Mobilizing against the ‘cruel oil’
Dilemmas of organizing resistance against palm oil plantations in Central Kalimantan

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Oil palm agriculture can annihilate not just wildlife, but also human communities. Oil palm causes social conflicts, destruction of indigenous cultural values, and loss of traditional tribal lands. … Tribal peoples’ customary land rights are often not recognized by the state or are inadequately addressed when tribal lands are allocated by the government to oil palm plantation companies. In Borneo, many of the indigenous people displaced by oil palm plantations are forest-dwelling Dayak tribes that have lived on their ancestral forest land for many generations (Brown and Jacobson 2005: 21-22).

Introduction: situating ‘cruel oil’

The detrimental effects of the spread of oil palm plantations on local peoples whose lands are expropriated for these concessions have in recent years been a focus of critiques by NGOs located both within Indonesia (e.g. WALHI, SawitWatch) and from outside the country (e.g. Down to Earth (DTE), World Wide Fund for Nature (WWF)). But the opening quote above does not stem from such a source; it is taken from a recently published report entitled Cruel Oil: How Palm Oil Harms Health, Rainforest and Wildlife (Brown and Jacobson [May] 2005) issued by the Center for Science in the Public Interest. This independent Washington DC think tank has been more well known for its ‘objective’ scientific evaluations of claims made by manufacturers relating to nutritional value, weight loss potential, addiction, and other aspects of foods, vitamin supplements, and other issues arising...
in advertising of the food and pharmaceuticals sectors. Indeed, this report’s first focus remains the effects of palm oil on human health. It presents compelling evidence to counter the claims of scientists and advocates from the palm oil industry that palm oil is healthful, compared to hydrogenated vegetable oils containing trans-fatty acids, or at least neutral in regard to promoting heart disease. While that focus may be familiar territory for this health-advocacy organization, what is ground-breaking is that well over half the report bases its critique on the ecological and social impacts of oil palm agriculture. In this regard the report concentrates on the devastation of wildlife and their forest habitat and the destruction of the livelihoods and ways of life (i.e. cultures) of subsistence farmers whose lands are expropriated for oil palm concessions (Brown and Jacobson 2005: 11-26). My focus in this paper is a case study of just such an impact. But my concern is not just with the ecological impacts of oil palm plantation expansion in the lands surrounding Lake Sembuluw in Central Kalimantan, but more precisely with the local society’s response to it, specifically their efforts at resistance and why these have so far proved to be largely futile.

Along with six other villages located along the middle reaches of the Seruyan River to the west and northwest, the four villages spread along the northern and northeastern shores of the lake – Terawan, Bangkal, Sembuluw I and Sembuluw II – currently comprise the subdistrict (kecamatan), named Danau Sembuluw, whose capital is Telaga Pulang at the southern tip of the lake, where it flows into this river. The Seruyan River forms the spine of a newly declared regency (kabupaten), which was only recognized in a government inauguration ceremony as beginning its independent existence in August 2004. In previously years it had maintained the status of ‘assistant region’ within the long established regency of Kotawaringin Timur (Kotim), whose capital remains the port city Sampit. It is one of eight new regencies established in the province of Central Kalimantan within the two years following the implementation of national laws no. 22 and 25 of 1999.

22 Within two weeks of this report’s publication at the end of May 2005, the Malaysian Palm Oil Board hit back in customarily trenchant fashion, arguing that the Center for Science in the Public Interest report is but another example of self-serving and misleading propaganda by a US agency intent on promoting homegrown soy bean products rather than the more competitively priced and health-neutral palm oil produced primarily by Malaysia and Indonesia (Amoorthy 2005).

23 On some maps the Seruyan River is labeled the Pembuang River, hence the name of the Seruyan Regency capital, Kuala Pembuang, near its mouth.

24 Rivers have long functioned as the life lines in Kalimantan, integrating villages and towns on their length into a unit long known as a ‘river course region’ (daerah aliran sungai or DAS). Given this continuing significance, many of the new regencies in Central Kalimantan are ribbon-like in shape, following the course of one river from the northern border of the province to the southern outlet into the Java Sea, and taking the name of the central river serving as its spine for the regency as a whole (e.g. Katingan, Seruyan, etc.).

25 This new regency had first been planned in 1999 (Casson 2001: 9), the year of the regional autonomy legislation. It was officially declared a regency in 2002, and had its first bupati elected by the regency-level parliament in June 2003.
setting forth the parameters of regional autonomy. Like all such new administrative units established under the auspices of this legislation, the government of Seruyan regency has two years in which to prove that it can stand on its own (mandiri). Within that time period it must build, for example, offices to house the new regency-level government departments and its legislature. After two years its status is to be reviewed, with the judgment then taken at provincial level of whether it should remain a regency or be absorbed back into its parent regency, Kotawaringin Timur. This circumstance – the relative recency of its status as a new government administrative unit and its consequent struggle to find sources of regional income (pendapatan asli daerah or PAD) (Barr and Resosudarmo 2001: vi) to fund its new infrastructure – is crucial to understanding the rapid expansion of oil palm plantations in the local political economy. For it is the desperate search for regional income in the wake of the loss of central government funding for basic governmental salaries and services that has provided a major incentive for the promotion of oil palm plantations as an income source in the wake of the loss of the province’s forests due to liberally dispensed timber concessions during the New Order and illegal logging continuing into the Reform Era (Suara Pembangunan ‘Empat Juta Hektare [sic] Hutan di Kalteng Rusak Parah’).

Setting out the field: economic and social transitions in Central Kalimantan

Even up to the end of the eighties economists still regarded timber as the mainstay of the Central Kalimantan economy (Mubyarto and Baswir 1989). The timber boom of the 1960s had been the impetus to the development of the province, which had only separated from South Kalimantan in 1957 as a governmental unit intended as a ‘Dayak homeland’ freed from the dominance of the Banjarese of the south (Miles 1976). By the mid-eighties 80% of the province’s 154,000 square kilometers of area was still covered by forest, attracting considerable immigration and earning it the title of one of the wealthiest and fastest-growing provincial economies in Indonesia (Mubyarto and Baswir 1989: 504).26 Manufacturing in the province was almost exclusively timber-based; in 1983 the two largest industries, sawmills and plywood, accounted together for 96% of the manufacturing value added among firms employing twenty or more workers. Even then, however, a note of caution regarding ‘declining forest output’ was sounded (Mubyarto and Baswir 1989: 507). In particular, the Seruyan region, then part of Kotawaringin Timur regency, still accounted for thirty percent of Central Kalimantan’s total

26 Indeed, in the period 1976-1982 its rate of GDP growth was second only to Aceh among Indonesian provinces, though Mubyarto and Baswir (1989) do note that this phenomenal growth rate was due in part to its very low baseline.
log production as late as 1998/1999, but was already manifesting signs of timber depletion.27

The nineties witnessed the more intensive shift away from almost exclusive orientation to the timber sector to an increasing (projected) reliance for generating income on the plantation sector, particularly the oil palm subsector (Casson 2001: xiii).28 Oil palm plantation development actually began in the province in 1992, with the first plantation companies seeking permission to open land in Kotawaringin Barat and Kotawaringin Timur regencies29 ("Kinerja Perkebunan Kelapa Sawit"). In 2004 the largest concentration of plantations already in production, most of them devoted to oil palms, was still located in the western half of the province (map 5.1). In contrast, most of those in the eastern half of the region, particularly in the regencies along the Barito River, were still either in the candidate or land-clearing stages. In the province generally there was a rapid expansion of the palm oil subsector in the four years preceding the onset of the region's economic crisis,30 with the area devoted to palm oil estates multiplying almost fivefold – 10,987 ha. in 1994 compared to 52,595 ha. in 1997.

The late onset of palm oil plantations in the province has had crucial consequences for the economic form of the enterprises promoting it. The earlier introduction of oil palms in Sumatra and even West Kalimantan had largely been carried out under the auspices of the NES/PEIR (Nucleus Estate and Smallholder or Perkebunan Inti Rakyat) program.31 This program depended upon local farmers (or sometimes transmigrants) functioning as both plantation workers on large estates or central processing facilities, in the early stages usually government-owned, and as smallholders tending their cash crop gardens of rubber, oil palms, and other crops, located around the nucleus estate (Brookfield et al. 1995: 89ff.). These farmers were usually given up to 2 ha. of tree-crop land and .5 to 1 ha. of land for subsistence, holdings which they could work part-time, while also serving as labourers in the

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27 A World Bank report (Holmes 2000) cited by Casson (2001: 5) predicted that the timber supply in Kotawaringin Timur regency would be totally depleted by 2010. Some publications (e.g. Lynch and Harwell 2002: xxvii, quoting Holmes 2000) use this date for the projected depletion of timber supply in Kalimantan as a whole.

28 Casson (2002) gives a comprehensive account of the rapid expansion of the oil palm subsector for Indonesia as a whole since 1967, whereas my focus here is specifically on Central Kalimantan.

29 At that time Kotawaringin Timur regency still subsumed what later became Katingan and Seruyan regencies.

30 Following in the wake of the devaluation of the Thai baht in 1997, the Indonesian financial crisis known as Krismon, the acronym for Krisis Moneter, began in 1998. Some would say it has yet to end for Indonesia.

31 This Indonesian program was designed along the lines of successful schemes in Malaysia drawn up by the Federal Land Development Authority (FELDA) both to extensify cash crop cultivation and to relieve poverty (Waluyo 1999). Many of these programs were carried out in East Malaysia by the Sabah Land Development Board, with oil palm beginning to replace rubber as the leading cash crop by the 1980s in that Malaysian state (Brookfield et al. 1995: 60).
central estate. Consistent with the cell metaphor the small holdings around the nucleus estate were referred to as *plasma*. The program was in part a response to changing World Bank lending priorities; as early as 1973 the World Bank began to extend credit to develop the public plantation subsector for such crops as tea, rubber and oil palm. The first such projects were initiated in Sumatra by 1976 (Iswaningsih 1999: 78) and in West Kalimantan in 1991.32 However, by the mid-nineties the priorities of the World Bank and other international agencies had changed. Such agencies were pressuring governments of the South to open up their economies to foreign investors. In keeping with the trend toward privatization or *swastanisasi* (Iswaningsih 1999: 78)33 promoted by the structural adjustment programs imposed by the IMF and World Bank by the mid-nineties, almost all the expansion of palm oil holdings in Central Kalimantan occurred in the private subsector of large corporate plantations. Most of these were controlled by large conglomerates with various individual companies opening separate plantations (e.g. Astra Argo Lestari Group, Sinar Mas Group, Asam Jawa Goup, Salim Group, Graha Group.); no government

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32 The nucleus estate/plasma system still continues in some parts of Indonesia. In 2004 1.8 million ha. of oil palm land under cultivation (29.7%) were still owned by smallholders, as compared to 0.6 million ha. owned by state plantation companies (i.e. the nucleus estates).

33 This trend constituted a remarkable reversal of earlier investment patterns. Mubyato and Baswir (1989: 307) noted the paucity of foreign investment in resource activities in the province up to the 80s.
oil palm estates were established in the province in this period (Casson 2001: 6). Local farmers have not been given any facilities or assistance to develop small holdings around these privately-owned plantations; the only role allotted to them has been as wage labourers, often working at very low piece rates (e.g. 80 Rp. per 10-litre polyvinyl bag filled with dirt for transplantation of each seedling in 2004) and only supplementing the plantation-resident labourers, many of them brought from Java. As a consequence, they have not seen these plantations as a development benefiting them, the long-settled residents of the locality.

**Pemekaran and the spread of oil palm plantations in Seruyan regency**

Perhaps the most fundamental unintended consequence of the regional autonomy laws has been the ‘blossoming’ (pemekaran) of new political units – from provinces (propinsi) through regencies (kabupaten) down to subdistricts (kecamatan) and even administrative villages (desa). The splitting off from Kotawaringan Timur of Katingan and Seruyan as separate regencies is one example. As noted in the introduction, the leaders (bupati) of these new units have been desperately seeking sources of regional income to establish themselves as self-supporting government units. While Katingan regency has been active in the promotion of mining, oil palm plantations have been the primary option for the inaugural bupati of Seruyan, a contractor hailing originally from the Lake Sembuluh region.

According to the study which established the parameters of land planning for the new Seruyan regency (Ringkasan Bahan Ekspose Antara), only 48,661.93 ha., slight-

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34 Due to this late onset of palm oil plantation development in the period of swastanisasi, most all of the land devoted to palm oil production in Central Kalimantan belongs to those 2.8 million ha. (57.1% of the total) owned by private companies in the nation as a whole (Down To Earth No. 63, November 2004 'Sustainable palm oil: mission impossible?").

35 Oil palm plantations have been promoted in Katingan regency as well. The Cruel Oil report (Brown and Jacobson 2005: 17) documents the contribution of the 'wave of forest conversion to palm oil' to the precipitous decline of the Bornean orangutan (Pongo pygmaeus). Specifically, the report recounts how in Central Kalimantan during land-clearing activities for a new oil palm plantation in Katingan regency, an excavator hit and killed orangutans, while in another area in the same regency the PT Makin Group, a subsidiary company of Gudang Garam, one of Indonesia’s largest clove cigarette manufacturers (Dewanto and Usman 2004: 119), has destroyed forest that could have supported 400 to 500 orangutans within its local concession of 154 square miles. See also Center for Science in the Public Interest, “CSPI Says Orangutans Literally ‘Dying for Cookies’.”

36 As noted in a Sawit Watch website report (Sawit Watch Online: Monitoring – Kasus, 'Tragedi Ke- bun Sawit di Tanah Sembuluh ['The Tragedy of Oil Palm Plantations in the Sembuluh Land'] written before his election as Seruyan’s first bupati by the regency legislature, this contractor, when still a Parti Politik (PAN) politician in Kotawaringan Timur, was trading in land owned by the Sembuluh people with oil palm companies. As the repayment for his services he received the timber use concession (Izin Pemanfaatan Kayu or IPK) for all the area to be cleared, according to this website report.
ly less than 3% of the land area of the new regency at its inception was devoted to plantations of all sorts. The oil palm plantation subsector has grown rapidly in the regency since that time. By late 2004 twenty-nine enterprises had sought permission to open up oil palm plantations in the region now covered by the new regency. However, by late 2004 only 21% (88,695 ha.) of the area targeted by these enterprises had actually been cleared, while only 18.6% (78,169.41 ha.) of that 421,115 ha. total had already been planted with palms. Seven private enterprises accounted for the vast majority of early plantings in the late nineties, while only four private companies had continued with planting from 2001 on, three of which are all operating around Lake Sembuluh. Seven firms had already opened up crude palm oil processing refineries in the regency, two of them within the Lake Sembuluh area.

Indeed, Lake Sembuluh has been the crucial area for oil palm plantation extension in Seruyan regency since its separation from Kotawaringin Timur. Plantations almost completely surround the lake (map 5.2), except for a patch of land in the area to the southwest of the lake leading toward the Seruyan River; other plantations extend from Sembuluh into Hanau subdistrict, its neighbour to the immediate north. In fact, ten of the eleven enterprises seeking permission for oil palm plantations in Seruyan regency since May 2003 have their targeted areas wholly or partially within Lake Sembuluh subdistrict, covering a total of 174,500 ha.

Community responses: resistance to oil palm plantations at Sembuluh

Although the regency government may have authorized the granting of concessions to this land, the actual opening and operation of the plantations have certainly not met with the agreement of the local communities inhabiting the villages around Lake Sembuluh. As Casson (2001: 21) notes, and reports on many NGO websites (e.g. Down to Earth, Sawit Watch, Walhi) confirm, ‘social conflict has been rife’. Many inhabitants I interviewed considered the bupati’s promotion of

37 The assertions and statistics cited in this paragraph derive from data I collected during October 2004 in Kuala Pembug from the regency-level Department of Forestry and Plantations, whose generosity in sharing these data I would like to acknowledge. Due to space limitations, I cannot include here all the tables tabulated from the data collected from this office from which the assertions in this paragraph are drawn. However, the full set of tables is available from me if you wish to email me at acciaei@cyllene.uwa.edu.au.

38 Villagers interviewed at Sembuluh I and Sembuluh II administrative villages (desa) noted that many companies went to the effort of gaining permissions to open plantations, but only in order to gain the entitled permission to clear the area of trees. Such clearing provided them with lucrative logging profits, the real aim of their efforts. The result was an intensified denudation of the forest and loss of resources to the villagers with no compensating outcomes. Villagers were well aware (and resentful) of the bupati’s role in claiming such land as his own and reaping the benefits of timber clearance (see previous note).
foreign investment in oil palm plantations as a 'foolhardy policy' (kebijaksanaan gila-gilaan) intent on destroying the local livelihoods of Sembuluh inhabitants rather than bringing them the 'prosperity' (kesejahteraan) touted by the bupati in justifying his authorizations. Their opposition to this policy has been evident in a series of demonstrations and acts of sabotage that constitute a practically realized narrative of everyday resistance (Scott 1985). For example, actions taken against
PT Agro Indomas\textsuperscript{39}, one of the first enterprises to open a plantation in the vicinity of Lake Sembuluh, began with demonstrations in Sampit in the early years when the concession was still within Kotawaringin Timur regency. After the erection of infrastructure for the plantation, villagers destroyed the 40-meter long bridge linking the company fields with its housing and office complex, arguing that this low bridge blocked transport on a crucial water course in the region. Villagers have also seized company equipment, including tractors and a backhoe (Sawit Watch Online, Monitoring – Kasus, ‘Tragedi Kebun Sawit di Tanah Sembuluh’).

The issues have been myriad. Company officials claim that they opened their plantation in ‘an area logged over and covered mainly with lallang [i.e. alang-alang or elephant grass] and belukar [scrub]’ (Carson Cumberbatch, ‘A Trace of the Plantation Project’), while villagers maintain that much of the land opened up was still primary and secondary forest. In support of their version villagers claim to have photos of the tree stumps evident directly after the clearing to prove the continuing existence of forest when the company began its clearing operation. In addition, they query why such heavy equipment had to be used simply to clear grassland.\textsuperscript{40} Villagers from Terawan on the northwestern shore of the lake, now largely hemmed in by the PT Agro Indomas plantation, complain of their lack of access to the former nearby forest for local products they used domestically, as well as to what had been the potentially cultivable land (lahan) for opening up and working dry rice fields. More recently, since the opening of the palm oil processing mill in April 2001, they have complained of itching after bathing in the lake and of a loss of fish, especially in the dry season when the lake waters recede and the currents lessen. The complaints of the Bangkal villagers over lack of compensation for land have even been publicly admitted by the plantation managers in the Carson Cum-

\textsuperscript{39} PT Agro Indomas is not the original name of the company. It was originally incorporated as the Indonesian company PT Bohindomas Permain in 1985 (according to Casson 2001: 22) or 1989 (according to the Carson Cumberbatch & Company website, ‘A Trace of the Plantation Project’). Its name was changed to the present PT Agro Indomas when it became a foreign-owned company (Perusahaan Modal Asing or PMA) in 1995, whose new owners were three Malaysian companies: Agro Hope Sdn Bhd, Shalimar Developments Sdn Bhd, and Cosville Holdings Sdn Bhd. Ultimately, the Sri Lankan conglomerate Carson Cumberbatch & Company owns and controls the first two of these Malaysian companies. The capital for opening the estate came from loans from CDC (Commonwealth Development Corporation) Group plc and Rabobank (further information on the funding of oil palm plantations by Dutch banks may be found in Wakker [2000]). Its management staff is largely comprised of Sri Lankan and Malaysian professionals, although the long-term aim is ‘transfer of skills to Indonesian managers who will form the backbone of the future management team’ (‘A Trace of the Plantation’; see also Casson 2001: 22). In many ways PT Agro Indomas exemplifies in its history and practice the trend of foreign capital-dominated swastanisasi noted by lawaningi (1999). This note’s capsule history may thus be taken as representative of many of the other companies opening oil palm plantations in the region.

\textsuperscript{40} A 1998 environmental impact assessment (AMDAL) by the Jakarta-based consulting agency PT Shantiika Mitra Wiguna noted that most of the area in the company’s concession was secondary forest (Casson 2001: 23).
berbatch website ‘A Trace of the Plantation Project’ as a counterpoint to the otherwise glowing tone of this website regarding the company’s ecologically friendly and economically beneficial practices. The villagers from Terawan, Sembuluh I and Sembuluh II whose lands fall within the boundaries of the concession have been no less vociferous in their claims. Yet, so far the villagers’ claims, despite such actions, have remained largely unheeded. Part of the reason for their failure lies in some of the weaknesses of the forms of organization and their underlying rationales harnessed by the populace to combat this expansion.

Organizing the resistance effort: NGOs and people’s organizations in the villages

Opposition to the oil palm plantations has not sprung from the local populace alone; they have been catalyzed into action by association with various NGOs located in the provincial capital, Palangka Raya. Among the first of these NGOs to monitor the situation was Yayasan Betang Borneo. First organized in part to deal with the original million-hectare plan in the peat-soil region of the south, it has extended its activities to various causes, many of them related to deforestation in the province; among these causes has been the early spread of oil palm plantations around Lake Sembuluh. One of the other early efforts was the participatory mapping project carried out by villagers and NGO experts in GIS techniques allied to Yayasan Tahanjungan Tarung (YTT). One of the key aims of this mapping was to confirm villagers’ contestations of the claims by PT Agro Indomas and other companies that they were largely opening up grassland and scrub. As the participatory community maps created indicate – map 5.3 gives a detail from one such map – there is a diversity of land types encompassed by the areas now allocated as plantation concessions, including not only the scrub (belukar) land claimed by the enterprises, but also remaining patches of forest, swamp, and garden land of local inhabitants. This action was certainly important in bolstering claims for compensation and in some cases, where continuing garden use had been demonstrated, to heightening claims beyond the Rp. 425,000 Rp./ha. (approx. $46.73 USD/ha. at the current (16/8/06) exchange rate) that had been set (without consultation with villagers) as the standard compensation rate by the regency government. However, the mapping exercise also had the unfortunate effect of convincing some villagers that the result would be a continuing entitlement to the land that the mapping indicated they had worked, as if this exercise were equivalent to the surveying car-

41 This NGO’s name alludes to the longhouse (betang in the Ngaju language, the lingua franca of much of the province before the spread of competence in Indonesian), regarded an icon of Central Kalimantan, although the various Dayak groups (e.g. Ngaju) inhabiting most of the southern reaches of Central Kalimantan rarely have longhouses.

42 This project thus exemplifies the ‘countermapping’ whose use Peluso (1995) has explored elsewhere in Kalimantan.
ried out by the National Land Agency (Badan Pertanahan Negara or BPN) as part of its land registration procedures, despite the lack of any such claim by YTT itself. When this turned out not to be the case, there was a certain estrangement and a degree of withdrawal from the area by this NGO.\footnote{Yayasan Tahanjungan Tarung is committed to continuing its community participatory mapping efforts, but has largely shifted its attention to the upper reaches of the Seruyan River, where oil palm plantation companies and other resources exploitation schemes are currently targeting areas for development (see Map 5.3). Most recently, it has signaled a commitment to recommence monitoring the situation at Lake Sembuluh.}
As a result, much of the responsibility for monitoring and facilitating opposition to the oil palm plantation expansion has been handed over to WAHLI Kalteng. This NGO, with its extensive network of affiliated NGOs under the central (i.e. Jakarta) WAHLI umbrella,\(^{44}\) has used various means to publicize the Sembuluh cause, including webpages, newsletter articles, posters, sponsorship of research and other means. It has worked extensively with the Indonesian NGO Sawit Watch, co-facilitating research by international NGO researchers and activists from such NGOs as the British-based Down to Earth (DTE)\(^{45}\) and Dutch-based Novib Oxfam Netherlands and Milieudefensie.\(^{46}\) One of its major activities working with the local populace has been the facilitation of the establishment of ‘people’s organizations’ (organisasi rakyat) to mobilize the populace (or at least those sectors of the local populace opposed to the plantations) in defence of their local resources.

Assessing these local people’s organizations requires not only considering the range of their activities, but also the underlying values in terms of which they have been formed. Such values are manifest, to take but one example, in the document setting forth the founding of one such organization facilitated by WAHLI, the youth organization Serikat Pemuda Peduli Daerah (SPPD) (see Appendix I: Official Record of the Formation of the People’s Organization). SPPD has all the trappings of a modern, rationalized organization with its management structure, including limited cycles of office tenure, and its corporate idiom of vision and mission. The values upon which it proclaims itself based are those of a contemporary democratic society, committed to organizational transparency and oriented to conservationist values. It is certainly not an attempt to revive any sort of traditional customary institution asserted as once having guided a harmonious accommodation with the environment (see below).

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44 WAHLI, the acronym for Wahana Lingkungan Hidup Indonesia, usually translated as Indonesian Forum for the Environment, is the primary coordinating organization for a wide range of environmental and social NGOs across the country.

45 See various articles concerning the ecological impact of oil palm plantations on the DTE website dte.gn.apc.org.

46 See Bruin (2004) and the 2004 film 'Growing Palm Oil and the Social Impact'. Since at least early 2004, WAHLI Kalteng's attention has been somewhat diverted from the expansion of oil palm plantations encircling Lake Sembuluh to the issue of monitoring the penetration of Tanjung Puting National Park, located immediately to the southwest of Lake Sembuluh in a position straddling Kotawaringin Barat and Seruyan regencies, by three oil palm enterprises different from those operating around Lake Sembuluh (WAHLI, 'Taman Nasional Tanjung Puting Jadi Perkebunan Sawit'). WAHLI Kalteng's monitoring and publicity efforts here have had some success, as the bupati has been called to account by the provincial legislature and required to justify how he could issue permissions warranting these incursions into national park land (ILRC (Illegal Logging Response Center) 'DPRD Kalteng akan Panggil Bupati Seruyan'). So far the bupati seems to have been successful in stalling the issue by pointing to the contradictions of various delimitations of park boundaries in the reports of different departments and agencies.
In contrast to other NGO-facilitated people’s organizations founded at Sembuluh, such as the complementary elders’ organization KOMPAK Sembuluh,47 SPPD has emphasized much more confrontational undertakings, including the assembling of demonstrations at the entrances to company plantations. Its founder has also emphasized much more the need to educate the local populace about the long-term importance of the environment, including in his intended projects the compiling of a dictionary of locally useful plants, some of which might be converted into local intellectual property before foreign pharmaceutical companies could enter the area to appropriate these plants and then apply for their own patents. He has also been more strident in his opposition to the government apparatus, hoping through his organization to compile a catalogue of laws and local regulations. This compendium would then be ‘socialized’ to village community members so that they would no longer be the object of illegal government intimidation and would not have to pay bribes for services to which they were actually entitled.

**Contradictions in resistance strategies: Are the Sembuluh people ‘indigenous’ (masyarakat adat)?**

The underlying modernity of Sembuluh people’s organizations like SPPD and KOMPAK Sembuluh belies the assertions of the report Cruel Oil: How Palm Oil Harms Health that it is simply the land rights and ways of life of ‘tribal people,’ only the ‘forest-dwelling Dayak tribes’ of Kalimantan, that are being eroded by the spread of oil palm plantations (Brown and Jacobson 2005: 21-22). The Islamic people of Sembuluh I and Sembuluh II villages are blatantly modern in their orientation, rejecting in their responses to my interview queries an identity as Dayak and an identification with the pan-Dayak cause (Thung *et al.* 2004; Dove 2006: 195). Yet, they are caught in the bind that in order to gain the support of NGOs and the wider international community they must be increasingly assimilated to such status. Sawit Watch’s web pages monitoring conflicts over oil palm plantations depict them as an ‘indigenous people’ (masyarakat adat) (‘Tragedy of Sawit at Tanah Sembuluh, The Tragedy of Oil Palm Plantations in the Sembuluh Land’) and as a Dayak ‘subtribe’ (sub suku) (‘Sawit dan Sengsara Rakyat Dayak [Oil palms and the Suffering of the Dayak People]’). Indeed, even the very mechanisms of compensation offered by the oil palm enterprises under guidelines established by the new regency government force the Sembuluh people to adopt the customary land tenure norms of the Kohin and Temuan Dayak settled to the north of the lake. Their ambivalence in adopting such norms, indeed such an identity, constitutes

47 The acronym KOMPAK derives from Komunitas Masyarakat Pengelola Kawasan Sembuluh [The Community of the [Local] Society as [Environmental] Managers for the Sembuluh Region]. Space limitations preclude in-depth treatment of the full range of local people’s organizations and their activities at Sembuluh, which I hope to analyze elsewhere.
one of the primary reasons for their failure to stem the expansion of the oil palm plantations and even simply to gain what they consider adequate compensation for lands and livelihoods already lost.

This dynamic is evident in their attempts to gain compensation from PT Kerry, Sawit Indonesia (PT KSI), one of the more recent oil palm enterprises to begin clearing land in the area. The demands issued by the organization KOMPAK Sembuluh to this company (see Appendix II) present a clear contrast with the idioms used to establish such people’s organizations as SPDP. In keeping with the orientations of some NGOs supporting their cause, the discourse of resistance to the oil palm plantations encoded in that organization’s founding document and in other contexts has primarily been one of *class*. The very term *rakyat* ([the] people) in the term commonly used for such an organization (*organisasi rakyat*) clearly indicates this orientation. Yet, their demands addressed to PT Kerry Sawit attempt to ground the claims of the local society in another idiom — that of *indigeneity*, the focus of the Indonesian ‘indigenous peoples’ movement’ (*gerakan masyarakat adat*), which has gained considerable government attention, especially during its two national congresses (1999 in Jakarta and 2003 in West Lombok) (Acciaioli 2002, n.d.). In the first paragraph of this statement the organization itself is deemed to have ‘arisen with the aim of protecting (*mengayomi*) the rights of the customary society (*masyarakat adat*, i.e. local indigenous people’), thus claiming the warrant of indigeneity in order to argue for a special class of rights to be extended to local community members.

Yet, in most contexts this self-identification as a *masyarakat adat* is absent from the pronouncements of inhabitants of Sembuluh I and Sembuluh II villages. As the village headman of Sembuluh II declared in an interview, *adat* is ‘ancient and old-fashioned’ (*kuno dan kolot*); people in Sembuluh II aspire instead to be modern (*moderen*) and advanced (*maju*) in their attitudes and activities. For example, when discussing usages related to land, this headman, as well as numerous other informants, tended to use such terms as *tradisi* (*tradition*) and *kebiasaan* (*usage*), as if explicitly avoiding the term *adat* (*custom[ary]*). In the document of demands against PT Kerry Sawit Indonesia, the subsequent use of the term ‘people’s forest’ (*hutan rakyat*) rather than ‘customary forest’ (*hutan adat*), as is used in other areas where affiliation to the Indonesian *gerakan masyarakat adat* has been stronger, reveals the very tentativeness of the Sembuluh identification as *masyarakat adat* earlier in the document.

It is precisely this ambivalence, or perhaps even lack, that has rendered attempts at land compensation from the plantation enterprises so vexed. Following guidelines issued by the *bupati* in regard to plantation land rights, compensation can only be given for individually owned land; communal land, with temporary use rights (*hak ulayat*) being communally accorded to individuals depending on their need
each season, is not to be compensated. The basic compensation rate of 425,000 Rp./ha. can be supplemented if it can be proven that there are gardens (kebun) producing fruit trees – durian and jackfruit have long been grown in the area – or other perennials in that area owned by a specific individual. However, most of the cases regarding compensation have revolved around cultivable land (lahan) that had previously been opened up for dry rice fields (humu or ladang, as opposed to kebun, gardens). And it is in this context that the claim to status as masyarakat adat is most clearly weakened. For, unlike the surrounding Kohin Dayak who constitute the majority in many of the upriver villages along the Seruyan River, and the Temuan to the east, both of whom make up a considerable part of the population of Bangkal administrative village at the northern edge of the lake, the villagers of Sembuluh I and Sembuluh II have no clearly codified adat in regard to the possession of ladang land. The population of these two villages is multi-ethnic, with strong cultural influence from the Banjarese migrants who settled generations ago. In the contemporary context, some villagers, prominent among them those who acknowledge their ancestors as Banjarese, identify the ethnicity of the settlement as predominantly Malay, thus confirming the assessments of previous researchers in the area that Dayaks who convert to Islam 'become Malay' or 'enter Malay[ness]' (masuk Melayu) (e.g. Miles 1976) and paralleling the characterization of inland Muslim villages in West Kalimantan (e.g. Hermansyah 2003 on the Embau). Other villagers, however, including many who acknowledge descent from the indigenes speaking the now almost extinct Sembuluh language, assert that the ethnicity of the village is simply Sembuluh, a category that is neither Dayak nor Malay, but possessing an independent status of its own that is acknowl-

48 Of course, the predominance of Banjarese migrants in Sembuluh I and Sembuluh II also constitutes a prima facie case against the declaration of indigeneity as a warrant for special consideration in compensation for land. This circumstance has not escaped the attention of many of the officials of KOMPAK Sembuluh and of SPDD.

49 When he visited Sembuluh during World War I, the Norwegian anthropologist Lamboltz (1920: 104) simply labeled the inhabitants as predominantly Malay, noting that '[t]he Dayaks who originally lived here have disappeared or amalgamated with the Malay intruders.'

50 Douglas Miles conducted his research in both an upriver village, predominantly Ngaju Dayak, and a downriver market town, primarily Malay along the Mentaya River in Kotawaringin Timur in the early sixties. Sampit is the major port city along this river, now about two hours east of Bangkal by the road that serves as the last major leg of the Trans-Kalimantan Highway (known as Jalan Cilik Riwut in this part of Central Kalimantan) that has been completed, running between Palangkaraya and Pangkalanbun via Sampit.

51 It is no longer the case that a Dayak who converts to Islam automatically 'becomes Malay' (masuk Melayu), at least not in Central Kalimantan (Klinken 2002: 9, n. 23; Chalmers n.d.: 16). Indeed, the Bakumpai Dayak, the ethnic group from which the current provincial governor hails, are almost entirely Muslim. The strength of the pan-Dayak movement (Thun et al. 2004) is probably one reason that Dayaks who convert to Islam do not relinquish their Dayak identity in many cases. However, as this essay argues, the Sembuluh case is different, in part because conversion took place long before any pan-Dayak movement.
edged as deeply 'nuanced by Islam' (*bernuansa Islam*). Such informants, noting the continuing use of a unique Sembuluh language in the more isolated hamlets (*dukuh*) around the lake, such as Tabiku and Lanpasa, acknowledge that the original language of the area must have been similar to Kohin, but had been relexified through the generations with the influx of migrants from South Kalimantan and elsewhere. And accompanying this reworking of the local language has been the thoroughgoing transformation of local culture that has abolished the observance of local Dayak custom (*adat*).

Given this tangled nexus of language, ethnicity, and culture, the Sembuluh I and Sembuluh II villagers consequently no longer recognize the authority of the *damang*, the functionary created by the nascent provincial government to 'act as a representative' (*mewakili*) of the *camat* to adjudicate customary matters at the subdistrict level (Pemerintah Daerah Propinsi Kalimantan Tengah, Sekretariat Daera Propinsi Kalimantan Tengah, Biro Pemerintahan Desa 1999; Usop and Suan 1997). As one village Islamic leader (*penghulu*) from Sembuluh II declared to the research team from the World Bank 'Justice for the Poor' program, 'Here the usage (*kebiasaan*) is that it is the village headman who is the one to resolve disputes. He is the one who has the authority (*wejangan*)' (Justice for the Poor 'Kembali ke Masa Depan: Otonomi Daerah dan Kebangkitan Adat yang Tidak Pasti', p. 10). Such rejection renders rather hollow the assertion of *masyarakat adat* status for the Sembuluh I and II villagers in the declaration to PT Kerry Sawit.

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52 The villagers' use of this term echoes the same phrase used to describe the culture of the Islamic downriver peoples, as well as the inhabitants of villages upriver most influenced by Banjarese migration, by Pedlik Asser, formerly a candidate for the *vice-bupati* position and now the head of the security division (Linmas) of the regency government offices, in his campaign booklets outlining his policies for development of the region (e.g. Asser 2003) While we may think of the term nuance as referring to a subtle, perhaps even superficial aspect of a cultural manifestation, the term *bernuansa* as used in the local area appeared to bespeak a much more thoroughgoing transformation of the foundational aspects of culture.

53 In contrast, some of the descendants of Banjarese migrants to the village referred to the 'authentic Sembuluh language' (*bahasa Sembuluh asli*) as a creation (*ciptaan*), one of these informants describing it as coming in a dream to the first Banjarese migrant generations ago, who then taught it to the other villagers in the settlement.

54 This declaration is substantiated later in the case-study section of the same report, where the resolution of a dispute among fishermen by the Sembuluh II village headman is detailed (Justice for the Poor 'Kembali ke Masa Depan: Otonomi Daerah dan Kebangkitan Adat yang Tidak Pasti', pp.14-15). The report notes that a major problem in the province is the non-acknowledgement of Dayak *adat* and its functionaries by members of other ethnic groups, including the many Madurese who have begun to return to the island since 2004 in the wake of the Sampit massacres (pp. 23-24). The report concludes that the 'revival of custom' (*kebangkitan adat*), often proclaimed by both the pan-Dayak movement and the indigenous peoples' movement as the solution to local-level conflict in Indonesia, provides no resolution for inter-ethnic disputes (p. 24).
Indonesia, working against any attempts to claim special recognition of their land claims under the terms elsewhere accorded to Indonesian 'indigenous peoples'.

Ironically, however, what the government in collusion with the oil palm plantation enterprises has been forcing upon the Sembuluh villagers is a sort of nascent assimilation to standard Dayak land tenure usages. According to local villagers, there has never been a right of first clearance observed among the inhabitants of Sembuluh I and Sembuluh II. The first person who has opened a dry-rice field (huma or ladang) has no persisting rights once use of the field, at most after two years, has been abandoned. Once the area is again fertile, any person from the local region – they need not be from even the same village – may open a new field there without asking permission from the opener of the previous field in that location. Indeed, no permission need be sought from any central adat council or similar group of adat functionaries, since it is precisely those sorts of customary bodies and officials that are not functioning in Sembuluh I and Sembuluh II. Instead, this pattern of free access to land simply constitutes ‘tradition’ (tradisi) or ‘usage[s]’ (kebiasaan). However, oil palm enterprises operating under the regulations of ‘positive law’ require greater clarity than such ‘usages’ can bring in determining who is entitled to compensation for areas of land included in their concession. Legally, no compensation can be paid to the village as a whole for the areas of former dry-rice fields, since hak ulayat is not acknowledged and recipients of compensation must be real individuals not corporate bodies.

In accordance with directives from the regency government, the companies have determined that those who first opened the land for ladang within the current confines of their concession are the ones entitled to compensation. Such a situa-

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55 Bakker (n.d.) presents recent examples of the dynamics of asserting and gaining recognition of land and resource claims in the contemporary context of revitalized adat among the Mului people of upriver Pasir, East Kalimantan.

56 In fact, Bruin (2004: 12) assimilates the land tenure ‘traditions’ of Sembuluh I and Sembuluh II villagers to ‘traditional Dayak rules’. Incorrect, the contemporary contestations over land are evidencing such an assimilation, although villagers, especially when lamenting the current spate of land disputes triggered by desire for individual compensation from the oil palm plantations, deny that their long-held ‘traditions’ and ‘usages’ have been in accordance with the norms of the neighbouring Dayak.

57 In contrast to these conventions for dry rice fields (ladang), opening a garden (kebun) does involve a persisting set of claims, since gardens are usually planted partially with trees and other perennials that have fruits which can continue to be harvested.

58 As of 2004, many local governments had yet to implement through regional regulations the national People’s Advisory Assembly’s (Majelis Permusyawaratan Rakyat) 2001 law on agrarian reform and natural resource management (TAP Nomor IX/MPR/2001), which at least attempted to give some acknowledgment to customary collective rights. Hence, one NGO active in following the Sembuluh case has noted, ‘Even outside state forests there is no formal means of acknowledging and protecting collective land rights’ (Down To Earth No. 63, November 2004 ‘Sustainable palm oil: mission impossible?’).
tion has led to the emergence of considerable horizontal dissension, sometimes erupting into overt conflict among villagers, as they argue over claims and counterclaims based upon what lands they assert their grandfathers and other ancestors first opened up. Many elders in the village despair over the current situation, arguing that such rights based upon first opening have never been recognized in Sembuluh I and Sembuluh II. Ironically, what is revealed by comparison with Bangkal, where a variant of Dayak adat still prevails and a damang is active, is that the Muslim villagers of Sembuluh are being forced into the mould of surrounding Dayak ‘custom,’ which the government and oil palm enterprises can at least recognize as a codified form of custom in comparison to the fluid, uncoded ‘usages’ informally observed in Sembuluh I and Sembuluh II. Yet, this is an adat (and associated identity) that these villagers reject as opposed, in their eyes, to both Islam and modernity, which they have sought as the cornerstones of their own identity. Ironically, this very rejection is what keeps them from affiliating with the pan-Dayak movement (Thung et al. 2004; Dove 2006), whose supra-local influence might have given them the leverage to pursue their claims for compensation and greater management rights over their land.

The nub of the issue, however, is that the possibility of such success would negate the very terms on which the aspiring modern Muslim inhabitants of Sembuluh I and Sembuluh II wish to operate. The masyarakat adat movement, with which the pan-Dayak movement is strongly affiliated, has operated on a platform (Kartika and Gautama 1999b) that rejects the increasing commodification of the environment that the entry of foreign capitalist interests has accelerated since the economic reforms of the New Order were initiated. The movement’s invocations of traditional or local wisdom and its frequent recasting of local customary codes, whether the sasi system in Maluku (Zerner 1992) or the ombo system of Lindu (Acciaioli 2002), as ‘community-based natural resource management systems’ (sistem pengelolaan sumber daya alam berbasis masyarakat lokal) are posed as alternatives to the investor-based capitalism promoted by the New Order and subsequent regimes, indeed to the very processes of environmental commodification. Yet, this capitalist pattern favouring penetration of localities by outside entrepreneurs has even been intensified in recent years. Both the demands of the

59 Precisely such conflict, spawned by the competition over compensation offered by oil palm companies, is depicted in the comic book Mempertahankan Hak (Wowo [Wahono] 2002) that the Bogor-based NGO Sawit Watch has distributed to local village functionaries and other elders in this region (and others), such as the founding officers of KOMPAK Sembuluh.

60 Such rights of first clearance correspond to more generally recognized norms of Dayak land tenure that have been increasingly subject to codification and generalization in the national and now trans-national (i.e. Indonesia and east Malaysia) pan-Dayak movement that has mobilized various communities identifying themselves generally as Dayak – hence relegating their local regional and community identities to subutenis and subsubutenis levels – in the quest to assert their claims to autonomy, including, perhaps most importantly, the right to local resource management (Alcorn et al. 2003; Thung et al. 2004).
national economic recovery process, including the terms of IMF-imposed structural adjustment programs, from the Asian financial crisis (krismon) and the necessity for increased local income (Pendapatan Asli Daerah or PAD) entailed by regional autonomy and the associated 'blossoming' (pemekaran) of new regencies and other local units within Indonesia have fostered an increasing orientation to foreign-based capital. The rapid and seemingly inexorable expansion of oil palm plantations in Central Kalimantan, almost all of them ultimately owned by foreign capital, serves as a paradigmatic example of a globally linked local response that results in the alienation of village populations from their traditional sources of livelihood and a consequent decline in their economic prosperity and cultural autonomy.\(^{61}\)

**Conclusion: Paradoxes of resistance and accommodation to the oil palm plantations**

The Sembuluh case study provides one exemplification of many of the processes documented by *Cruel Oil: How Palm Oil Harms Health, Rainforest and Wildlife* and other reports concerning the ecological destruction of habitats and social devastation of communities produced by oil palm plantations:

Oil palm has been the direct cause of a host of ecological problems including deforestation; endangered wildlife species; habitat destruction and fragmentation; soil, air, and water pollution and toxic chemical contamination; and last – but certainly not least – social conflict and displacement of local communities (Brown and Jacobson 2005: 11)

In many ways this report echoes, though in reverse order of declaration, the image of the effects of oil palm plantations drawn by the special preliminary seminar devoted to this agricultural commodity at the first Archipelagic Indigenous Peo-

\(^{61}\) Sembuluh villagers have labeled the incursion of these plantations on current terms as a transgression of their basic human rights (*hak-hak azasi manusia*). The recent United Nations emphasis upon a more wide-ranging notion of human development, as opposed to former notions of development that could be measured in strictly economic terms, would tend to support such a characterization. The 'millennium development goals' advocated by the United Nations Development Programme (UNDP) depend partially on a human poverty index that includes not only specification of incomes levels, but consideration of the opportunities and facilities made available to local communities in such social aspects as schooling, gender equity, cultural expression, and others (Fukuda-Parr et al. 2004). Although income poverty is defined by a threshold of $1.00 USD/day, the calculation of the human poverty index also considers the proportion of the population below the threshold of $2.00 USD/day. Plantation labourers in the Sembuluh region, with their average daily incomes of 15,000 Rp./day fall well below this second threshold, confirming in contemporary terms the villagers' description of themselves as increasingly impoverished by the plantations.
people’s Congress (Kongres Masyarakat Adat Nusantara or KMAN), held in Jakarta in March, 1999:

The relations between [members of] customary communities [i.e. ‘indigenous peoples’] become distant because all people have to struggle just to sustain their own lives. Economic asymmetries become wider, giving rise to social envy. Air and water pollution rise to levels dangerous for health as well. Biodiversity is also threatened because of the opening of the forest (Kartika and Gautama 1999a: 69).

However, the Sembuluh situation also demonstrates that this state of social anomie in the midst of environmental degradation is not restricted to indigenous peoples, the iconic ‘forest-dwelling tribes’ so often highlighted by such reports (as in this paper’s opening quotation from the Cruel Oil report). Unlike such groups, Sembuluh villagers have not rejected per se the very process of commodification of the environment that oil palm plantation expansion represents, but only the specific alienation of land and natural resources from their control required by this process.

Writing just after his travels throughout central Borneo during World War I, Lumbholtz (1921: 105) noted the involvement of Sembuluh villagers in rubber cultivation when they rejected the daily wage he offered them to work as his bearers (i.e. coolies) on the grounds that they could earn much more cultivating their rubber trees. Such grounds of refusal indicate an early engagement of local villagers with capitalism and one might say an early involvement in processes of commodifying the environment. The ongoing compensation claims against the oil palm company PT Salonok Ladang Mas by one villager in Tabiku for his jeluntung trees62, whose cultivation rights had been granted by the government in 1957, demonstrates the continuing engagement by Sembuluh villagers in such processes. What many of the Sembuluh villagers currently want is a greater, more just participation on their terms in the modern, accelerated form of this process – the transnational penetration of late global capitalism – rather than a reversion to a form of custom-based community tenure, as has been demanded in many similar contexts by advocates from the Indonesian indigenous peoples’ movement. Even the most radical of local advocates, including the community member who cut the bridge connecting the two sectors of the PT Agro Indomas plantation, argue that they do not reject the plantations as a system per se. As the list of demands of KOMPAK Sembuluh to

62 Tapping jeluntung (local pronunciation; other variants include jelutung) trees yields latex that is used in chewing gum and paints, as well as for sizing paper. Jeluntung timber is also highly prized, especially for use in pattern making, sculpting and carving, as well as for producing architectural models, drawing boards, picture frames, wooden shoes (clogs), furniture parts, doorknobs, dowels, pencils, plywood, laminated board, toys, dowels, blackboards, brush handles, matchsticks and packing crates (Kaiser, 'Wood of the Month: Jelutong Popular with Carvers, Sculptors and Patternmakers', p. 1).
PT Kerry Sawit Indonesia (Appendix II) reveals, what they desire is fair compensation, greater labour opportunities as both field workers and managers, minimization of and compensation for environmental degradation, contributions to local village development in such sectors as education, and other benefits accruing to the accelerated modernity that such plantations can bring: in short, what they consider their fair share of the benefits of investor-facilitated development. Some villagers, aware of the PIR (Perkebunan Inti Rakyat) system implemented earlier in other Indonesian settlements, including transmigration sites, declare that they would endorse the placement of oil palm plantations in the Sembuluh region if only a plasma system in which they would receive land and facilities for complementary smallholder development could be realized in their locality as well. As noted above, the youthful founder of SREP also voiced the need to inventory all local plants in order to assess the marketability of their possible pharmaceutical benefits, i.e. a locally controlled process of conversion into intellectual property that itself bespeaks a locally based desire for a very modern form of commodification. Ironically, it may very well be that their quest as self-styled representatives of modernity for inclusion in this process of environmental commodification has facilitated their failure to a greater extent than the more explicit strategies of opposition to such processes in some of the more militant areas of Dayak mobilization in Kalimantan affiliated to the pan-Indonesian indigenous peoples’ movement.

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Appendix I

Official record of the formation of the people’s organization: (berita acara pembentukan organisasi rakyat)

1 Name:
Serikat Pemuda Peduli Daerah (SPPD) (The Union of Youths Concerned for their Region)

2 Vision and Aim:
The resources of the region constitute the key for urging the self-sufficiency of [our] sovereign society, increasing its prosperity, now and in the future.

3 Mission and Duty:
- Protect (mengayomi) the rights of youths and society in the management of the region's resources;
- Struggle for conservation with the aim of an environment that is useful for the people's prosperity
- Become a counterweight (penyeimbang) to the policies of the government and other parties that cause loss to the people in the management of the region.
- Become a vessel for the struggle of the youths and the society to obtain the use of their resources in a just and continuous [i.e. sustainable] fashion.
4 **Fundamental Values:**

1. Independent: (non-partisan)
   SPPD aims to be independent; it does not affiliate or take sides with any political institution whatsoever and it does not aim to engage in practical political activities.

2. Transparent:
   SPPD holds in high regard openness in running its organization in a responsible fashion, in which the management of SPPD is open for its constituency. Its responsibilities will be carried out in a way that is consistent with the mechanisms that have been created and agreed to.

3. Democratic:
   Each phase and level in taking decisions will be undertaken in a democratic fashion: every person has a speaking and voting right.

4. Anti-violence:
   The solution of all sorts of problems will be undertaken by emphasizing peaceful methods, consensus and discussion (*mufakat dan musyawarah*) in a non-violent fashion.

5 **Management:**
   SPPD is managed by a Management Board, whose function is to carry out the mission of the institution in order to achieve its vision.

   Director
   Vice-director
   Secretary
   Treasurer
   Section for Empowering Women and Adolescents
   Section for Education and Development of Human Resources
   Section for Campaigns and Increasing Consciousness
   Section for Development of the People’s Economy

6 **Management Cycle**
   One management cycle for SPPD will occupy one year, after which the officials will be chosen again by a Meeting of all Members.

7 The membership of SPPD is open to the entire society, youths and students of Sembuluh and/or all people who share the vision of SPPD.

   Minutes: Acknowledged and inspected by
   xxx
   xxxxx (director)
Appendix II
Demands and orientation statement, KOMPAK sembuh

KOMPAK Sembuh (Komunitas Masyarakat Pengelola Kawasan Sembuh) is a people’s organization that has arisen with the aim of protecting (mengayomi) the rights of the customary society (masyarakat adat), struggling for a system of management of the region and its natural resources that is based on the people, is just, democratic and based on local wisdom (kearifan lokal), and for conservation of the functions of the environment that are useful for the prosperity of the people, and acting as a vessel for the struggle of the people to obtain the use of their resources in a just and sustainable fashion.

Consistent with its aims, KOMPAK Sembuh has sharply focused its attention on the operations of various oil palm enterprises, especially PT KSI (Kerry Sawit Indonesia), in the territory of the Sembuh region, Lake Sembuh Subdistrict, Seruyan Regency, Central Kalimantan. PT KSI and other oil palm plantation enterprises have left unresolved problems that take the form of a difference from the orientation of the society in regard to the presence and resolution of several rights to the land and several other problems that have yet to be given satisfactory explanations by the enterprises. Therefore, KOMPAK Sembuh wishes to put forth its orientation and make the following demands:

PT KSI must explain and clarify several contributions that [it] might [make to] contribute to the acceleration of the development of the local society’s economy that are real, actual and can be immediately felt by the society.

PT KSI must give priority in its work force to labor from the local society, and not just in the capacity of ‘rough’ (kasar) daily laborers; this does not imply that it should reject all workers from outside, but that local labor has to receive extensive opportunities as well. Analogously, the enterprise should make efforts for the empowerment and cultivation of [local] students and youths in order to raise the level of their education and skills through the facilitation of scholarships, courses, training and by other means, especially if it holds the opinion that the capacities of the local labor force are still weak.

The wages of the plantation worker have to be in accord with the living needs of the people; in this matter the enterprise has to make an objective evaluation in regard to its labor needs and the value of the work that can be carried out before various other sources of life [i.e. livelihood] are removed as a result of the effect of the opening of oil palm [plantations] (such as fishing, dry field [rice] cultivation and people’s gardens).
Pt KSI also has to give explicit assurances that it is not using force and intimidation along with using the power of the [government] apparatus [i.e. police, etc.] in relation to the decisions made by the members of the society when they make their choice of occupations and use of the land and area, including in relation as well to the society [members] who have clearly declared their lack of agreement to the opening up of the land and people's forest (hutan rakyat) for oil palm plantations. We judge any transgressions in this respect to be transgressions of basic human rights.

Pt KSI also has to give assurances that it will not cause or give rise to any negative effects on the environment that can result in the destruction of the Sembuluh area, including both life on the land and life in the waters of Lake Sembuluh. In order to assure this, it has to be made certain that there will not be any negative effect (erosion, sedimentation and pollution) from the plantations that it opens, even more importantly during the rainy season.

Pt KSI also has to explain what direct contributions it can make to the development of the village and village society as part of the efforts to raise the level of village development. We hope that Pt KSI will be able to give such an explanation so that there is some certainty for the future of the Sembuluh society and region.

Sembuluh, 8 September 2003

Director

Secretary

xxx

xxx