 10 years.</p>	<ul style="list-style-type: none"> – To explore their personal livelihood history and migration story – To explore the experience of land acquisition or dispossession in relation to oil palm investment – To explore the experience of (informed) consent around resource access/control for different categories of people – To explore their current engagement with oil palm (as a smallholder investor, as a wage worker, as a local farmer). – To explore gender norms and household and agricultural/NRM roles as these have shifted over the life course – To explore enabling and constraining factors within peoples' life trajectories – To explore factors shaping socio-economic mobility, poverty trends—and their gender dimensions in an oil palm context. 	<p>2 men and 2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 men and 2 women who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 men and 2 women who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p>
Activity 7. Key informant interviews	Key person interviews were undertaken with a key local investor, and a representative from the farmer group, and these covered a range of specific issues including local trajectories of oil palm investment and governance, and to explore gender discourses and practices, and to identify potential entry points for gender-transformative change	

CASE STUDY 1:

Large-Scale Oil Palm Expansion and the Second Layer of Dispossession of Dayak Kantuk Sebaruk Women in Sentabai, West Kalimantan

1.0 Introduction

The processes of palm oil expansion in Sentabai, a village in West Kalimantan, Indonesia, exemplify the harmful impacts of large-scale oil palm on indigenous women and men among Dayak Kantuk Sebaruk ethnic group. Oil palm expansion in Sentabai is characterized by Dayak landowners providing land for large-scale corporate oil palm development in return for entering into partnership agreement with the oil palm companies. According to the agreement, companies take control of 80% of the development area (referred to as nucleus or 'inti'), providing Dayak Kantuk Sebaruk communities a 20% share in the form of 'dividend' from the estate (the equivalent of the production benefit from a two-hectare allocation, which is referred to as 'plasma').

There are considerable grievances with which large-scale oil palm has expanded in the village. This was due to the uneven basis of negotiation between companies and indigenous peoples; companies exercising greater voice in determining the compensation offered to local people; and the skewed distribution of benefits and debts under the 'partnership agreement' between companies and the local people. Dayak women faced an additional layer of dispossession because they were excluded from the negotiation and decision-making processes, and yet large tracts of land that were handed over to the companies were swidden land that women managed for household food provisioning. Furthermore, compensation and profits were being channeled through male household heads and distributed unevenly between the genders at the household level.

Despite the highly unequal ways in which large-scale palm oil unfolded in the village, oil palm has opened up opportunities for both men and women. A strong desire to invest in independent palm oil (outside of contractual relationship with companies) has emerged among both genders. Women and men have found employment as 'casual workers' in the palm oil plantations, enabling them to manage their remaining swidden land whilst offering opportunities to earn cash. However, there are greater hurdles for Dayaks to assume permanent work. These jobs are largely being filled by migrant workers coming from outside the village to work in the palm oil plantation, which has generated suspicion and conflict between Dayaks and migrant workers. Furthermore, the jobs that Dayak men can obtain are more lucrative than women's, but they are cyclical. Women's work is more stable, but wages are low, targets that must be met are very high, and these jobs expose women to harmful chemicals. Therefore, the over-representation of women in the 'casual work' category, and the lack of decent employment for women workers, is a real concern.

This research focuses primarily on the Dayak Kantuk Sebaruk (henceforth, “Dayaks”) group, and considers other social groups as they relate to Dayak communities. The case study is divided into the following sections. The first section provides an overview of the field research site, discusses the process of land acquisition and women’s exclusion from it, and considers three major implications of oil palm expansion in terms of land, labor and introduction of migrant workers in Sentabai’s social fabric. The final section analyzes how relationships between the state and corporations have evolved to suppress Dayak grievances and limit Dayak’s options to invest in oil palm on their own terms.

The case study report includes three annexes featuring an outline of the methods used in the study, a table on intra-household findings related to land tenure and decision-making process, and a calendar summarizing workload and daily activities of two women informants.

2.0 Field site description

Sentabai is located in Silat Hilir Subdistrict, Kapuas Hulu District, West Kalimantan Province. The village is located about four hours drive from the nearest airport. The total population is approximately 1,530, with 791 men and 749 women. The majority of the village’s 412 households identify as Dayak Kantuk Sebaruk. There is also a small population of Melayu and other ethnic groups who have migrated from other parts of Indonesia, including Java, Sumatra, and East Nusa Tenggara provinces. The Dayak Kantuk Sebaruk originated historically from settlements along the Putat River, Muara Jentu, before moving to Dusun Sentabai along the Kapuas River. Other ethnic groups arrived later, with the most recent wave arriving during the mid-2000s to work as oil palm workers.

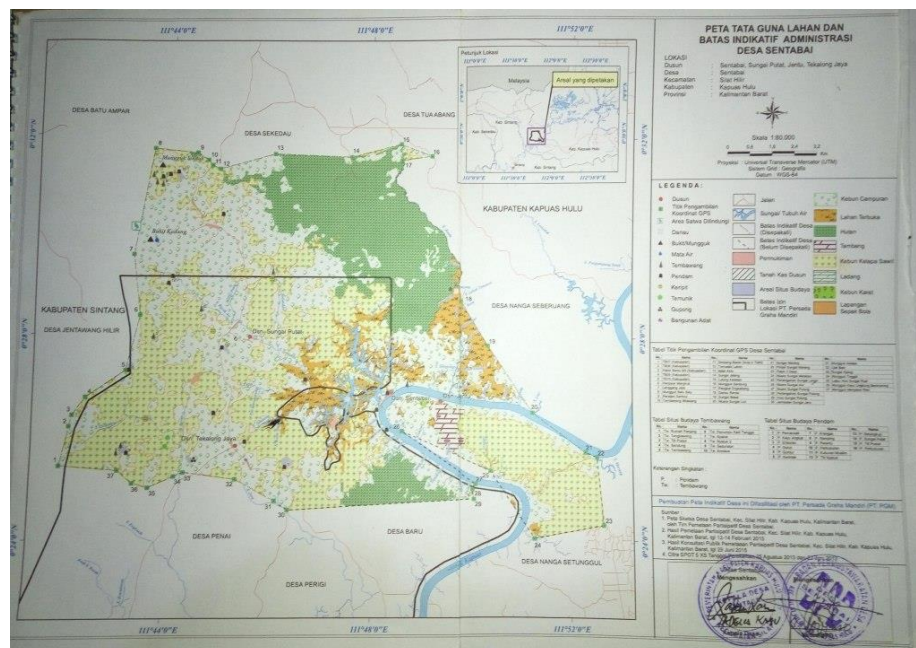
Parallel and competing tenure regimes exist to define statutory and customary rights to land. ‘Adat’ or customary rules and norms determine use and ownership of land amongst the Dayak Kantuk Sebaruk. Individual and customary ownership co-exist under this system. Land that is opened up is under individual ownership, while communal land is managed collectively. Land has historically been seen as being in plentiful supply but land ownership could still be unevenly divided among the Dayaks. This is because land clearing (the most common way of acquiring land) requires heavy, upfront capital and labor investments. Those who have insufficient land of their own and/or had left their land for fallow can borrow from others with the understanding that they would eventually return the borrowed land to the rightful owner. Both women and men inherit land, and feel that they have a voice and representation under the customary system. At the same time, land that is claimed individually and collectively by Dayaks is also classified as state land, with the state not yet recognizing indigenous rights and reserving the right to grant concessions and usufruct rights to others.

Dayaks rely on swidden agriculture for cash crop production and wage work as their main sources of livelihood. Swidden plots are primarily used for rice and vegetable cultivation for consumption, whilst cash is earned from oil palm, wage work, rubber, selling pigs and deer from the forest to the local market, and small-scale gold mining. Sentabai has had a history of attracting natural resource extraction companies to the village. Between 1997-98, there were considerable logging activities taking place in the village, with many people employed in the major logging company – PT Mitra Harapan Sejahtera – operating in the area. Sentabai was also a site of gold mining in 1987-1996. Many of the gold mining operations had come to an end at the time of the research, with the exception of 2-3 small groups of

miners who were still working on existing mines. Both women and men inherit swidden plots. Men are responsible for clearing the swidden fields (including through the use of fire) but it is women who plant, harvest and manage swiddens for household consumption, often soliciting support from men, but making decisions on their own. Such clearly demarcated roles and responsibilities for women and men with regards to swidden have been further accentuated by gender inequalities emanating from labor markets. Men find more opportunities for wage employment both within and outside the village, while women have historically stayed behind looking after swidden plots and caring for their homes and families.

Logging, mining and rubber operations have declined since the rapid onset of oil palm in Sentabai. Many Dayaks are participating in 'nucleus-plasma' scheme or partnership agreement between companies and local people where by companies re-allocated 20% of the total area that they acquired from local communities for oil palm development as smallholdings. Women in particular have found jobs as daily oil palm workers, whereas men tend to work as construction workers, who are in high demand during the establishment of oil palm plantations in the village. The practice of combining subsistence with cash-based work continues, even though land under swidden has shrunk while oil palm has expanded considerably. Casual and permanent employment opportunities in the oil palm plantations have also attracted migrants from different parts of Indonesia to move to the village. As the proceeding discussion will highlight, Dayaks remain employed only casually while migrants have come to occupy permanent positions in the plantations with higher and more secure income, and other associated benefits. (This will be discussed further in Section III on impacts of oil palm).

Figure 1: Map of Sentabai



According to the participatory map funded by one of the oil palm companies – PT PGM – operating in the village since 2015, oil palm makes up half of the village area. The cultivation right and concession permits that the companies have secured covers additional area (so more than half of the village area) but not all of them have been developed yet. Hence, all the people we interviewed said the area under

oil palm had increased since 2015, although it was difficult to validate this information and decipher the magnitude of the increase in absence of reliable data.

There are currently three oil palm companies operating in the village, and these companies are part of two larger corporations. PT Persada Graha Mandiri (PGM) and PT Paramitra Internusa Pratama (PIP) are subsidiaries of PT Sinar Mas Group Agro Research and Technology, while PT Anugrah Makmur Sejati (AMS) is a subsidiary of PT Kencana Group. The two companies under PT Sinar Mas Group hold the most amount of area under oil palm cultivation in the village. Most of the land is under 'nucleus-plasma' scheme with few independent smallholder oil palm plantations. Indonesia has a variety of 'nucleus-plasma' schemes. Under such scheme in Sentabai, the companies manage 80% of the land as 'nucleus' – referring to core plantation area - and set aside 20% as smallholdings in the form of 'plasma'. The smallholdings are 'jointly-owned' by farmers who enter into partnership agreement with the companies, but the companies managed both the plasma and nucleus as one block, with the farmers being entitled to a share of profits once the palm oil trees start bearing fruit. The benefit and debt sharing arrangement between the companies and local Dayaks are a source of considerable resentment in Sentabai, as will be discussed in further detail in the subsequent section.

Three of the following community-led cooperatives have been set up to facilitate the 'partnership' between local communities and the company: (a) Koperasi Sawit Mitra Bintang Moga, which is affiliated with PT PGM; (b) Koperasi Sawit Rumaina, working with PT PGM; and (c) Koperasi Sawit Mitra Puyang Gana, "cooperating" with PT AMS. The nearest mill used by all three companies are located in the neighboring village of Seberuang, Semitau Sub district.

3.0 Inequalities and asymmetries in processes of land negotiation, and dispossession of Dayak women:

This section outlines the unfolding of large-scale palm oil expansion process in Sentabai and discusses the resultant sources of grievances between Dayaks and palm oil companies and within Dayaks themselves. The section seeks to demonstrate that although both women and men were unfavorably incorporated into large-scale oil palm, women faced an additional layer of dispossession. This is because women lacked voice and influence in decisions related to transfer of land and in the subsequent distribution of compensation and benefits at the household and community levels.

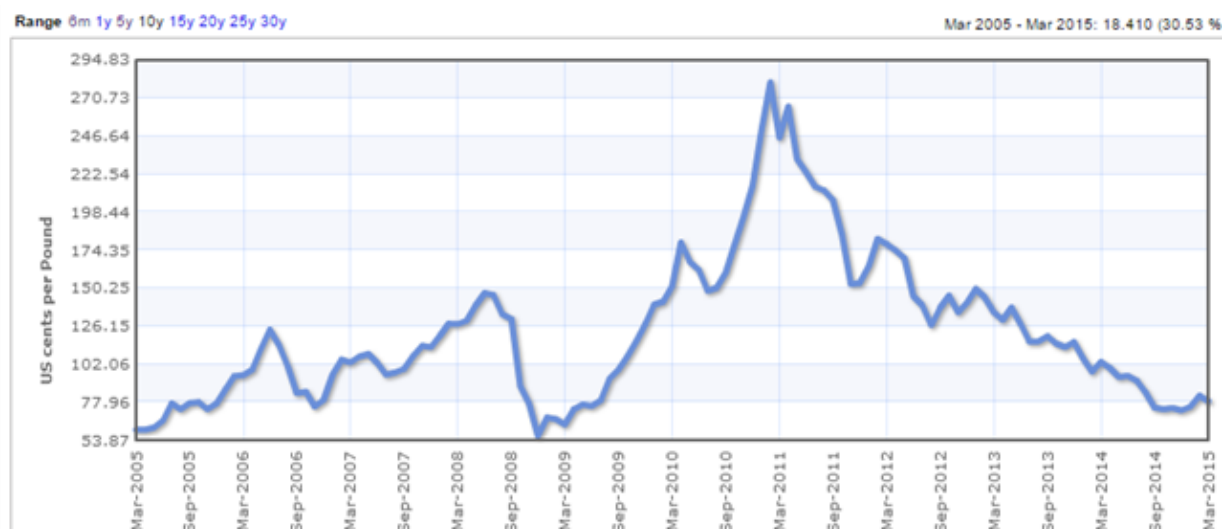
The process of negotiating land transfers for oil palm started in 2007, with companies seeking consent from the Dayak community for handing over land for oil palm expansion after having secured prior right to cultivate oil palm and concession permits from sub-district and village level government authorities. These meant that the companies had already secured concession permits prior to entering into negotiation with the communities. Companies offered to arrange 'socialization meetings' with villagers, during which information about the content of oil palm projects was to be discussed in each hamlet or *Dusun*.

According to interviews with key informants, the development contract offered to Dayak communities included compensation for land, re-allocation of some of the land as 'plasma', employment opportunities, and expansion of existing infrastructure:

- Compensation for land handed over for palm oil. This included land for the establishment of the nucleus and the plasma, as well as for related housing, office premises, roads and other infrastructure.
- Re-allocation of 20% of the land they hand over as 'plasma' to community members who entered into partnership or plasma schemes with the companies.
- The company would manage both the nucleus (core plantation) and plasma (smallholder plots) as a block and would absorb all capital costs associated with their development.
- The plasma holders would receive regular 'dividends' within four years, once the oil palm matured. This would amount to a livable income in the form of minimum income necessary for a worker to meet their basic needs such as shelter, food and education. All these costs have increased and changed due to dispossession of customary land, reduced reliance on subsistence agriculture and the desire to provide more options for the next generation.
- Local communities could work in plantations (either plasma or nucleus) as plantation workers and would be given a wage in return. Local communities would also qualify to be 'permanent workers'. There was no requirement to hire local communities but it was reiterated that employment would be prioritized for local communities.
- The company also promised to invest in infrastructure such as roads, electricity, clean water, schools, amongst other amenities.

In addition to the attractiveness of the contract, according to the interviewees, oil palm companies approached the villagers at a time when prices of rubber, which had previously been a credible source of cash, were dwindling rapidly. Indeed, data from the FAO show that rubber prices fell from 2,500 USD/ton in 1960 to just over 600 USD in 1990, and this figure has decreased further since 2000.

Figure 2: Global prices of rubber



Furthermore, the wide range of promises offered by the company appeared to be particularly lucrative for the communities. During focus group discussions with men, the participants mentioned: "Within 48

months, the plasma smallholders will have money flowing to their bank accounts without doing anything” (. “The local communities who participate in the scheme can put their feet up and expect to earn a decent income without having to do anything”. In intra-household survey, most participants stated that individual gain was their primary reason for agreeing to oil palm operations. The other reasons provided did not yield significant results (such as the desire to follow government suggestions, follow ‘adat’ suggestion, or the lack of choice).

However, as the process of negotiation unfolded, tensions and conflicts started brewing between local communities and the company. Most of these were related to the terms and conditions of the contract between the two. In some instances, the community was successful at negotiating a favorable deal but in the vast majority of cases, there were considerable departures in understanding and expectations between the two sides. With regards to the former, the company started persuading the local community to consolidate their private lands and give them up as a block rather than as individual parcels. In return, the company would divide dividends equally amongst everyone who handed over the land collectively. Most of the villagers who had/were considering giving up larger tracts of land resisted such an arrangement. This is because the compensation either would have to be divided evenly amongst the villagers regardless of who gave up how much land. Alternatively, there would be a clear agreement within the community about who was entitled to additional compensation. Both options could erupt into disputes and conflicts within the community. Others decided to form small collectives amongst themselves (without company intervention) and chose to hand over their land as a block. The company eventually agreed to compensate members according to how land was transferred – mostly individually and/or collectively in some cases.

There were two distinct views on whether or not local people were able to exercise ‘consent’ in handing over their land to make way for palm oil plantations. Some felt like they did not have much of a choice as the companies had secured concession permits on their land before the negotiation between the communities and companies even began. Hence, they felt that they were bargaining over benefits rather than negotiating consent over land transfer. In comparison, other informants said that they voluntarily handed over the land, but the processes leading up to the closing of oil palm deals with Dayak communities did not amount to ‘informed consent’ as there were considerable uncertainties surrounding what the communities had agreed to even during the time of the field research. (The Catholic Church was the only village institution that cautioned communities into assenting and urged members to re-consider. Church left individuals to make their own decision, and community members assented to the development deals).

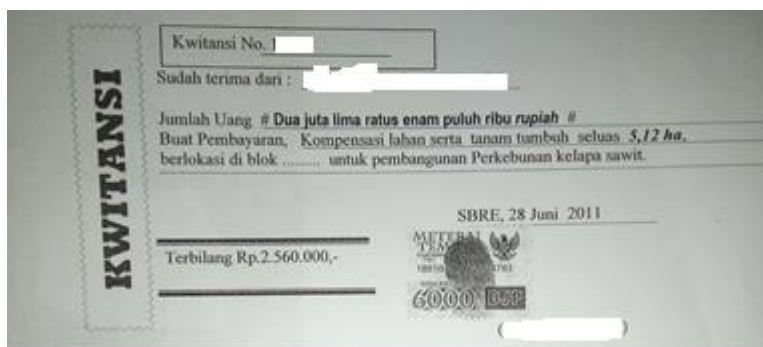
Both sets of participants (those who felt they were forced to consent and those who voluntarily consented) agreed that the socialization process was very positive, with company representatives encouraging the villagers to join the scheme. Details, nuances, potential tradeoffs were glossed over. It was not until negotiations commenced at the individual level, plasmas were distributed and oil palm started in the village, that the local people understood the considerable discrepancies between what was promised and what was eventually actually offered.

At the time of the field work – and almost a decade after companies first approached villagers for oil palm – there were considerable tensions and conflicts between the company that were related to the following major issues: compensation of land, competing interpretation of land transfer, and dividends.

3.1 Compensation of land

By 2010, the community started handing over land to the company. Under communities' agreements with companies, cash compensation was to be determined by the size and quality of land acquired by the company. However, local landowners who gave up their land felt that the company undervalued their land and the amount compensated was very low and unfair. As the following image of an official agreement of compensation demonstrates, PT Persada Graha Mandiri gave 2.560.000 for giving up 5.12 ha of land. This amounts to 500,000 IDR (or less than 50 USD) for 1 ha of land that they were mostly using for 'ladang' (or swidden farming).

Figure 3: Land transfer between company and a Dayak informant



The local communities who ended up transferring their land felt that they had little room to negotiate higher rates for two main reasons. First, their land had never been valued in monetary terms and hence, there was no benchmark against which to bargain with the company. (In the village, the amount of land one controlled prior to oil palm was not necessarily a marker of wealth or status.)

Second, the company believed that local people were not entitled to higher compensation because, from the company's perspective, the land belonged to the state rather than communities. According to company representatives who participated in the study, the company was not compensating local communities for their land but for the labor that local community members contributed towards clearing 'state land' to make way for oil palm plantations. This was in complete contrast to how the communities viewed land tenure in the village, during FGD with men, the participants mentioned:

"In Sentabai, we have two type of land ownership: adat [customary] and individual land"

Participants in FGD with local Dayak men, Sentabai, September 2016.

The Dayaks have lived in Sentabai for generations clearing the forests for settlement, ladang, and eventually 'kebun' for cash crop production. Initially, the Dayaks lived in 'long houses' but by 1991 most had set up their own nuclear households in order to move closer to schools and modern facilities.

Despite this, much of the land in the village was not legally registered, and there was a clear departure between what people felt that they owned versus the documentations that they had to legally verify their ownership. For instance, during this study's intra-household survey, in all the categories of land for which we solicited responses from respondents – homestead, ladang, kebun, and fallow land – most respondents said that their land was owned privately. However, when we inquired what land documentations they possessed, only very few had Surat Keterangan Tanah (SKT) – which is the village/lowest level of recognition of ownership, let alone a Certificate Hak Milik – which is the highest level and most credible form of legal certificate. To give an example from the status of land ownership for 'swidden land, 26 out of 30 respondents who participated in the intra-household survey said that it was owned privately, out of which only 6 said that they had SKT and none said they had Certificate Hak Milik. According to a recent RRI study, indigenous Peoples and local communities right to own or control land in Indonesia has only been recognized for 0.19% of the country's land, despite the fact that local communities like the Dayaks in Sentabai claim and hold a substantial percentage of the country's land." (RRI 2015).

In Indonesia, it is very expensive to register land at a level above the village because of the procedures that has to be followed by the National Land Agency (BPN) to map the land before they can issue certificate of land ownership. The BPN can only issue individual certificates if the owner can prove that he or she owns the land, and there is no dispute regarding ownership. In the frontier areas of Indonesia, such as in West Kalimantan, such ownership can be highly contested with multiple and overlapping claims within and between communities, state land, and private concessions. The Surat Keterangan (SKT), the village or lowest level of recognition of ownership, is more commonly used, but this confuses the legal status of the land even more by introducing an additional layer of 'legal' recognition.

3.2 Inadequate and unfair contract

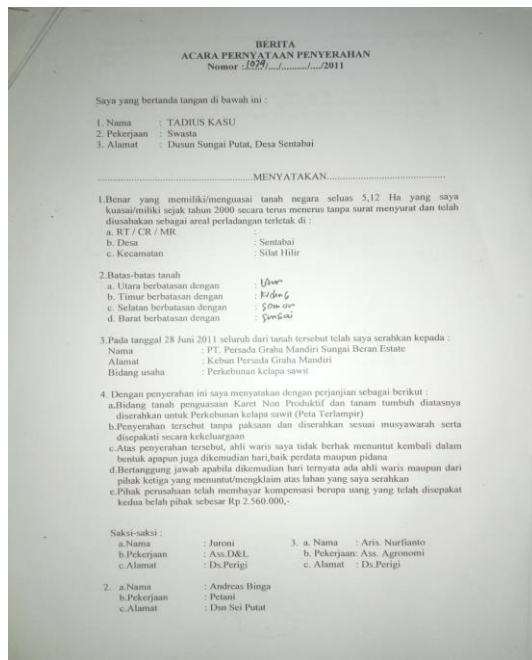
Once an agreement was reached between individuals and a company, the company started the compensation process through a formal contractual process. The company went door-to-door and handed over the cash compensation in each villager's house. At least two witnesses, including a neighboring landowner witnessed of the handover. The terms and conditions of the land transfer were documented in a contract between the two sides, as illustrated by the following contractual agreement (Refer to Figure 4).

The main features of the contract in Figure 4 are as follows:

- The land for which compensation was given was previously state land.
- The land is being handed over to the company for oil palm.
- The handover was conducted without force and was decided by consensus between the community and the company
- The children and grandchildren of the person who handed over the land, and/or any other third party, do not have any right to reclaim the land in any form in the future. (In other words, there was no time-constraint on the contract even though concession permits were time-bound).
- The person who handed over the land will be responsible if there is any claim over the land in the future.

- The company has paid cash compensation, the amount of which is agreed by both parties.

Figure 4: Illustration of contract of land transfer (only a page out of several pages of document)



The disparity in information/negotiating power between communities and companies was stark. Many of the male and female respondents perceived that they were leasing, rather than selling, their land to the company for fixed period: some said 25 and others 30 or 35 years. They assumed that their children and future generations would be able to reclaim the land once the lease was over, and/or when it came for re-planting.

There could be a number of reasons behind the discrepancy between the legal document and community's perceptions. First, the participants in focus group discussion mentioned that the land that they handed over to the company was only '*borrowed*' for fixed periods of 35 years, and they expected that the company would renegotiate the terms of the agreement before they start re-planting. '*Borrowing*' land to other parties is a common practice amongst the Dayaks. Others said that it was not relayed to them that they would be transferring their land indefinitely.

"During the socialization and negotiation, the company said that after their permit time is finished, they will return the land to the community".

Semi-structured interview with a male plasma recipient, native of Sentabai, September 2016.

Moreover, the overall education level in the village is low (most just finished primary school in the intra-household survey) and hence, it appeared to be the case that the community held on to what they believed was mentioned during the socialization, what is common practice in their village versus what was formally agreed in writing. Because no official minutes were documented of the socialization

processes, there was no way of verifying what the company promised and/or what was understood/interpreted by the community. Furthermore, as the current adat leader mentioned, the community was not used to entering into legal contracts with outsiders and hence, they had little knowledge about what this would involve, what kinds of questions that they would have to ask, what kinds of documentation that they would have to keep, etc. Because the local Dayak culture in Sentabai is very verbal, they assumed that verbal agreement between the companies and the local people would suffice.

3.3 Elusive plasmas and dividends

Under the nucleus-plasma scheme, companies would re-allocated 20% of the total land that they acquired from the communities as smallholdings.

There were two main concerns regarding the partnership agreement between local communities and companies under the plasma scheme. First it was with regards to the lack of clarity over the location of the plasma and second, the benefit and debt-sharing arrangements between the companies and plasma holders. Once again, there was considerable departure between what the communities felt they were promised during the negotiations vis-à-vis what eventually materialized once the plasma scheme came into effect.

During the socialization process, community members were assured that their plasma allocation would be in their village, and that it would be close to the nucleus. But, it was not until the compensation process was completed that the company decided on the location of the nucleus and plasma. This location differed from communities' previous understanding. The companies provided limited/no details on the plasma such as precise location, map etc., and this made it difficult to inquire how productive and profitable the plasma was, and decipher what the community was entitled to receive in dividends.

"The company said that our plasma is in Biyan Village, but I don't know where yet. I have no document or map. During the socialization process, they said that our plasma would be located near inti [nucleus]."

Semi-structured interview with a male plasma recipient, native of Sentabai, September 2016

"I don't know where my plasma is. No one from the company ever spoke to me about this".

Semi-structured interview with a male plasma recipient, native of Sentabai, September 2016.

All informants repeated numerous times that the biggest attraction for joining oil palm was the company's reassurance during the socialization process that they would receive dividends within 48

Even after four years of participating in the scheme, the community was receiving very nominal dividends, if any. This is illustrated by the following payment slip for harvest in the plasma that one of our respondents received from the company.

SLIP PETANI-PESERTA (PP)	NOV	TRADUS KAGU		
KORSA	D. POKOK PP	2717		
UPA	Y. REK (AB. BHI)	1460006660315		
RT	Y. S. CL (HA)	124		
PERIODE				
TH IV (OKTUBER) 2014				
A. PENERIMAAN (Rp. BRUTTO)	CAT	NOV	DES	TOTAL
R/W. MAMBAWU DUAH 218				
HASIL PANEN	31.435	31.435	31.435	94.304
SUB TOTAL	31.435	31.435	31.435	94.304
B. PENGELUARAN / POTONGAN KORSA (Rp)				
KE KORSA DI	1.572	1.572	1.572	4.716
SIMPANAN POKOK	-	-	-	-
SIMPANAN WAJIB	3.090	3.090	3.090	9.270
SUB TOTAL	4.662	4.662	4.662	13.986
C. TOTAL PENERIMAAN (Rp. NETTO)	26.773	26.773	26.773	80.319

The following table summarizes the amount received by five respondents with plasma land who participated in the intra-household survey. This serves to illustrate that handing out nominal dividends – that went against what was promised to local people during the socialization process – was a norm.

	Respondent 1	Respondent 2	Respondent 3	Respondent 4	Respondent 5
Year plasma allocation received	2009.	2013.	2014.	2010	2013
Amount of plasma land	4 ha	5 ha	6 ha	4 ha	2 ha
Dividend per month in 2016	158,333/month	183,333/month	208,333/month	Not received any dividend	Not received any dividend
Dividend per ha	39,583/ha	36,667/ha	34,722/ha		

Semi-structured interview with a male plasma recipient, native of Sentabai, September 2016.

Similar grievances were also echoed by other interviewees (a male plasma recipient, native of Sentabai, September 2016).

When we inquired with a company representative as to the reasons for plasma holders receiving much lower than expected dividends, the company claimed that they had taken out loans for planting the oil palm and that the initial harvest was insufficient to cover the loan repayment costs. Hence, the dividends were not share of profits, but shared out of goodwill of the company. Clearly, companies had gone against their word, and had failed to absorb the labor and capital related to plasmas, or to channel the capital back to the community.

“Had I known that I would be charged for loan to open the land, plant and cultivate oil palm trees, I would have opted against joining the plasma scheme”

Semi-structured interview with a male plasma recipient, native of Sentabai, September 2016

3.4 An Additional layer of dispossession for women

Both women and men agreed that the Dayaks were unfavorably incorporated into large-scale palm oil, and were equally resentful of the terms and conditions of such incorporation. The aforementioned discussions highlighted women’s and men’s account of both the negotiation and dispossession processes. However, focusing on women, through women’s own accounts and men’s views, revealed an additional layer of grievances among women against their male counterparts. Women played no or very nominal role in the decision-making process over the land transfer.

Very few women attended the socialization meeting between companies and local community.

“I never participated in socialization meeting”.

Semi-structured interview, woman worker in oil palm company and plasma recipient, native of Sentabai, September 2016.

The few women who did attend largely remained silent.

“I think there were few women attended the socialization, but they were only there, they didn’t say anything.”

Semi-structured interview with male plasma recipient, native of Sentabai, interview conducted separately, September 2016.

“It was the men, elders and youth who said something, but I forgot whom and what”.

Semi-structured interview, woman native of Sentabai, September 2016.

Women said that they were not a part of the individual level negotiations with the companies, and that decisions about participating in plasma schemes were made exclusively by their male household members; women were only informed once the finer details had already been decided.

“My husband didn’t ask me, but he informed me when he gave our land to the company for plasma”.

Semi-structured interview, woman worker in oil palm company and plasma recipient, native of Sentabai, September 2016.

“How the company came and approached the villager for oil palm, we know nothing about it, it was with men”.

Participants in FGD with women of local community, Sentabai, September 2016.

During focus group discussion with women (three Dayak and two Melayu), women said that they felt the terms and conditions of the handover were unfair. The biggest portion of the land would be handed over to the company for the ‘nucleus’, and only 1/5th would be retained in the form of plasma. The women said that they did not understand their husband’s decision to give up their land and only receive 20% in plasma in return. They felt that it was at a considerable loss for them. The money from the company (compensation and plasma harvest) was transferred to their husband’s account and their wives did not know what it was used for.

“In 2010, I gave land to Oil Palm Company, I didn’t receive anything in return.”

Semi-structured interview, woman worker in oil palm company and plasma recipient, native of Sentabai, September 2016.

The aforementioned quotation is from an interview with a Dayak woman who has a plot of plasma under her name. During the interview, it appeared that the respondent was not aware that her husband had already received the compensation as he hadn’t yet informed her about it.

Women were particularly resentful because the land that was given up also included ‘ladang’ land or swidden plots that were managed by women for household food provision, and yet had no say in decisions that fundamentally affected their lives and the roles and responsibilities that they assumed for their families. Men were responsible for clearing the swidden fields (including through the use of fire) but it was women who planted, harvested and managed ladangs for household consumption, often

soliciting support from men but making decisions on their own. And yet, women felt that they had no voice over which land would be handed over for oil palm.

“Most land given away to oil palm were ladang”.

Participants in FGD with Dayak men, Sentabai, September 2016.

Out of the 32 respondents who participated in the intra-household survey, previous ownership of ladang was 4 ha in average, after oil palm it decreases to 1.6 ha.

Women interviewees pointed to the impact that reduction of ‘ladang’ (or swidden) land has had on household food security, and the risks of relying on a single crop for cash income.

“Today, it is difficult to get vegetables; previously we have so many kind of vegetables; bamboo shoots, pakis and kecelang. Today we only have bamboo shoots, there are still many pakis in the oil palm plantation, but because of the chemical spraying, they became dangerous to eat. Kecelang is not there anymore.”

Semi structured interview, woman works in her ladang, no oil palm, native of Sentabai, September 2016.

“Now that the road is better, we have vegetable peddler that comes to the village; the most important thing is that we have the money to buy it, no money means no vegetables.”

Semi structured interview, woman, works in her ladang, no oil palm, native of Sentabai, September 2016.

A combination of factors explain why women didn’t participate in the decision-making process nor channel their grievances towards both their male folks and the companies. Pre-existing norms are carried over to new spaces where negotiation over oil palm is situated and that the oil palm companies came with their own pre-conceived ideas and norms about intra-household relations. Dayak women enjoy considerable ‘strategic’ freedom in their everyday life within the household such as the freedom to marry, divorce, inherit property. There are also overlapping and complementarities in the rolls and responsibilities between women and men when it came to domestic responsibilities. But this autonomy and freedom didn’t extend to the village level. For instance, as is shown in the Annex II below, when asked ‘who owns land’ and ‘who makes decisions’ on land *in their household* during the intra-household survey, the majority of the respondents reported ‘jointly’. But when asked whether women play a role in public decision-making related to infrastructure, policy/government, then women’s participation was negligible. Scholars in a range of geographies have observed such clear disjuncture between women’s voice and agency at the household and community level across Indonesia (See Li Upcoming, Colfer et al. 2015).

Women said that they often expressed their grievances amongst themselves but they don't dare (*tidak berani*) to raise them in front of their husbands or at the community level for fear of transgressing gender combined with religious norms of 'good Christian wife' outside of their household.

As one of our informants explained, the company sought male community leaders and male household head in discussions about land transfer. At the community level, only one member could attend the community level discussion with the company and these were invariably men. At the household level, company representatives reached out to male-heads assuming that this male-centric decision-making relations was the norm and the voices and views of men would represent consensus at the household level.

Furthermore, women's representation in decision-making positions within formal and informal village authorities were marginal. Apart from two junior officials in village government, there were no women as head of Dusun, no women in adat institution. The absence of a critical mass of women representing women's interests limited women's ability to get their voices heard.

It is interesting to contrast the quotations between women, as listed above, with comments provided by men.

"Had I known that I would be charged for a loan to open the land, plant and cultivate oil palm trees, I wouldn't have opted against joining the plasma scheme"

Semi-structured interview, male plasma recipient, native of Sentabai, September 2016.

Men felt that they were duped by the company and they could have done something about it had they been given the correct information from the outset. In contrast, women felt equally deceived by their male counterparts as well as the companies, and that they had limited or no recourse to justice both within their household and community, as well as outside of it.

In summary, the negotiations between local people and oil palm companies over the transfer of land to make way for palm oil were not on the same level playing field as the concessions were already granted to the companies before they even entered into negotiations with the local people. The companies defined the prices of land that they would offer to local people in compensation for the land that they transferred for oil palm. The dividends or profits that the communities have been receiving for entering into partnership agreement with companies have been very limited, and substantially lower than what the companies had promised during the negotiation process. In the absence of proper documentation of promises made by the companies during the negotiation process vis-à-vis what was eventually offered to local people, the local people feel that they have little legal recourse to channel their grievances.

4.0 Impacts of oil palm expansion

4.1 Re-valuing of land, work burden and introduction of migrants

The most significant changes that oil palm expansion had unleashed has been in terms of re-valuing of land and monetization of livelihoods that further excludes and disadvantages women; increased opportunities for wage employment of women but in the context of lack of decent employment for women; and introduction of in-migrants employed in the plantation which have further heightened tensions between companies and Dayak communities and reduced Dayak women's mobility. Here we outline these underlying changes that palm oil has unleashed in Sentabai.

4.2 Re-valuing of land and monetization of livelihoods

One of the most profound implications of oil palm expansion has been the introduction and/or deepening of monetary values attached to land. Our research team found it very difficult to get a credible estimate of the market value of land. This is probably because the land prices were in perpetual state of flux since the land acquisition process unfolded, according to all respondents. For instance, one of the respondent said that she bought a plot of 2ha of land from her neighbor for 2 million in 2013 (IDR 1,000,000 per ha). She used the land for growing paddy and rubber agroforestry (See-interview September 2016). This is significantly higher than what the company gave as compensation for land for oil palm (2.560 million for 5.12 ha in 2011, as showed in an informant's receipt).

Individual and focus group discussions with men revealed the rise in speculation over plasma land within the Dayaks and between Dayaks and outside investors. Plasma holders sold their land to pay for necessities, but also to make quick money. One of the respondents in intra-household survey mentioned that he bought an 8 ha of plasma land for IDR 27 million, which roughly amounts to IDR 3,375,000 per ha in 2012. If the plasma had been established in 2010 along with the first round of plasmas, the value of 1 ha of plasma had increased by 6.75 times within two years. In such a situation, as pointed out during the focus group discussions with men, there was a lot of impatience amongst the plasma holders to wait until the plasma matured. And their sense of insecurities were heightened over lack of information about where their plasma land was located and what the benefit sharing arrangements between the companies and plasma holders would be in reality. The participants recalled stories about how plasmas had been re-valued and changed hands as many as three to four times. Understandably, they expressed growing concern that such heightened commodification of land was resulting in overlapping and contested claims over the same plots of land within the community with potential to escalate into conflict. It was attracting outside investors; and reducing local people's abilities to acquire new land and/or re-claim their land.

Women in comparison, felt that they have been completely excluded from the controversial process of re-valuing and re-transferring land. A woman respondent stated that she knew that her husband had bought plasma several months ago and then sold it; she did not know anything about the price and/or what it was used for. She explained that she did not feel comfortable asking her husband any questions

because he had made it clear to her that it was his domain and not hers. Such sentiments were also echoed by other women interviewees suggesting that the gender-based inequalities and exclusions during the negotiation processes were introducing new forms of inequalities between the genders.

There were similarities and differences in views between younger and older women. Younger women said that one of the most positive aspects of oil palm is that schools and educational facilities are now available in the village, and hoped that this would eventually offer an opportunity to opt out of oil palm and/or be incorporated into oil palm in a more favorable way than their parents had. The level of education for both women and men were low, according to intra-household survey findings as well as key informant discussions, but there was an increasing desire to educate the younger generation. There is more wage employment, particularly for women, than there was previously (see next section). Older women seemed to be less informed about the details of land transfer and land prices than their younger counterparts. However, both groups agreed that heightened dependence on cash was a major concern for future generations. They lamented on the loss of ladang land, expressed anxieties over having to rely on a single crop, and were concerned that they would be left with no other options and no more land available for subsistence.

One focus group discussant mentioned that while her aspiration to educate her children are being fulfilled, it also means having to find the necessary funds to pay for higher/continued education. Already education was her highest overall household expenditure and she expected this to only increase further as her children (now in junior school) grows older and she will have to cover their lodging and food expenses in addition to school fees. She feared that her rising household expenses would only make her only more dependent on oil palm.

4.3 Drudgery of women's work in the plantations

Both women and men agreed that oil palm expansion has led to a considerable increase in wage work opportunities for Dayak women and men alike. A clear division of work has emerged between women and men. Women spray pesticides and collect loose fruit from the ground. Men are primarily responsible for harvesting. A combination of factors is at play in the emergence of such differentiated roles and responsibilities, including the company-fuelled stereotype that women are more diligent than men, and the community view that harvesting is men's work, as it is physically more challenging than collecting loose fruit and spraying, which was seen as being easier. In this way, gender discourses regarding 'bodily strength' were evoked to define who did what in specific ways by the company and the community.

Oil palm introduced more options and better paid employment opportunities for men than women, but women's work is much more regular/steady throughout the year, whereas men's was not. Both men and women palm oil workers were paid equally (78,000/day). However, men preferred to fill the surge in demand for construction work that had opened up as the plantations and related infrastructure were being set up. Construction workers were required for building housing facilities, company offices, roads and other infrastructure. The wages that were offered for construction work was significantly higher (100,000 to 150,000/day) than for oil palm harvesting. Furthermore, during interviews, Dayak men

preferred construction work to palm oil harvesting jobs because the latter tended to be more physically demanding and the wages earned were not commensurate with the hard work that they had to put in it.

There were interesting gendered implications that were unleashed as a consequence of women and men ceasing these differentiated opportunities. Men were constrained by the short-life cycle of their work while women struggled to manage multiple responsibilities alongside oil palm. Men were experiencing dwindling opportunities as the plantations were already set up and the demand for construction work was on the decline. Most women opted to stay as 'casual workers' because they could combine their childcare and swidden responsibilities with work in oil palm for women. This also gave them more flexibility to devote more time to ladang during busy seasons. Some women had been successful in re-negotiating childcare and domestic responsibilities with their male counterparts. Their abilities to contribute financially through oil palm jobs has facilitated such negotiations.

"Oil palm provides more work for women than for men thereby enabling a woman to help her family with the income...men contribute more to domestic work now, especially getting their children ready for school in the morning, as their wives have to leave for the oil palm plantation very early in the morning".

Participant in FGD with Dayak men, Sentabai, September 2016.

"My wife cannot spend as much time on ladang as she can only tend to her fields after wage work in oil palm and if she is not too tired already and/or during her day off. This has meant more ladang work for me compared to the situation prior to oil palm."

Participants in FGD with Dayak men, Sentabai, September 2016.

But most women were not as successful at negotiating within their homes, especially since women's income from oil palm could rarely serve as the main household income. Men, too, struggled to find jobs both within and outside the village and make ends meet. In the absence of provisions to re-distribute care with the state and/or company, oil palm added considerably to their work burden. And women confronted difficulties in balancing their triple work burden – oil palm, childcare/household work, and ladang – on an everyday basis. The daily calendars in Annex 3 serve to illustrate women's work burden.

"I have been waking up at 3 every day since I started working at the oil palm company. I need to get to the plantation by 5, so I have to wake up at 3 to cook for the family. I arrive at home at around 3 pm from the oil palm plantation. I usually go tend to my paddy ladang after work in oil palm. My ladang is about an hour away and I have to rely on a motorcycle, which is an added cost"

Semi-structured interview, woman worker in oil palm company, native of Sentabai, January 2017.

“Domestic work is all under women’s responsibility. If we get sick, our home will be a chaos”

Participants in FGD with Dayak women, Sentabai, September 2016.

In addition to the struggles women faced in balancing wage work in the palm oil plantations with their household responsibilities, the working conditions for women workers in the plantations were poor. Women workers who participated in the study said that high targets determined wages that they had to meet on a daily basis. (This was firmly denied by community representatives). Those fertilizing the palm oil trees had to meet a target of 300kg/day of fertilizers per day and described the work as backbreaking. Women casual workers could only work 20 days per month, which meant that they were not eligible to earn the provincial minimum wage. The latter necessitated workers to work 24 days per month. As casual workers, women were also not entitled to paid sick leave and any other benefits. All women interviewees lamented that their earnings were insufficient to meet their household necessities, pay for school fees etc. and hence the wages they earned hardly constituted a ‘living wage’.

The job of fertilizing and pesticide spraying brought women in close contact with hazardous chemicals. Although women agreed that the companies provided protective attire such as aprons and gloves, the companies did not make it mandatory for women to use them nor closely monitor their use. Many women, therefore, opted against wearing protective gear so that they could finish their jobs as fast as they could and meet their daily targets. As one explained:

“The chemicals give me cuts and burns. I get scared about what lies ahead for me. But what can I do, my daily target is so high and the gloves slow me down”

Semi-structured interview, Dayak woman worker in oil palm company, native of Sentabai, January 2017.

In comparison, the companies closely monitored use of pesticides and fertilizers by pregnant and breastfeeding women. But the companies did not provide alternative options for absorbing such women in other jobs in the plantation, which meant that such a practice became a de-facto discrimination against breastfeeding and pregnant women. For instance, two women interviewees stated that they would have preferred to work on rubber as opposed to oil palm because it was steadier and allowed them greater flexibility with childcare and pregnancy.

“[Referring to rubber] I would start work at 2 a.m. and then return home by 4 or 5 a.m. to breastfeed my baby... but with oil palm, I had to stop working when I learned that I was pregnant”

Semi-structured, woman, native of Sentabai, works in ladang, independent rubber and oil palm smallholder, Sentabai September 2016.

Men in focus group discussions also recalled how their wives and women they knew had to stop working in plantation's when they were breastfeeding and/or pregnant.

In summary, while oil palm opened up employment opportunities for women, allowed women to take on multiple responsibilities simultaneously, the low terms and conditions of employment in the palm oil plantations meant that taking on these jobs were an indication of lack of choices for women rather than an exercise of choice.

4.4 Introduction of a new social layer and resulting inequalities

The expansion of oil palm has also introduced a new social layer in Sentabai as it has attracted migrant workers from other parts of Indonesia. The question of why migrants are brought to work in oil plantations where there are already local workers available has been a subject of growing academic scrutiny. This question is particularly important in light of deviations between the official rhetoric that oil palm is an engine for employment generation and poverty reduction vis-à-vis the low number of employment opportunities generated by oil palm in reality. According to independent estimates, established oil palm requires only one person per four hectares (Friends of Earth, LifeMOsaic and Sawit Watch 2008). In a recent publication, Tania Li (2016) puts forward a compelling argument that the oil palm labor regime has used a dual strategy of enclosing land to dispossess the local population while also importing labor from distant localities to engineer a fictitious condition of abundant supply and scarce demand. This has served to 'control' workers whilst employing them under dismal conditions.

In the case of Sentabai, Dayaks prioritized retaining livelihoods, which included oil palm, subsistence and other forms of cash production. Paddy cultivation was an essential part of their livelihoods, just as oil palm was. Such a practice was explained in a number of ways. For instance, during focus group discussion with women, women mentioned that they wanted their future generations to be less dependent on wage work and sustain themselves outside of plantation system.

"People here still plant paddy, we need it for family's daily consumption".

Semi-structured interview, woman independent oil palm grower, native of Sentabai, September 2016.

Relying solely on local Dayak labor left a labor vacuum during the peak agricultural seasons such as paddy planting and harvesting seasons whereas oil palm fruits needed to be harvested twice a month once they matured, throughout the year. Hence, the companies had to bring in and/or attract workers who were willing to work without interruptions.

Nevertheless, oil palm plantations created two layers of workers: permanent and contractual. 'Permanent' jobs were more coveted because they came with housing, electricity, clean water, schooling for children, basic health, a rice ration, accommodation and food during the re-location period. These were 'perks' in addition to a stable source of income, such as 1,900,000 per month as

stated in the advertisement below. But, only two Dayaks have been able to become permanent workers (as ‘Mandors’ or supervisors), all of the remaining was casual workers. This is because the company required that all workers work two years continuously with good evaluations before they can qualify for consideration for permanent jobs. These two criteria (two years and good evaluation) served to exclude Dayaks who needed more flexibility to combine subsistence with oil palm, and more cushion to fall back on in case oil palm declined just as other forms of their cash income had met their demise during their lifespan (such as logging, mining, and rubber).

Figure 7: Advertisement for recruiting oil palm workers

DIBUTUHKAN
LOWONGAN PEKERJAAN KELAPA SAWIT

PT. SINAR MAS
LOKASI KALIMANTAN BARAT

PERSYARATAN

1.) BERKELUARGA	2.) LAKI-LAKI (LAJANG)
- KTP (Suami-Istri)	- KTP
- FC KK	- FC KK
- FC Surat Nikah	- Umur Maks 37 th
- Umur Maks 37 th	- Foto 4x6 2 lbr
- Foto 4x6 2 lbr	- Surat Keterangan Dokter
- Surat Keterangan Dokter	

FASILITAS

1. MESS / Tempat Tinggal Layak
2. Listrik / Genset
3. Air Bersih
4. Gaji : Rp. 1.900.000,-/BULAN + BONUS + Minggu Libur
5. Sudah Mendapatkan Beras 17kg/bulan (Lajang & Keluarga)
6. Alat Kerja Dan Alat Dapur Sudah Disediakan
7. Poliklinik Dan Tempat Ibadah Disediakan
8. Biaya Sekolah & Pendidikan Gratis
9. Asuransi Ketenagakerjaan / BPJS
10. Biaya Akomodasi & Konsumsi Gratis Selama Diperjalanan

100%
RESMI, GRATIS & DITERIMA

Hubungi :
Bpk. Hans, SE
0896 9662 6266

Inter-community relations and Dayak’s attitudes towards migrants seemed to vary but also evolve as migrants transitioned from casual to the permanent workers category. Many saw the new migrants as poor and in need of goodwill and support. Other interviewees felt the company purposely favored workers from ‘Java’ and ‘Madura’ because they amounted to more stable and controllable work force than Dayaks. There would be fewer opportunities for mobility for Dayaks as a consequence of such favoritism. Such contrasting views are exemplified by the two quotations below. The first is from an interviewee who was referring to newcomers while the second of impacts of migration in general on Dayaks:

“We allowed the migrant workers to use our parcel land if they need to plant vegetables. They never give us any vegetables that they grow on it. But it is fine, because they are poor, we get our land cleared and managed and it is only very small parcels of land anyways”

Semi-structured interview, woman independent oil palm grower, native of Sentabai, September 2016.

“I work for our children because it seems like only people from Java and Madura who find it easy to get jobs in the oil palm plantations.

Semi-structured interview, woman independent oil palm grower, native of Sentabai, September 2016.

Disparities in the quality and quantity of infrastructure and other services between the two groups also brewed jealousies and mistrust, even though open hostility was rare or had yet to erupt. This situation compounds the overall grievances that the Dayak community felt towards their 'partnership' with companies. Corporate promises remain under-fulfilled and the benefits derived from transferring their lands to make way for oil palm plantation are not commensurate with what they have gained and lost.

"Mbak, kalau kamu datang ke desa kami, ada daerah yang terang, itu punya pabrik; nah terus ada daerah yang gelap, itu daerah masyarakat".

"When you come to our village, the bright areas that you will see belong to the company [where migrants are settled]. And then you will see darker places, it is our community's."

Participants in FGD with women local community, Sentabai September 2016.

In summary, because of differential access to services and history of land dispossession due to oil palm, there was palatable resentment brewing amongst the Dayaks towards the migrants and the feeling that migrants were advancing while the Dayaks were stagnating or declining. This was an opinion shared by both women and men alike. Although grievances were articulated in terms of Dayaks versus migrant workers, it could be argued that Dayak women were doubly disadvantaged. First of all, women's work were seen as easily replaceable and did not qualify as 'permanent work'. Second, since Dayak women workers needed even more flexibility than their male counterparts did to combine work in the plantations with their multiple responsibilities, rules specifying eligibility for permanent work, further disadvantaged Dayak women from assuming permanent positions.

5.0 Limited prospects for success as independent smallholders

Both Dayak women and men voiced aspirations to invest in oil palm as smallholders, outside of a contractual relationship with companies. However, limited dividends from plasmas, low wages earned as casual workers reduced their prospects of being successful oil palm smallholders. This was further compounded by lack of access to independent mills and markets where they could sell their palm oil fruits. The detached and potentially collusive relationship between companies and the state is likely to further restrict Dayak women and men's ability to channel their grievances and thereby secure, exercise and defend their rights to land and access to the capital and knowledge needed to invest in oil palm successfully. It is to these dynamics that limit future prospects to benefit from booming oil palm economy that this section points to.

Throughout the interviews, it was clear that both women and men who participated in the study had aspirations to start their own oil palm, outside of a contractual relationship with companies.

“I believe that planting oil palm tree will bring benefits to us, because of the trees’ high endurance. It doesn’t need a lot of effort to manage”.

Semi-structured interview, male independent oil palm grower and also has been working as mandor/supervisor since 2012 in the company, native of Sentabai, September 2016.

“My husband and I decided to plant oil palm together. This is our land, we should also benefit from it, not only the company.”

Semi-structured interview, woman independent oil palm grower, native of Sentabai, September 2016.

“If we don’t resist we loose [our land’, if we do, we are powerless [in the face of the company]. But we cannot be silent spectators. We have to try to develop [referring to palm oil] what we can”

Key informant interview, male adat leader, native of Sentabai, January 2017.

As the above quotations reflect, the local people’s grievances were related to the modes of inclusion in large-scale oil palm; and how the contractual or labor relationship with companies had jeopardized their options to benefit from oil palm in their own land.

Most women and men echoed findings from recent studies that while everyone can plant oil palm, but being a successful smallholder requires considerable investment (McCarthy 2010 and Obidzinski et al. 2014). The community’s underlying source of grievance with the company was that with the limited profits that they would generate from plasmas, as casual workers in the plantations and the difficulties that they would have in earning back the land that they lost, they feared that they wouldn’t have either the capital or the land to plant their own oil palm. Furthermore, with no independent mills in the area, they were concerned about having a market for their produce.

When asked why they don’t channel their grievances to higher authorities and seek just treatment by the companies, most felt they were powerless to do so. For instance, one of the examples used to highlight such sense of powerlessness during the focus group discussion with men was the official complaint that the local community filed against the company for polluting their water sources with residues from oil palm that were dumped into the river. The community has had to purchase water for the first time. The field researchers observed that on average, households were purchasing around 1-2 gallons of water per week.

“The biggest negative effect of oil palm is polluted river. Previously we could use water from the river for daily consumption, the water was great, it was clean and fresh”.

Semi-structured interview, woman independent oil palm grower, native of Sentabai, September 2016.

“The water from river is now colored brown, we don’t want to drink it; we buy drinking water in gallon”

Participant of FGD with women, a woman works as village midwife, native of Sentabai, September 2016). Echoed in women FGD.

“We buy drinking water from small shops that sell them. The cost is IDR 10.000 per gallon.”

Participants in FGD with women local community, Sentabai, September 2016.

24 out of 29 respondents in the intra-household interviews also agreed that oil palm was contributing to environmental degradation in the village.

Yet, despite these complaints, there was no action taken by the authorities. The company had recruited an environmental consultancy to start an inquiry but then didn’t follow up with any results or action.

The local authorities had played a limited role during the negotiations with companies. As one male interviewee put it:

“The district and sub district level government did not always attend the socialization event with the company and the community. Even when they came, they did not provide substantive inputs and it seems like they were there only for the sake of showing up.”

Semi-structured interview, Dayak man, independent smallholder, Sentabai, September 2016.

The promises that were made during the socialization process were not officially recorded and hence, it was the community’s word against the company’s. Indeed, senior officials at the police said that the community is to be blamed for agreeing to a contractual agreement that was unclear and unfavorable to them. The police had refused to intervene on behalf of the community. Women felt that they were even more disempowered. There were even fewer people they could rely on to channel their grievances.

Furthermore, there was also a strong sense that the companies were connected to powerful people in higher ranks of the government. While it was difficult to gather any evidence to verify such views, the Bupati (the District head)’s decision letter regarding officially recognized plasma holders are perhaps revealing of such linkages. According to the official letter, each of the plasma holder’s land status is stated as having a ‘BPN certificate’ (highest level of official recognition as mentioned earlier). This directly contradicts both the community and the company’s account of the status of plasma land, as discussed in the aforementioned sub-section on the ‘Competing Interpretation of Land Transfer’. This document was used by the company to access collateral from commercial bank for developing plasma plots, the amount ranging from 38–45 million IDR/hectare. Commercial banks require clear land status in order to process loan applications.

This shows that Bupati was willing and able to release an official document even when there was no evidence of BPN certificate belonging to plasma holders and ongoing disputes related to land status between the companies and the local people. What Sentabai is experiencing in terms of differences in 'legal' papers and competing understanding of land tenure, could very well be an outcome of collusion between company and local authorities. Given the sensitivities around the issue, it was difficult to further verify and explore such possibilities during the research process.

Figure 8: Bhupati decision letter regarding officially recognized plasma holders, No.46, 2012

NOMOR POKOK PETANI PESERTA	NAMA PETANI PESERTA	UMUR (THN)	PEKERJAAN	ALAMAT	LUAS CALON LAHAN YG DIUSAHAKAN (HA)	KONDISI LAHAN			STATUS KEPEMILIKAN LAHAN	JARAK DARI RUMAH KE LOK. KEBUN (KM)	KET
						VEGETASI	TOPOGRAFI	JENIS TANAH			
1	2	3	4	5	6	7	8	9	10	11	12
2716 /REV-BUNMAKH/2012	STANA	47	Petani	Sungai Putat	4,00	Semak-Sekuar	Datar-Bergelombang	S3	SHM	4	
2717 /REV-BUNMAKH/2012	TADIUS KASU	26	Petani	Sungai Putat	1,24	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2718 /REV-BUNMAKH/2012	TAJA	74	Petani	Sungai Putat	2,00	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2719 /REV-BUNMAKH/2012	TANYAN	42	Petani	Sungai Putat	4,00	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2720 /REV-BUNMAKH/2012	TASIANA IKA	23	Petani	Sungai Putat	0,74	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2721 /REV-BUNMAKH/2012	UBUS	40	Petani	Sungai Putat	3,31	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2722 /REV-BUNMAKH/2012	UNA	22	Petani	Sungai Putat	3,43	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2723 /REV-BUNMAKH/2012	YANA	21	Petani	Sungai Putat	1,00	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2724 /REV-BUNMAKH/2012	YUSEP GANDI	22	Petani	Sungai Putat	3,27	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	
2725 /REV-BUNMAKH/2012	YULUS MENYAYA	33	Petani	Sungai Putat	1,79	Semak-Belukar	Datar-Bergelombang	S3	SHM	4	

Totol Luas Lahan yang Disediakan (HA) : 115,45
 Jumlah Petani Peserta (PP) : 37
 Luas Lahan Rata-rata (HA) : 1,85
 Luas Lahan Minimal (HA) : 0,02
 Luas Lahan Maksimal (HA) : 4,00



BUPATI KAPUAS HULU,
NASIR

Explanation: The table in the following letter lists members of the Mitra Bintang Moga Cooperative working with PT Persada Graha Mandiri in Kecamatan (sub-district) Silat Hilir, Kabupaten (district) Kapuas Hulu. Registration number, name of plasma holder, age, occupation, address, size of plasma, land condition, land ownership status, and distance from home to location of plasma.

6.0 Summary and concluding remarks

This case study illustrates the highly unequal ways in which indigenous Dayak communities are being absorbed into large-scale palm oil whilst being potentially excluded from benefiting from palm oil on their own terms.

The research demonstrates that a problematic negotiation process meant that 10 years after the initial contact between the companies and the communities, there was still considerable tension over the compensation of land, differing interpretations of land transferred, and the dividends that were due to each of the households who had given up land for the plantation. (Considerable discrepancies exist between what was promised and the actual benefits and costs of oil palm.)

These were further compounded by the fact the local Dayak culture in Sentabai is verbal and the local communities were not aware of the importance of recording and maintaining accurate documentation of the negotiation processes.

One of the fundamental sticking points was and is the issue of "ownership". Communities saw ownership of the land in customary terms (meaning that lands were considered to be "adat" (customary community land and individual land) and the plantations viewed the land as "state" land to begin with. In the absence of formal legal documentation on land tenure, the company's terms prevailed.

Women faced a second layer of dispossession because they were really not a part of the decision-making processes and yet lost large tracts of swidden land that they managed for household food provisioning. Women did not participate in the initial public informational meetings and subsequent individual negotiations about land acquisition. Although women may have greater influence in decision-making in the household, this does not carry over into public fora. In these "public" spaces (including any discussions on oil palm), it is assumed that men represent the interests of the entire household.

The large-scale land acquisition for oil palm affected women's access to and control of land resources, with subsequent implications for the household's food security and livelihood. Women managed the swidden fields used to produce food for the household. Most of this land was given up to the plantation. In addition, any compensation for oil palm land is transferred to the husband, and women are generally not aware of the transactions.

Women feel deceived by the oil companies, by the men who represented them, and by the institutions who are responsible for this process. They still lack a means of seeking justice and accountability for promises made by the companies. The monetization/commodification of land resulting from the oil palm investments has had negative effects on men and women. These have included a greater potential for conflict over competing claims for land, including from migrants arriving from other parts of the country.

New opportunities for wage work has had differentiated effects on men and women. Palm oil has opened up flexible employment opportunities for women in a context where few opportunities to earn cash were available to women. Nevertheless, lack of decent work for women in the palm oil economy is a major concern due to the over-representation of women in the casual employment category, the greater challenges that women face in transitioning into 'permanent' category. Equally troubling is the low wages that women earn amidst high targets that they must meet, greater health risks that women are exposed to in carrying out their assigned tasks in the plantations, and the difficulties they confront in balancing their multiple responsibilities alongside palm oil.

Women have added wage work as a responsibility, over and above their agricultural and family care responsibilities. This has translated to an increased work burden on women. In some cases, women have been able to re-negotiate responsibilities for family care and household chores with their partners because of the value accorded to their financial contributions to the household. Women also begin to perceive that wage income in oil palm is contingent on reproductive choices. Women are not able to work in oil palm if pregnant or breastfeeding due to the risk of exposure to pesticides (and no alternative positions are given to them during this period). Men are still adjusting to the short cycles of the construction work, which is preferred to harvesting.

Oil palm development attracted migrants from other parts of Indonesia. As migrants began to access the coveted "permanent" positions in the company, resentment in the Dayak community began to grow (not sure if expressed by both men and women) and has created social and economic divisions in the village. The gender effects of this migration are not yet evident, but it can be seen that women are doubly-disadvantaged in the face of advent of migrants from other parts of Indonesia. The casualization of their work and the additional burden of caring for their children greatly reduces women's chances of transitioning into permanent positions in the plantation with better paid and more secure jobs as well as entitlements to other benefits.

From women's perspectives (both younger and older generations), the benefits of oil palm in terms of improved infrastructure and educational opportunities for their children, are eroded by the loss of subsistence agriculture, emerging cash economy and their family's dependence on revenue from oil palm. Women articulate a vision for future generations of less dependence on wage work and plantations.

While these findings are case and context-specific, they are also illustrative of the broader, problematic ways in which oil palm has expanded in Indonesia. These include the granting of concession licences to companies amidst lack of recognition of community or indigenous people's land (Banjade et al. 2016). The ways in which 'free prior and informed consent' is interpreted as a tool for relaying decisions that have already been made at higher levels rather than as a mechanism for making an informed choice (Cramb and McCarthy 2016). Furthermore, the case study is revealing of the ways in which benefit-sharing arrangements is progressively favoring companies over plasma smallholders. The current state of the oil palm sector in Sentabai illustrates challenges of decentralization in Indonesia, where there is a lot of discretion at local government level (District), without a coherent overarching platform that promotes smallholder rights, inclusive processes, and accountability. The case study illustrates the problems that arise when there are overlapping definitions of land tenure and "legal" documents can apparently be provided at the discretion of local authorities, thus creating potential for collusion between local authorities and oil palm companies.

As McCarthy (2010) explains, during the Suharto era (from 1966–1998), the Indonesian government saw oil palm as a major vehicle for rural socio-economic improvement and followed a model of government intervention to promote smallholder development. The national government experimented with a range of schemes, which actively sought to include and benefit smallholders. While the results of these schemes were mixed, plantations were required to allocate at least 70% of the total land to smallholders, thereby favoring smallholders in spirit. But since the demise of the Suharto regime and succumbing to greater pressure by donors to end its interventionist or 'market distorting policy approach', the Indonesian government has taken a 'hands-off' approach stressing the role of the private sector in a 'new' business-led oil palm expansion era.

Under this new model, which coincides with when oil palm began in Sentabai, plantation companies are able to take up to 80% of the development area, while smallholders are assured of only a 20% share. A new ministerial regulation in 2013 marked a further move away from the state-supported oil palm development, by allowing that the 20 percent of the smallholder area could now be located outside the estate concession area (Zen et al. 2016). Therefore, some of the underlying grievances that we have documented during our research related to terms and conditions of the land exchange, uncertainties over the location of plasma, have been facilitated by the overall policy change in Indonesia. As Zahiri Zen

et al. (2016) point out, procedural unfairness of the land acquisition process and debt and benefit-sharing arrangements, as are also documented through our case study, have become endemic under this new model.

Following decentralization in Indonesia in 1999, the district administrators have become critical in determining the continued profitability of oil palm operations. While some have taken a decisive position to support smallholders, others have resorted to rent seeking and corruption as the rapid expansion of oil palm in a way that favors corporate interests presents lucrative opportunities for local authorities. Oil palm companies are also investing heavily in managing relations with local authorities, both formally and informally. Hence, instead of decentralization supporting 'bottom up participation and inclusion' as was professed by its proponents (Ribot 1999), it has left too much scope for discretion without also a coherent, overarching platform for promoting smallholder rights, inclusion and empowerment by local authorities.

Furthermore, the case study also highlights the problems with scripting palm oil as a 'male crop' and the resultant exclusion of women when the interface between companies and communities are through male community leaders and male household members. It serves to question the assumption that decisions made by household heads with regards to land transfer necessarily reflects consensus at the household level, and that compensation and dividends, when channeled through male household heads, automatically trickles down to all household members.

ANNEX I: Summary of Research methods

Tool	Purpose	Sample Respondents as in the Methodology Tools V.3	Respondents from Fieldwork – West Kalimantan, Desa Sentabai
Activity 1. Community Profile Interview	<ul style="list-style-type: none"> To provide background social, economic, and political information about the community, including a sketch map locating the village in relation to the company and other key landscape features and a wealth ranking to map different socio-economic groups and their engagement with oil palm; To provide a timeline of key events over past decade; To understand the socio-political context in which oil palm has developed; To identify the extent and community dynamics of large scale oil palm, incorporated smallholder oil palm, and independent smallholder oil palm and the interconnections between each of these To map out connections with oil palm companies, government (at different tiers), customary institutions and civil society groups including processes of acquisition (who involved, how involved) and (where appropriate) resistance and exclusion. 	<ul style="list-style-type: none"> 1 or 2 man key participants: 1 or 2 women key participants: Only one needs completing per gender and community. Participants could be figures such as the village secretary, the chairperson of Village Parliament (BPD), female member of village government, but preferably should have knowledge and experience of dealing with oil palm investment. 	<ul style="list-style-type: none"> 1 man Dayak adat leader 1 man company's representative, and 5 men village officials representatives [7 men respondents in total] 2 women, wives of village officers, 1 woman teacher, 1 woman village nurse 1 woman sub-district health center nurse [5 women respondents in total]
Activity 2. Community transect walk	<ul style="list-style-type: none"> To provide general information on agro-ecology and resource opportunities/constraints To provide an overview of different kinds of tenure and resource access regimes across 	<ul style="list-style-type: none"> 1 or 2 male key participants 1 or 2 female key participants This is a structured observation exercise which involves members of the field team accompanying male or 	<ul style="list-style-type: none"> 3 men village officers 1 man farmer/fisher 1 man fisher [5 men respondents in total]

Tool	Purpose	Sample Respondents as in the Methodology Tools V.3	Respondents from Fieldwork – West Kalimantan, Desa Sentabai
	<p>the community.</p> <ul style="list-style-type: none"> ▪ To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc) ▪ To provide general information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community. ▪ To explore peoples' perceptions of opportunities and constraints/problems associated with different forms of livelihood, resource access and food security, and the effects of oil palm on these. ▪ To explore current / prospects for sharing the benefits of oil palm. 	<p>female key participants (should be two together) normally by motorbike or 4WD vehicle (as distances are quite large) across the extent of the community (north to south, or east to west, depending on key landscape and land use features outlined in Activity 1.</p> <ul style="list-style-type: none"> ▪ Information from this exercise will complement and enable Activity 3, the gendered community resource map. 	<ul style="list-style-type: none"> ▪ No women respondent participate because most female work in palm oil during the day
Activity 3. Gendered community resource map.	<ul style="list-style-type: none"> ▪ To provide detailed information on different kinds of tenure and resource access regimes across the community ▪ To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc) ▪ To provide detailed information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community. ▪ To explore peoples' perceptions of opportunities and constraints/problems 	-	<ul style="list-style-type: none"> ▪ 1 man fisher ▪ 1 man farmer ▪ 1 man entrepreneur <p>[3 men respondents in total]</p> <ul style="list-style-type: none"> ▪ 3 women work in palm oil and swidden farmer ▪ 1 woman swidden farmer <p>[4 women respondents in total]</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools V.3	Respondents from Fieldwork – West Kalimantan, Desa Sentabai
	<p>associated with different forms of livelihood, resource access and food security, and the effects of oil palm on these.</p> <ul style="list-style-type: none"> ▪ To explore current / prospects for sharing the benefits of oil palm. 		
Activity 4. Intra-household survey	<p>To provide brief data on range of livelihoods (inc migration), extent of dependence on oil palm, access to resources/tenure, contacts with companies, farmer group participation, divisions of labour, food security and aspirations.</p> <p>To identify potential respondents for inclusion in activity 4 and 5.</p>	<p>The survey should be undertaken in each case study community with a sample of 30 households. The sampling strategy should be guided from information on relative wealth and on ethnicity provided from the community profile (Activity 1). Based on the proportion of households falling into each of these categories, the sample should include a proportionate representation from: households considered to be from the lower socio-economic group of the community households considered to be from the middle socio-economic group of the community households considered to be from the higher socio-economic group of the community. If the community is of mixed ethnicity, the sample for each of these categories should include households from each ethnic group, e.g. Dayak, Bugis, Malay, NTB or NTT, proportionate to the</p>	<ul style="list-style-type: none"> ▪ 13 respondents are Dayak Kantuk Sebaruk, ▪ 9 melayu, ▪ 4 Dayak Sebaruk, ▪ 2 Jawa, ▪ 2 Dayak (non-native of Sentabai) <p>[30 households in total]</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools V.3	Respondents from Fieldwork – West Kalimantan, Desa Sentabai
		percentage provided in the community profile. Male and female respondents must be surveyed separately	
Activity 5. Seasonal and daily calendar interviews	To provide detailed information on seasonal and daily activities across the livelihood system including domestic work, on farm subsistence production, cash crop cultivation (oil palm, rubber etc), forest product gathering, wage work, temporary migration, education, participation in community events	<ul style="list-style-type: none"> 2 men who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i> 2 men who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i> 2 men who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i> 2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i> 2 women who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i> 2 women who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i> 	<ul style="list-style-type: none"> 3 men swidden farmers (no palm oil), 2 men plasma smallholders, 2 men independent small holders <p>[7 men respondents in total]</p> <ul style="list-style-type: none"> 2 women swidden farmers with no involvement in oil palm oil, 1 woman swidden farmer and plasma smallholder – under her husband name 1 woman oil palm worker and plasma smallholder – under her own name 1 woman is swidden farmer, rubber and independent smallholder 1 woman is a seller and an independent smallholder <p>[6 women respondents in total]</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools V.3	Respondents from Fieldwork – West Kalimantan, Desa Sentabai
Activity 6. Semi-structured life histories	<p>To explore their personal livelihood history and migration story</p> <p>To explore the experience of land acquisition or dispossession in relation to oil palm investment</p> <p>To explore the experience of (informed) consent around resource access/control for different categories of people</p> <p>To explore their current engagement with oil palm (as a smallholder investor, as a wage worker, as a local farmer). with oil palm and k Gender norms and household and agricultural/NRM roles as these have shifted over the life course</p> <p>To explore enabling and constraining factors within peoples’ life trajectories</p> <p>To explore factors shaping socio-economic mobility, poverty trends—and their gender dimensions in an oil palm context.</p>	<ul style="list-style-type: none"> 2 men who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i> 2 men who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i> 2 men who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i> 2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i> 2 women who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i> 2 women who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i> 	<ul style="list-style-type: none"> 3 men are swidden farmers (no palm oil), 2 men are plasma smallholders 2 men are independent small holders 2 women are swidden farmers (no palm oil), [6 men respondents in total] 2 women swidden farmers with no involvement in oil palm oil, 1 woman swidden farmer and plasma smallholder – under her husband name 1 woman oil palm worker and plasma smallholder – under her own name 1 woman is swidden farmer, rubber and independent smallholder 1 woman is a seller and an independent smallholder [6 women respondents in total]
Activity 7. Key Semi-structured	Key person interviews to cover a range of specific issues including local trajectories of oil palm investment and governance, and to explore gender discourses and practices, and	<ul style="list-style-type: none"> One person from oil palm company One key local investor (where relevant) One representative from farmer 	<ul style="list-style-type: none"> 1 man village head 1 man adat head of Melayu ethnicity 1 man ex-adat head

Tool	Purpose	Sample Respondents as in the Methodology Tools V.3	Respondents from Fieldwork – West Kalimantan, Desa Sentabai
interviews	to identify potential entry points for gender-transformative change	<ul style="list-style-type: none"> group (oil palm) One representative from sub-district and district government One customary leader One civil society leader One representative from women's organization One advocacy group representative (where relevant to the case) 	<ul style="list-style-type: none"> 1 man head of cooperative 1 woman, wife of ex-adat head 1 woman, teacher 1 woman, village nurse [7 informants in total]

Annex II: Summary of intra-household findings on land tenure and decision-making

		Housing		Ladang (commodities for subsistence)		Kebun (commodities for cash)		Shrubs	
		Before (n=30)	After (n=28)*	Before (n=30)	After (n=28)*	Before (n=30)	After (n=28)*	Before (n=30)	After (n=28)*
Amount (ha)	Don't have any	0	0	12	11	8	6	18	14
	Smaller	(<0.18) 18	(<0.18) 14	(< 3,90) 8	(< 3,90) 14	(<3,71) 11	(<3,71) 13	(<5.65) 3	(<5.65) 8
	Bigger	(≥0.18) 10	(≥0.18) 16	(≥ 3,90) 8	(≥ 3,90) 5	(≥3,71) 9	(≥3,71) 11	(≥5.65) 7	(≥5.65) 8
	Mean	0.06	0.05	3.90	1.67	3.08	3.71	4.42	5.65
Ownership status	State	1	0	1	1	0	1	0	1
	Customary	2	2	0	0	0	0	0	0
	Individual	21	26	12	15	16	21	9	12
	Borrowed (no payment)	4	2	2	3	3	1	1	1
	Other	0	0	0	0	1	1	0	0
	Nothing	0	0	1	0	0		0	
How did they	Open the land	0	0	1	1	1	1	0	1

acquire the land?									
	Bought	8	7	0	2	5	1	2	2
	Inherited	13	17	12	14	10	18	8	11
	Gift	1	2	1	1	1	1	0	0
	Don't know	3	0	0	0	3	0	0	0
Gender of land ownership	Husband	6	9	2	3	2	8	4	5
	Wife	3	3	2	3	0	0	1	1
	Joint	9	13	8	9	10	11	3	5
	Other family member	2	2	1	1	3	3	0	1
	Extended family	5	1	1	2	5	2	2	2
	Don't know	0	1	0	0	0	0	0	0
Document	SKT	4	6	1	2	1	2	0	2
	Certificate	0	0	1	0	0	0	0	0
	Don't have any	21	20	12	16	17	22	10	12
	Don't know	0	0	0	0	2	0	0	0
Whose name written on paper?	Husband	1	5	0	1	0	2	0	1
	Wife	2	1	1	1	0	0	0	1
	Joint	0	0	1	0	0	0	0	0
	Other family member	1	0	0	0	0	0	0	0
	Extended family	0	0	0	0	1	0	0	0
Who made decision on changes	Husband	7	7	3	4	4	6	3	2
	Wife	0	0	0	1	0		0	1
	Joint	13	19	10	10	10	15	6	9
	Other family member	1	1	1	1	1	1	0	1
	Extended family	5	1	2	3	5	2	1	1
	Other	2	2	0	0	0	0	0	0

Annex III: Daily calendar of two women respondents, September 2016

NO	ACTIVITY	MORNING										NOON			AFTERNOON				NIGHT					MORNING	
		03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	01	02
A	Sleeping and resting																								
B	Eating and drinking																								
C	Personal care																								
D	School (also homework)																								
E	Farming activities (She does not go to farm everyday)																								
F	Wage work on the large scale plantation																								
G	Wage work on the small-scale plantation (do not plant their own oil palm)																								
H	Shopping/going to the market																								
I	Cooking																								
J	Care for children/adults/elderly																								
K	Domestic work (incl fetching wood and water)																								
L	Travelling and communiting (she doesn't have time to)																								
M	Watching TV/listening to radio/reading																								
N	Participating in community groups (She never join this)																								
O	Family events																								
P	Religious activities (only in Sunday)																								
Q	Adat activities (Gawai, only once a year)																								
R	Other, specify...																								

Se daily calendar – September 2016 woman

NO	ACTIVITY	MORNING										NOON			AFTERNOON				NIGHT						MORNING	
		03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	01	02	
A	Sleeping and resting																									
B	Eating and drinking																									
C	Personal care																									
D	School (also homework)																									
E	Farming activities (She does not go to farm everyday)																									
F	Wage work on the large scale plantation																									
G	Wage work on the small-scale plantation (do not plant their own oil palm)																									
H	Shopping/going to the market																									
I	Cooking																									
J	Care for children/adults/elderly																									
K	Domestic work (incl fetching wood and water)																									
L	Travelling and communing																									
M	Watching TV/listening to radio/reading																									
N	Participating in community groups (She never join this)																									
O	Family events																									
P	Religious activities (only in Sunday)																									
Q	Adat activities (Gawai, only once a year)																									
R	Other, specify...																									

The daily calendars that we carried out with two of our key informants, showed that women were waking up as early as 3 in the morning to start cooking for their family. They leave for palm oil work by 5 in the morning and stop working between 2 - 3 pm. After oil palm work, our informants said that they usually spend a couple of hours in their ladang and go home by 5 or 6 pm. Both informants stated that their day ends at 10 pm. Between the time they return from their Ladang and before they go to bed, the informants said that they use their time to care for children/elderly and do domestic work. And if they still have time left, they squeeze in some TV time and/or listen to radio before going to sleep. Both felt that their work load would not allow them to do things that they valued such as spending time with their neighbors and friends, having a good night's sleep, and/or for personal care.

CASE STUDY 2:

Disassociation and Structural Dependence: Contradictory effects of oil palm for the Dayak Ga'ai of Long Ayan

1.0 Introduction: Long Ayan, a Dayak Ga'ai Community

This case study focuses on the village of Long Ayan in East Kalimantan, where the Dayak Ga'ai, the dominant ethnic group, are being incorporated into oil palm through a combination of large-scale expansion and smallholder-driven investments. Large-scale oil palm has been defined by acquisition of communal and private land by four oil palm companies operating in the village, the introduction of a 'plasma' oil palm dividend model and the corresponding availability of wage employment in the oil palm plantations. The 'plasma' model involves a portion of the plantation area established by the investor to be distributed back to community members as two-hectare planted plots per receiving household, from which the household receives profits once fees and costs have been deducted. While large-scale plantation companies dominate the landscape, some Dayak Ga'ai households are themselves clearing communal land on which they are independently planting oil palm as a cash crop. This case study will trace how different categories of men and women have engaged in these parallel processes of oil palm expansion, and the gendered changes that oil palm has brought about in terms of access to and control over resources, and implications for food security and wellbeing.

In this case study, we will argue that the defining feature of Dayak Ga'ai incorporation in oil palm is precisely the disassociation between processes of inclusion and the socio-economic effects of oil palm expansion. Although the negotiation process between companies and local communities to make way for large-scale oil palm has effectively excluded women and those with limited connections to customary or formal leadership within the community, the broader changes that oil palm has unleashed have been highly contradictory. On the one hand, oil palm has brought employment and investment opportunities into existing livelihoods, diversifying a portfolio of options for people. At the same time, oil palm is eroding the customary authority that has for so long defined and regulated land use, replacing this with intensified competition over land. Conflicting and seemingly contradictory changes have meant that the voice and autonomy that women are able to exercise in customary land tenure arrangements is being undermined even as women are benefitting from higher incomes, and overall increase in household wellbeing due largely to oil palm. Overall, the extent to which a rise in incomes is sustainable, however, is in doubt given the uneven structural relationship between companies and local people amidst growing insecurity over land.

The focus for the study is the experience of the Dayak Ga'ai. However, as will be discussed in greater detail below, the Dayak Ga'ai were themselves differentiated socially, economically and politically and the dynamics within the Dayak Ga'ai will be addressed in the analysis and discussion. Data was gathered for this study in August and September 2016 using a mixed methods approach that comprised six main data collection tools. These are outlined in Annex 1. The case study will be divided into the following sections. We will begin by introducing the village before exploring livelihoods prior to oil palm. Later sections consider processes of negotiations between companies and local people, and the contradictory effects of oil palm expansion on resource access and livelihoods.

2.0 Field site Description

Long Ayan is located in an upland area of the Segah river basin (Segah sub district), Berau district, East Kalimantan province. According to population records maintained by the Segah Sub-district office, between the periods of 2011-2015, Long Ayan comprised of 154 households of which 310 are men and 258 are women with a total of 568 individuals. The population predominantly identifies itself as 'Dayak Gaai'. Most people are Catholic. There is also a very small number of households from other ethnic groups including Javanese (Muslim), Bugis originally from South Sulawesi (Muslim), other Dayak groups such as Kenyah and Kayan Dayak (Catholic and Protestant), and other ethnic groups, estimated by key informants to number no more than 10% of the total population. It was not possible to get a precise distribution of the population by ethnicity as such records are not kept by the sub-district. The table below outlines the major sources of livelihood, and socio-political influence by ethnic group based on data from key informant community profile interviews.

Table 1: Information on ethnic groups in Long Ayan

Ethnic composition	Language	Predominant livelihood	Socio-political influence within the community
Dayak Ga'ai	Dayak Ga'ai Bahasa Indonesia,	Swidden rice cultivation, Some independent oil palm and plantation wage work.	High influence due to role of customary (adat) institutions that shape ownership/control over village land.
Bugis, Sulawesi	Bahasa Indonesia, Bugis	Construction work, Carpenter	Access to customary institutions if married to Dayak Ga'ai
Java	Bahasa Indonesia, Javanese	Swidden rice cultivation, food crop cultivation, independent smallholder oil palm	Access to customary institutions if married to Dayak Ga'ai

		Civil servants (e.g. teacher)	
Batak	Bahasa Indonesia	Priests/pastors from Protestant church	Marginal
Flores/NTT	Various	Oil palm plantation workers Priests/pastors	Marginal
Other Dayak groups (mostly Kenyah and Punan)	Dayak Ga'ai Bahasa Indonesia	Swidden rice cultivation, oil palm plantation labor and other wage employment	Access to customary institutions if married to Dayak Ga'ai.

The Dayak Ga'ai community originated up-river, but disease encouraged people to leave and instead settle at Long Ayan in the 1960s. Livelihoods comprise predominantly of swidden rice, some rattan collection, hunting, mixed trees cultivation (kebun), small-scale gold mining, and wage work on nearby oil palm plantations.

There are currently four oil palm companies that are operating in Long Ayan and neighboring villages. PT Natura was the first to begin operation and this began around 2005. It operated on a relatively limited scale until 2010 after which the management was handed over to Tiputra Group, and the company was re-named as 'PT Natural Pacific Nusantara' or PT NPN in short. The remaining three companies – PT Berau Karetindo Lestari (BKL), PT Mulia Inti Perkasa (MIP) and PT Agri Indo – came later.

Table 2: Four companies operating in Long Ayan

Name of Oil Palm Company and agreement given	Location (villages)	Nature of land	Recent condition	Year started	Size				Plasma	
					Location Permit	HGU	IUP/IUBP (Inti and Plasma)	Realised inti planted	Plasma proposed	Realised
PT. Natura Pacific Nusantara (NPN) HGU No 45- HGU-BPN RI- 2008	Tepian Buah, Punai Malinau, Long Ayan	Cultivated land and primary forest	Already harvested	2010 (handed over from PT Natura which started in 2003/ 2004)	n.a	4.335,26	4.840	987,80	1.200	540,95
PT. Berau Karetindo Lestari (BKL) HGU No 44- HGU-BPN RI- 2008	Punai Malinau, Long Ayan	Primary forest	Just begin harvesting		n.a	7.023,70	7.023	n.a	n.a	n.a
PT. Mulia Inti Perkasa (MIP) Ijin Lokasi No 517 Tahun 2012	Long Ayan, Long Ayap	Primary forest	Already harvested		6.160	n.a	5.688 Inti: 4.781 Plasma: 907	1.476	n.a	n.a
PT. Agrindo Sukses Sejahtera Ijin Lokasi No 506 Tahun 2012	Long Ayan Long Ayap	Primary forest	Just start planting		5.680	n.a	4.768 Inti: 3.868 Plasma: 900	n.a	n.a	n.a

Source: surveys in Long Ayan

[nb: Ijin Lokasi refers to location permit (the first tier in permission being granted; BPN or Badan Pertanahan Nasional – National Land Agency, HGU or Hak Guna Usaha refers to commercial use right, i.e. a concession permit; inti refers to the area designated for the large scale commercial cultivation, plasma refers to the area allocated as plots from which oil palm profits will be distributed to plasma holders within the community (in the form of a compensatory dividend).

Recent incorporation into oil palm has taken place through the acquisition of communal and private land for oil palm, and the introduction of a 'plasma' model. As shown in Table 2, only one of the company's concession areas (PT NPN) falls under land that has been classified as private (swidden land) whereas the others have been established on land regarded as communal forested land. Individual negotiations over compensation for land acquisition was therefore, only with PT NPN, whereas all four companies offered two hectares of 'plasma' to local people as 'compensation' for forgoing future cultivation in communal, forested land. Cocoa is another commercial tree crop that has figured in the landscape of Long Ayan, and that had been introduced through an earlier government program. There is limited cultivation of rubber in this site.

The geography of resource governance in this part of Berau presents a mosaic of resource concessions, controlled and granted originally by the central government, which overlays the resource access practices of local Dayak communities such as Long Ayan. As McCarthy has described for Central Kalimantan, this has meant that local socio-cultural definitions of appropriate uses of resources and access regimes tend to be rendered invisible in legal terms, with state law 'a form of organized forgetting' (McCarthy 2013: 186; Blomley 2003: 128). This has been particularly the case for women, where complex patternings of women's individual land tenure are erased through lack of recognition. In the era following the demise of Soeharto's New Order (the early 2000s), new decentralization laws rescaled the capacity to approve the first three steps of the application process for concessions from central government in Jakarta to district governments (while the concessions will still be granted by the central government), accelerating the rapid expansion of oil palm plantations principally on former timber concession areas. This rescaling did little to improve the recognition of local socio-cultural frameworks for resource management and access, certainly regarding Dayak women and men without political connections. This phase of rapid expansion corresponds with the period when oil palm was established in and around Long Ayan. More recently, from 2014, central government took back this role from district governments, and decision-making now rests at national and provincial level, in a form that is market-driven and that continues the simplification of complex, gendered socio-cultural resource access and tenure patterns. The conversion of forest land to oil palm has been based on the presentation of some areas as 'idle lands' (*tanah terlantar*) by the state even though such areas were part of the livelihoods of Dayak communities, often women's fallow swiddens. An ongoing issue of overlapping claims by state, local communities and now companies is apparent in this area also.

3.0 Livelihoods Prior to Oil Palm

Data from the community profile and semi-structured life history interviews indicates that livelihoods prior to oil palm included a combination of swidden rice cultivation, collection of

forest-based products for subsistence and cash, and temporary migration of men to work in mining and logging. Forests and trees played a central role in people's lives.

Swidden rice cultivation predominated, with women taking an important material and symbolic role in its cultivation. Much of women's status derived from their active involvement in swidden rice cultivation. As is common in other parts of Kalimantan, the gender division of labor in swidden rice cultivation involved women and men marking out the plot (having established within the community that a particular area of forest could be cleared), men cleared the heavy trees (with women assisting, clearing smaller material), men and women planted together (men making the hole in the ground, women dropping in the seed), women were responsible for weeding, men and women harvested and carried the harvest home, women were involved in processing the rice harvest and selecting seeds for the following year. Work was carried out in large groups (reciprocal collective labor). Rice was (and still is) for household consumption, and regarded as jointly 'owned' and managed.

Access to and control of swidden plots was possible for both men and for women – daughters and sons could inherit their parents' plots equally. The size of inheritance was not determined by gender, but by respective contribution in helping parents to clear and cultivate swidden plots and in taking care of elderly parents. Women had considerable control over the land that they owned. Women made decisions to invest, change, sell the land, on their own and often in consultation with their natal families. Their husbands and ex-husbands had very little say and were rarely a part of these discussions. Such individualized land rights irrespective of gender means that a man or a woman within a household may 'own' several plots located in different parts of the landscape having brought these to the marriage. Household land resources were/are therefore gendered in geographically complex ways. A key point was the lack of restrictions on women 'owning' plots and the voice and agency they could exercise in managing the land independently of men.

According to interviewees, the parcels of forest-land that was cleared for swidden cultivation were generally left for fallow after the harvest and then re-planted after a year or so. Even land that was not in use/'left idle' was claimed by individuals as private land and fruit trees were generally used to demarcate ownership. Since prior permission had to be sought from the adat (customary) leaders to open up forest land and plots that were cleared were demarcated, everyone knew whose land belonged to whom. Land was viewed as being in abundance, provided individuals had labor and capital to be able to open the land. Those who could not clear their own land, fell ill or couldn't manage their land for various reasons, could also borrow or lend to their relatives. As long as the borrower didn't plant trees (for timber or fruits), they were free to borrow as long as they needed. According to one of our key informants who was originally from Sulawesi and moved to Long Ayan with her husband in 2010 to work in the oil palm plantations, even migrants were granted permission to open parcels of land from customary leaders. With the introduction of oil palm, securing such permission has become increasingly difficult as land is being monetized and the value of land is ever increasing. Similarly, the possibility of borrowing was also getting restricted. These will be discussed in the following section.

Aside from the subsistence production of rice, people relied on non-timber forest product collection and sale from forests for consumption and sale. In particular, valuable commodities such as gaharu resin (eaglewood or agar wood resin) and rotan sangai (rattan) were sold to Chinese middlemen. Other subsistence activities included fruit gardens and fishing. Gaharu was a valuable commodity, and its collection was largely done by men. As the community's customary head recalls:

“It took a long time to collect gaharu. They [men] have to stay in the woods for 15 days to a month. We usually collected gaharu after merintis [the initial activity of marking out the plot before clearing the land to make swidden plots], tebang [when the large trees on a future swidden plot are felled], after the drying period while waiting for the land to be dry we went into the forest. So we could use 1-2 months to collect gaharu, so it didn't affect our activities in cultivating the fields.”

Key person interview, male head of adat (customary) community, August 2016.

Men also were employed in small-scale gold mining, which also involved temporary migration from the community. This pattern of male temporary migration is linked to women's prominent role in swidden rice cultivation for subsistence (marking out plots, planting, weeding, harvesting and processing), and also in household decision-making more generally. Norms around strong, independent and materially savvy women livelihood managers have tended to prevail as a result of women often being left to get on with swidden agriculture during men's lengthy sojourns. This finding corroborates observations from other studies of gender dynamics in Dayak forest livelihoods, and is characteristic of swidden cultivation systems in this part of Indonesia (e.g. Colfer 2008). Moreover, women are commonly positioned as the main managers of household income: there are no restrictions on women handling money or making day-to-day consumption decisions.

The combination of swidden rice cultivation and forest-based livelihoods gives rise to (and is shaped by) a combination of de facto individual 'ownership' (of swidden plots or *ladang*, and forest gardens) and collectively managed resources. Changing resource governance at national level opened up the area to commercial logging in the 1970s, introducing a cash economy as men (mostly young men) found work with logging companies. In the customary head's words:

“Everywhere people started to work for wage because there were logging companies established here. At that time the forest was still good, there was life then”.

Key person interview, male head of adat (customary) community, August 2016.

Logging also altered the physical accessibility of the area: prior to logging, the Segah River was the main communication route for the community. Logging introduced overland travel, as logging roads made some areas accessible. Despite the imposition of forest use categories at this time over what the national government regarded as 'state forest' (i.e. Segah district's political forest), in terms of forest access and use, the community regarded the forest as common property under adat (customary) rules, with certain areas held as sacred and therefore not open for cultivation.

4.0 Processes of Land Acquisition, fragmented elites and exclusion of dissent

In Long Ayan, community governance reflects a combination of adat (customary) leadership through an adat council and official leadership through the village-level government. The latter sits at the lowest tier within a bureaucratic hierarchy from central, provincial, district and sub-district levels. The village head is now elected, whereas previously (and at the time of the oil palm negotiation), this was a post that was granted by the district government. Formal village leadership includes the Village Representative Body (Badan Perwakilan Kampung or BPK, responsible for community decision-making) and the Community Development Agency (Lembaga Pemberdayaan Masyarakat or LPM, which is responsible for the administrative functions of the community). In parallel to this is the Adat Council, which is responsible for decisions over customs (e.g. marriage and inheritance practices) and access to Long Ayan's customary land. The village head and the customary head are separate figures. In Long Ayan, the leadership of the formal village government bodies are all men, although women have, in the past, occupied particular roles in both the BPK and the LPM. In the adat council, women have official roles, although at the time of the surveys, were not in positions of leadership. According to the vice-chair of the LPM, initial negotiations with oil palm companies involve formal village officials in the first instance, and this information is then delivered to the Adat council, the BPK and finally the LPM, whereupon community meetings were called to evaluate the proposals.

Oil palm companies began taking an interest in the area in the early 2000s, as former timber concessions were made available through local and central government for investment. Four oil palm companies secured permit to develop large-scale oil palm through approval from district and provincial head - in the form of 'large-scale plantation business permit' under regulation Berau District no.25/2003. According to interviewees, for PTN Natura, this permit covered both ladang (and hence privately 'owned' fields) and forest (hence communal) lands whereas for the other three, it covered 'forested land' that was claimed as communal land but hadn't been cleared yet. The privately 'owned' fields were previously planted by rice (harvested every 6 months) and then used to plant corn and peanuts. Fruits were planted all year and/or intermittently. However, due to the community's land being designated as 'state forest' and therefore under the control of the Ministry of Forests, the companies had already secured permission for oil palm development from government authorities, and only sought community inclusion in the land acquisition process for the purposes of diffusing any likely conflict or dissent later on, which could jeopardize their operations.

In such a context, as McCarthy and Robinson note, the role of local land owners and customary institutions involved in negotiating the processes of land acquisition is generally just "reduced to bargaining over the benefits offered by developers under licenses that have already been issued by higher authorities" (2016: 21). But in Long Ayan, the Nature Conservancy Council, an NGO that had been active in developing a project introducing rubber to halt deforestation, mobilized the community to resist incorporation and facilitated an agreement between five villages (of

which Long Ayan was also a signatory) to do so collectively. In response, companies, working in tandem with representatives from local government, sought to win the hearts and minds of the community by taking village leaders (the village head, the head of the adat council and the head of the BPK) to oil palm areas in West Sulawesi, a trip paid for by PT Berau Karetindo.

According to the Adat leader we interviewed, who had gone as a representative of the *adat* customary community: 'I told what I saw to the people in the village. Many people rejected it but I kept trying to convince them. Finally they could accept it.' Thus, the leaders ensured that the community withdrew from the earlier agreement with neighboring villages and the NCC and gave the go ahead for the oil palm company. In reaching agreement, further meetings were held with companies, residents, community leaders and local government. By 2006, most of the Long Ayan residents were, to a large extent, persuaded that inclusion in oil palm would improve the life of the community. In comparison, the neighboring village of Long Leei continued to reject oil palm development in their village. As a consequence, PT Agro Indo could not realize the 7000 ha business permit that it had secured and Agri Indo's concession is currently only covering Long Ayan and Long Ayap.

The women and men interviewees in Long Ayan who handed over their land to the companies said that the company kept on promising the residents that they would turn Long Ayan into 'Brunei', a country that symbolized state of art infrastructure and beneficial benefit sharing arrangements between companies and citizens. In return for their acquiesce, companies offered local communities compensation for loss of crops (PTN NPN only), 2 ha of plasma per household per company, improvement in community infrastructure (electricity, water, education) and higher employment opportunities.

"NPN came around 2003-2004 and they first met with Adat Institution figures. They promised the community that each family will receive a 2 hectares plot, people will welfare like people in Brunei, and the company will develop village public facilities".

Semi-structured individual interview with Ga'ai Dayak man, September 2016)

"The company promised us that they will not only develop oil palm plantation for themselves, but also for the community, and later, community will receive the profit without doing anything. They promised us a 2 hectares plot per household".

Semi-structured interview with Ga'ai Dayak man, September 2016)

Key informant interviews with village leaders (adat and BPK) indicated that overall compensation was given for the sale of 326 hectares of non-forest cultivation area (KBNK) belonging to the community, netting Rp1 billion. Rp 300 million was used to buy an electricity generator, and Rp700 million was given to the community (approximately).¹ The village leadership agreed that the electricity could run from 6pm to 11pm. The community could also

¹ As of December 2016 one USD is equivalent to approx. 13,300 IDR (Indonesian Rupiah or Rp). At the time when settlements were taking place, one USD was worth approx. 9,000 IDR.

access compensation individually as long as they were able to establish that their land fell under PT NPN's concession (or 'HGU'). The company offered Rp 5 million per hectare in compensation. The day-to-day interface between the community and the company was done through the setting up of four cooperatives, one cooperative per company. This is in accordance with Berau District Regulation No.25 which stipulates that every plantation company must establish partnership with community around its plantation in the form of dividend distribution or nucleus-plasma scheme, and the cooperative's role is to conduct land mapping and resolve any conflicts between the company and people.

Table 3: Cooperatives associated with companies

Cooperative name	Oil Palm Company	Head of Cooperative	Gender	Position/occupation in the community	Level of social status of the coop head
Akung Diuhay	PT. Natura Pasifik Nusantara (NPN)	Lih Liansyah (Lih Lay)	Male	Entrepreneur	Upper
Tunas Muda	PT. Berau Karetindo Lestari (BKL)	Supriansah (Tan King)	Male	Farmer	Middle
Tam'an Jaya	PT. Mulia Inti Perkasa (MIP)	Klih Ping	Male	Farmer	Middle
Yong Yu	PT. Agri Indo	Kliih Bang	Male	Civil servant (school security), and village secretary	Middle

Interviews with the village leaders (adat leaders, members of the village council or Badan Perwakilan Desa - BPD) gives the impression of this group working on behalf of the wider community, making decisions with due diligence, and securing a fair deal for all from the oil palm companies. However, a nuanced gender analysis reveals a more complex and fractured picture of the acquisition process. Women interviewees who dissented relinquishing their land for oil palm said that once the community leaders and many residents were persuaded, everyone else felt that they were left with no choice but to follow suit. Still others feared the informal and formal repercussion of resisting, sentiments that are reflected by the quotations below.

"If we dance, we dance together. We don't dance alone".

Semi-structured life history interview with Ga'ai Dayak woman, September 2016

"My land was said to be under HGU, I felt like I didn't want to give it up. But everyone else around us have gave their land up. I was afraid that if we didn't give it up they [referring to the company] will call us as stubborn and send us to jail".

Semi-structured life history interview with Ga'ai Dayak woman, September 2016

The introduction of 'cooperatives' further complicated this relationship, layering the information sharing in a number of ways that served to obfuscate the nature of land acquisition (between company and community leaders) and exclude women and dissenting male voices in the formal process of 'sosialisasi' – this Indonesian term refers to a process whereby people are informed of and persuaded (sometimes forced) to accept policies made higher up in the government. Establishing cooperatives make sense from both the community's and the company's perspective. The company would not have to deal with individual members whereas the community could negotiate with the company through a unified voice. The cooperative would also play a critical role in managing plasma, procuring seedlings, credit, and monitoring harvesting and profit-sharing. But in the case of each of the cooperatives operating in Long Ayan, although cooperative members were elected by the local community, all operational costs (such as administrative fee for registration, transportation, and salary) were paid by the company.

As a consequence, the cooperatives were easily co-opted by the company, and became an arm of the company rather than as vehicle for representing local community's interests. And indeed, there were many departures between what the cooperative members felt were their primary roles and responsibilities and those perceived by the community members and stipulated under law (as mentioned above). Cooperative leaders saw themselves as a conduit or intermediary, translating between the language and practice of local government and the corporate sector, and that of the community. In interviews, they appear to have absorbed government narratives of forests and resource access, using terms such as 'under-utilised land' to refer to logged over forest, that may otherwise be used for a future swidden plot or as a space for activities such as hunting or gathering forest products (more on this later).

Interviews with village elites and analysis of the official letters provided by the companies to the village leaders to secure agreement of land acquisition shows a divergence of understanding over what 'land acquisition' actually implied. Village leaders assumed (wrongly) that the acquisition was temporary, for one 35 year cycle. But the letter of agreement itself does not acknowledge that this is community land in the first place: rather, what communities are signing up for is an agreement that 'their' land belongs to the state. The interviewees blamed the cooperative staff for not disclosing such information, even as the cooperative were directly involved in the handover of land, and payment to communities.

"I can't remember exactly if I or my husband attended the socialization meeting with the company. I remember for sure that I attended the meeting with cooperative, I was invited. They (cooperative) say that everything between community and company, will be bridged by the cooperative."

Semi-structured life history interview with Ga'ai Dayak woman, September 2016

"...everything was taken care by the cooperatives. We didn't have much contact with the company. They asked us if we want to release our land, if we agree, then they will measure our land together with us. No evidence was needed. The cooperatives staff were ones of us and we trust they have the knowledge on people's land ownership."

4.1 Gendered exclusions from community consultations: limits of voice and choice

Negotiations over the development of oil palm excluded women and men who didn't occupy positions of power and influence in the village. But these exclusions were also gendered in three related ways: first, in which companies interacted with the community, and secondly, oil palm was portrayed in these deliberations, and thirdly, in how women were able to participate in the oil palm cooperative. Companies only approached male leaders, oil palm was portrayed as a 'men's' issue rather than as women's and men's, and as we discuss below, women were prevented from participating in the cooperative.

4.1.1 Gendered interfaces with oil palm companies

Women in general, were only marginally involved in public or individual level interfaces with oil palm companies and other outside agents when land acquisition and compensation were being negotiated. The oil palm companies first approached the male adat leaders and then the village council (BPD). Back then, the adat council held more sway in getting the community to agree to oil palm development than the village council (Badan Perwakilan Desa or BPD) did, although the latter is becoming an increasingly important player as it now has the authority to issue the official letter of land cultivation for individuals (SKG) and thereby the final say in land-related disputes between Dayak Ga'ai and outsiders (migrants, companies etc.).

Prevailing gender norms in Long Ayan mean households could send along anyone as a representative of their interests (man or woman). However, with oil palm, women were actively dissociated from debating this form of development. This was new – as HL (an older Dayak woman interviewee) points out:

“Women, the elders can make decision on things related to adat. But when it comes to oil palm, they can't”

Semi-structured life history interview with Ga'ai Dayak woman, August 2016

Other women said that very few women came to these meetings, and those who came were just sitting rather than voicing their concerns, as is exemplified by the quotation below:

“I never asked question during the meeting. Yes, I felt like I have question in my head about plasma, but I didn't have the gut to ask question. I don't think it is

appropriate for me to ask question, there were many other smarter people than me”.

Semi-structured life history interview with Ga'ai Dayak woman, September 2016

There are complex reasons why this is so. In part, it reflects the way oil palm is socially-constructed in village, regional and national gender discourses as a 'man's crop', just as subsistence (and household nutrition) is equated with women. It is also reflective of a longer-term positioning of men as the group that interfaces with the state. Oil palm companies are seen as part of a state-business assemblage. Gender discourses coloring oil palm as a crop and the practices of 'consultation' are partly internalized by women (although not, as the above quotation shows, all women). The rolling out of the oil palm negotiation in this way also demonstrates how quickly gendered practices become new gender norms (around the gendering of oil palm) and how this goes on to condition other engagements, for example, with the cooperative.

The intra-household survey data suggests that the company approached husbands over wives to negotiate the acquisition and to hand over the cash compensation. Among 16 (out of 32 randomly selected respondents) in Long Ayan, who stated they gave up land to large scale oil palm company suggests that at a household level, decision making over whether to accept the proposals offered by the oil palm company rested in many cases with men (n=7), but in five cases the decision was made jointly, and in three cases, involved the whole family, and only one mentioned to be wife to decided. It was interesting to see from 17 HH (16 with large scale and 1 with small scale oil palm companies), 14 HH stated that the compensation was received by husband and only 3 by women. While we do not imply that women were at all excluded from the compensation use within households, the way the company chose the husband over the wife to handle the money is illustrative of how a masculinized new, external system (in this case, oil palm) is introduced in a setting where prevailing gender norms place women at the heart of household money management.

4.1.2 Gendered representations of oil palm: a man's crop

A wide range of actors such as government agencies, companies, and village leaders were involved in creating and perpetuating such gender stereotypes about oil palm as a men's issue, whilst rice and other forms of agriculture were represented as women's only or as women's and men's only. Women too were actively involved in reproducing them. As one explained, "I am afraid of the thorns in the oil palm tree.. I don't want to be responsible for it". She added that she would only help her husband with oil palm and contrasted oil palm with other cash crops such as cocoa, rubber and gaharu where she felt that she was more willing to take on a greater decision-making and management role. Nevertheless, women were keen to be a part of oil palm decision-making process as it would inevitably impinge on how they earned their livelihoods and contributed to their households. As one of the interviewees explained:

“Back then when the company came, they never held meeting with us “the women”. We were invited only once, there were five women. But we only listened, not talk. The village staff, a local person [i.e. Dayak], told us “palm oil is not women’s thing”, despite the fact that we are the ones who provide meals at home. We cannot plant chilli, papaya, cassava and corn if all parcel of land is occupied by palm oil.....I once told the kampong staff but not directly to the company - “If only I were the staff, I will not do it [i.e. let oil palm be grown everywhere], there will be no land left for our children and grandchildren”. Again he answered “This is not women’s thing”. I said “it’s not only me who has children and grandchildren, you do too”

Semi-structured life history interview with Ga’ai Dayak woman, August 2016

As this quotation reflects, women articulated their concerns with regard to food security and care for the prospects of future generations, and as this woman appears to suggest. But by defining oil palm as a men’s only issue, key decision makers appeared to direct the discussions to men only and exclude women’s concerns in their deliberations. Such exclusion deviates from general practice in the community where women’s participation in community-level meetings is not unusual, and particularly in meetings orchestrated by the adat council. of which they were members.

4.1.3. New gender norms in practice: exclusions from the oil palm cooperative

The stereotypes and norms discussed above amounted to more subtle forms of exclusion of women from oil palm negotiation processes. This continued in relation to the newly established oil palm cooperative. While the major criteria for electing community members to serve as cooperative staff related to honesty and transparency, in practice, this too was gender-exclusive. Only men who had earned a reputation as being trustworthy could qualify for these positions. Such criteria served to further cement gender-based exclusions given the role of the cooperative in mediating between the company and the community. As such they stand in stark contrast to rules about who can occupy adat and village council positions. While the latter had historically been occupied by men, there was no rule as such barring women from being involved. The cooperative staff met with company representatives on a regular basis (annually and as needed) to discuss a wide range of issues pertaining to plasma distribution and management. Women were effectively excluded from such spaces of direct negotiation with company.

An overall conclusion that can be drawn from this data is that women’s exclusion was not a household level decision but was a product of the ways in which the community interfaced with the company and the local government. There is no real evidence of intra-household forms of ‘intimate’ exclusion or dispossession. However, the imposition of gender stereotyping regarding

resource access/control (in terms of women being included as part of household only) and the internalization of this perspective amongst community leaders serves to silence women's voices and curb their participation in community-company-local government interactions. **Women are not silent on these matters and are able to speak out within families and even within informal spaces in the community (whilst in the fields, whilst cooking together or socialising with neighbors), but there is no public forum in which their views might be taken seriously: commercial oil palm is being scripted as 'men's business' in which they have no role.**

5.0 Changing Gendered Resource Access and Livelihoods Due to Oil Palm

The contradictory changes to gendered resource access and livelihoods in the wake of land acquisition for large-scale oil palm in Long Ayan reflects relationships that different groups of men and women have with forest and land resources more broadly. The limited voice and influence local communities were able to exercise in their negotiations over land acquisition with oil palm companies resulted in skewed distribution of benefits between local communities and companies. New restrictions were being imposed on clearing land for swidden cultivation and opportunities to generate income from forests and trees were being eroded. While a lack of voice and influence arguably affected both women and men, the restrictions on swidden cultivation and forest-based livelihoods had very gender-specific implications. Swidden rice cultivation was important domain for women both in material terms and for reinforcing Dayak norms associated with women's position as food provider and nurturer of children. In addition, women sourced food, herbs and medicines from forest lands for household consumption and raw materials for handicrafts. Oil palm expansion meant such activities were somewhat curtailed as the distances required for sourcing items from retreating forests became prohibitive.

But as Long Ayan was situated in forest frontiers, oil palm was being added to existing livelihoods, enabling households to diversify their livelihoods by introducing wage labor opportunities for women where previously off-farm work had predominantly been the domain of men (in logging and temporary migrations) and offering prospects to invest in independent oil palm. All these changes were occurring against the backdrop of weakening adat (customary) authority, with potential implications for undermining both women's rights to land, and also the positive gains from oil palm for both women and men alike. This sub-section will discuss the following changes that have ensued large-scale oil palm expansion in Long Ayan: introduction of plasma, implications on forests and swidden and household livelihoods.

5.1 Gendered changes to resource access processes: oil palm plasma as a ‘new resource’

In exchange for forgoing current and future rights to use communal and private land, local communities were promised the distribution of plots planted with oil palm in the form of two hectares of ‘plasma’ for each household per company, which would amount to 8ha per household since there were 4 companies operating in Long Ayan. However, the plasma resource is accessed purely ‘on paper’: under a dividend scheme such as this, households would, in theory, hold a letter outlining the hectares from which they would benefit in terms of income generated by the oil palm once costs (for labor and processing) had been deducted by the company. In other words, realizing the benefits of access (following Ribot and Peluso’s 2003 ‘theory of access’) was contingent on the smooth and transparent operation of this dividend scheme. There was no expectation that households would provide the labor themselves for the oil palm.

Interviews with both community members and cooperative staff showed that most recipients did not know where ‘their’ plasma was located. None had received any income from their plasmas. But importantly, the plasma scheme was itself predicated on poor returns to those receiving the plasma. Households were due to receive the remaining portion of profit after the companies had deducted the repayment of bank loans and company management fees. Any official documentation regarding plasma allocation has not been released as letters are held in company offices and no copies are distributed to the plasma holder. This made it very difficult for the community members (men as well as women) to hold the company to account. Furthermore, widespread concerns were articulated that the companies were not managing plasma land as well as the inti (nucleus) and the company did very little to address these concerns. As a consequence, the allocation of the plasma was opaque and the benefits from plasma elusive for all in Long Ayan, as the quotation below suggests:

“I know that my name is listed in cooperative as plasma holders, 8 hectares in total. But I only shown 2 plots from 2 companies (4 hectares). I have no idea about another two. But for the two plots that I’ve seen, I and other villagers are still disappointed. Our plasma were not fertilized, were not cleared, were not managed. Only inti that is taken care, and now they start harvesting from the inti”.

Semi-structured life history interview, Ga’ ai Dayak man, September 2016

“We need to know where our plasma is, and we want to enjoy the profit soon to improve our life”.

Ga’ ai Dayak woman during focus group discussion, September 2016

Table 4: Plasma Allocations in Long Ayan

Oil Palm	Permit issued	Provide dividend to	Provide	Promise of	Plasma	Distribute dividend to
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Company	in?	community for logging?*	compensation?	plasma?	realized?	community for plasma?
PT. Natura Pacific Nusantara (NPN)	2008	Not clear	Yes, 5 million per hectare	Yes, 2 ha per HH	According to one informant (ex-village head), yes	Not yet
PT. Berau Karetindo Lestari (BKL)	2008	Not clear	No. because HGU doesn't fall under "private" land	Yes, 2 ha per HH	Not clear, one said yes, and other said no	Not yet
PT. Mulia Inti Perkasa (MIP)	2012	Yes	No. because HGU doesn't fall under "private" land	Yes, 2 ha per HH	None informants said they saw the plasma	Not yet
PT. Agrindo Sukses Sejahtera	2012	Not clear	No. because HGU doesn't fall under "private" land	Yes, 2 ha per HH	None informants said they saw the plasma	Not yet

Key: HH means household; HGU is Hak Guna Usaha, or concession area, in this case, the area given over for the large scale land deal.

Table 5: Frequency of Distribution of Plasma

	n	%
Have you received plasma allocation?		
- Yes	32	100
- No	0	0
System or allocating plasma plots		
- Given by the village government	32	100
Certificate ownership		
- Yes, on husband's name	0	0
- Yes, on wife's name	0	0
- No	32	100
Size of plasma		
- 4 ha	4	12,5
- 6 ha	1	3,1
- 8 ha	27	84,4

When did you receive your plasma?		
- before 2011	8	9,3
- after 2011	24	91,7
Annual income from plasma		
- Rp.0	32	100
The community never received any dividend from plasma		

The table above from the intra-household survey findings shows that all the respondents received plasma, including those who didn't hand over their private land. None of the respondents had any legal certificate for the plasma and none had yet to receive any income (in the form of dividends) from it. We would have expected that all respondents would have said that they have 8ha of plasma, but four respondents said they only have 4ha and one only 6ha. This could be because respondents don't believe that they actually have the plasma since they don't have any documentation to prove that they do.

According to the community's expectations as well as the Berau District Government Regulation pertaining to the functioning of cooperative, the primary role of the cooperative was to ensure that the company disclose all plasma related documentations, inquired on behalf of the company about the terms and conditions of the plasma (such as instalment required, projected post-harvest profit) and to monitor plasma cultivation and management by the company. However, the community perceived that the cooperatives were failing to fulfil their fundamental mandates and the perceived co-option of the cooperative by the company was a major source of grievances between the company and the community.

"I asked the cooperative staff and the village government about our plasma. They said that they will raise this with the company. But I haven't heard any follow ups. (They should've followed it up) since I know that they receive salary from the company."

Semi-structured life history interview with Ga'ai Dayak man, September 2016

Women felt particularly left out as is illustrated by the quotation below.

"During the meetings with the company, I heard about the plasma, they said that we have already gotten plasma. But where is it? How do I access it? I have no idea. If it's already planted, or just initiated, or already harvested, I don't know. The cooperative should know better. I don't know about other people, I myself haven't heard anything."

Semi-structured life history interview with Ga'ai Dayak woman, September 2016

"I heard about plasma before, they said that we receive plasma, but we don't know where, whether it has been planted. Probably the cooperative knows about it, it's their job. I don't know about other people, but I really know nothing. I wanted to ask, but I'm too embarrassed, as I think other people are smarter than me".

Semi-structured life history interview with Ga'ai Dayak woman, September 2016

Both survey and interview data suggest that all members of the community are unable to realize the benefits of access to plasma, and that this is experienced by both men and women across the community. Moreover, there does not appear to be a difference between different socio-economic groupings within the community: men and women of all social categories are being excluded from their entitlements and there is little in the way of transparency over what those entitlements actually amount to. A second layering of exclusion is introduced for women where gender norms have rendered them silent and disempowered in the process of plasma allocation, and they are now unable to find a pathway for holding the companies to account, as the two quotations above suggest.

5.2 Reduction of available forest resources and the location of swidden fields

Long Ayan remains at the frontier of expansion of oil palm into forest resources, and thus forests continue to be an element of men's and women's livelihoods. However, the conversion of forest to oil palm has meant limited options for hunting or gathering of forest products. Out of the 32 households who participated in the intra-household survey, the majority (n=25) said access to natural resources has decreased since the expansion of oil palm in their village.

As oil palm has taken over the landscape, women's relationship with the forest has altered as opportunities such as the production of handicrafts using rattan, bamboo and other forest products have gone, and this has particularly been felt by older women even as these skills are lost to a younger generation:

“Now we cannot take rattan from the forest anymore, there is no more forest. Before, we a group of two or three women could get into the forest to get the rattan to make lenjung [a type of mat] and hats. Now we have to buy the rattan”.

Semi-structured life history interview with Ga'ai Dayak woman, August 2016)

Other resources have also been damaged by oil palm. Women said the loss of the forest meant diets had been affected as there was less pork (*babi hutan*, or wild boar, hunted by men) and fish was also a problem. A critical issue was the effect of reducing the forest for oil palm on water resources. The majority of intra-household respondents (n=29 out of 32) said environmental quality had declined since oil palm expansion in their village. Whilst water quality has been affected by logging and by mining, the impacts of intensive use of herbicides associated with oil palm cultivation are apparent now:

“Now, we have to buy water, previously we could take water from the forest and even drink it without boiled; and back then, there was no disease. Now we have to buy water, six thousand rupiahs per gallon, we cooked the water before drink it, but still there are many disease, I'm confused why.”

Semi-structured life history interview with Ga'ai Dayak woman, August 2016

A common thread linking the impacts of oil palm on forests and water resources is the need for households to access these resources through cash. The requirement to 'buy' rattan to maintain diversified forest livelihoods, or to purchase water rather than simply draw it from the river shows how subsistence livelihoods based on communal resources are being replaced by a commoditized cash-based household livelihood system. The requirement for cash places greater onus on households to earn wages – an aspect of oil palm impacts that is explored below.

Cultivation of rice swiddens remains an aspiration and a mainstay of livelihoods in Long Ayan. But with expanding cultivation of oil palm, swiddens are located at a considerable distance from houses, and this poses some difficulties for women in combining rice farming with domestic responsibilities. In Long Ayan, whilst there is considerable flexibility in gender roles around, there remains an expectation that this domain is ultimately women's responsibility. For the most part, divisions of labor around domestic work and subsistence agriculture involve the sharing of activities between men and women, and also among the wider kinship group.

However, the impacts of evermore distant rice fields on women varies depending on their age, and this relates to the practical difficulties of accessing distant rice fields overland. Combining agriculture and domestic work has meant in many cases that motorbikes are needed to get to the fields. Cash wages from plantation work and easy access to credit (available in Indonesia specifically for purchasing motorbikes) have enabled even relatively modest households to buy motorbikes, and nearly all households in Long Ayan have access to this kind of transportation. However, for older women their use is gendered. There are no restrictions as such on women riding motorbikes to their swiddens, and it is common to see women tackling long distances to reach them. But difficult terrain makes this a challenge for older women, who are therefore dependent on men as drivers. Norms associated with older women's competency in securing material well-being independently of men are therefore challenged further by new forms of dependency associated with the realities of getting to distant swiddens.

"It is easier to get to my ladang by motorbike. I cannot ride a motorbike. I have to ask my husband to drop me and to pick me up again. I will only go to ladang if he does that. But I cannot always rely on him to pick me up all the time and I have to walk back a long way on my own"

Semi-structured life history interview with Ga'ai Dayak woman, August 2016.

For respondents such as HL, an older Dayak woman, the removal of the forest has a material and symbolic power in relation to food and eating:

"I'm a bit confused, now it's like the company takes our cooking pot; only few parcels of land are left, but still, the company keeps expanding their area"

Semi-structured life history interview with Ga'ai Dayak woman, August 2016

Whilst the availability of cash through new forms of wage work (see below) means food security in general terms is not compromised, the expansion of oil palm has served to continue a trend that began when commercial logging was being established in the area, through the

introduction of processed foods such as noodles and tinned fish. What is apparent is the limited opportunity for women to augment diets with fruit and other forest foods, where oil palm has impacted on geographical access to forests and women's time to do so (where travel is now required).

5.3 Access to new resources and diversified livelihoods

Large-scale oil palm expansion has brought new resources to the community, primarily in the form of improved road access and also access to electricity (the generator provided by the oil palm company). A further 'resource' has been the availability of off farm employment opportunities at nearby oil palm plantations, and more recently, the possibility of independently investing in smallholder oil palm.

5.3.1. Plantation Wage Work

As the plantations were being established, there was daily wage work for both sexes in order to clear the land, and undertake planting. Nearly all members of the community (men and women) have, at some stage, derived part of their income from work in oil palm. Out of the total 32 respondents we interviewed, 25 said their households were still earning an income from wage work in oil palm plantations.

Demand for labor meant the capacity to earn cash wages was vastly increased. For the most part, this work is casual daily work, and women combine this with their other responsibilities by working until 2pm, after which they resume their domestic and subsistence activities. During times of labor demand on their swiddens, wage work at the plantation is abandoned, suggesting norms of women's key role in household rice self-sufficiency have not been superseded by the demands of oil palm. There is no evidence to suggest that this was impacting on women's ability to rest or take care of their families, but an important point is that women of different ages were affected differently:

"Most elder generation who work in oil palm are to fulfil their spare time between trees cutting and to wait their land to be ready to be planted. When ladang is ready, they go back to their ladang."

Ga'ai Dayak woman respondent during focus group discussion, September 2016

"There are people who choose ladang more than to work in oil palm, but since land is limited, they have to work in oil palm".

Ga'ai Dayak woman respondent during focus group discussion, September 2016

As one woman put it:

‘I work as a daily-based laborer at the oil palm company. I also cultivate the field [her own swidden]. At first I didn’t want to make fields but upon seeing other people make fields it just didn’t feel right.’

Semi-structured life history interview with Ga’ai Dayak woman, September 2016

The suggestion here was that the lure of cash income rather than hard swidden work had initially drawn this respondent away from her own swidden, but she then became anxious that she would be giving up an important element of her livelihood (and her social identity as a Dayak woman). In focus group discussions with men, attitudes towards women’s wage work were generally relaxed. Wage work was fine to help the household economy as long as women didn’t leave their ‘obligation’, i.e. their rice fields and their domestic responsibilities.

Women suggested that the option of fulltime oil palm was open to men and not to women. But this was seen in a positive way:

“I feel that my husband work is now better compared to before [95,000 IDR per day]. Even if the salary is small – we get it every month, while previously with gaharu, we don’t get income everyday (regularly).”

Semi-structured life history interview with Ga’ai Dayak woman, September 2016

In addition to the availability of casual work, with improved roads to transport their produce and burgeoning demand amongst migrant oil palm workers, many were also generating cash as small-scale traders selling vegetables and other crops that were planted in their swiddens. The improvement in infrastructure and ready demand that the larger oil palm economy provided, was proving to be beneficial for them. As the table below demonstrates, oil palm was being added to their livelihood rather than as replacing pre-existing ones while the larger oil palm economy was generating more opportunities for earning cash through swidden.

Table 6: Frequency of Involvement in Livelihood Activities

Activities	Yes		No	
	N	%	n	%
Agriculture	30	93,8	2	6,3
Cash crops/kebun	30	93,8	2	6,3
Collecting forest products	2	6,3	30	30,8
Hunting	12	37,5	20	62,5
Business	9	28,1	23	71,9
Wage work	25	78,1	7	21,9

As a consequence, households were experiencing a considerable boost in income. As the table below illustrates, the mean income of 57,651,000 IDR is considerable higher than Gross Regional Product nominal per capita of 42,432,080 IDR for Indonesia as a whole. Understandably, many respondents attributed ‘improvement in overall welfare’ to the expansion of oil palm in their village. When asked what the impacts of oil palm was, 22 out of 32 respondents said that their overall household income had increased; 14 said their overall family wellbeing had increased; and 11 said that it was stable.

Table 7: Frequency Distribution of Household Income, 2015

Source	Min (Rp)	Max (Rp)	Mean (Rp)	Median (Rp)
Agriculture	0	88.000.000	4.682.281	214.000
Cash crops/kebun	0	9.900.000	1.363.750	200.000
Fisheries	0	24.000.000	1.000.625	0
Forest product	0	48.000.000	1.806.250	0
Wage work	0	138.000.000	33.284.312	22.570.000
Government aid	0	2.400.000	121.912	0
Migrant remittances	0	3.600.000	546.875	0
Dividend from logging companies	400.000	6.300.000	1.882.656	1.600.000
Compensation from oil palm companies	0	7.500.000	764.516	0
Other income	0	72.000.000	13.036.666	0
Total income	8.725.000	189.800.000	57.651.163	39.748.000

5.3.2. Independent Smallholder Oil Palm: new investment possibilities

There is also aspiration among the communities to start planting oil palm individually on their own land.

“Many peoples here start to plant oil palm since they see that it is economically more profitable compared to other crops.”

Ga'ai Dayak male respondent during focus group discussion September 2016

“I personally am not interested to plant oil palm now, because it needs a lot of maintenance and expensive fertilizer and pesticide, I prefer Gaharu”. (

Ga'ai Dayak woman respondent during focus group discussion September 2016

Out of the 32 respondents who participated in the intra-household survey, 15 are investing in independent oil palm. This is a stark increase from when the first phase of this research was carried out in Long Ayan in 2014 when there was only two people in the village planting oil palm independently. The average plot for independent cultivation is only 2 ha. 14 of these respondents said they opened up primary forest to make way for oil palm, and their underlying

motivation was to try (n=8) and increase income (n=7). When asked how they obtained seedlings for the oil palm, most respondent said that they got it from loose fruits (n=9) and that they were reluctant to purchase the seedling through an official agent (n=9). Oil palm is a family investment for all of them, and none have started harvesting. These findings suggest that all the respondents are in the early stages of experimenting with oil palm.

Table 8: Impact of Smallholder Investments in Oil Palm

Variable	Increase		Decrease		No change	
	n	%	n	%	N	%
Household income	22	68,8	7	21,9	3	9,4
Access to natural resource	6	18,8	25	78,1	1	3,1
Family well being	14	3,8	7	21,9	11	34,4
Infrastructure	32	100	0	0	0	0
Access to market	32	100	0	0	0	0
Environment quality	0	0	29	90,6	3	9,4

6.0 Structural relationships and the weakening of customary resource control.

Ultimately, the contradictory changes that oil palm is unleashing is in the context of highly unclear tenure relations and the weakening of customary institutions to define and regulate land use. As shown in Annex 1, there was a clear disjuncture between sense of ownership of land and formal recognition of that ownership. None of the 32 respondents who participated in the intra-household survey said that they had legal recognition on the private land that they owned. In semi-structured interviews, participants said they could open up approximately 1 ha of forest-land for swidden cultivation per family per year as long as they had prior approval from their adat leader and exchange labor from their relatives and neighbors to help with the land clearing.

But since the arrival of oil palm, there appeared to be no clarity over which land fell under company concession (HGU) and which was still available to the community to build swiddens. Since early 2016, the village council has started to issue letters recognizing individual's cultivation plot (SKG) so as to minimize land-related disputes caused by overlapping claims. This was after a high profile standoff between adat leaders and the company whereby the adat leader accused the company of clearing sacred land that was agreed to be off limits during the socialization process.

The police had to intervene to contain the conflict, and the company eventually agreed to demarcate the land as no go area and appoint a guard to monitor it. The issuing of SKG was to revert conflicts such as these from arising. But it also means that the 'adat' authority is further confined and a new layer of authority has been juxtaposed to mediate land rights and regulate land use at the local level.

“Previously, we only needed the Adat institution’s permission to clear forested land. But today, we need to go to village head after receiving permit from adat, to get the land letter [referring to SKG]...to assure that our land is safe and not disputed.”

Semi-structured life history interview with migrant woman in Long Ayan, September 2016

Although referring to a migrant that has recently come to the community, this quotation is indicative of wider changes in governance that have coincided with the expansion of large scale land acquisition for oil palm in Long Ayan, and that have also contributed to a formalization of resource access processes that has the potential to exclude women in formal deliberations and decision-making.

7.0 Conclusions

These findings suggest that there is a certain degree of disassociation between processes of incorporation into oil palm and outcomes of oil palm expansion. In other words, even though women and the vast majority of men were excluded from processes of negotiations over incorporation into large-sale oil palm, oil palm is nevertheless leading to diversified incomes and higher livelihoods, at least for now.

But the extent to which Dayak Gai’ai could engage with oil palm in their own terms rather than through structural relationship with oil palm companies (as casual workers) is highly questionable. Despite the rise in independent oil palm investments, it remains a ‘rich man’s crop’, reserved for those with command over labor and capital to clear land. 8 out of the 15 respondents who said that they are planting their own oil palm belonged to the upper socio-economic level and only 2 were from the lowest socio-economic tier. Given many of them are relying on seeds from ‘loose fruits’ rather than high quality seeds from formal/informal channels strongly suggests the profitability of independent oil palm will be limited.

The necessity of cash for realizing other kinds of resources (e.g. access to water, access to rattan for handicraft production) means the requirement to earn money has become increasingly important in Long Ayan livelihoods. Moreover, an aspiration to educate children (because of fears over a future in which forest livelihoods are no longer possible) means having to find the necessary funds to pay for secondary and higher levels of education, which often meant paying for lodgings or care of children as there was no high school nearby. In other words, rising levels of household expenses accelerate the need for cash, and this results in a structural dependence of communities (both women and men) on work offered by oil palm companies.

The heightened dependence on cash was already restricting people’s ability to build swidden fields. The practice of borrowing land from relatives and neighbors had declined as land owners are less willing to lend land to others free of charge. Similarly, mobilizing exchange/free labor is

becoming more challenging as most are involved in wage employment and hence would have to forgo their income. Many are also used to earning cash and hence, tend to expect cash compensation for the work that they perform.

The potential impact of oil palm on food security is largely associated with the interplay between oil palm expansion and the reduction of swidden land, and the use of women's time for earning cash balanced against subsistence production. Whilst some respondents had noted that diets had become more varied because of the availability of cash and the presence of small-scale vegetable traders, there has been a large impact on self-provisioning, in that deriving food and medicines from the forest is now very difficult, particularly for older women, and for those whose livelihoods are more embedded in the cash economy.

For ordinary villagers who have practiced swidden cultivation, the combination of commodification of land, the introduction of new layer of bureaucracy to access land, and the monetization of labor were all undermining people's practice of building swiddens and relying on diversified incomes. While it is premature to discuss impacts of such changes on women, if the village council's role in excluding women from negotiations with oil palm is an indication, the village council's new role in recognizing and regulating land use, may serve to curtail women's pre-existing land rights and/or make them more dependent on men to mediate on their behalf with the village council. It is this latter organization that carries at least some potential for ensuring that gender equity is better realized. In 2014, the introduction of Village Law 6/2014 on Villages defined the village as a legal community, with a directly elected village head who is accountable both to the district government and to the village council and village assembly. The extent to which the six-yearly direct elections will lead to more qualified, more responsive leaders is still unclear: greater village-level decision-making could mean better responsiveness to local aspirations but this does not necessarily lessen the possibility of village 'sale' of land to large companies. However, these changes offer a potential entry point for enabling better accountability and the realization of rights for non-elites and for women within the community in the context of the transformations that are accompanying large scale land investments for oil palm.

ANNEX 1: Summary of Research methods

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Long Ayan
Activity 1. Community Profile Interview	<p>To provide background social, economic, and political information about the community, including a sketch map locating the village in relation to the company and other key landscape features and a wealth ranking to map different socio-economic groups and their engagement with oil palm;</p> <p>To provide a timeline of key events over past decade;</p> <p>To understand the socio-political context in which oil palm has developed;</p> <p>To identify the extent and community dynamics of large scale oil palm, incorporated smallholder oil palm, and independent smallholder oil palm and the interconnections between each of these</p> <p>To map out connections with oil palm companies, government (at different tiers), customary institutions and civil society groups including processes of acquisition (who involved, how involved) and (where appropriate) resistance and exclusion.</p>	<p>1 or 2 male key participants:</p> <p>1 or 2 female key participants:</p> <p>Only one needs completing per gender and community.</p> <p>Participants could be figures such as the village secretary, the chairperson of Village Parliament (BPD), female member of village government, but preferably should have knowledge and experience of dealing with oil palm investment.</p>	<p>1 Male adat (customary) leader</p> <p>1 male deputy adat leader</p> <p>1 male village government leader</p> <p>1 male village secretary</p> <p>1 male neighbourhood head</p> <p>1 male member of Forclaim Project (total of 6 male respondents)</p> <p>1 female government representative</p> <p>1 female representative of the village family welfare association</p> <p>1 female nun</p> <p>One female village staff (health clinic)</p> <p>1 female foreman from the oil palm plantation</p>
Activity 2. Community transect walk	<p>To provide general information on agro-ecology and resource opportunities/constraints</p> <p>To provide an overview of different kinds of tenure and resource access regimes across the community.</p>	<p>1 or 2 male key participants</p> <p>1 or 2 female key participants</p> <p>This is a structured observation exercise which involves</p>	<p>1 male neighborhood head (also works as a security guard for the oil palm plantation)</p> <p>1 male deputy adat (customary) leader (who cultivates oil</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Long Ayan
	<p>To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc)</p> <p>To provide general information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community.</p> <p>To explore peoples' perceptions of opportunities and constraints/problems associated with different forms of livelihood, resource access and food security, and the effects of oil palm on these.</p> <p>To explore current / prospects for sharing the benefits of oil palm.</p>	<p>members of the field team accompanying male or female key participants (should be two together) normally by motorbike or 4WD vehicle (as distances are quite large) across the extent of the community (north to south, or east to west, depending on key landscape and land use features outlined in Activity 1. Information from this exercise will complement and enable Activity 3, the gendered community resource map.</p>	<p>palm independently)</p> <p>1 female representative from the family welfare organisation (who cultivates oil palm independently).</p>
Activity 3. Gendered community resource map.	<p>To provide detailed information on different kinds of tenure and resource access regimes across the community</p> <p>To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc)</p> <p>To provide detailed information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community.</p> <p>To explore peoples' perceptions of opportunities and constraints/problems associated with different</p>	-	<p>1 male deputy adat (customary) leader (who cultivates oil palm independently)</p> <p>1 male neighborhood head (also works as a security guard for the oil palm plantation)</p> <p>1 female representative from the family welfare organisation (who cultivates oil palm independently).</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Long Ayan
	<p>forms of livelihood, resource access and food security, and the effects of oil palm on these.</p> <p>To explore current / prospects for sharing the benefits of oil palm.</p>		
Activity 4. Intra-household survey	<p>To provide brief data on range of livelihoods (inc migration), extent of dependence on oil palm, access to resources/tenure, contacts with companies, farmer group participation, divisions of labour, food security and aspirations.</p> <p>To identify potential respondents for inclusion in activity 4 and 5.</p>	<p>The survey should be undertaken in each case study community with a sample of 30 households. The sampling strategy should be guided from information on relative wealth and on ethnicity provided from the community profile (Activity 1). Based on the proportion of households falling into each of these categories, the sample should include a proportionate representation from: households considered to be from the lower socio-economic group of the community households considered to be from the middle socio-economic group of the community households considered to be from the higher</p>	32 sample households

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Long Ayan
		socio-economic group of the community. If the community is of mixed ethnicity, the sample for each of these categories should include households from each ethnic group, e.g. Dayak, Bugis, Malay, NTB or NTT, proportionate to the percentage provided in the community profile. Male and female respondents must be surveyed separately	
Activity 5. Seasonal and daily calendar interviews	To provide detailed information on seasonal and daily activities across the livelihood system including domestic work, on farm subsistence production, cash crop cultivation (oil palm, rubber etc), forest product gathering, wage work, temporary migration, education, participation in community events	<p>2 men who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 men who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 men who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p>	<p>One group interview comprising 5 women Ga'ai Dayak from Long Ayan 1 migrant woman</p> <p>One group interview comprising 3 Ga'ai Dayak men from Long Ayan 2 migrant men</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Long Ayan
		<p>2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p>	
Activity 6. Semi-structured life histories	<p>To explore their personal livelihood history and migration story</p> <p>To explore the experience of land acquisition or dispossession in relation to oil palm investment</p> <p>To explore the experience of (informed) consent around resource access/control for different categories of people</p> <p>To explore their current engagement with oil palm (as a smallholder investor, as a wage worker, as a local farmer). with oil palm and k</p> <p>Gender norms and household and agricultural/NRM roles as these have shifted over the life</p>	<p>2 men who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 men who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 men who are engaged directly in agricultural or NRM</p>	<p>5 Ga'ai Dayak women</p> <p>1 migrant woman</p> <p>4 Ga'ai Dayak men</p> <p>2 migrant men</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Long Ayan
	<p>course</p> <p>To explore enabling and constraining factors within peoples’ life trajectories</p> <p>To explore factors shaping socio-economic mobility, poverty trends—and their gender dimensions in an oil palm context.</p>	<p>activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p>	

ANNEX 2: OIL PALM AND CHANGES IN ACCESS TO ASSETS AND RESOURCES

		Housing		Ladang (commodities for subsistence)		Kebun (commodities for cash)	
		Before (n=32)	After (n=32)	Before (n=32)	After (n=32)	Before (n=32)	After (n=32)
Amount (ha)	Don't have any ²	0	0	6	3	19	7
	Smaller	(< 0,03 ha) 18	(< 0,03 ha) 16	(< 2,25 ha) 13	(< 2,25 ha) 13	(< 4,04 ha) 7	(< 4,04 ha) 13
	Bigger	(≥ 0,03 ha) 14	(≥ 0,03 ha) 16	(≥ 2,25 ha) 13	(≥ 2,25 ha) 16	(≥ 4,04 ha) 6	(≥ 4,04 ha) 12
	Mean	0,05	0,06	3,45	4,74	1.89	4,04
Ownership status	State	0	1	0	0	0	0
	Customary	0	0	0	0	0	0
	Individual	28	29	23	28	13	24
	Borrowed (no payment)	1	1	2	0	0	1
	Other	3	1	1	1	0	0
	Nothing	0		0	0	0	0
How did they acquire the land?	Open the land	27	23	20	23	9	21
	Bought	0	0	2	2	0	1
	Inherited	2	3	2	3	4	2
	Gift	0	4	0	0	0	0
	Don't know	0	0	2	1	0	1
Gender of land ownership	Husband	9	12	8	10	6	9
	Wife	6	4	5	3	1	4

² This figure includes respondents who were too young to have owned housing or other assets prior to the arrival of oil palm, and therefore should be interpreted accordingly.

	Joint	8	13	8	12	5	9
	Other family member	3	1	1	2	0	1
	Extended family	3	0	3	1	1	2
	Other	0	0	1	1	0	0
	Don't know	0	0	0	0	0	0
Document	Village letter	0	0	0	0	0	0
	Government certificate	0	0	0	0	0	0
	Don't have any	29	30	26	29	13	25
	Don't know	0	0	0	0	0	0
Whose name written on paper?	Husband	Na	Na	Na	Na	Na	Na
	Wife	Na	Na	Na	Na	Na	Na
	Joint	Na	Na	Na	Na	Na	Na
	Other family member	Na	Na	Na	Na	Na	Na
	Extended family	Na	Na	Na	Na	Na	Na

CASE STUDY 3:

Migrant Investors and Dispossession of Berau Malay in Gunung Sari, East Kalimantan

1.0 Introduction

This case study report focuses on the community of Gunung Sari in East Kalimantan where the original Berau Malay (or Melayu) ¹ community is being incorporated into oil palm through a combination of large-scale expansion and smallholder driven investments. A defining feature of this community is the role played by land acquisition by returning cross-border Bugis migrants originally from Sulawesi. Since 2004, more than 900 migrants have established a community on the edge of Gunung Sari, and this has become known locally as Kampung TKI (which translates as village of Indonesian migrant workers). Most of these migrants have returned from Malaysia where they were working as oil palm labourers. They have brought with them economic and social remittances that have enabled them to acquire land, successfully cultivate oil palm independently of any large scale company and to establish a frontier oil palm community that is being incorporated into formal palm oil markets. **The case study thus focuses on the gendered impacts of large scale land acquisitions on local communities where these have triggered further land acquisitions by smallholder migrant oil palm entrepreneurs.** It provides an opportunity to examine the complex interplay of gendered class and ethnic privilege and marginality, and how these shape pathways to inclusion, exclusion and dispossession in oil palm systems.

In this case study, we will argue that for both migrants and local people there has been poor experience with corporate oil palm: as precarious workers in Malaysia (for Kampung TKI) or through land dispossession and adverse incorporation into East Kalimantan's large scale oil palm systems (for Gunung Sari). However, for both groups this is accompanied by recognition of the potential value of the crop as a pathway to prosperity within diversified agrarian livelihoods. A divergence of experience between local people in Gunung Sari and returning cross-border migrants reflects the critical importance of social networks and ethno-political connections that have enabled the migrant community to 'leapfrog' the adverse incorporation into corporate oil palm systems that is evident in Gunung Sari itself, where large scale oil palm investments have undermined customary authority to define and regulate land use.

Through a gender lens, in Gunung Sari, women's voice and authority is being undermined on two levels: by corporate approaches to gendered resource access (dividends through a titular male household head) and by gender exclusions in informal networks of political and economic influence in the independent smallholder oil palm sector. In Kampung TKI, migrant women play an integral role in the smallholder land rush through the maintenance of family networks, in securing livelihoods and as actors in the land acquisition process. However, their voice is limited by gender

¹ Under international law and in Indonesia Malay are defined as indigenous people, through the self-identified category of 'masyarakat adat' (peoples governed by custom). Masyarakat adat groups transfer and inherit lands through the application of customary law (Colchester 2011).

norms that circumscribe their engagement in male dominated networks of power, influence and authority, even as women benefit from oil palm-related higher incomes and increases in well-being in the short term.

We go further in suggesting that there is considerable potential for horizontal conflicts between migrants and local people as the area of investment for oil palm by migrants (around 5,400 hectares) exceeds the area acquired by the nearest large scale oil palm company, but without the ‘dividend’ forms of compensation that corporations supposedly grant to communities. Thus far, people of Gunung Sari have received limited attention from groups advocating on behalf of customary claims, as focus tends to be directed towards the uplands (where there is an environmental focus relating to remaining primary forests) and to Dayak communities (where regional and international support for indigenous people has been stronger). However, the relationship between Gunung Sari and the company has also been fraught, marked by accusations of malfeasance by some of the village leadership acting in collaboration with the company and within the oil palm cooperative, and by the threat of demonstrations by community members who have run out of options for settling disputes.

The focus for the case study is an analysis of the interplay between the oil palm company and the Berau Malay – original inhabitants of Gunung Sari, and between the Berau Malay and the returning cross-border migrants, who identify as Bugis. An important point to make is that both these groups are also differentiated by economic and socio-political status, and this will be addressed in the analysis and discussion. Data was gathered in August and September 2016 using a mixed methods approach that comprised seven main data collection tools. These, together with the research questions driving the research, are outlined in Annex 1.

The report is structured around four key aspects of gendered impacts. Section 2 provides an overview of the field site through a history of the community and landscape governance, identifying the ways these are gendered, and how this feeds into gendered impacts of oil palm. Section 3 examines the process of land acquisition for both large scale and small-scale investments in oil palm, focusing on the social and gender inequities that inhere within these. Section 4 explores relationships between the company and the community, paying particular attention to the function of oil palm cooperatives and the role of social networks that give rise to patterns of gendered exclusion and inclusion in realising the benefits from both large scale and independent smallholder oil palm. Section 5 examines the gendered impacts of oil palm on livelihoods, resource access and the ability to realise the benefits of resource access in both large scale and smallholder modalities. The report concludes with a summary of key findings from this case study.

2.0 Field site Description: Community and Landscape History

The gendered impacts of oil palm investments in Gunung Sari reflect the interplay between modes of incorporation into oil palm systems and an underlying landscape history, which includes changing population dynamics, land use and resource governance. Located in the Segah river basin, Berau district, Gunung Sari is a lowland community, comprising Malay or Melayu people, who self-identify as orang Berau. According to interviews with key informants, Gunung Sari was established in the early 1970s by a dozen families originally living some 35 km away in Tanah Merah, who had been displaced by major floods. In 1980, the East Kalimantan regional government brought assistance

through its Population Resettlement Scheme, or RESPEN, providing building materials and other items that enabled the community to settle permanently in the location. Livelihoods at that time were largely subsistence in nature, focusing on rice farming (swamp and upland swidden cultivation, which involved both men and women), fishing, hunting and the collecting of timber and eaglewood resin (gaharu) (men's tasks); and the gathering of wild foods and medicines (women's tasks). Travel was largely by river (Segah and its numerous tributaries).

"The land was still forest, newly opened. Just swidden farming. At the most, we planted bananas"

Semi-structured interview, female farmer, Berau Malay, Gunung Sari, 27 Sept 2016.

Although the government programme was aimed at 'settling' people, livelihoods were based on shifting cultivation and interviewees describe a situation of abundant land and limited restrictions on being able to open new land. The Respen programme had the effect of making the area lively and bustling with people who had been relocated from Tanah Merah because of the floods.

2.1 Changing Resource Governance in Gunung Sari

In the 1990s, the Indonesian government granted large scale timber concessions (Hak Pengusahaan Hutan or HPH)² on state land, which brought access roads and opportunities for local people to trade forest and agricultural products for sugar, coffee, cigarettes and other needs. These changes also brought newcomers to the area, including in 1997 the settlement of landless people from the island of Java through the establishment of a transmigration settlement based on industrial timber (Hutan Tanaman Inti or HTI). Effectively, subsistence livelihoods had given way to market engagements long before oil palm was on the scene: thus, Gunung Sari may be characterised economically as a diversified market based system in which rice cultivation (both upland and swamp rice) figures strongly, and where household income from agriculture was supplemented by non-timber forest products and from wages earned in the logging sector even prior to oil palm.

2.2 Gendered Resource Access Prior to Oil Palm

Prior to the establishment of large scale oil palm, people of Gunung Sari accessed land by clearing forest. Once under cultivation, the land was considered to be their private land, and could be passed on to their children. 'Ownership' was marked by evidence of regular cultivation or by fruit trees planted as boundary markers. Access was regulated by the adat (customary) council, almost always headed by a man (Berau Malay). More recently, land ownership has become subject to the issuing of a use rights letter (surat garapan), which is issued by the village head (a separate person to the adat head, who is aligned to the formal district government hierarchy). To obtain a surat garapan letter, certain requirements had to be met, for example, 'ownership' was demonstrated by showing that

² Up until 1998, under this system revenue flow from the HPH concession holders went directly to national government. In this area, the main forest concessions were held by PT Sumalindo Lestari Jaya, who managed 140,000 hectare on behalf of the Astra Group owned by Bob Hasan, a prominent Suharto crony (Obidzinski and Barr 2003).

crops were grown on the land. If the land was not planted within three years, the land was returned to the state, and could be given to another member of the community to manage.

This system had gone some way towards evolving into a nascent individualised property market, in that a person could claim up to two hectares – this amount was based on an idea of what a family could realistically clear, cultivate and manage. Thus typically between one and two hectares were cultivated by families, planted with upland swidden rice intercropped with maize and vegetables, alongside fruit trees which were used to mark boundaries, and surplus fruit sold or gifted to neighbours. Compared to other communities in the study, gender differences in relation to land ‘ownership’ was relatively marked. For example, in the household survey undertaken in Gunung Sari, there was only one instance of a woman’s name being on the surat garapan, and one where both the husband’s and wife’s name was on it. For the majority of households, men were the official titular heads of households with regard to ‘ownership’. The data allows us to compare the situation prior to and after oil palm, and this pattern has remained stable, with the male village head exerting considerable power to grant requests for access to land. The relatively pronounced gender differences in formal land ownership may be attributable to the cultural practices of Berau Malay communities, where historical relationships with nature and land have been shaped by Islam and adat (cultural) practices in ways that are distinct from Dayak communities in the other case studies.

The relatively recent practice of utilising land access document has continued in this vein. Although women were excluded from being named on land access documents, the land only came to hold a value and be of benefit by virtue of the application of women’s labour, and by extension, family labour. Moreover, in circumstances of land abundance, families could accumulate more than two hectares by deploying family labour (including women and children) to bring additional land into cultivation and demonstrate a capacity to cultivate a wider extent of land. Plots of up to 10 hectares were not unusual in Gunung Sari, as the quote below attests:

“The average size was 4 hectares, because if you want to make your land bigger, it takes longer and you must ask for more letters so you can clear more. People asked for more letters, making surat garapan (use rights certificates) claims for his father, mother, son, until his grandson. If we were on our own, it would be just two hectares that we could have.”

Key person interview, male Village council member, Gunung Sari, Sept 2016.

The importance of women’s labour in realising the benefits of resource access accounts for women’s relative power within the household with regard to land use – according to our survey data, prior to oil palm land use decisions were generally made jointly. As a later section of the case study shows, this pattern has continued with regard to land use decisions regarding rice and other food crops, but decisions around oil palm are largely the domain of men. As one of the key person interviews suggest, household-level decisions on land use were negotiated between men and women, rather than simply dictated by the male head of household. This pattern of land acquisition through the issuance of a surat garapan (and more recently, a surat keterangan) by the Gunung Sari village leader, continued with the arrival of migrants originally from Sulawesi, and today forms part of the nexus of land brokerage which has enabled the emergence of migrant land acquisition and oil palm investments. The gender dynamics of this system also feed into the patterning of gendered resource access that has emerged.

2.3 Large Scale Oil Palm Investments and the Arrival of Migrants

Decentralization of resource control from central government to district government in the early 2000s was a factor in enabling the establishment of oil palm in and around Gunung Sari, as new regulations meant the initial approval for large scale investment was rescaled to district governments. This had the effect of accelerating the rapid expansion of oil palm plantations principally on former timber concession areas in the period from 2000 to 2005 (Colchester et al. 2006, Urano 2014). This phase of rapid expansion corresponds with the period when land acquisition and clearance for oil palm began in Gunung Sari, when in the early 2000s, PT Palma cleared the remaining timber but failed to establish an oil palm plantation.

“The company was regarded as fraudsters because the promise to open up oil palm plantations was never implemented....the public suspect that the planned plantation was just a mask to hide the objective of the company to take and process timber from the forest areas around Gunung Sari”

Key person interview with male former village council member, August 2016.

Oil palm was finally established in 2004/5 when the oil palm company PT Hutan Hijau Mas began the process of acquisition, having acquired permission to clear land for the plantation.

Coinciding with the arrival of the large scale oil palm investment, change in Gunung Sari was also brought by the arrival of migrants seeking land, initially through a small group of families from Sulawesi, and then soon after, a second wave of returning cross-border migrants (also originally heralding from Sulawesi, with many being relatives of the first wave). The migrants had been drawn by the promise of access to cultivable land, and for those coming from Malaysia, this was a need driven by the expiry of employment permits in Malaysian oil palm plantations.

In-migration began with the arrival of just seven people (initially, all were men) in 2002, part of a social network headed by the current neighbourhood leader. The migrants settled on land that had originally been allocated by the state for conversion to a transmigration settlement, but as that programme had been abandoned, the land was regarded as ‘idle’ but convertible to agricultural uses. This may be one factor why the Department of Forestry (which has responsibility for state forest land) did not intervene to prevent settlement in the area. Not long after, the former village leader of Gunung Sari described how he had been persuaded to welcome returning cross-border migrants because they were Indonesian citizens who had been thrown out of Malaysia, describing them as ‘part of our family of fellow Indonesians’. His justification for acting for the well-being of migrants may be slightly after the fact as the arrival of land-seeking migrants has been controversial for people of Gunung Sari. Since its beginnings in 2002, the migrant population has since swollen through waves of cross-border migrants in search of new land, and now comprises around 900 families mostly located in neighbourhood (RT) 5 (known as Kampung Toddopoli Temmalara) and RT 6 and 7 (generally known as Kampung TKI). The migrant settlement is about 7 km from Gunung Sari, with houses spread out along a former logging road, and interspersed by smallholder plantings of oil palm.

The current population of Gunung Sari is shown Table 1 below.

Table 1. Total Population, Gunung Sari and neighbourhoods comprising Kampung TKI

Neighbourhood	Population
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	Men	Women	Total
I	167	149	316
II	611	343	954
III	1.786	1.258	3.044
IV	699	513	1.212
VIII	951	709	1.660
Total Gunung Sari	4213	2972	7196
V (TKI)	163	178	341
VI (TKI)	151	97	284
VII (TKI)	88	34	122
Total Kampung TKI	602	309	747
Total Population	4616	3281	7897

Source: Laporan Kependudukan Kampung Gunung Sari (Report on the Population of Gunung Sari), September 2016

The data show some interesting gender characteristics, most notably that the neighbourhoods that make up Kampung TKI have almost twice as many men as women. This reflects the frontier nature of the community, and the ways in which men settle as ‘pioneers’ before other family members join them. Furthermore, the population is made up of more recently-arrived young male migrant workers who take advantage of oil palm work opportunities in the area. Interviews with community leaders in Kampung TKI include the observation that the area is now closed to new migrants as all available land has now been allocated, so many of these young men will not be able to clear and develop their own plots in the way that an earlier generation of newcomers was able.

Village-level official data should be treated with caution. Our research uncovered large discrepancies between the village government figures reported in this table and numbers of households in Kampung TKI neighbourhoods, where some respondents indicated upwards of 1000 households. Our enquiries suggest that this reflects high levels of absentee land holders in this part of Gunung Sari, a phenomenon which is closely related to the exigencies of the land acquisition process and the existence of important social networks that continue to link Kampung TKI with Sabah (Malaysia) and Sulawesi. Thus, land access and control in this community is multi-local, with decision-making taking place outside the geographical confines of Gunung Sari itself.

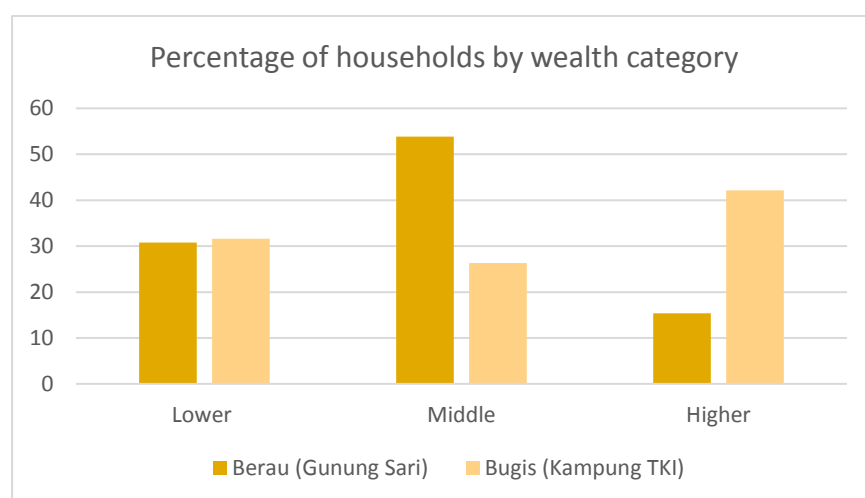


Figure 1: percentage of households by wealth category. Based on household survey.

Socially and economically, Gunung Sari itself and Kampung TKI remain separate, although both communities are predominantly Muslim and the elected village leader of Gunung Sari is officially the leader of Kampung TKI also. There are some contrasts between the two parts of the community: as Figure 1 above suggests, based on data from the household survey, Kampung TKI is more stratified in terms of numbers reported to be ranked in the lower, middle and higher wealth groups, however contrasts in levels of education (for men and for women) were not pronounced.

Gunung Sari itself has a number of active groups within the community, that serve a variety of economic, social and political functions. Table 2 below illustrates the range of groups, and their responsibilities.

Table 6. Organizations and Groups in Gunung Sari

Type of Group	In Gunung Sari?	Active	Notes
1. Customary (adat) institution	Y	Y	Only the chairman and deputy chairman of the group are active
2. Heritage (Indigenous Unity of Borneo)	Y	Y	Only certain people involved in this group
3. Farmer's Group	Y	Y	Rotating cow aid from the government
4. Oil Palm Cooperative	Y	Y	Only to problems related to payments from the plasma and sale of oil palm FFB
5. Family Health Organisation (PKK)	Y	Active with some members	Only a few officers and members are active
6. Women's credit saving group (arisan)	Y	No	Not all of the activities involved and sometimes stalled
7. Women's religious organisation	Y	Y	Activities once a week from house to house of each member
8. Sports group (football, volleyball)	Y	Infrequent	Only when there is a competition, e.g. independence day celebrations

Source: key person interviews in Gunung Sari, September 2016.

General socio-economic indicators of well-being point to a community which has undergone considerable change in the past two decades. The community has a primary school and a clinic for residents. Electricity is provided by the Indonesian government, but also by PT Hutan Hijau Mas (HHM), the oil palm company. Water and sanitation remain an issue, however, with a reliance on sources such as rain water and refill water for drinking and cooking water consumption, and river water for bathing, washing and sanitation. Most of the residents have bathrooms in their homes by drawing water from the river by using engine water pump. However, on the edge of the river are still many "floating bathrooms" and washing areas used by residents.

3.0 Processes of Land Acquisition for Oil Palm: large scale and smallholder modalities

The abundance of cultivable forest land that underpinned livelihoods in Gunung Sari was brought short by the arrival of both large-scale and small-scale migrant investment in oil palm from around 2004 onwards. Several oil palm companies have invested in the sub-district of Segah and within the vicinity, including PT Berau Karetindo Lestari (to the north west), PT Natura Pasifik Nusantara (to the west), PT Malindo Mas Perkebunan (to the north of Gunung Sari) and PT Hutan Hijau Mas. Both PT Malindo Mas and PT Hutan Hijau Mas are part of the Malaysian-owned Kuala Lumpur Kepong Plantation Holdings (KLK), which in 2014 had a total of 32,056 hectares in its East Kalimantan land bank, and cleared 3,700 and 7,300 hectares to make way for oil palm in and around Gunung Sari.³ PT Hutan Hijau Mas also owns and operates the nearest CPO mill to the community, located in Tepian Buah. The business model utilised by PT Hutan Hijau Mas is one based on inti (or core – the area directly controlled and managed by the company) and plasma (the area from which local communities receive an allocation in the form of profit after the deduction of management and labour costs).

3.1. Gendered exclusions in negotiations over large scale land acquisition

Oil palm companies began taking an interest in the area in the early 2000s, as former timber concessions were made available through local and central government for investment. The first company that sought to bring oil palm investment to Gunung Sari was PT Palma, in 2002. Having obtained a location permit, the company cleared the land and established a small nursery of oil palm seedlings. However, the oil palm plantation was never established, and the company had never received a concession permit.

“Palma were, in my view, fraudsters. They made an oil palm nursery, took the timber but did not prepare the land for planting...they took the timber and left. We had believed [the company] because there was a nursery. But the land had not been released by the Department of Forestry”

Key person interview, male village council member, September 2016.

Oil palm investment began properly with the arrival of PT Hutan Hijau Mas (HHM), a subsidiary of the Malaysian oil palm group Kuala Lumpur Kepong (KLK) in 2004, which had secured a permit to develop large-scale oil palm through approval from the district and provincial government heads - in the form of ‘large-scale plantation business permit’ under regulation Berau District no.25/2003. HHM then informed the community that the government had issued a license to the company to open 7,305 hectares of land. According to interviewees this included privately ‘owned’ land (ladang rice fields and kebun orchards) and forested land, regarded as ‘community land’. The privately ‘owned’ fields were previously planted by rice (harvested every 6 months) and then used to plant corn and peanuts. Fruits were planted all year and/or intermittently. For those whose cultivated ladang or kebun were acquired by the company, compensation of 5 million rupiah (IDR) was paid per hectare.

³ Kuala Lumpur Kepong Annual Report, December 2014. See also Chain Reaction Research (2015)

However, due to the community's land (including lands people regarded as privately held land) being designated as 'state forest', the companies had already secured permission for oil palm development from government authorities, and only sought community inclusion in the land acquisition process for the purposes of diffusing any likely conflict or dissent later on, which could jeopardize their operations.

In such a context, as McCarthy and Robinson note, the role of local land owners and customary institutions involved in negotiating the processes of land acquisition is generally just "reduced to bargaining over the benefits offered by developers under licenses that have already been issued by higher authorities" (2016: 21). Community consultation involved top-down 'sosialisasi' – a term used to describe the process of being 'informed', and this is common practice in company-community negotiations. In Gunung Sari it was clear that in fact, the decision to allow the investment by HHM had been made by the government prior to the company even entering negotiations with community leaders. Thus, many members of the community regard their village leaders as having failed to protect them, and even to have made deals behind their backs.

The community was told that in return for every 10 hectares of land acquired from them by the company, two hectares would be given to each household as plasma. This would be managed by the company, and from which they would receive the profits. However, there was a lack of knowledge and understanding by all as to what the community was entering into.

"The company said their mission was to develop the plantation with plasma agreements. We were still unsure about oil palm. They said if people have 2 hectares [per household] they will prosper. That's what I remember of their words...we just wait for the results. At that first meeting, most of us from Gunung Sari were just passive, we didn't respond. The company said that the plasma would be treated the same as the core, from planting, to maintenance. The entire village was present, then after that, the village government attended meetings with the District government."

KeyPerson Interview with male representative from Gunung Sari Cooperative Management, September 2016.

According to the former village leader of Gunung Sari who had been in post when the acquisition was first agreed, there were people who agreed, and people who did not. A number of people objected and refused to take the compensation that was being offered by the company, which amounted to 5 million IDR (rupiah) per hectare for those whose private land was in the oil palm concession area. Some pretty strong persuasion tactics were used by both the company and the village leadership at the time. People were given no choice because the other members of the community had accepted the compensation – this amounted to some kind of peer pressure. At the same time, the village leadership told people that if the company was not allowed to invest, their community would never advance.⁴

Interviews with community members in Gunung Sari suggest that another reason for accepting oil palm investment that was given by village leaders to the rest of the community was that many families already had to travel long distances to reach their fields, having been relocated from Tanah Merah in the 1970s, following the devastating floods. Land that they cultivated was still in Tanah Merah. People were told by the village leadership that oil palm would give them an opportunity for an income that did not involve travelling such distances. To paraphrase, they could just sit on the

⁴ From interviews with key persons including the current head of the Adat (customary) council, Gunung Sari, September 2016.

porch and watch the money roll in. There was also a sense that the large-scale investment would not impact on swidden cultivation as there was still at that time a perception that land was plentiful and that access to land for rice cultivation would not be an issue. However, it is evident that at the time, many people in the community did not understand what they were giving up, and there was little in the way of strong leadership to challenge the company with searching questions. Indeed, some interviewees have mentioned suspicions that some members of the village government were benefiting materially, having diffused dissenting voices. Adat leaders were also silent at the time, even as they have gone on to sound their concerns over what happened. As shifting cultivators unused to sedentary forms of property rights, there was an assumption that the company would hold the land for one crop cycle and then move on. Effectively, they were persuaded into giving their consent, but without full and transparent information. The former village head was rather dismissive when asked about the impact on people's access to land, and this reflects a prevailing sense that there was abundant land – a few thousand hectares would not be missed:

“The people who gave up their land still had access to other land. It was not a problem.”

Key person interview, male former village leader, Gunung Sari September 2016.

Participation of women in the meetings around land acquisition was limited and this added a further layer that limited access to information for free and informed consent. In many instances, only the household head came, as representative of the family. Whilst there were no obvious restrictions on women's participation, women were not directly invited to join in. Gender stereotyping evident in the practices of companies and local government coupled with community norms in which it is men that are the public face with outsiders made it unusual for women to play a publicly active role in negotiations with company or government representatives, even when in other spaces women were vocal and active (as we show in a later section). However, where women were involved was in the infrastructure and land surveys that were conducted by the village head and other representatives, who sought to establish 'ownership' of particular plots of land so that there would not be any disputes. This was important as it was in recognition of women's knowledge of the location of their family's plots, which were often in non-contiguous areas, and this in itself is reflective of women's role in securing resource access through their labour investments in land.

"So he was right to make the survey [the village leader at the time] as you want to make this right, this oil palm. So if there's no signature, no way can you open oil palm. For the land dispute, we also asked women, whether that particular land could be used."

Semi-structured interview with male independent oil palm grower, native to Gunung Sari, September 2016.

In practice, however, when it came to negotiation around the introduction of the plasma system, negotiation was undertaken at the individual level, and this tended to be mostly men as representatives of their households. Interviews in Gunung Sari suggested that men were giving up land that included their wife's land, or their brother's land. The more land that could be given up to the company, the higher the amount of plasma that would be allocated (see section below). In this way, households were able to accrue more than 2 hectares of plasma as the allocation required the use of identity cards (KTP).

What is evident in the Letter of Agreement (surat perjanjian) issued from the company to people in Gunung Sari, which the field team was able to observe, is that these do not recognise local customary (adat) rights to land in accordance with the Indonesian government's recent law (2013) that purports to recognise customary rights to forest land. By making reference to Tanah Negara

(state land), the letters effectively support the claims of the state on the land. Households are being compensated for lost 'use rights' rather than there being any recognition beyond this. It is unclear whether there might be any sort of future return to these 'use rights' if the investing companies decide to move on, as is always possible given the history of commodity investment and other kinds of crop booms. Longer term security and equity are particularly uncertain, and it is apparent that future inheritance rights have been handed over. These problems affect all members of the community, and there is an issue of lack of transparency and informed consent that affects both men and women. For women, however, the process is doubly opaque and they are doubly misinformed: their de facto exclusion from negotiating spaces and lack of recognition in letters confirming resource use rights means they were dependant on husbands, fathers and sons as conduits of information and there was limited opportunity for their voices to have been heard.

3.2. Processes of migrant land acquisition: networks of male authority

The process of migrant land acquisition is a highly organized collective endeavour, involving those who are politically well-connected to leaders at village and regional government level, and to oil palm processing through a migrant farmers' cooperative. These networks of brokerage are gendered: they both reflect and are influenced by gender norms and stereotypes that maintain male dominance, and that serve to side-line women's voices.

The process of migrant land acquisition came about through changes in the allocation of state forest land that had originally been allocated for conversion to a transmigration settlement associated with a forest plantation concession (Hutan Tanaman Inti, or HTI). Whilst one of the transmigration settlements (SP3 – Harapan Jaya) did open in 1997, the remaining three designated areas were never developed, possibly because of national-level political changes and the beginnings of the Reform era. The land was therefore earmarked for conversion to agricultural uses, but was constituted as state forest land, with access regulated in these terms. According to the former village leader of Gunung Sari, the land was not being cultivated by local people, although there was some usage for hunting (by men) and gathering of non-timber forest products (by women). Acquisition of this land by mainly Bugis migrants originally from Sulawesi has been brokered by the activities of a small group of influential and politically well-connected men, led by the current head of one of the neighbourhoods that form part of Kampung TKI on the edge of Gunung Sari.

A critical element in the success of this group of migrants in acquiring land comes from the activities of the migrant leader, Pak X, whose practices in forming a community and mobilising resources reveals much about the terms in which land acquisition is a gendered process. The first group of migrants, who were personally known to Pak X, came in 2002 with the intention of seeking the help of the Gunung Sari village government to acquire land for farming. The process of land acquisition involved Pak X submitting a written application to the village head of Gunung Sari, who agreed that each family could open two hectares of land in areas adjacent to the transmigration areas in Harapan Jaya village, about 7 km from the centre of the village of Gunung Sari.

The newcomers began by clearing forests, planting rice and cocoa, as well as collecting forest products to meet their daily needs. An important aspect of their capacity to realise the benefits of accessing land was that several had family or neighbours originally from Sulawesi living in the nearby transmigration settlement of Harapan Jaya, which provided the opportunity of shared labour to

bring fields into cultivation. Whilst most of the new arrivals were men, women quickly followed, to provide the reproductive and productive labour necessary for successful community formation.

Migrant land acquisition in this case was made possible by Pak X's experience in having undertaken similar ventures in other parts of Indonesia, which begins with migrants finding cultivable land, and from there, creating farmer groups on the understanding that there is tenure security in numbers. Pak X formed the farmer group, which he named Kelompok Tani Toddopoli Temmallara. The farmers group was initially founded to facilitate the planting and marketing of cocoa.

"I took the name from hostel Toddopoli, Makassar [in Sulawesi], changed it slightly to make it my group's name. In the local language, toddopoli are like stakes, the stakes are not removable. So in 2003 the community was inaugurated by the Bupati of Berau [i.e. the head of the District government]. Since we arrived, we've had three different Bupati, changes to Gunung Sari leaders, we are still here."

Key person interview with male community leader and chairman of Kelompok Tani (Farmers Group) Toddopoli Temmallara, referred to in text as Pak (Mr) X.

The quote shows how kind of naming serves as a rhetorical device for challenging the ways in which migrants have been referred to as TKI, or Indonesian migrant workers. It emphasises a sense of belonging and immovability, which has served to make the migrants feel secure, even as there is little formal recognition of their entitlement to land in the area.



Figure 2: Toddopoli Temmallara farmer's group in 'Kampung TKI'. *Photo Credit: Rebecca Elmhirst*

The second wave of migrants were associated with this first group but were led by a different person, Pak Y, who this time facilitated land acquisition of land by Bugis migrants who had been working as labourers on oil palm plantations in Malaysia, and who had been repatriated following a rescinding of work permits and a Malaysian government 'purge' of undocumented cross border migrants.

This second wave of migration, which was much more extensive in numbers, coincided with large scale oil palm investment, and in particular, investment in the oil palm mill in Tepian Buah. Together with the current chairman of the neighbourhood (Pak X), a group of people, led by Pak Y and a third community leader, Pak H, made a request to the village leader of Gunung Sari to clear land using a similar system to that used initially by Pak X: 2 hectares per family head. Pak X was responsible for

allocating land and required migrants to pay compensation of costs incurred for land clearing. At that time the land clearance compensation amount reaches about 1 million rupiah per 2 hectares of land opened. As time passed, each person with land in Kampung TKI invited family, relatives, siblings and friends to come and open land. Almost all the people who came and opened land was a former migrant oil palm worker in Malaysia, who had originated from Sulawesi.

Pak Y was a key figure in facilitating the acquisition and the formation of Kampung TKI. As a public figure in Gunung Sari who originates from Sulawesi, he had close connections with the father of Pak Z became the Chairman of the District Parliament (Berau). Pak Z had lived in Pak Y's house as a 'foster child'. After becoming chairman of the District parliament, Pak Z ran for office to become Bupati of Berau, a very powerful position in resource governance and control. Pak Y also associated with Pak H, who founded a second farmer group: Kelompok Sawit Mandiri farmers' group to take care of the independent migrant smallholder oil palm investors, as the earlier farmer's group was already too large. The rapid growth of Kampung TKI led to a requirement for more land and in 2004, the District government provided backup land area of 3,500 hectares in Gunung Sari for him to allocate to newly arrived families.

Escalating accumulation of land by migrants followed a similar pattern to that observed in Gunung Sari itself: families could obtain 2 hectares per household member, and for that reason, women, elderly relatives, even non-resident relatives were marshalled as potential surat garapan holders. In the early stages of coming here, the newcomers all were male. Other family members, wives and children still resided in their original location (Sulawesi) and also in Malaysia. Once the situation in Kampung TKI was improving, it was possible to bring the family over. Migrants gradually brought other family members and even invited friends to join the open land in Kampung TKI.

Letters are generally in the husband's name, although there is no rule restriction preventing women being named. Gender norms among Bugis communities are such that women do play a strong role in managing the day-to-day household economy and in life course decision-making too, even if the direct negotiations are carried out by men. One interviewee, who came shortly after her husband had arrived, described how they began by working for wages on other peoples' land before being persuaded to take their own land.

"He [Pak X] said invest here rather than in the garden where you are working for a wage. You can have 2 hectares rather than just be working people. Your son is already big – let us telephone the famer leader. So we are given 2 hectares of kebun (oil palm land) to cultivate."

Semi-structured interview, woman migrant of Bugis origin, Kampung TKI, September 2016

The opportunity to come to Gunung Sari and to be granted land depended on having a direct (or indirect) relationship with Pak X or Pak H, the migrant leaders, who were acting as land brokers. This connection could be one via women, and they thus played a 'behind the scenes' role in facilitating access to land. Having accessed land through these Bugis migrant-local government brokerage networks, migrant smallholders went ahead to invest in oil palm using capital and skills/knowledge acquired during their stint as migrant workers, and they were supported by the formation of an independent smallholder oil palm cooperative set up in conjunction with the local farmers groups (Kelompok Tani Sawit Mandiri and Kelompok Toddopoli Temmellara). Arrangements for accessing land and links with the processing company are regulated by these groups in ways that chime with Timmer's observation of the ways Bugis non-state actors emulate the governmentality of the state (Timmer 2010).

The gender dynamics of the migrant land acquisition process reflects the workings of male authority, in terms of the social networks that certain men are able to participate in, and in terms of the gendered inclusions and exclusions from the spaces in which networking activities take place. Relationships between the first of the migrant leaders and the District governor (both Bugis) paved the way for access to ‘unused’ transmigration settlement land near Gunung Sari, and this relationship evolved further with the involvement of the second migrant leader, Pak Y.

“Pak X had come to me with Pak X – also orang Bugis – they told me about people from Malaysia who want to come home and they have nowhere to go. They need help, they are Indonesian, please help.”

Key person interview, male former village leader of Gunung Sari, September 2016

Through these negotiations, the village leader was persuaded to hand over 5,400 hectares of Gunung Sari KBNK land (i.e. *Kawasan Budidaya Non Kehutanan*, land designated as non-forest cultivation areas under national land use categories), and this effectively opened the doors for the subsequent arrival of hundreds of migrants of Bugis origin. Responsibility for handing out ‘land use certificates’ (surat garapan) in the hands of Pak X and Pak Y. Observation of how such negotiations are undertaken is important for understanding gendered exclusions. Negotiations take place through long, seemingly informal discussions over coffee and cigarettes, conducted on the front porch of people’s homes, usually at night. This includes the undertaking of formal business with official decision makers at different levels, which takes place outside office hours and office spaces, and importantly, outside mechanisms that may be subject to local government gender mainstreaming initiatives. Women are generally not present, but may be listening ‘from the kitchen’. Whilst there are no direct restrictions on women, it would not be ‘normal’ practice and women (and men) would feel uncomfortable. Thus, women’s participation in these kinds of discussions is second-hand – seeking influence through husbands or male relatives.



Figure 3: Kampung TKI, Gunung Sari, where the forest concession is converted to independent smallholder oil palm by migrant returnees. Credit: Annie Soegito/CIFOR

In effect, permission to acquire land to clear for oil palm has been granted by the customary village leader, but the right to apply has been passed on and is in the hands of the head of the migrant farmer group. The issuance of use rights is based on possession of a certificate of domicile (KTP) stating they are resident in the area. On payment of a brokerage fee (and credit for opening the land), certificate of use (surat garapan) is then issued, normally in the male household head’s name.

A prevailing rule operated by the informal brokerage group restricts acquisition to 2 ha per certificate of domicile. Large families can benefit: additional land can be acquired by presenting the wife (and other family members) as also domiciled (and therefore entitled) persons. Our surveys show that average acquisitions are 6-8 hectares and as much as 70 ha. The strength and success of the migrant oil palm farmers results from intense and highly gendered forms of negotiation and deal-making, much taking place at night, on the porches of houses over cigarettes and tea – in context of uncertain land tenure. These are spaces and times from which many (but not all) women are subtly excluded due to prevailing gender norms: joining a male crowd is unusual – thus, means relying on husband being a conduit for information.

3.3. The Potential for Horizontal Conflict: gendered responses

The potential for horizontal conflicts between Bugis migrants and nearby local Berau Malay community is evident in the fact that the area of investment by large numbers (around 900 people) of smallholders vastly exceeds the area of the nearest large scale oil palm company, but does not carry with it the potential ‘dividend’ forms of compensation to local communities.

Whilst the acquisition of land for large scale oil palm has been transformative for the people of Gunung Sari in both negative and positive ways, much more prominent in peoples’ minds is the impact of what they see as ‘migrant land grabs’, which are overwhelmingly viewed in negative terms. In an interview with the former village head, who had originally given the go-ahead for the arrival of returning oil palm workers, he expressed a degree of dismay over what had transpired. In his view, these were far from these being people in trouble that were in need of help.

“They are all rich people, these migrant workers (orang TKI). Now certificates for land use are being given to people who don’t even live here.

Key person interview, male former village leader, Gunung Sari September 2016.

The rapid expansion of migrant land claims meant land was reworked as a commodity that could be bought or sold, or at least, accessed via connections with key figures in the community. Among the community of Gunung Sari, there was a sense that access to land was not undertaken fairly or transparently. In particular, obtaining the surat garapan was not always straightforward, and there was a perception that some members of the community had benefited more than others. Being involved in male social networks linking the authority figures described above was of particular benefit. In the eyes of some in Gunung Sari, it is easier to obtain new surat garapan for Bugis (and those with good social connections or cash to pay) than it is for the Berau Malay, particularly those unable to pay a fee. Many who have been left out of such networks, including one of the customary leaders of the original Gunung Sari community – a former authority figure - complain that the government has turned a blind eye to the problem of migrant land grabs. Women complain that migrants acquiring land for planting oil palm has meant access to the forest is much more limited, and that this had a negative effect on their livelihoods. Moreover, there was a suspicion that some within the more recent leadership of Gunung Sari had also encouraged migrant ‘land grabs’ because of the system of allocating the Village Fund provided by district government, which is based on population, and therefore has the effect of incentivizing village leaders to encourage more migration to expand the village population.

Our semi-structured interview data showed that a number of women had been at the frontline of conflict over land with migrants, although their complaints were largely directed towards village officials, who they accuse of favouritism (towards migrants) because of their social connections, and failure to control access to land in circumstances of limited availability of resources, as the box below suggests. One of the factors that places women in this position is that women play a key role in marking the boundaries of their family ladang (rice fields), using in some cases a bottle filled with water and incense, or the planting of specific trees. In some instances, a zinc plate is placed on the ground. Women's grievances have arisen as their knowledge and role in securing boundaries (a form of gendered 'territorialisation') is, in their view, being ignored by village leaders, who possibly are reluctant to intervene when migrants or large scale investments override 'ownership' markers. Mrs Riani, a Berau Malay woman with adult sons, explained how the land she had marked out and planted with rice was taken by migrant oil palm smallholders. They had planted oil palm, meaning she could no longer cultivate food crops. Complaints to the village leadership were to no avail, and even a complaint to the police at District level was greeted with the response that there was nothing that could be done.

Whilst this is partly about women defending their access to food cropping land from migrant investors, it is also about some Berau Malay women, generally those with some education and relative economic prosperity according to wealth ranking, attempting to secure sufficient land so as to be able to cultivate oil palm themselves, and to then have access to cooperatives and a channel of trade for the results of their hard work.

According to Mrs Andi it has been hard to open up new land, because the land is already taken by migrants. By migrants, she said she meant people in the village of migrants, and migrant workers. Community land (KBNK) is accessed simply by migrants having the right documents. Migrants now have a large area under cultivation, while the original area of Gunung Sari has limited land. This situation makes the residents of Gunung Sari disappointed and angry.

"... Nah to open up land, that could not be me, not my business, I am not the pioneer. In the past it was a jungle. Now some are taking, immigrant newcomers all of them. I say this is not the fault of the newcomers. If we loved the place and looked after it, the new settlers would not dare occupy."

Land 'owned' by Mrs Andi been taken by someone else. She described how she was shocked to suddenly see the field is now being cultivated by someone else. In her view, the village government also does not have the power to help maintain Gunung Sari's community land. Instead, accessing that land depends on having a relationship with the village leaders, rather than whether you are in possession of an ID card tying you to the place. Mrs. Andi protested the situation with a group of other women from Gunung Sari. A machete was brought to the office. The commotion was only dealt with when the police came to calm down the commotion.

Semi-structured life history interview, Mrs Andi, widowed female Berau Malay oil palm cultivator, Sept 2016.

Both Mrs Riani's and Mrs Andi's stories show that women are not passive victims in Gunung Sari's oil palm story. They complain loudly about what they perceive as favouritism towards migrants, a lack of transparency around the distribution and release of land to outside investors (including migrant investors), and a failure to stand up to some of the malpractice that people assume has been taking

place. Whilst these displays of agency appear to transgress gender norms (in terms of women's interactions with outsiders), they arise due to a perceived transgression of Berau Malay women's position in securing access to land.

Protests against PT Hutan Hijau Mas have also been made. In particular, there have been demonstrations by members of the community who are angered by the lack of transparency and problems associated with the land acquisition. The company has attempted to provide other forms of compensation to the community as part of a corporate social responsibility measure. According to interviewees (including the former village head) this included company investment of funds to build a clinic and a school for Gunung Sari, with particular resonance for women within the community. Some interviewees also felt there have been other benefits that have followed from the oil palm company HHM. Previously, the electricity in Gunung Sari was available from 6 pm until 11 pm, but the last few years, electricity is on 24 hours. However, the provision of resources of this kind by the company has come in the wake of threatened demonstrations in the community.

Other efforts to deal with negative influences involve the companies in publicity drives to show their support for social interventions designed to lessen the potential negative influences associated with large scale investment in oil palm. Around the community are posters that demonstrate corporate sponsorship of programmes directly aimed at reducing the harms associated with drug taking: a relatively new phenomenon in formerly remote areas.



Figure 1: poster sponsored by the area's main oil palm companies urging the population to "protect our children from the dangers of drugs". Photocredit: Rebecca Elmhirst

The company has extended other informal efforts to attempt to repair relationships in the community. For example, they provide assistance to people building a new house by helping transport building materials from the forest to the village, or by bringing sick people to the hospital using the company's own vehicles. In case the company needs the support of the community, they provide assistance to people who submit the application, for example, raised the building materials from the forest to the village, bringing sick people to the hospital with a corporate fleet. One of the study key informant interviewees suggested that villagers take advantage of the situation by asking for help from the companies via the village head, who is a point of contact linking the community

and the company. Crucially, women's access to these kinds of favours from the company is contingent on men, or to be specific, husbands.

4.0 Changing Gendered Resource Access and Livelihoods Due to Oil Palm

For the people of Gunung Sari, oil palm has brought mixed blessings. There are a series of direct impacts on livelihoods and resource access, and these are both negative and positive. The same can be said for the indirect impacts of oil palm on livelihoods: these are both negative and positive. These patterns reflect local histories and the positionings of particular groups of people vis-à-vis the oil palm sector. For the migrants who have settled in Kampung TKI, oil palm is part of a wider strategy for them to invest in their future, or their children's futures, but this too is shaped by gender norms and stereotypes that serve to exclude women or incorporate them on unfavourable terms. As Gunung Sari people move further towards planting oil palm as part of a wider suite of livelihood activities, these exclusions are reproduced.

Many of the impacts of oil palm on access to resources are weighed up alongside other changes which have facilitated capacities to realise the benefit of access. In Gunung Sari the level of social welfare can be said to be better at this time compared to 10 years ago. In a wealth ranking exercise conducted during data collection, it became apparent that on a number of indicators, many families have seen their livelihoods and overall well-being improve since the arrival of oil palm. Today, almost all families own a motorcycle, some have a car and for many families, they are able to afford to send their children to senior high school, and even up to college. Ten years ago, livelihoods were based on cultivating subsistence rice and vegetables, accompanied by the sale of some forest products, and from wages earned by male migration (merantau). Today, the introduction of a market economy, new jobs and livelihood opportunities mean that people can already have cash from the results of work in the company, investing in oil palm themselves, and through trade in the local area. The presence of oil palm plantations has brought increased numbers of people with their workers from outside the region. It has contributed to raised household incomes as produce from people's gardens (kebun) can be sold to the workers. In addition, people have been able to grow oil palm themselves, independent of the company, and are now feeling the income from oil palm. Today almost everyone in Gunung Sari (and certainly all in Kampung TKI) rely on their primary income from oil palm. Subsistence rice and vegetable cultivation is an add on rather than the focus of livelihoods. So is the case with activities seeking gaharu resin, timber, honey, rattan and other forest products, including hunting and fishing. These have become a second job.

4.1 Direct Impacts of corporate investment in oil palm

4.1.1. Plasma: a new livelihood opportunity?

Corporate acquisition of land in Gunung Sari by PT Hutan Hijau Mas is undertaken on a business model that includes a plasma revenue sharing system, in accordance with Berau District Government Regulation No. 25 (2003), which stipulates that every plantation company must establish a

partnership with communities around its plantation in the form of a dividend distribution or nucleus-plasma scheme (sometimes referred to as plasma-inti). Dividends are split 80:20 between the company (nucleus) and the community (plasma), with benefits divided within the community according to the allocation of 'plasma'.⁵ This is effectively the allocation of profits from 2 hectares of plasma land per household once the cost of land clearing, planting, crop maintenance and other operational costs had been deducted. In effect, the local community entered into a debt arrangement with the company in relation to what they perceived to be their own land.

Day to day relations with the company is through a cooperative, established to conduct land mapping and to resolve conflicts between the company and people. In Gunung Sari, the cooperative management Board included members from the community, but these were from the middle and upper social groupings (as per the wealth ranking conducted by the field team) and none were women. Once the cooperative was formed, the Board then collected identity cards (KTP) and family cards from each household head so that they could be registered as recipients of smallholder plasma. A list of names was then submitted and ultimately, a list of the names of plasma recipients in Gunung Sari sent to the Bupati (Leader) of Berau District government. The names listed in the recipient list was the name of the head of the family, and in most cases this was in men's names, although widows (i.e. women heads of household) could be listed. A total of 230 households in Gunung Sari received a plasma allocation – notable is that the list of recipients includes non-natives. In other words, receipt of plasma depended not on ethnicity, but on residency as recognised by the issuance of identity cards to those living within the administrative boundaries of Gunung Sari at the time of the acquisition. So plasma was received by a handful of Bugis already resident in Gunung Sari. However, those living in the neighbourhoods that make up Kampung TKI did NOT receive any plasma allocation. Bugis living within the boundaries of Gunung Sari itself did not receive compensation for private land (i.e. land that they were using that fell within the boundaries of the oil palm concession).

Table 3 Compensation and Plasma Allocation in Gunung Sari

	Gunung Sari (16 households)		
	<i>Lower Social Group</i>	<i>Middle Social Group</i>	<i>Upper Social Group</i>
Total number of households	N=7	N=6	N=3
Compensation for private land (HGU)	1	3	0
Plasma Allocation	7	7	3
Have Sold Plasma	1	5	0

Source: in-depth household survey, Gunung Sari, September 2016

The plasma system did not progress as hoped by the community. There has been considerable disquiet about a lack of transparency over the distribution of benefits accruing from the oil palm. Plasma holders are never informed of the precise costs incurred by the company for clearing land, planting and maintenance. So plasma recipients had no way of knowing the level of debt they had entered into, and how much they were likely to receive from the sale of the oil palm once it started producing. The amounts paid varied from 450,000 rupiah to Rp 1.8 million per hectare. The variation in revenue was never explained directly by the company, instead this was reported to the cooperative board and this was then never passed onto the community members themselves.

⁵ Peraturan Daerah Kabupaten Berau Nomor 25 Tahun 2003 Tentang Perijinan Usaha Perkebunan Di Kabupaten Berau (Berau District Regulation No. 25 Year 2003 on Licensing of Plantations in the District of Berau).

“At first it was one hectare free [of debt obligations] and one hectare credited. Now it has been three years of harvest but this did not reduce the debt at all. If the company gets Rp10 million, we should get Rp2 million because of the 80:20 agreement. But still the debt is not reduced. We have questioned it and still there is no explanation.”

Interview with male plasma recipient, Gunung Sari, September 2016

A former member of the cooperative board (a native of Gunung Sari and relative of one of the customary leaders) who had challenged this by keeping precise records, said that he had been dismissed from the cooperative board on the pretext that he no longer owned plasma so could not sit on the board. Some interviewees suggested that those on the board or closely connected to the cooperative board seemed to have benefited rather more than others, suggesting there was malfeasance taking place.

“We were promised a lot with plasma. Our society was blind about oil palm, we do not know what kind of palm, how to care, our rights. We were told the plasma is to improve society, income will be greater if we have 2 hectares, you would be able to buy anything. All this talk in the front of the house. Now what is there.”

Interview with woman plasma recipient, Gunung Sari, September 2016

The lack of transparency was experienced equally by both men and women, although the prospects for women of having any influence over the board was even less than that of men. Interestingly, the quotation above makes reference to the negotiations that happen on the porch – an idiom for what is said in ‘public’, rather than what goes on behind the scenes. Within the community, experiences with plasma depend on relationships with the company and its representatives in the community, and clearly these sorts of relationships need to be nurtured. For example, although fees are not a requirement for obtaining the surat garapan from the village head, or for securing a plasma claim, a number of interviewees described giving a ‘gift’ of money as a good will gesture.

More recently there has been a new innovation in the plasma system, that of granting ‘plasma perempuan’, or women’s plasma; which entitles married and widowed women to also be granted plasma on a more or less equal footing with men. This has meant that households often have more than one plasma claim: the husband’s and the wife’s. However, the lack of transparency that is a problem at community level (engendering mistrust between Cooperative Board members and the community, and between different sections of the community) may also be a problem at the intra-household level, where husbands and wives know very little about each other’s plasma – its location, what benefits accrue from it, what debt remains on the resource.

Transparency issues in plasma allocation – one man’s story

Eligibility for plasma allocation is based on possession of an identity card that verifies residence in Gunung Sari. One man described how he and his wife had both brought their individual plasma allocations to their marriage. When they divorced, the wife sold the plasma. When her husband protested, his ex-wife said that it was only her plasma that had been sold. He then took his concerns to the village council to establish which was his plasma and to check it had not been sold. But he was told that both his and his wife’s plasma allocation had been merged, and therefore his wife had in fact sold his allocation too. As the plasma certificate is held in the office of the company (to be returned to the plasma holder once they have completed paying costs and fees) this meant investigation with the BPN (Badan Pertanahan National or National Land Board). Here, he discovered that there was plasma in his name, but that the name on the certificate had been changed to the name of someone in high authority. Had he not looked, this would not have come to light until later when, having finished paying fees and credit, he might have himself wished to sell the land. It is likely that he would not have been eligible for any benefits from the plasma, had he not uncovered what looked like deliberate malfeasance.

Source: interviews, Gunung Sari, September 2016

The lack of transparency and confusion over the plasma is one explanation for why large numbers of people sold their plasma allocation, as shown from the small sample interviewed in depth (see Table 3 above). Those from the middle social bracket were most likely to have sold their plasma, using the money to pay for children’s education or to buy motorbikes. One man described how he and his wife decided to sell their plasma when they heard that the Cooperative was going to raise the credit they owed so as to buy a truck for transporting the oil palm. He sold his plasma for Rp 30 million.

Thus, while on the face of it, plasma offers a new strand to a suite of livelihood activities for people in Gunung Sari, so far, the benefits have not been fully realised by the majority of people. Instead, a lack of transparency has engendered mistrust and conflict within the community, and between those from the community who have been co-opted onto the Cooperative Board, and those outside. The gender dimensions of this are similar to those found in land acquisition processes described in the previous section: much weight is attached to social networks and day-to-day social relationships, which are formed and nurtured on the porches of houses, that may require money offered to smooth decisions through, and that are, in a very everyday sense, excluding of women. Thus, whilst there are issues generally regarding benefit flows from plasma, the imposition of gender norms that restrict women’s participation in the networks that enable people to realise the benefits of access serves to put women in a particularly difficult situation. Moreover, limited transparency is creating a situation where intra-household/intra-familial mistrust and anxieties are emerging.

4.1.2. Opportunities for Plantation Wage Work

A second direct impact on livelihoods and resource access in Gunung Sari comes from the availability of wage work at the oil palm company. When the company first began its investment in Gunung Sari, work was plentiful for clearing land, planting and early maintenance of the trees. As the trees have

matured, work availability is more restricted, but opportunities for contract work or daily labour remain.



Figure 5: truck taking wage workers from Kampunt TKI to the plantation. Note the participation of mostly young women. Photo credit: Luter /CIFOR

Both men and women work at the plantation, from Gunung Sari, and from Kampung TKI. For the latter group, this work has been a critical component enabling them to become established as independent growers of oil palm, providing for daily living expenses while their oil palm becomes established. Daily labour and contract labour are both paid a rate of around Rp 81,000 per day, the differences between the two contract types relate to allowances and benefits, such as sickness pay and maternity leave. There are gender differences in terms of the types of jobs done: women's jobs include spraying with pesticides and applying fertilizer, and weeding around the trees, and also the harvesting of loose fruit (brondolan). Men's jobs include heavier physical work such as establishing the ground for planting, pruning and harvesting. In addition, men drive the trucks and work as security guards.



Figure 6: Pruning oil palm trees is generally a man's job. Photo credit: Rebecca Elmhirst

An early promise of the company was to employ local residents in the plantation, whether they have the expertise or not. In fact, the promise was fulfilled by the company only in the first years when there was still much work to be done which also requires a lot of manpower. Jobs included open land, sow the seeds, planting and caring for palm seeds: all very labour intensive jobs. As the trees have matured, the company then began to reduce hiring. Various methods are used to reduce the amount of labor, such as by changing the working system from days to contract, inserting workers from outside the region, increasing the requirements to become laborers for example by asking high or high school diploma, especially for permanent workers.

Women's plantation work has been facilitated by the existence of relatively relaxed and fluid gender norms regarding whether it is men or women that undertakes household chores. In Gunung Sari, household chores such as cooking, cleaning, washing / ironing, child care, washing dishes and other household chores are usually done by women. However, it does not mean men do not do household chores at all. husbandmen may help with work like carrying firewood for those who still use this as a fuel for cooking. Other work is also done by men on occasion, for example, rice cooking, cleaning the yard and washing. In certain circumstances, interviews also found men do almost all the work normally done by women or at least worked together or consecutively. Such conditions can be found in families where the wife is undertaking wage work for the oil palm company and therefore has less time at home than women who do not undertake this kind of work. Thus, in Gunung Sari, oil palm engagement, in the sense of participating in plantation wage work, has been facilitated by relatively fluid gender norms with regard to men's and women's domestic responsibilities.

4.2 Indirect Impacts of corporate investment in oil palm

There are a number of indirect impacts of corporate investment in oil palm that relate to livelihoods and resource access, and these are experienced as positive and negative by people in Gunung Sari. In the sections below, we consider the ways in which corporate investments have indirectly affected access to and the availability of resources, and how such investments have also facilitated the dramatic rise in independent smallholder investment in oil palm by migrants and local communities alike.

4.2.1 Access to and the availability of natural resources

In terms of access to resources, after the entry of the oil palm companies, people of Gunung Sari were affected by a reduction in access to forest resources, either for timber, non-timber forest products or for accessing forest land for rice swiddens. Both women and men reported that the collection of non-timber forest products, for example, now involves them walking very long distances to areas that are still intact. Hunting grounds for animals such as wild boar and deer was once conducted around the river or in nearby forest areas, all of which have now been turned into oil palm. Valuable forest products such as gaharu are much less accessible than before.

Table 5 Changes in Livelihoods Since the Introduction of Oil Palm

Variable	Has Increased		Has Deceased		No Change	
	n	%	n	%	N	%
Household income	20	62,5	5	15,6	7	21,9
Access to resources	2	6,3	26	81,3	4	12,5
Family well-being	14	43,8	5	15,6	13	40,6
Infrastructure	29	90,6	0	0	3	9,4
Market access	32	100	0	0	0	0
Environmental quality	2	6,3	14	43,8	16	50

Source: household survey, Gunung Sari, September 2016

Fishing is also involving longer distances to access productive fisheries, and this is attributed to the effects of the plantation on water quality. As one male interviewee from Gunung Sari put it, ‘People don’t hunt any more. They also don’t collect gaharu anymore.⁶ Three years ago, people still collected gaharu. Our generation now don’t want to stay too long in the forest’. (interview, Sept 2016).

In the midst of these limitations, there are things that make people think that livelihoods have improved even if resource access is more difficult. For example, prior to oil palm, it was easy to find wood but difficult to transport to the village. Now, searching for wood is harder, but there is now a means of transportation and roads so that it takes less time and effort in total. Similarly, although the distance to reach fields is further, road improvements and access to motorbikes and even cars makes this accomplishable. The negative impacts appear to be most keenly felt by the older generation of Gunung Sari, and particularly older women, who have limited access to cars and motorbikes, and thus their dependence on male relatives has been increased. The importance of a cash economy is underlined by the emergence of new expenses: the ‘need’ to own a motorbike, both as a sign of success in neighbours’ eyes, but more importantly, as a means for reaching distant ladang.

4.2.2 Engagement in independent smallholder oil palm

One of the most important aspects of oil palm in Gunung Sari and Kampung TKI is the engagement of almost all households in the cultivation of oil palm on a smallholder basis, independently of the company. Much of this was initiated in Kampung TKI under the guidance of Pak X and Pak H, working in tandem with the oil palm company to first of all establish a smallholder cultivator’s group (Kelompok Tani Sawit Mandiri) and a cooperative that serves oil palm smallholders and provides the connection with the company. The apparent success of migrants in Kampung TKI with oil palm, compared with the woeful returns from plasma experienced by plasma recipients has encouraged people in Gunung Sari to begin investing in smallholder oil palm also. Gunung Sari farmers now also have access to the services of the cooperative set up in Kampung TKI by the network of migrant leaders and local government representatives, including the Department of Cooperatives, to provide stewardship of the sale of oil palm to the company, and provision of fertilizer and so on.

⁶ Agarwood (or Eaglewood), a fragrant resinous wood that commands high prices.

Around the year 2010/2011, people in Gunung Sari began to grow oil palm independently, following the lead of migrants, who themselves had been successful, partly because of the skills and knowledge they had brought with them from their sojourn in Malaysia. This kind of skill was not in evidence in Gunung Sari, so there was greater dependence on others for advice and guidance.

Table 6. Smallholder investment in Oil Palm, Gunung Sari and Kampung TKI

Survey Questions	n	%
Smallholder oil palm		
- Yes	28	87.5
- No	4	12.5
Area of land under oil palm by household		
- < 5 ha	16	57.1
- ≥ 5 ha	12	42.9
Average area under oil palm : 5,12 ha Area of land : 1.50 ha ± 20 ha Standard Deviation : 3.94		
Year when oil palm first planted		
- < 2010	8	28.6
- ≥ 2010	20	71.4
Reasons for planting oil palm		
- To raise income	24	85.71
- To secure access to land	1	3.57
- Other	3	10.72
Condition of land prior to oil palm		
- Forest	13	46.43
- Agricultural land	13	46.43
- Fallow	2	7.14

Source: household survey, Gunung Sari and Kampung TKI, 2016.

The gender divisions of labour in smallholder oil palm are similar to those on the plantation. Men generally are responsible for the heavier tasks, whilst women do lighter tasks, including weeding, fertilizer and pesticide application, and the harvesting of loose fruits. Decision making is largely jointly with regard to pursuing oil palm as a livelihood option. There are some differences noted between Gunung Sari original inhabitants and those in Kampung TKI with respect to women's involvement. According to the intrahousehold survey, in the latter, there is more direct everyday involvement of women in oil palm activities and decision-making in Kampung TKI, and much of this relates to the life histories of women in Kampung TKI, in particular, their experience as oil palm labourers in Malaysia, that gives them the knowledge and confidence to input into decision-making. It is also the case that women in Kampung TKI play an important role in holding together the multi-local oil palm livelihoods that link Kampung TKI with the oil palm plantations of Sabah, Malaysia (in which many still have relatives) and communities in Sulawesi, where children may go to be educated and where some Kampung TKI women have elder care responsibilities.

Ibu Sakka, woman oil palm migrant living in Kampung TKI

Ibu Sakka came to Gunung Sari 10 years ago from Sabah, Malaysia, where she lived in what she describes as a Bugis town. Her family had originally gone there to find work in plantations – in Sulawesi, they had been landless. Whilst she was in Sabah, she and her husband began to plant oil palm independently on land she had leased from local people. However, this was subsequently not

allowed and she had to resume working as a labourer on a plantation. Ibu Sakka did not want to spend the rest of her life as a wage labourer, and preferred to find a livelihood and have her own family's land. She maintains links with Sulawesi – her parents are there, and she has sent her children there to go to school. She says the process of acquiring land in Kampung TKI took persistence and patience, involving many visits to different offices by her husband, and it required the support of the neighbourhood head [i.e. the migrant leader, Pak X]. Now she plants several hectares of oil palm close to her house, which she maintains in tandem with her husband and on occasion, other relatives from Sabah or from Sulawesi. She is knowledgeable and capable when it comes to cultivating her oil palm. Profits from the oil palm have enabled her to improve her house, buy motorbikes and make fairly regular journeys back to Sulawesi.

Source: semi-structured life history interview, Bugis migrant woman, Kampung TKI, Gunung Sari, September 2016

Where gender exclusions come into play is in terms of interfaces with the cooperative and the company, where although there are no restrictions on women's participation, the key decision-makers within the cooperative are men and it is an ostensibly male space (see discussion above regarding land acquisition). Membership of the cooperative is based on the identity card (KTP) and therefore through this mechanism women are able to join the cooperative. However, out of 300 members, fewer than 10 members are women. In return for facilitating the sale of the oil palm, the cooperative takes an overhead of 10% of the profit. Other deductions may be made, however, depending on the quality of the fruit. Challenging the cooperative is something that men are involved with, and happens in instances where men query how their oil palm has been graded, and therefore the level of return they can expect to receive from the company. Interviews suggest that there is considerable unevenness across both Kampung TKI and Gunung Sari in terms of which men are best placed to have any influence in relation to transactions with the cooperative. This again is suggestive of the ways in which men's social networks are crucial for negotiating benefit sharing arrangements of smallholder oil palm also. Connections with the key actors such as the Head of the cooperative, the migrant leader (and now neighbourhood head) and the village head in Gunung Sari can make the difference between successful smallholder investment and investments that do not reach their potential.

The gender dynamics in such arrangements point to an intersection of gender with social class (in terms of connections to powerful individuals) and ethnicity (where this maps on to communities of origin and kinship networks), although not, as it turns out, religious identity. Women's engagement in these arrangements is contingent on their husbands or other male relatives as the 'spaces' in which such relationships are fostered are male spaces (see discussion above). Thus although women play a critical role in inserting smallholder oil palm into diversified household livelihoods, their capacity for voice and influence is muted when confronted with the workings of male-dominated networks that shape processes of land acquisition (for smallholder investment in oil palm) and that feed into the workings of the cooperative with which they must work if they are to have access to oil palm processing and markets.

5. Conclusions

This case study has shown how large scale investments in oil palm can engender a whole series of direct and indirect impacts, many of which have very clear gender dimensions relating to gendered access to and control of resources, gendered livelihood opportunities, and impacts on voice and choice. A particularly profound change taking place in this case study area relates to the arrival of migrant smallholder land investors, who bring with them skills, capital and labour power, which they put to work in opening up other areas of forest. The impacts of oil palm on local communities therefore, is complicated by a further layering of such impacts, this time from the cumulative effect of these smallholder migrant land acquisitions. Both large-scale and small-scale investments in land have eroded customary authority to define and regulate land access and use, intensifying competition, fostering the emergence of a land market (including the buying and selling of plasma) and raising the prospects of conflicts between migrants and local communities.

At the same time, migrant investment in smallholder oil palm, and in particular, the institutional arrangements that have emerged to support that (e.g. the nexus between the migrant leader, the smallholder oil palm cooperative, local government and the oil palm company) has accelerated the incorporation of smallholder oil palm into existing livelihoods, bringing considerable material benefits to households even as security of customary tenure is being eroded. Opportunities for women to engage in these emerging institutional arrangements are limited by prevailing gender norms that cut across different ethnic groups. These norms restrict women's ability to participate in male-dominated networks of power, which involve intense negotiations, often at night, on the porches of peoples' homes. Women may facilitate such meetings from behind (providing coffee, providing a congenial environment) but their active participation is limited. Thus, as formal decisions are made within informal spaces, opportunities to influence decisions are heavily restricted.

This key finding from the case study demonstrates the importance of understanding social dynamics and the gendering of spaces of authority in oil palm contexts. Focusing attention simply on the oil palm companies and encouraging them to adopt gender mainstreaming principles in their corporate social responsibility arrangements is likely to miss a whole layer of oil palm governance where most of the gender exclusions are to be found. It is at this level that attention needs to focus in exploring the range of options and strategies that advocacy organizations (such as RRI) can adopt to promote the rights and interests of women in indigenous and forest-dependent communities.

ANNEX 1: Summary of Research methods

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Gunung Sari
Activity 1. Community Profile Interview	<p>To provide background social, economic, and political information about the community, including a sketch map locating the village in relation to the company and other key landscape features and a wealth ranking to map different socio-economic groups and their engagement with oil palm;</p> <p>To provide a timeline of key events over past decade;</p> <p>To understand the socio-political context in which oil palm has developed;</p> <p>To identify the extent and community dynamics of large scale oil palm, incorporated smallholder oil palm, and independent smallholder oil palm and the interconnections between each of these</p> <p>To map out connections with oil palm companies, government (at different tiers), customary institutions and civil society groups including processes of acquisition (who involved, how involved) and (where appropriate) resistance and exclusion.</p>	<p>1 or 2 male key participants:</p> <p>1 or 2 female key participants:</p> <p>Only one needs completing per gender and community.</p> <p>Participants could be figures such as the village secretary, the chairperson of Village Parliament (BPD), female member of village government, but preferably should have knowledge and experience of dealing with oil palm investment.</p>	<p><i>Community Profile in Gunung Sari:</i></p> <p>1 man Berau Malay adat leader</p> <p>1 man Village Secretary</p> <p>4 men village officials and representatives</p> <p>[6 male respondents in total, all Berau Malay]</p> <p>1 woman head of Village Family Welfare Organization (PKK) and wife of Village Leader.</p> <p>[1 woman respondents in total, Berau Malay]</p> <p><i>Community Profile in Kampung TKI (migrant neighbourhood of Gunung Sari):</i></p> <p>1 male head of the Farmer's Cooperative</p> <p>1 independent oil palm smallholder</p> <p>4 male community representatives</p> <p>(6 male respondents in total, all Bugis, from Sulawesi)</p> <p>1 woman (wife of first migrant investor and community representative</p> <p>1 woman representative of women's organisation.</p> <p>(2 female respondents, both Bugis from Sulawesi)</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Gunung Sari
Activity 2. Community transect walk	<p>To provide general information on agro-ecology and resource opportunities/constraints</p> <p>To provide an overview of different kinds of tenure and resource access regimes across the community.</p> <p>To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc)</p> <p>To provide general information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community.</p> <p>To explore peoples' perceptions of opportunities and constraints/problems associated with different forms of livelihood, resource access and food security, and the effects of oil palm on these.</p> <p>To explore current / prospects for sharing the benefits of oil palm.</p>	<p>1 or 2 male key participants</p> <p>1 or 2 female key participants</p> <p>This is a structured observation exercise which involves members of the field team accompanying male or female key participants (should be two together) normally by motorbike or 4WD vehicle (as distances are quite large) across the extent of the community (north to south, or east to west, depending on key landscape and land use features outlined in Activity 1.</p> <p>Information from this exercise will complement and enable Activity 3, the gendered community resource map.</p>	<p><i>In Gunung Sari:</i></p> <p>1 male village official and representative</p> <p>1 male fisherman/boat maker</p> <p>1 male farmer</p> <p>[3 male respondents in total, all Berau Malay]</p> <p><i>In Kampung TKI (migrant neighbourhood of Gunung Sari):</i></p> <p>1 male migrant village founder</p> <p>1 man from the original migrant pioneers</p> <p>1 male neighbourhood official and representative</p> <p>[3 men respondents in total, all Bugis from Sulawesi]</p> <p>No women respondents were available to participate.</p>
Activity 3. Gendered community resource map.	<p>To provide detailed information on different kinds of tenure and resource access regimes across the community</p> <p>To provide an overview of current and past land use (of key land uses, e.g. oil palm, swidden, fruit gardens, rubber, forest, water bodies, sacred lands etc)</p> <p>To provide detailed information on different kinds of oil palm investment, e.g. plasma, oil palm, its extent and its impacts on different parts of the community.</p> <p>To explore peoples' perceptions</p>	-	<p><i>In Gunung Sari:</i></p> <p>1 male village official and representative</p> <p>1 male fisherman/boat maker</p> <p>1 male farmer</p> <p>[3 male respondents in total, all Berau Malay]</p> <p><i>In Kampung TKI (migrant neighbourhood of Gunung Sari):</i></p> <p>1 male migrant village founder</p> <p>1 man from the original migrant pioneers</p> <p>1 male neighbourhood</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Gunung Sari
	<p>of opportunities and constraints/problems associated with different forms of livelihood, resource access and food security, and the effects of oil palm on these.</p> <p>To explore current / prospects for sharing the benefits of oil palm.</p>		<p>official and representative [3 men respondents in total, all Bugis from Sulawesi] No women respondents were available to participate.</p>
<p>Activity 4. Intra-household survey</p>	<p>To provide brief data on range of livelihoods (inc migration), extent of dependence on oil palm, access to resources/tenure, contacts with companies, farmer group participation, divisions of labour, food security and aspirations.</p> <p>To identify potential respondents for inclusion in activity 4 and 5.</p>	<p>The survey should be undertaken in each case study community with a sample of 30 households. The sampling strategy should be guided from information on relative wealth and on ethnicity provided from the community profile (Activity 1). Based on the proportion of households falling into each of these categories, the sample should include a proportionate representation from: households considered to be from the lower socio-economic group of the community households considered to be from the middle socio-economic group of the community households considered to be from the higher socio-economic group of the community. If the community is of mixed ethnicity, the sample for each of these categories should include</p>	<p>13 respondents are Berau Melayu 19 respondents are Bugis (Sulawesi) [32 households in total]</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Gunung Sari
		households from each ethnic group, e.g. Dayak, Bugis, Malay, NTB or NTT, proportionate to the percentage provided in the community profile. Male and female respondents must be surveyed separately	
Activity 5. Seasonal and daily calendar interviews	To provide detailed information on seasonal and daily activities across the livelihood system including domestic work, on farm subsistence production, cash crop cultivation (oil palm, rubber etc), forest product gathering, wage work, temporary migration, education, participation in community events	<p>2 men who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 men who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 men who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 women who are engaged directly in agricultural or NRM</p>	<p><i>In Gunung Sari:</i></p> <p>3 Berau Malay women swidden farmers (all three with some independent smallholder oil palm)</p> <p>3 Berau Malay male swidden farmers (2 with some independent smallholder oil palm)</p> <p><i>In Kampung TKI neighborhood:</i></p> <p>3 Bugis Sulawesi women all cultivating independent smallholder oil palm</p> <p>3 Bugis Sulawesi men all cultivating independent smallholder oil palm</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Gunung Sari
		activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i> 2 women who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i>	
Activity 6. Semi-structured life histories	<p>To explore their personal livelihood history and migration story</p> <p>To explore the experience of land acquisition or dispossession in relation to oil palm investment</p> <p>To explore the experience of (informed) consent around resource access/control for different categories of people</p> <p>To explore their current engagement with oil palm (as a smallholder investor, as a wage worker, as a local farmer). with oil palm and k Gender norms and household and agricultural/NRM roles as these have shifted over the life course</p> <p>To explore enabling and constraining factors within peoples' life trajectories</p> <p>To explore factors shaping socio-economic mobility, poverty trends—and their gender dimensions in an oil palm context.</p>	<p>2 men who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 men who are engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 men who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>whose livelihoods have been impacted by oil palm expansion in the community</i></p> <p>2 women who are</p>	<p>In Gunung Sari:</p> <p>3 local Berau Malay women swidden farmers (with plasma, also with some independent smallholder oil palm),</p> <p>2 local Berau Malay men swidden farmers (with plasma, some independent smallholder oil palm),</p> <p>1 non-local Berau Malay swidden farmer (no plasma, some independent smallholder oil palm)</p> <p>In Kampung TKI neighborhood:</p> <p>4 Bugis Sulawesi migrant women, all ex-transnational migrant workers in oil palm (Malaysia), all cultivating independent smallholder oil palm.</p> <p>3 Bugis Sulawesi migrant men, all ex-transnational migrant workers in oil palm (Malaysia), all cultivating independent smallholder oil palm</p>

Tool	Purpose	Sample Respondents as in the Methodology Tools Version 3	Respondents from Fieldwork – East Kalimantan, Gunung Sari
		<p>engaged directly in agricultural or NRM activities and <i>who have been incorporated as plasma smallholder oil palm cultivators</i></p> <p>2 women who are engaged directly in agricultural or NRM activities and <i>who have invested independently in smallholder oil palm cultivation.</i></p>	
Activity 7. Key informant interviews	Key person interviews to cover a range of specific issues including local trajectories of oil palm investment and governance, and to explore gender discourses and practices, and to identify potential entry points for gender-transformative change	<p>One person from oil palm company</p> <p>One key local investor (where relevant)</p> <p>One representative from farmer group (oil palm)</p> <p>One representative from sub-district and district government</p> <p>One customary leader</p> <p>One civil society leader</p> <p>One representative from women's organization</p> <p>One advocacy group representative (where relevant to the case)</p>	<p>1 man village head (Gunung Sari)</p> <p>1 man adat head of Melayu ethnicity (Gunung Sari)</p> <p>1 man ex-adat head (Gunung Sari)</p> <p>1 man head of oil palm cooperative (Kampung TKI)</p> <p>1 man, head of migrant farmer cooperative (Kampung TKI)</p> <p>1 woman, leader of migrant women's group (Kampung TKI)</p> <p>[6 informants in total]</p>

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