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(出版者 / Publisher)

法政大学比較経済研究所 / The Institute of Comparative Economic Studies,
Hosei University

(雑誌名 / Journal or Publication Title)

Journal of international economic studies

(巻 / Volume)

32

(開始ページ / Start Page)

139

(終了ページ / End Page)

152

(発行年 / Year)

2018-03

(URL)

<https://doi.org/10.15002/00014855>

Exclusion of Nias Squatters and Expansion of Oil Palm Plantation¹

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Abstract

This article examines causes and consequences of a brutal expulsion, in 2010, of Nias migrants in West Sumatra, Indonesia, in the context of the region's social history, its politics and the expansion of the oil palm industry. As the industry expanded, local Minangkabau people trespassed into protected forests to extend their private oil palm claims, and Nias workers began squatting in these areas. An influx of migrants occurred when a mega-quake hit Nias island in 2005 bringing the number of squatters to 700. They engaged in palm harvesting on steep terrain, the most commonly held job among these migrants to West Sumatra where the industry's hegemonic order, exploiting long-standing cultural hierarchies, relegated Nias workers to this low-status job. In 2009, a regent candidate was elected after securing 94% of the 15,000 Nias vote, including that of squatters who were already a source of bitter contention. This ultimately led to their being targeted for forcible expulsion.

JEL classification: JEL:P, JEL:Z

1. Nias Migrants Workers as subaltern

Inclusion and exclusion mechanisms work in combination to maintain communities. Exclusion with violence was observed in West Sumatra in 2010, when several hundred Nias squatters were evicted from their places of residence. Surprisingly, non-Nias *Suku* (ethnic group) persons also squatting at this place, were not forced to leave. Why were only the Nias squatters attacked and forced to leave? What mechanisms worked to initiate this incident? This incident occurred not one hundred years ago, but during the Post Suharto Era of regional autonomy which began in 1998. It is the purpose of this article to explain why and how those Nias squatters were ostracized, and to understand this incident in the socio-economic context of the West Pasaman District of West Sumatra, Indonesia.

The Nias migrants are said to be very tough and physically fit for strenuous labor. Pregnant women, even in the month they expect to give birth, are said never to object to hard physical labor. This and similar discourses on the Nias migrants have reflected the marginal situation of those migrant workers since the Dutch colonial period.

This article uses narratives of the Nias migrants to illustrate the ethnic pecking order in West Sumatra. Nias migrants were enslaved during the 18th century and were used as mercenaries at the

¹ This article is based on a 2016 article in Japanese (Nakashima 2016a), and a paper I presented at the conference, Antropologi Indonesia, 2016 (Nakashima 2016b).

Aceh kingdom and workers in West Sumatra (Anatona: 2000).² They were placed at the bottom of *pribumi*³ after Indonesian Independence, and have been used as oil palm plantation workers in West Sumatra since the 1990s (Nakashima, 2013).

The status of the Nias migrants in West Sumatra is generally very low. The Minangkabau people who are the dominant ethnic group in this province⁴ often say it is much better to marry a Chinese rather than a Nias, even though both non-Minangkabau groups are patrilineal.⁵ Actually there are a lot of inter-ethnic marriages between the Minangkabau and the Nias. In some places in West Sumatra Nias migrants live in high concentrations, but are still shunned. The Minangkabau people's preference for the ethnic-Chinese over the Nias, may be due to the fact that the ethnic-Chinese people tend to be of higher socio-economic status and are not an indigenous people.

Ethnic-Chinese people are known to be the target of SARA⁶ -related issues throughout Indonesia, however, the Nias are ranked below them, at the bottom of the ethnic pecking order in West Sumatra as well as in other regions in Indonesia.

Kabar Nias Online reported a SARA-related incident which happened in Gunungsitoli, Nias, on October 15, 2015. A young Nias employee was accused of stealing money from a telephone shop run by a Chinese individual, and was then forced to stand outside the shop with a placard inscribed with, 'I am a thief. I am a Nias man.' According to Kabar Nias, people who saw the scene went on a rampage, because they immediately understood that this was discrimination against the Nias people, and a typical SARA problem. They destroyed some shops of the Chinese. The police and the local military came and attempted to pacify the rioters. The chief of the local police had to explain that there was no evidence of discrimination against the Nias people and asked the people to refrain from violence in the future. (Kabar Nias, 2015).

I will focus on the hegemonic order of ethnic relations in West Sumatra using subaltern theory in the context of the politics of the *bupati* (regent) election of West Pasaman District in 2009.⁷ In terms of subaltern theory,⁸ the interview with Mr. B and his wife, Nias migrants who were working

² According to Appendix 1, the population of Nias migrants in Padang, the capital city of West Sumatra Province, was 1,500 people in 1819, making it the second largest ethnic group after the Melaya (Minangkabau) among the 10,050 person population of Padang at that time.

³ *Pribumi* are groups of people in Indonesia who share an indigenous socio-cultural heritage and whose members are considered natives of the country. Ethnic-Chinese people are not included in this category. *Pribumi* became the main actors after the Indonesian Independence in 1945. However, the stratification of the *Pribumi* also became evident around this time. The Nias people, for example, who since the 1990s have been referred to as *masyarakat adat*, or an indigenous people/society, were ranked at the bottom of Indonesian society during the process of Indonesian nation building.

⁴ Nias Island lies 125 km off the west coast of the island of Sumatra. The latest official estimate for January 2014 shows a population of 788,132. There are no official Indonesian ethnic population statistics. Nevertheless, it is said that more than 90% of the population of West Sumatra is Minangkabau. Aside from the Minangkabau, only a few Javanese, Batak, Mandailing and Nias people reside in West Sumatra Province. There are few ethnic-Chinese people in the cities of Padang and Bukittinggi. The rural Minangkabau are peasants and farmers while the urban ones tend to be intellectuals or business persons engaged in commercial activities. Most ethnic-Chinese live in cities and engage in commercial activities. Ethnic groups other than the Minangkabau and ethnic-Chinese are workers in rural areas.

⁵ For the convenience of readers unaccustomed to descent theory, societies which are patrilineal define family systems in which names, property, titles and other valued items tend to be passed on through the male line. Matrilineal societies do this through the female line. Generally patrilineal societies are patriarchal societies, however matrilineal societies are not matriarchal societies.

⁶ SARA is the acronym of *Suku*, *Agama*, *Ras*, and *Antar Golongan*, which means 'matters pertaining to ethnic, religious, and racial relations.'

⁷ *Kabupaten Pasaman Barat* (area: 3,864 km², capital: Simpang Ampek) was separated from *Kabupaten Pasaman* in 2003 under the auspices of Law No. 38, 2003.

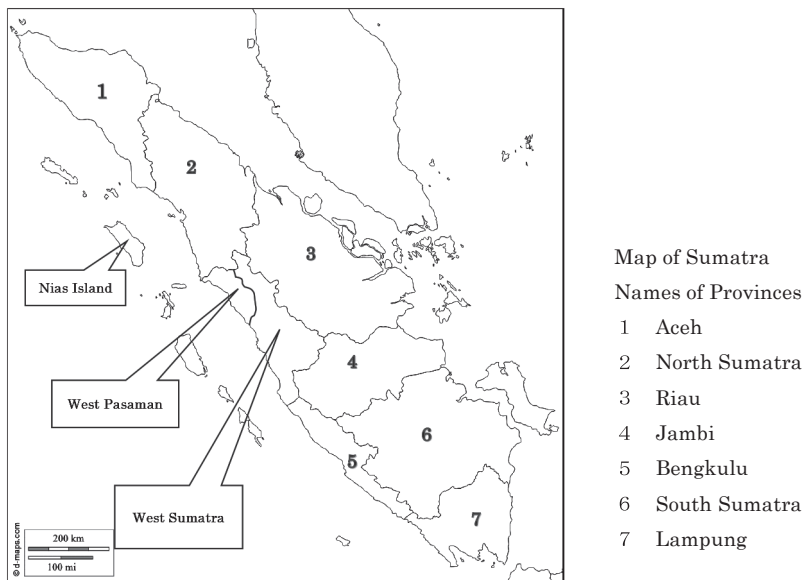
⁸ On the development of Subaltern Studies I referred to David Ludden's Introduction, *A Brief History of Subalternity* (Ludden:2002, 1-20).

at the PHP Plantation Company (company No. 5 in Table 1), revealed the following valuable information.

The person who took the first Nias migrants to PHP in 1995 was a Minangkabau man who married a Nias woman. When 19 years old, one year after marriage, Mr. B and his wife left Nias with several hundred people. They arrived at Air Bangis, a port at the northern end of West Sumatra, and took cars to different destinations. They worked at another plantation first, then moved to PHP to work as FFB (Fresh Fruit Bunches) harvesters. All the Nias men were FFB harvesters. Mr. B's father lived in the same barracks.

Mr. B is a FFB harvester, and his wife is engaged in weeding and fertilizing. Their combined monthly income is Rp 2,000,000 (US 200 dollars). The minimum monthly wage in West Pasaman District in 2016 was 1,8 million rupiah (US 180 dollars).⁹ They have seven children, four of whom are currently attending school. The education of these children costs several thousand rupiah every month, nearly a quarter of their income. They are living in a barracks compartment (3m x 3m) with their seven children. There is electricity and a well in the backyard, but there is no TV. They can watch TV at night with neighbors who have one. As most Nias are Protestants, they go to church on Sunday. The minister is a Batak man. In the future, they hope it will be possible for them to seek better opportunities.

When I interviewed Mr. and Ms. B in front of the head of KUD (the Farmers' Association), both husband and wife seemed very stressed by his presence and did not voice a single complaint about the company. This was quite the opposite of what occurred with the workers of Gersindo Minang Plantation (private company No. 3 in Table 1) whom I interviewed outside the plantation (Nias workers did NOT attend). These workers were very afraid that representatives of the company might witness the interview, resulting in retribution. When they were satisfied they would not be overheard, they openly accused the company of abusing their rights and stated that their harvest numbers were often falsified (Nakashima, 2013).



⁹ The minimum wage is different in each district and province.

2. Palm Oil Industry Expansion in West Pasaman District

PTPN VI (company No. 9 in Table 1), a state-owned Plantation Company VI (Ophir area), started to grow oil palms in the early 1980's with aid from West Germany. In fact, the company dates back to the Dutch Era when a Dutch company rented some land, and planted oil palms in 1928 around the Ophir area, bringing in Javanese migrants as workers. After Indonesian independence, the Dutch people who ran the company left Indonesia, and the land was taken over by the local Minangkabau people and the Javanese migrants. Later, when PTPN VI (Ophir) wanted to develop oil palm plantations, the state company 'nationalized' 50 % of the land, and the remaining 50 % was given to the local people (Jelsma et al. 2009). Most of the Minangkabau people became smallholders of the state company. The Javanese migrants, however, wanted to build their own village and cultivate wet rice rather than continue to be controlled by the Minangkabau people.

In the 1990s private companies started operations in Pasaman district. By 2010 there were 14 oil palm companies in West Pasaman District including the state-owned company. The total combined *plasma* (smallholders) and people's plantation (individually-owned land not rigidly tied to the nucleus estates) area was 150,784 ha. Total FFB (Fresh Fruit Bunches) production was 2,528,204 tons (see Table 1). Table 2 indicates that the total amount of CPO (Crude Palm Oil) production in West Sumatra, in 2009, was 833,406 tons and reached to 1,082, 823 tons in 2014. West Pasaman District is the center of the Oil Palm Industry in West Sumatra Province, and approximately 40% of the provincial harvest was produced in this district. West Sumatra ranked 9th among Indonesia's provinces in terms of palm oil and produced 3.6 % of the national total. This province comprises 3.4 % of Indonesia's oil palm plantation area (Statistik Perkebunan Indonesia 2013-15 Kelapa Sawit, 2014:9).

The palm oil sector employed an estimated six million people worldwide and approximately two to three million in Indonesia. Due to low levels of mechanization, large palm oil plantations generate more jobs than other large-scale farming operations. Most of the jobs associated with the palm oil industry are concentrated around growing and harvesting palm fruits rather than the extraction and refining phases. Clearing and preparing the land for cultivation, planting, fertilizing and managing the plants and trees, and harvesting palm fruits are highly labor-intensive activities. Most of the work is done manually. (Amnesty International, 2016, 20)

There are 15,000 Nias migrants in West Pasaman District. A Gersindo Minang Plantation unit manager once told me that 70 % of their 700 physical laborers were Nias migrants. In the case of the state-owned company the number of Nias workers reached 40 %, and the second largest ethnic group was the Javanese.

The land in Ophir is suited to oil palm cultivation. Although more than thirty years have passed since palm oil became a viable industry there, the first generation of oil palm trees was still productive. This is quite unusual. Palm trees are typically cut down in 25 years as the quality and quantity of palm oil rapidly decreases from that point.

As the oil palm trees aged, some residents of Giri Maju invaded the protected forest to expand their *plasma*, or smallholder fields. Once replanted, people have to wait for a minimum of four years before young oil palms begin producing. Rather than wait for several years, those people chose to violate regulations and enter the protected forest to open new oil palm field.

Harvesting oil from palms on steep inclines is very hard work. The production area is located at ≥ 240 meters above sea level, and the roads to reach this area are very steep and narrow. The only vehicles available are motorcycles. So only squatters with motorcycles and stamina are able to harvest and bring FFB down to the sub-village of Giri Maju. In this regard, the Nias squatters are essential to the rural palm oil industry.

Table 1. Area and Production of Oil Palm Plantations in West Pasaman, 2009

No	Names of Companies/ People's Plantation	Areas(Ha)				Amount of Production/ Year (ton)
		Nucleus	Plasma	People	Total	
1	PT Bintara Tani Nusantara	7,000	1,050	-	8,050	193,200.00
2	PT Laras Internusa	4,950	-	-	4,950	118,800.00
3	PT Gersindo Minang Plantation	5,698	2,400	-	8,098	174,916.80
4	PT Perkebuan Anak Nagari Perkebunan	843	-	-	843	20,232.00
5	PT Permata Hijau Pasaman	3,720	4,714	-	8,434	182,174.40
6	PT Bakri Pasaman Plantation	9,063	4,171	-	13,234	317,616.00
7	PT Anam Koto	2,798	1,300	-	4,098	98,344.80
8	PT Agro Wiratama	8,294	1,524	-	9,818	235,632.00
9	PT Perkebunan Nusantara VI	5,010	4,800	-	9,810	166,770.00
10	PT Inkud Agritama	732	2,630	-	3,362	80,688.00
11	PT Pasaman Marama Sejatera	3,967	1,855	-	5,822	139,728.00
12	PT Primata Mulia Jaya	4,890	1,100	-	5,990	143,760.00
13	PT Tulas Sakti Jaya	985	-	-	985	23,640.00
14	PT Tunas Rimba	900	-	-	900	21,600.00
Total of Companies		58,850	25,544		84,394	1,917,111.6
15	Plasma Plantation	-	-	12,535	12,535	201,600.00
16	People's Plantation	-	-	52,072	52,072	409,492.80
Total of Companies' and People's Plantation		58,850	25,544	64,607	149,001	2,528,204.4

Note: Plasma Plantation is included into the category of People's Plantation

Source: Kantor Perkebunan Pasaman Barat

Table 2. CPO (crude palm oil) Production in West Sumatra¹⁰

	People's Plantations	State Companies	Private Companies	West Sumatra total
2009	377,864 tons	18,904 tons	470,970 tons	833,476 tons
2010	371,183 tons	18,670 tons	462,189 tons	852,042 tons
2013	426,477 tons	27,978 tons	567,857 tons	1,022,332 tons
2014	455,129 tons	26,549 tons	601,145 tons	1,082,823 tons

¹⁰ *Statistik Perkebunan Indonesia 2009 – 2011 and 2013-2014* Direktorat Jenderal Perkebunan, Departemen Pertanian <http://regionalinvestment.bkpm.go.id/newsipid/id/commodityarea.php?ia=13&ic=2> (accessed on July 8, 2016)
https://www.academia.edu/23360197/STATISTIK_PERKEBUNAN_INDONESIA_Palm_Oil_KELAPA_SAWIT_KELAPA_SAWIT (accessed on Feb. 11, 2017)

3. Regent Election of 2009 in West Pasaman District

Since the mid-1990's some Nias people started to live in *hutan lindung* (protected forest)¹¹ of Nagari Koto Baru,¹² West Pasaman, which is located at the western foot of Mt Pasaman (2,900 m).

When and from where did the Nias come? It is possible to trace two separate roots of origin for the Nias squatters. After surveying this incident, Komnas HAM,¹³ West Sumatra released their official report. According to the document (Komnas HAM, West Sumatra, 2010), the squatters were originally former workers of PTPN VI, the National Company of Plantation VI, West Pasaman.¹⁴ After working at PTPN VI, some Nias migrants trespassed upon the protected forest. Gradually, their number increased, and other ethnic peoples like the Javanese, Batak, Mandailing and Minangkabau also came to live there.

After a magnitude 8.6 earthquake hit the island of Nias in 2005, many Nias people evacuated, and some of them came to live in this place in search of work.¹⁵ The total number of squatters eventually reached 110 households and of these, 65 households were Nias squatters. Some of these squatters report they were issued KTPs (residence identification cards).

Another story of squatter origins was told by Mr. T, a Nias migrant, who married a Minangkabau woman and has been living in Jorong (sub-village) Giri Maju, Nagari Koto Baru, West Pasaman for more than thirty years. Mr. T, who was in his 50's, related that when he returned to Nias in 2001, two households wanted to follow him 'home' to Giri Maju. When they arrived, Mr. T cautioned them never to enter the protected forest.

Nevertheless, when the number of people coming from Nias Island reached 45 households, they began to trespass on the protected forest. Mr. T denied that a first group of Nias squatters came to live there in the mid-1990s, however, he explained the crucial developments (see section III) that contributed to the eviction incident. The number of Nias squatters in the protected forest of Koto Baru, according to the Komnas HAM report, reached 65 of the 110 area households. Those squatters cleared areas of the forest, built barracks, cultivated *nilam* (patchouli), cacao, corn, and vegetables, while working as oil palm harvesters at the *plasma* (smallholder oil palm fields) of the Giri Maju

¹¹ It was during the Dutch colonial era that this forest became protected. Nowadays each *nagari* (see footnote 11) facing Mt Pasman has its own *hutan kemasyarakatan* (community forest) in which some economic activities such as cultivating durian are permitted, but at the time of this incident, this was not true for all areas. The remaining *nagari* were authorized to use the community forests when SK (*Surat Keputusan*), or decrees from the Ministry of Justice were issued in 2014 and 2015.

¹² *Nagari*, prior to 1983, was the smallest unit of Minangkabau matrilineal society and again became the smallest administrative unit of regional autonomy in 2001.

¹³ Komnas HAM is the acronym for *Komite Nasional Hak Atas Manusia*, or the National Commission on Human Rights. Komnas-HAM is an independent national institute that is designated to conduct research and make recommendations for improving human rights in Indonesia. However, it has no power to enforce its opinions or decisions.

¹⁴ PTPN VI is located at Ophir, Kecamatan (Sub-District) Luhak Nan Duo and Nagari Kinali, West Pasaman, West Sumatra, and consists of 3,549 ha of oil palm plantation.

¹⁵ The Nias quake, which occurred on March 28, 2005, just three months after the 2004 Indian Ocean Earthquake and Tsunami on December 26, 2004, wrought severe damage on Nias communities, because neither the Indonesian government nor international entities had sufficient funding to assist them. A report revealed many Nias Island residents were forced to live in tents and suffered from shortages of food, clothing, medical aid and gasoline. See Indonesia: Situation report update Aug 2005 - Nias earthquake, published 25 Aug 2005

<https://reliefweb.int/report/indonesia/indonesia-situation-report-update-aug-2005-nias-earthquake> (accessed on November 1, 2017)

residents.¹⁶

The power balance between the Nias squatters and the local Minang people shattered in 2009, a PEMILU¹⁷ election year. Prior to the presidential election of July 2009, the local Minang people sent letters to *Bupati* (Regent) Syahiran (2005 – 2010) and the director of KPU (General Election Commission) West Pasaman several times, asking that the Nias squatters' right to vote be denied. Despite these repeated requests, the Nias squatters were granted the right to vote.

At the time of the regional election in December, the total population of West Pasaman District was 365,129 people, and the voting participation rate was 82.33 % (Laporan Penelitian Partisipasi Dalam Pemilu 2009). Table 3 shows the election results: the hyphenated names are regent-vice regent pairs, followed by the number of votes and percentages of the total vote. (Hasil Pemilukada di Kabupaten Pasaman Barat)

Table 3. Result of Regent Election of West Pasaman District in 2009

1	Baharuddin- Syahrul	56,830 votes	35.17%
2	Syahiran-Asgul	44,987 votes	27. 84%
3	Risnawanto- Nofrizal	34,912 votes	21.60%
4	Akmaluddin-Episantoso	24,878 votes	15.39%

The elected bupati, Baharuddin (abbreviated Bhr below), received 56,830 votes (35.17%), a margin of 11,843 votes over his rival, ex-regent Syahiran, who received 44,987 votes (27. 84%). It is estimated that there were 15,000 Nias migrants in West Pasaman at the time. It is said that Mr. Bhr received 94% of the Nias migrant vote. Therefore, Mr. Bhr's victory was clearly dependent on his success in obtaining support from the Nias migrants.

The reason Mr. Bhr received so much support from the Nias migrants was that a young and ambitious Nias squatter and nephew of Mr. T, Mr. TH, who, at the time was 24 years old, worked for Mr. Bhr's campaign. In spite of Mr. TH's contribution, he was highly dissatisfied with the 'mere' 15 million *rupiahs* (US 1,500 dollars) he was paid, and became incensed.¹⁸ Expecting they would make the story of Mr. Bhr's bribery of him public, he informed Mr. Bhr's rivals of this 'injustice', but nothing came of it at all.¹⁹

His uncle (Mr. T) told me that TH's behavior seemed strange after that. He suddenly became a Muslim and everyone suspected that this sudden conversion from Christianity to Islam was evidence of his political ambition. In March 2010, Mr. TH fought with a villager of Giri Maju. As Mr. TH was defeated, he rounded up his friends. Seeing Mr. TH coming with his friends, the villager borrowed a machete from his neighbor to fight back with, and was arrested.

¹⁶ I visited their place at Kinali in 2015 and interviewed three couples. The person who introduced me to them took me there under the condition that I would not ask questions about the eviction incident. Therefore, my questions to them were mostly about their lives and the economy. I was quite astonished at the number of children they had. Although they were in their mid-twenties or slightly older, each couple already had four or five children. This means their life was very poor. There was neither formal education nor health care. They spoke of going back to Nias Island whenever they had enough money and sometimes bringing Nias migrants back with them to West Sumatra.

¹⁷ PEMILU is the acronym of *Pemilihan Umum*, or general elections.

¹⁸ Mr. TH was criticized by the other Nias migrants, because he monopolized the money and never shared it with the other supporters.

¹⁹ The regent of West Pasaman, Mr. Baharuddin was accused of bribery in 2012. He was also accused of corruption for issuing permission for the development of pig iron on protected forest land, but this accusation was not successful, due to insufficient evidence.

4. Violence against the Nias Squatters

The news of the arrest of a Giri Maju villager apparently caused a significant increase in local Minang people's ill will toward the Nias squatters. Even before the incident, the local Minang people had been discontented that the Nias squatters were not Muslims. They complained that the squatters ate wild boar and snake, contaminated water downstream with their excrement, and had illegitimate KTPs.²⁰ These dissatisfactions later contributed to the ease with which violent attacks were triggered when tensions peaked.

The difference in religion has often been cited to explain why non-Nias ethnic groups remained safe during the attacks. The Javanese, Mandailing, and Minangkabau are all Muslim. The local people whom I interviewed, frequently referred to this. No doubt they belong to this in-group. The Nias squatters, however, had been considered a 'necessary evil' by the local Minangkabau. Their existence was tolerated only because they contributed to the development of the local peoples' oil palm economy. However, once their presence was acknowledged to be hostile to the local peoples' interests, they were labeled as an out-group and were targeted.

On April 7, 2010, some civil police visited the area where the Nias squatters resided, to deliver a letter from Regent Bhr. The letter included an official statement informing them that all Nias squatters must leave by April 28, 'because,' he wrote in the letter, 'they were grievously trespassing on the protected forest.' The Nias squatters were given less than one month's notice and ordered to leave. They did not have enough time to plan what they would do next, or where they would go.

In the early morning of April 29, hundreds of local villagers in Giri Maju, with some civil police, came to the Nias squatters' place. They were so agitated that they set fire to five huts, broke into several huts and destroyed property. Attacks by the local villagers of Giri Maju were repeated on May 6 and May 22. However, none of the homes or property of persons of the other ethnic groups was damaged.

Even though the Nias people reported this incident to the local police four times, the police refused to respond to their accusations. The local police were absolutely reluctant for the Nias people to take this incident to court. The Nias people then asked Komnas HAM to investigate their case.

After investigating this incident for the three days from May 13 to May 15, 2010, Komnas HAM, West Sumatra criticized the police for refusing to respond to the criminal accusations from the Nias squatters, and for passively condoning the violence. Komnas HAM also stated that the violence was brought exclusively against the Nias migrant group, while other ethnic groups were unharmed and that this connoted discrimination against the Nias. Komnas HAM permitted the Nias squatters' cultivation rights (*hak garapan*) on the basis that some of them had been occupying their land for 15 years and had KTPs (Komnas HAM, West Sumatra:2010).

Then, on June 4, the regent of West Pasaman district issued a statement declaring that the Komnas HAM investigation was inaccurate and that the district was right in adhering to forest protection regulations. This statement, however, made no mention of why only the Nias squatters were attacked.

²⁰ KTP is the acronym of *Kartu Tanda Punduduk*, or residence identification card.

Table 4. Chronology of the 2010 Nias squatters' incident

April 7	Nias squatter eviction order is issued by the regent (by April 28).
April 29 May 6 May 22	The local Minangkabau people attack the Nias three times.
May 6	The Nias report this incident to local police, with no response.
May 7	The Nias report this incident to Komnas HAM, West Sumatra.
May 13 ~ May 15	Komnas HAM, West Sumatra stages an on-site investigation of the incident.
May 28	Komnas HAM, West Sumatra issues a statement saying the attack was based on discrimination and was unconstitutional.
June 4	West Pasaman Regent refutes the Komnas HAM statements.

5. Political Retaliation

Following this incident, 319 of the Nias squatters returned to Nias Island, and the rest moved to the protected forest of Nagari Kinali, the neighboring *nagari* of Koto Baru. Today, squatters from other ethnic groups are still living in the disputed area, unpunished.

The research for this paper shows that a key point in understanding this incident is the legitimacy of Nias squatter KTP (residential identification cards). All Indonesian nationals should carry this ID card. Some, but not all of the Nias squatters, said they were issued KTP permitting them to reside at the site.²¹ However, the residents of Giri Maju challenged this.

The Nias migrants said that they had KTP issued by the *camat* (sub-district head) of *Kecamatan* (sub-district) Luhak Nan Duo. Komnas HAM accepted that the KTPs of the Nias migrants were legitimate. However, the residents of Giri Maju would not accept this KTP narrative. According to them, the process of issuing the KTPs had not been legitimate. They insisted: the first step of the process must be completed by the recognition of a *orong* (sub-village) head, then by a *nagari* head. *Camat*-level recognition, they stressed, could not be accomplished without proceeding through all the steps of this bureaucratic process.

It is not clear whether or not the *camat* received additional payments in exchange for issuing KTPs to the Nias squatters. It is possible that Nias squatters might have fabricated papers from the *orong* head and the *nagari* head, necessary to obtain KTP.

The new regent, Baharuddin (abbreviated Bhr), finally accepted the local people's claim and decided to expel the Nias squatters, because, he wrote, 'they had been residing inside the protected forest for so long.' He never mentioned that this decision made possible a kind of retaliation against Mr. TH, a Nias man who once worked for his campaign, but embarrassed him publicly by exposing the bribe he had paid him. We can suppose that this incident was a result of political retaliation against the Nias migrants.

In addition to recognizing their KTPs, Komnas HAM approved the *hak garapan* (cultivation rights) of the Nias squatters, because some of them had been living there for more than 15 years. It seems the local people had hardly taken any action at all to restrain the protected-forest trespassers

²¹ Being reissued a KTP at the place to which one relocates is a complex process. First persons must obtain certifications of moving from the place where they were born. Their presence can only be legitimized if those certifications are accepted at the place they currently reside.

since they first began living there in the mid-1990's. It was only at the time of the presidential election, PEMILU 2009, that the local people officially complained about the squatters' presence in the prohibited forest. Even though they had occasionally felt uneasy about the presence of these squatters, their dissatisfaction was never expressed openly until that time.

It seems the trigger of this violent incident was not related to the presence of the squatters themselves, but rather to the way in which their votes had been obtained for the *bupati* (district leader) election.

When the Nias squatters were ordered to leave, they requested the deputies provide alternative lands where they could cultivate *palawija*, or second crops. This was a reasonable request based on *hak garapan*, but lands were never granted. Instead, local people brutally retaliated. The local people often told me that the evicted Nias squatters were sufficiently compensated, however, they were only promised a total of 1.5 million rupiahs compensation.²²

Hak Garapan was not included in the *Undang-undang Pokkok Agraria* (Basic Agrarian Law) of 1960, Cultivation right may be acknowledged under limited conditions which are stipulated in Article 24 of Government Ordinary No.24 of 1997 on Land Registration. The Nias squatters are not able to claim *hak ulayat* (communal land/community forest rights) like the Minangkabau people.²³ The fact that the local Minang people tacitly permitted their presence is the basis for the Nias squatters' cultivation rights claim.

Once again it should be emphasized that some local Minang people benefited from their presence, because without the Nias squatters, the expansion of the *Plasma* oil palm (smallholder palm fields) would not have been possible.²⁴

²² At first, West Pasaman District promised to pay 'compensation,' but Mr. T told me some were paid only 600,000, and others, 800,000 rupiah (US 600-800 dollars).

²³ *Hak Ulayat* remains the system maintaining the matrilineal society of the Minangkabau.

²⁴ In terms of this *hak garapan*, Desa Baru, which is located at the border between West Sumatra and North Sumatra, faces a serious conflict. The description below is based on my 2015 field work.

Migration policy was first implemented here by the Dutch Colonial Government in 1939. The first migrants were not successful in settling this village. After Indonesian Independence, the transmigration policy was restarted in the 1950's. Desa Baru then became an independent *nagari* under the regional autonomy regulations of 1999. The population of Desa Baru today is 12,000 people, and the major ethnic groups are the Javanese, Mandailing and Batak. The Minangkabau people are a minority in this village.

Even though Desa Baru is an independent *nagari*, it has no *ulayat nagari* (village communal land/community forest) at all. Instead of *ulayat nagari*, the boundaries of this village were formed under the Dutch colonization policy. The people of Desa Baru used to cultivate second crops inside the boundary. Mr. Syapriman, Head of HKM (*Hutan Kemasyarakatan*, People's Forest), Desa Baru, emphasized that people had been paying *verponding*, and that this was evidence of land ownership.

With the development of oil palm production in the 1980's, the government was looking for land for the development of this resource. Some oil palm plantation development had already begun at a nearby village. So the government and the developers tried to grab the Desa Baru forest, and the regional government took the case to court in 2000. The court ruled that the villagers' activities in the forest were illegal.

As this ruling did not prevent the villagers from engaging in economic activities in the forest, a police sweep was enacted. Some people were killed and many others were seriously wounded. Thousands of people were expelled from the forest. Mr. Sapriman told me that they were extremely concerned about their future. If an oil palm development project were to be introduced in the near future, the village people of Desa Baru, might also lose their houses. They have prohibited utilizing their forest as before.

The conflict of Desa Baru is very unusual in West Sumatra. The people of Desa Baru do not have communal land rights like the Minangkabau people. As mentioned above, they based their land rights on villager *verponding* payments. However, there was no *Erpacht* (lease contract). Their legal status has not yet been clearly determined. All the people of Desa Baru are the descendants of migrants. If their forest rights claim is not legitimate, what kind of legal status would make their claim legal? At the very least, their right to the *hak garapan* must be recognized. In short, they should be allocated the same allotment of two hectare as other Javanese migrant workers under the state transmigration policy.

6. Conclusion

Although there are some Nias migrant descendants who belong to ‘successful’ social classes, the first generation of oil palm plantation company workers are subject to discrimination and are targets of SARA-related problems.²⁵ They also have the lowest status in the ethnic hegemonic hierarchy of West Sumatra, and the lowest status among the plantation workers.

This article is one of several investigations into the hegemonic order of oil palm plantations. It was shocking to find that the Nias migrants are the most populous ethnic group engaging in physical oil palm plantation labor in West Pasaman, and probably throughout West Sumatra. The reason so many Nias migrants are engaging in physical labor is that their status in West Sumatra is very low and they are thought to be loyal to companies. Their vulnerability makes them easy targets of discrimination and violence. According to Mr. T’s explanation and the squatters’ comments, the recruitment system of Nias workers, is typical of chain migration. When they return to their home in Nias Island, they bring other Nias people. In addition, there are always agencies looking to procure labor from Nias Island.

Tania Murray Li clearly concluded that in South East Asia, people whose land is grabbed are rarely those who are employed as workers at large scale plantations. Local people are requested to permit the use of their land, but are never expected to work at those plantation companies. Since the colonial era, large scale plantations have imported the labor they needed from remote places such as China, Java and India (Murray Li 2011).

The current research found there were few Minangkabau workers in the palm oil companies in West Pasaman District. The manager of the state-owned company admitted there were few Minangkabau workers, and he referred to the Indonesian history of the political turmoil of 1965, when the local Minang people who were suspected of being communists or having left-wing leanings were killed or removed from their plantation management status. The Javanese people were first taken to West Sumatra as Dutch oil palm plantation workers and their descendants were welcomed as labor for state-owned companies along with Nias migrants. However, this historical fact does not explain why large-scale companies avoided employing the local Minang people as workers. It could be that those companies were looking for workers who would be very loyal to them. As the Nias migrant workers are viewed as ‘foreign (and therefore, vulnerable) workers within Indonesia, they are clearly preferable as workers.

Amnesty International has published a thorough report of Wilmar group oil palm plantation labourer status and vulnerability (Amnesty International, 2016), and Susan de Groot Heupner analyzed how palm oil plantation workers were exploited in North Sumatra (De Groot Heupner: 2016, 477-494), however, neither documents cover ethnic relations among the workers. Research conducted in 2017 found that Nias migrants total 75% of all workers in the three Asian Agro Group subsidiaries in Labuhanbatu, North Sumatra.²⁶

It is widely known, as Jean Francois Bissonette and Rodolph Konick have reported, that the oil palm industry in Indonesia is expanding because of the greater increase in smallholders than in large scale plantations (Bissonette and Konick 2015). This trend is also evident in West Sumatra as shown in Table 2. The CPO production of the ‘people’s plantations’, where Nias migrant workers also labor comprises 41~45 % of the total production of West Sumatra.

To summarize, some Nias migrants trespassed into protected forest lands. They said that before

²⁵ Dr Antona is a fifth generation Nias migrant.

²⁶ From interviews with four Nias workers in Medan in September 2017.

they went into the protected forest, they had gotten permission from some influential men in Giri Maju. Gradually, however, as the number of squatters increased, the conflict among the Nias squatters, local people and the local government became visible and erupted into violence at the time of the presidential election, PEMILU 2009.

Acknowledgments

My research of this topic, which was sponsored by JSPS (Japan Society for the Promotion of Science) under the title of Hegemonic Relations of Oil Palm Plantation Workers in Indonesia (# 26370961) was conducted in 2014 and 2015. I thank Dr Sri Setyawati of Andalas University and Dr Dianto Bachriadi of Komnas HAM (human rights commission) for their support and advice on my research.

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Appendix 1

Ethnic Populations in Padang, 1819 (Anatona 2000)

Ethnic Group	Population
Melayu (Minangkabau)	7,000
Nias	1,500
Arab	1,000
Sino-Indonesian	200
Indian (Keling)	200
European	150
Total	10,050

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This is due to the fact that the process of economic development and modernization began first in the less urbanized countries (Bairoch, 1985, Chap. 16);
Muth (1969) shows that the income elasticity of demand for housing is greater than unity;
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