Policy Narratives, Landholder Engagement, and Oil Palm Expansion on the Malaysian and Indonesian Frontiers

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This version under review for The Geographical Journal.
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Abstract

Over recent decades a structural transformation has affected agriculture in frontier areas of Malaysian Borneo and Outer Island Indonesia with the rapid conversion of agricultural lands, fallows, and formerly forested areas into oil palm. These frontiers have similar positions in the international political economy of oil palm and have complementary resource endowments. Yet there are also significant differences in systems of governance and policy frameworks regarding land. At the same time the capacity of state actors to facilitate the transformation of these agrarian frontiers and to take up these opportunities fluctuate over time and are subject to contestation nationally and internationally. In seeking to transform these frontiers from “marginal” into “productive” areas, policy makers face a common set of challenges that include attracting development capital, finding the necessary disciplined labour force, delivering land for estate development, maintaining local legitimacy, and dealing with local contestation. In comparing the transition in both Malaysia and Indonesia this paper describes how the “frontier” is created and transformed through particular policy narratives. These policy narratives facilitate the transformation of whole landscapes into oil palm by rendering obscure indigenous forms of agriculture and land tenure while creating reserves of available “state” or “idle” customary land, and counterpoising smallholder “marginality” and “backwardness” to the modernity of contemporary estate agriculture. The paper
describes the gradual shift in agendas as policy narratives have evolved over time. During the era of state-led development in the 1970s and 1980s policy narratives allowed for the deployment of government funds and development loans and the implementation of integrated agricultural development projects involving parastatals in a state-subsidized smallholder approach involving group smallholding schemes. Later the perception that these schemes had failed took root at the same time global donors and states abandoned the state-led agricultural development paradigm. In concert with neo-liberal principles, state agencies were now to facilitate rather than to implement development schemes and to provide incentives for private plantations that involved the privatization of customary lands and the integration of smallholders into large blocks of land set aside for monocrop development.

**Key words**

Indonesia, Malaysia, policy narratives, comparative method, frontier development
Introduction

Government decision makers in the Malaysian and Indonesian frontier provinces are responding in specific ways to the global political economy of oil palm. Recent decades have witnessed increased demand for vegetable oils. Palm oil is the second most consumed edible oil globally and, per unit area, the highest-yielding vegetable oil crop (Donald 2004). This demand is only set to accelerate with high oil prices increasing demand for biofuels, especially given that biodiesel from palm oil is cheaper to produce than that derived from any other crop. With low cost labour, available land, and the ecological suitability of the Southeast Asian archipelagic frontier to oil palm production, Indonesia and Malaysia have enormous opportunities. Over the last decades they have emerged as the two largest global producers. Yet, while Malaysia and Indonesia enjoy similar relative advantages within the global oil palm commodity chain, given the substitutability of oil palm products in international markets, “maintaining low production costs” is a “key to the continued profitability of oil palm producers” (Vorley and Fox 2004).

Oil palm has the paradoxical quality associated with the “destructive creativity” deemed characteristic of modernity. In Malaysia and Indonesia state imaginings of agrarian modernity and corporate dreams of profitability have become increasingly tied to exploiting the comparative advantage of these countries in feeding globalized supply chains for vegetable oils. Recently, policies that aim to cut greenhouse gas emissions by substituting biofuels derived from palm oil for petroleum products have added an
environmental dimension to the forces driving oil palm expansion. Yet oil palm is itself associated with an environmental dystopia of deforestation and climate change: according to one estimate 10% of global greenhouse gas emissions come from Indonesia, a phenomenon linked with the opening of peat swamp areas through fire (Hooijer et al. 2006).¹ At the same time NGO activism has also focused on the land conflict and village marginalization that many associate with oil palm expansion.²

The contentious nature of these changes reflects the remarkable transformation in agriculture occurring over recent decades in the frontier areas of Malaysian Borneo and “Outer Island” Indonesia with the rapid conversion of agricultural lands, fallows, and formerly forested areas into oil palm plantations. The area of oil palm in Outer Island Indonesia is projected to increase from 5 million to over 11 million hectares by 2020 <ref>. In Sarawak, now the main frontier for oil palm expansion in Malaysia, the Sarawak Government has engineered a 10-fold increase since 1990 and aims to bring one million ha under oil palm by 2010 (Cooke 2006).

In this paper we are concerned with how ideas regarding frontier development have emerged, been elaborated and reproduced. We will discuss the particular narratives that have held a lock on the imaginations of the decision makers and planners, constructing these “frontiers” in a fashion that provides a rationale for the policy frameworks and interventions that help to drive agrarian transformation. On the one hand, over a long period of time, particular policy narratives have depicted the poverty and “backwardness” of pre-existing agricultural practices in these areas, constituting a “rural problem” of
underdevelopment, defining its causes and setting forth appropriate responses. In this sense these policy narratives have served as the point of entry for a variety of development schemes for, as Ferguson notes, blueprints for development involve the articulation of a dominant problematic or interpretative grid “through which the impoverished regions are to be known” and which particular policies are to address (Ferguson 1994). On the other hand, by contrasting the problematic of “backward” and “unproductive” forms of agriculture practised by undisciplined or “lazy” local agriculturalists, with the desired form of rural modernity, these narratives have created a rationale for reordering smallholder practices in accord with particular concepts of rural modernity – transforming existing, extensive forms of agriculture with long-standing technologies into commercial, highly capitalized, and apparently “more efficient” and intensive forms supported by new agricultural techniques and increasingly integrated into international markets (Doolittle 2001; Doolittle n.d.).

We argue that paradigmatic policy narratives in both the Malaysian and Indonesian cases involve ways of “imagining” or “knowing” the frontier, in the process providing the grounds for its transformation – remaking existing land uses and patterns of livelihood in accord with a particular vision of rural modernity. As a reading of policy documents regarding plantation development suggests, policy does not construct developmental blueprints that target and build upon the specific problems faced by indigenous producers in these frontiers wishing to engage with international market for plantation products. Rather, policy narratives tend to see the frontier in terms of absences: the lack of productive land uses, forms of modernized agriculture, and a disciplined labour force.
The state policy lens in both cases has long viewed frontier areas as “idle” or “waste” land where shifting cultivation and extensive agricultural land use systems constitute less than optimal uses of vast areas that might be best be put to other developmental purposes (Dove 1983; Cramb 1988; Colfer and Dudley 1993). The frontier then becomes somewhat like a *tabula rasa*, a blank page on which, with the implementation of the right policies, developmental agendas can be written. These paradigmatic narratives then avoid working with existing land uses, livelihoods and labour patterns, either overlooking them or selectively misreading them. In the process they provide a rationale for transforming the frontier in accord with agendas of politico-bureaucratic and corporate actors that favour plantation type development for particular economic and political purposes.

This paper will proceed in four sections. In the first section we consider the broad developmental problems in these frontier areas, the crucial challenges for plantation development, land and labour. Here we discuss the evolution of policy narratives concerning the problem of how to engage “backward smallholders” with oil palm in the context of plantation development over two periods – state led development and the neo-liberal period. In the third and fourth sections we turn our attention to developments on the Indonesian and Malaysian frontiers respectively before finally drawing some conclusions.
Policy narratives and developmental problems on the frontier

From state-led to neoliberal development narratives

The policy narratives shaping the ways in which landholders have become engaged in the process of oil palm expansion in Malaysia and Indonesia have both generic and specific elements. The ways in which these frontier areas have been conceived and transformed have been strongly influenced by shifts in global development paradigms, notably the transition from a phase of state-led rural development to a “neoliberal” phase in which government programs were trimmed in favour of the private sector and market-based approaches. At the same time, local-level realities have conditioned the specific ways in which these policy narratives have been formulated and implemented.

In the 1960s and 1970s the dominant policy narrative centred on the need for state intervention to plan and implement the essential investments needed for rural development (Ashley and Maxwell 2001; Ellis and Biggs 2001). Following Theodore Schultz’s influential essay, Transforming Traditional Agriculture, peasant farmers were seen as responsive to economic incentives but lacking in the capital investments that would enable them to intensify and modernise their production systems (Schultz 1964). Hence there was seen to be a clear role for the state to lead the way in providing the resources needed for agricultural modernisation. As summarised by Ashley and Maxwell: “In the 1960s, the Green Revolution was associated with large-scale state investment in infrastructure, research, and support for the adoption of new technology. In the 1970s,
budget priorities shifted somewhat to the social investments required by integrated rural development programmes” (2001: 401).

These investments included programs for both food-crop and cash-crop production. Thus government development plans included large allocations for land development and settlement schemes, including drainage and irrigation schemes for intensive rice production in the lowlands, and schemes for plantation crops such as rubber, oil palm, and cocoa in the uplands. The large capital requirements of these projects were partly met by international donors including the World Bank and the Asian Development Bank, as well as through bilateral aid programs. In Malaysia the era of state-led rural development was typified by the Muda irrigation scheme and other large-scale rice projects in the lowlands, and the oil palm settlement schemes of the Federal Land Development Authority (FELDA) in the forested uplands. In Indonesia the central government’s BIMAS program spearheaded the intensification of rice production, while the transmigration program, transferring “surplus” population from Java and Bali to the Outer Islands, represented one of the most ambitious and controversial examples of state-planned rural development.

From the 1980s, partly in response to the perceived failures, inefficiencies, and corruption of many state agencies and programs, especially in Sub-Saharan Africa, a neo-liberal, market-oriented development model came to dominate policy narratives. Neo-liberalism has been described as “a frame of mind, a cultural dynamic an entrepreneurial personality type, and a rule of law” as much as an economic policy initiative and a
political agenda (Goldman: p8). Among other things, neo-liberalism encompasses the promotion of economic growth with a view of the market as naturally efficient and impartial. It favours downsized governments, the privatization of the public sector and the deregulation of capital to free up the self-regulation capacities of markets. Market liberalization in the agricultural sector encompassed the withdrawal of state subsidies and parastatal marketing boards. This donor and state withdrawal from state-led agricultural development increased the exposure of producers to international commodity markets in liberalized and deregulated markets. A perception of state failure has justified a move away from “direct state intervention toward state support for an enabling environment for private sector and civil society” and a reduction in direct donor and state investment in agricultural development (Dorward et al. p. 77). Parastatals were seen to have failed due to “monopolistic and monopsonistic positions; lack of incentives to perform; overstaffing and patronage; political interference and multiple, contradictory objectives; lack of capital for investment; poor staff management and training; and corruption”.

The assessment of “state failure”, whether it was true or not, marked a significant shift in developmental narratives, rationalizing a shift to new models that called upon “the discipline, incentives and resources of private market systems and players to more effectively and efficiently perform” functions previously carried out by parastatals and “to better respond to the service demands of smallholder farmers” (Dorward et al. p78). This agenda justified the “removal of regulatory controls in agricultural input and output markets, eliminating subsidies and tariffs, and reforming and in some cases privatizing agricultural parastatals” (Dorward et al. p. 78).
In Indonesia and Malaysia the influence of these neo-liberal ideas marked a gradual change in policy narratives and policy practices: a shift towards corporatisation and privatization of parastatals, public-private partnerships, shifting expenses to the private sector, and harnessing private investment for development goals. With the private sector now being seen as the primary actor, with the ascendance of governance concepts, government shifted from the motor of development and direct provider of services towards more of a “steering” role. However, as these new approaches were inserted within local clientelism, this rearticulation of agricultural policy approaches was taken up to suit the agendas of particular actors in the redesign of the dominant modes of oil palm expansion. The neo-liberal paradigm provided state-based actors working with partners in the private sector new possibilities to maximize their opportunities available from control of access to land (opening up of public and community land for private gain) and capital and regulation of labour to create more revenue, largesse, and opportunities for political patronage.

Land and labour constraints on the frontier

Though Malaysia and Indonesia differ in many respects, there are close similarities in the frontier areas where the expansion of oil palm is occurring. In Malaysia, the frontier is located in the Borneo states of Sabah and Sarawak, but for purposes of this paper, the focus is on Sarawak as the area of most rapid recent expansion. In Indonesia, our focus is on Sumatra and Kalimantan, the largest frontiers in the outer islands. Geographically,
these frontier zones have much in common – a warm, continuously wet climate that supports luxuriant rainforest vegetation; extensive areas of undulating uplands suitable for tree crops like rubber and oil palm; relatively low population densities; remoteness from major urban and industrial centres. These regions have long been occupied by populations of shifting cultivators growing upland rice within long forest-fallow rotations. For the past century these shifting cultivators have incorporated cash crops such as rubber, pepper, coffee and cocoa within their land-use systems, using relatively simple technologies.

To varying degrees people’s access to land has been governed historically by customary or community-based tenure systems operating within boundaries either marked out through occupation, by state processes of territorialisation, or at times remaining under contention between local and migrating populations of agriculturalists of differing ethnic composition. While in different times and places customary or community tenure arrangements may vary in the degree to which they are unambiguous, uneven, or contested, they are not well recognised in national land laws and have been increasingly circumscribed and attenuated, particularly with the reservation of large areas as state forests and the allocation of timber licences to powerful interests. While the traditional occupants of these frontier zones are regarded as ethnic minorities within the context of the nation-state, they are (or were) numerically dominant and therefore of some political importance within the districts they inhabit. Yet they have been increasingly marginalised as migrants, logging companies, and plantation companies vie to control land in the frontier zone.
From the eruption of plantation development in Malaysia and Indonesia in the colonial period, the indigenous agriculturalists, with ample income opportunities within a diverse portfolio of livelihood activities on their own lands, have preferred to avoid being subjected to the low pay, poor conditions, and highly disciplined labour regimes involved in plantation development (Gordon 2001). Yet the expansion of “modern” capital intensive modes of agricultural development requires a disciplined work force. In contrast, policy narratives in both the Malaysian and Indonesian frontiers describe a lack of “development consciousness” that is said to prevent rural people from committing to the discipline of estate production regimes. Such narratives neglect the perspectives of indigenous agriculturalists and provide a rationale for importing labour from elsewhere.

In practice, since colonial times the plantation sector in Indonesia utilized the ready supply of poor and hence cheap and readily disciplined labour found in Java. Following earlier colonial transmigration policies, since the early 1970s the state facilitated this movement of labour through organized transmigration schemes to Sumatra, Kalimantan, and elsewhere in the Outer Islands which systematically sought to integrate Javanese labour into various plantation developments. In addition, so-called spontaneous transmigration has also been significant. In Malaysia, there is no such pool of impoverished workers with rising wages due to expanding manufacturing and service sectors. While during the colonial period labour was imported from India and China, in contemporary Malaysia, this strategy is not acceptable. Accordingly, the solution has been to import Indonesian workers, both officially and unofficially. In 2004 it was
 estimated that Malaysia had about 3 million foreign workers, mostly Indonesian, and half of them illegal.¹ A large proportion of these are plantation workers on oil palm estates.

Consequently the labour constraint in the frontier zones has been addressed in the same way in the two political jurisdictions – by drawing on the large pool of mainly Javanese workers who, driven by landlessness and poverty in their place of origin, have been willing to migrate, temporarily or permanently, to the frontier zones. As they are prepared to work for low wages in difficult conditions on oil palm plantations, this migrant workforce could be readily disciplined.

**The Indonesian frontier**

**Accessing frontier lands**

In Indonesia, the problem of access to land was of course familiar to colonial planners and planters alike (Gordon 2001). In facing the problem of land, the colonial government had created the category “waste land” (Peluso and Vandergeest 2001). The essential distinction that emerged in the colonial period was between areas that were alienated to private owners under colonial land laws and other lands that theoretically remained within the state domain. In Indonesia, in the core regions of colonial endeavour, such as in Java and the “plantation belt” of what became North Sumatra, the colonial state gradually applied western land laws, and land registration came to be supported by cadastral maps and surveys (Tjondronegoro 1991; Heryani and Grant 2004). In contrast,
particularly in the more remote areas, the colonial “domain declaration” 
(Domeinverklaring) still applied, allowing that that all lands without statutory certified 
ownership (eigendom) remained “waste” land not under permanent use and hence the 
“free” domain of the State (Kano 1996).4 In other words, in such areas this classification 
explicitly overlooked both indigenous forms of land tenure pertaining to swidden 
agriculture and indigenous forms of territorial control (known by legal scholars as hak 
ulayat) pertaining to forest areas (for example, controlling access to the forest for the 
purpose of collecting forest products in areas surrounding communities). Later, during 
the “ethical period”, particularly in Sumatra and Java, state forest agencies and local 
governments began mapping out village areas and areas subject to hak ulayat and 
differentiating them from state forest lands (McCarthy 2006) Peluso and Vandergeest 
2001), in the process setting out the areas that might be allocated for private plantations 
or timber concessions, or retained by the state under forest cover. While clearly these 
processes were highly uneven, the main point was that in the frontier areas of Outer 
Island Indonesia, property rights over extensive areas of land – including areas under 
swidden agriculture, “jungle rubber” or other tree crop cultivation, fallow, or forest used 
for hunting and collection of forest products – were left without certification under state 
law and without secure state-recognized tenurial rights.

After independence, the post-colonial state set about building a single unitary legal 
system for regulating land issues for all Indonesian citizens by abolishing the pluralism 
that divided statutory rights held under western style land laws from customary rights 
under colonial land law. However, concepts of state domain continued: Indonesia’s
constitution contained a formulation regarding “national interest” and the “State Right of Control” (*Hak Menguasai Negara*) which was subsequently interpreted to grant state management rights over natural resources in the collective interest of the nation. The concept of “State Right of Control” was elaborated in the 1960 Basic Agrarian Law and the 1967 Forestry Law. The later proved to be particularly important as it effectively circumscribed customary rights in areas inside the extensive area mapped as state “forest land”, some 70% of the national land area. Here the Forestry Department could then take requests for conversion of “forest land” to plantation agriculture, granting use rights (HGU) or leases to plantations over what on paper remained State land. Nonetheless, given the extensive land uses undertaken by local populations, plantations faced difficulties opening plantations in many of these areas. In practice where possible plantation companies preferred to access heavily forested or virgin lands that were comparatively unencumbered by local customary claims (Dephut 1992). As such lands were increasingly scarce or distant from the required infrastructure, plantations had to make use of state legal provisions that allowed for developers formally to gain access to land. Under the conditions of the New Order, the state security apparatus could guarantee land transfers under this system of state entitlements, often applying coercive means to “free up” land for oil palm estates.

The state-led development phase

Indonesian policy with respect to oil palm plantations on the frontier built upon and reacted to earlier colonial policy as well as the Malaysian and international experiments
already well underway. Since the 1960s the World Bank and other donors had promoted particular modes of smallholder engagement involving nuclear estate and outgrower schemes (Little and Watts). The rationale for these types of outgrower schemes was well established.

First, Nucleus Estate Schemes (NES) are suited to the commodity specific characteristics of oil palm where fresh fruit bunches need to be processed within 48 hours. Plantation processing facilities guarantee their profitability when they secure access to a continuous supply of high quality fresh fruit bunches (FFBs). If smallholders in satellite areas surrounding a core plantation are contractually obliged to sell their FFBs to the nucleus oil palm mill and need to do so quickly, the oil palm mills developed by the nucleus estates in this way can ensure a continued supply of quality FFBs produced under their tutelage – leading to the large economies of scale required by investment in oil palm mills.

Second, a further advantage was that smallholders in the “satellite” area also constitute a pool of labour which could be used by the estate casually as required without the requirement of taking fulltime responsibility for a workforce (Levine, 2006).

Third, from a neo-populist Indonesian perspective, this model held further advantages. Its proponents could argue that it promised to break down the “enclave” nature of colonial plantation development that had created a “dualistic economy” with a modern, strong plantation sector on the one side and “traditional and backward” smallholders
stuck in a “weak economy” on the other (Ahmad 1998 p27). These schemes promised to integrate marginalized smallholders by creating, under state tutelage, a form of partnership between state plantation cores and smallholder peripheries.

Initially, in 1976, the World Bank funded trial FELDA type block schemes in Indonesia involving local outgrowers settled around nucleus estates run by state plantation companies in Indonesia (Levang 2007). Building on the initial World Bank pilot project involving rubber, the directorate general responsible for plantations (Dirjenbun) within the Ministry of Agriculture subsequently favoured World Bank supported schemes, including for oil palm, albeit with more interventionist supervision from the nucleus estate than under FELDA (Ahmad, 1998). The result then was the emergence of various nucleus estate schemes (PIR or NES) that have dominated oil palm development in Indonesia for the next thirty years.

The neoliberal phase

In Indonesia from the early 1980s policy shifted away from directing state investment via state companies. The state had begun granting extensive new concessions to large private companies (*perkebunan swasta besar* or PBS) for oil palm plantations. State policy makers at this time favoured direct foreign investment (DFI) to achieve economic growth in the oil palm sector. The logic behind this was clear: even compared with other agricultural production chains, the particular model of oil palm development that emerged in SE Asia requires significant up front capital investments. According to one
estimate, plantations invest between US$ 2,500-3,500 per ha (Chalil, Diana and Fredoun Ahmadi-Esfahani 2005). As oil palm is not productive for the first three years, oil palm plantations cannot finance initial development from their own cash flow. Further, as oil palm does not reach peak production for several years after, capital can only be repaid after some years. According to one estimate, plantation companies need to borrow 77% of the total establishment costs. The dynamics shaping foreign investment – including those shaping the perception of profit and risk by transnational lenders and investors – remained central to the logic driving oil palm development.

From 1988 policy shifted again: subsequently expansion would primarily occur via joint government-private sector development schemes. This policy involved developing a mode of landowner engagement with oil palm known as the “Primary Cooperative Credit for Members” scheme (koperasi kredit primer untuk anggota or KKPA). The perkebunan swasta besar model of oil palm expansion involved the expropriation of lands from existing village landowners, often under duress and with what local people considered inadequate compensation, without attempting to integrate local smallholders in the development. Clearly there were high transaction costs for local state officials involved in delivering land to investors and managing rural security. Subsequently, plantations needed to live with the unrelenting rural resentment that plagued the oil palm estates. In contrast, the aim of the new policy was explicitly to further the integration of local landowners into new plantations developments, effectively fine tuning policy approaches all the better to deal with the land and labour problem discussed earlier.
In essence the KKPA schemes involved very similar institutional setups to the earlier nucleus estate schemes. In general the plantation company developed the “nuclear estate”, while the state and/or a partner bank provided the capital for land clearance, planting, the supply of fertilisers and other inputs for the “satellite areas”. Typically smallholders obtained 2 hectares of oil palm, 0.75 hectares for a home garden and 0.25 hectares for housing. Under the standard formulation, the nucleus estate would form 20-40 percent of the block development while 80-60 percent would be made available for smallholders (Ahmad, 1998). In the satellite area, the PIR project team – in PIR-Trans schemes from the transmigration unit – organized the satellite development by, for instance forming farmer groups, while the district government developed farmer cooperatives (Koperasi Unit Desa or KUD) for coordinating the marketing of FFB and the repayment of credit.

The logic behind this approach was clear. The high level of development capital and technology required for oil palm development formed an enormous barrier to entry for smallholders. Now smallholders would give over a third of their lands to nucleus estates in return for being offered a position in the modern agriculture sector. In other words, by offering villagers large incentives to join schemes, villagers could be induced into taking up development opportunities that involved giving up large areas of land to the estates. In this way the scheme facilitated access to land effectively under the de facto control of local landowners through a quid pro quo arrangement with villagers. Local landowners participating in the scheme needed to provide approximately a third of their land to the company’s nucleus estate while the remaining two thirds was developed and returned to
them in the form of a oil palm smallholding in the “satellite” area. KKPA schemes then appear to have offered a means of attenuating conflicts with farmers by allocating them a place in modern agriculture while at the same time allowing oil palm estates to gain access to land locked up by village uses.

To give the plantations the incentive to engage with smallholders, the policy provided that the major costs would be borne either by the state itself or by participating smallholders and landowners. The earlier KKPA schemes involving smallholders were developed under the transmigration program. After 1993 the State, through Bank Indonesia, supported a credit facility (known as KLBI or Kredit Likuiditas Bank Indonesia) to support the develop of KKPA schemes involving local landowners. Under this credit arrangement the state and/or a partner bank provided the costs of land clearance, planting, the supply of fertilisers and other inputs for the “satellite areas”.

Under this model, a particular form of contract farming allowed for specific production and price arrangements to be put in place for oil palm production in the “satellite areas”, locking the smallholders into particular arrangements with the estate. These arrangements specify the conditions under which the satellite smallholders obtain agricultural inputs and sell their output (Fresh Fruit Bunch or FFB) to the oil palm mill owned by the estate. These arrangements also stipulate how and when that the smallholder will repay the credit allocated for developing the satellite plots, including the specific amount of earnings derived from smallholder oil palm production that will be deducted from the sale of FFBs each month (Potter and Lee, 1999). In other words the
system effectively provides for a monopsony arrangement whereby smallholders are contractually obliged to sell FFBs to the one buyer (the estate) who is able (locally) to manipulate prices. In these various ways these arrangements controls how production occurs on village land without the need to expropriate or directly to discipline the farmer.

Consequently, by joining these schemes, landowners were effectively incorporated into arrangements, typically mediated by rural cooperatives that, controlling the commodity circuits through which inputs and outputs flowed, often worked to the disadvantage of villagers (McCarthy, forthcoming). Often mismanagement and manipulation plagued the implementation of the schemes (Zen et al. 2005). In many cases landowners were reluctant to join KKPA schemes (McCarthy; Potter 2007; Colchester et al. 2006). If doing so it meant giving over up to 30% of their lands to the estate, landowners perceived that they might become “coolies on their own land” (Potter 2007).

At the end of Suharto regime, suppressed grievances between plantations and surrounding landowners erupted in the form of widespread demonstrations, theft of FFB, and land occupations. At this time investors in the oil palm sector began to retreat due to the increased problems facing companies looking for secure land title and consistent land use regulations (Cassons, 1999: 27). Policy makers recognized the inability of the Nucleus Estate schemes had failed effectively to assist the broad population of rural local smallholders (Diam 2005). However, rather than directly addressed the underlying causes, these problems were readily attributed to the deficiency of smallholders: their continued “backwardness” justified the need for more interventions of a similar type.
Policy makers remained convinced that smallholders could attain modern forms of agriculture (as they saw practices by the plantations) through the assistance of the plantations (Taher 2002). Accordingly, the solution would be doing more technical interventions of the same kind, only in a better fashion.

Following the crisis of 1999 the central state no longer had the fiscal, administrative or coercive capacity of the New Order period. Rather, following the decentralization reforms and in accordance with the governance paradigm, the central state was to operate more in a facilitation and coordination role, largely withdrawing from direct involvement as a financier, facilitator and the guarantor of plantation operations involving the conversion of lands subject to landowner claims. The Ministry of Agriculture set out a new policy in 1999 that allowed for a number of different “partnership models” (pola kemitraan). While the state withdrew from providing credit for oil palm development schemes involving smallholders, the basic concepts underlying the nucleus estate model remained. Here, in accordance with the amount of capital that landowners provided in the form of land, landowners would obtain different degrees of ownership in the cooperative that managed the smallholder area. For instance, under one of two possible “joint venture arrangements” (pola patungan) a farmer cooperative that provided an “in kind contribution” in the form of land would be granted no less than 20% share ownership. This amount might be increased incrementally over the first years of production until the management and ownership of the block development would be given back to the smallholders. As in the earlier NES models, farmers would be locked into contract arrangements. For instance, under the supervision of the cooperative or the
company, amounts deducted from the earnings derived from smallholder plots would be put towards increasing smallholder ownership in the cooperatives (Direktorat Pengembangan Perkebunan 2007).

However, without the concessionary credit provided previously by the state, plantation companies failed to take up the new “partnership model” to any significant degree. Consequently, from 2004 the state re-engaged with the task of transforming the countryside, announcing a series of policies that culminated in the “Plantation Revitalization Program”. As set out in policy documents over 2006-7 this program set out to the development of a further 1.5 million hectares of oil palm areas under a credit scheme to be implemented by three banks. The purported “extension of community agriculture” under this policy involved once again state facilitation of a “partnership” between smallholders and nucleus estates along the lines of the earlier nucleus estate models (Direktorat Jenderal Perkebunan 2007). A serious analysis of the circumstances of customary landowners – and of how their situation might be best improved – is absent from the policy documents for the new program. Yet, as a ministry of agriculture official in Jakarta noted during an interview in May 2007, in a similar fashion to the earlier PIR and KKPA schemes, while the “joint venture arrangements” had not worked for the expansion of oil palm plantations, this mode of “partnership” would work well for the plantation sector.
The Malaysian frontier

Accessing frontier lands

Land law in Sarawak, as embodied in the 1958 Land Code, reflects the legacy of a century of rule by the Brooke Rajahs (1841-1941) and the brief post-war period as a British colony (1946-1963). In this time there was very little investment in agricultural plantations. Rather, agriculture in Sarawak was dominated by Dayak shifting cultivators, who had progressively converted a portion of their fallow lands to rubber and pepper plots, and Chinese smallholders, who also grew rubber and pepper in more accessible locations near towns and along the few rural roads. Hence the land laws that emerged sought both to protect and restrict the customary land rights of the Dayaks – by limiting the areas in which the more commercially oriented Chinese could acquire title to land and by excluding the Dayaks from remaining areas of primary forest (Cramb 2007).

Thus “native customary rights” to land were given a limited form of recognition in the Land Code. Where native customary rights had been established before 1958 (primarily by clearing land for shifting cultivation) this land continued to be recognised as Native Customary Land (popularly referred to in Sarawak as “NCR land”). Once such “legitimate” customary land had been surveyed the holder of customary rights could be issued with a title. However, the Land Code states that “until a document of title has been issued in respect thereof, such land shall continue to be State land and any native lawfully in occupation thereof shall be deemed to hold by licence from the State”. In practice,
then, native customary rights are viewed as an “encumbrance” on State land (Porter 1967: 84). Moreover, though the customary tenure systems of all indigenous groups in Sarawak are based on the concept of individual use rights within a community territory (Gerunsin 1994), the Land Code does not explicitly recognise the concept of territorial rights, giving priority to the registration of individual title to land. Hence forested land reserved by a community as part of its territorial domain is not recognised. Additional tracts of land have been utilised for shifting cultivation since 1958 and claimed under traditional land tenure, particularly in northern Sarawak where most of the recent expansion in oil palm plantations has taken place, but rights to these areas are not legally recognised by the state – giving rise to many contemporary conflicts over oil palm and pulpwood plantation development.

The Land Code provided for the exclusion of Chinese Sarawakians from customary land through a racially based system of zoning land, with the following categories: (1) Mixed Zone Land, in which there are no restrictions on who can acquire title to land; (2) Native Area Land, in which only “natives” of Sarawak (defined to exclude Sarawakians of Chinese descent) can hold a title; (3) Reserved Land, or land held by the government (principally as forest reserves); and (4) Interior Area Land, a residual category, which nevertheless accounts for the bulk of the state’s land (Porter 1967; Cramb and Dixon 1988). Native Customary Land overlaps the other categories (apart from Reserved Land).

Thus the “problem of Native Customary Land” as articulated in the dominant policy narrative in Sarawak is twofold. First, the extensive system of land use associated with
traditional agriculture is seen to constitute a problem of “idle lands” – lands which could be used more productively and which would therefore be more valuable to the owners if modern, large-scale, capital-intensive farming was introduced. Second, because of the land classification system embedded in the Land Code, “non-natives” with the capital and expertise to make productive use of the land are excluded. It is this problematic that has provided the rationale for a succession of state interventions to bring customary land into the sphere of large-scale oil palm development, interventions that are justified because they address rural “backwardness” and lead Sarawak to rural modernity. As expressed by the Sarawak chief minister, Abdul Taib Mahmud, in 1994: “[T]he development of NCR [land] … is vital to the unity of Sarawak, to the social justice that may prevail in this country. It is the only way that can bring people within one generation into the main stream of the economy. People from the interior who are today struggling with outdated economy.”

The state-led development phase

The expansion of oil palm in the 1970s and 1980s was largely due to the activities of two government agencies – the Sarawak Land Development Board (SLDB) and the Sarawak Land Consolidation and Rehabilitation Authority (SALCRA). The reliance on parastatals to bring modernisation to smallholders was characteristic of the state-led development era. However, the two agencies represented quite different ways of engaging smallholders in oil palm development, SLDB focusing on the opening up of new lands for resettlement schemes and SALCRA pursuing a model of in-situ development.
The SLDB was established in 1972 “to promote and assist the investigation, formulation and carrying out of projects for the development and settlement of land in the State of Sarawak” – essentially following the FELDA model in Peninsular Malaysia. The developmental logic underlying this form of intervention was that by opening up new land and recruiting settlers from among the main ethnic groups in Sarawak (Iban, Malays, and Chinese) a new and modern form of rural settlement would be created, freed from the constraints of customary attitudes and practices. The SLDB proceeded to develop extensive areas in the northern and central parts of Sarawak for oil palm (Awang Zain 1986). These were primarily in Forest Reserves that had been designated for conversion to agriculture (that is, “unencumbered” State land) (Awang Zain 1986). Initially, these land schemes were to be subdivided following crop establishment, with titles being issued to individual settlers once they had repaid the development costs. However, in 1974 it was decided to place a freeze on the issuing of titles, partly because of the disproportionate number of Iban among the prospective settlers (Chinese and Malay communities targeted for participation had declined). From that point the oil palm schemes were run on conventional estate lines, with the would-be settlers working as hired labourers and the SLDB bearing the development costs itself. By 1980, SLDB had established over 15,500 ha of oil palm and cocoa, including 12,000 ha on unencumbered State land and 3,500 ha on what was formerly Native Customary Land (Awang Zain 1986).
SALCRA was established in 1976 primarily to develop Native Customary Land for the benefit of the “owners”. After taking adequate steps to “ascertain the wishes of the owners”, SALCRA can declare a tract of land to be a “development area”, thereby giving it powers to carry out any work to improve or develop the land, without however affecting “the legal ownership of that land or any customary rights”. In fact, the inclusion of land within a development area managed by SALCRA helps to confirm existing customary rights; on completion of the development of the land and the repayment of the development costs, the landholders are issued with titles. Scheme participants obtain work on the plantations, though at comparatively low wages, and eventually receive dividends from the sale of the crop to the SALCRA mill, after the deduction of the development costs.

In the 1970s and 1980s SALCRA initiated land development projects primarily in the longer-settled and more densely populated southern region of Sarawak, with oil palm the dominant crop. Its focus was said to be on “socio-economic” rather than purely commercial projects, meaning it targeted poorer areas in greater need of rural development. Its earliest and largest project was the 3,000 ha Lemanak Oil Palm Scheme, which began producing a return in 1985, after considerable delay in getting the palm oil mill operating. Despite concerns about SALCRA’s capacity, in the mid-1980s it was given responsibility for oil palm development in the Kalaka-Saribas Integrated Agricultural Development Project (IADP), funded by the Federal Government and the Asian Development Bank. This was one of two such projects in Sarawak during the phase of state-led development. The controversy surrounding land issues at this time
made it difficult for SALCRA to negotiate with Dayak landholders, hence development was delayed and the oil palm area was fragmented, though eventually over 10,000 ha were planted, titles issued, and dividends paid.

The neoliberal phase

The shift to neoliberal policies in Sarawak, with greater emphasis on private sector participation in land development, began in the 1980s. The perceived inefficiencies of the two major government land development agencies left them open to neoliberal reforms. By 1980 the SLDB was making substantial losses and carried major liabilities. King (1986) attributed the Board’s financial problems to poor management, inadequate accounting procedures, poor field supervision, frequent breakdowns in machinery and plant, and inadequate infrastructure. The Board itself identified the shortage and high turnover of local labour as a prime constraint (Awang Zain 1986). In 1987 the management of SLDB was contracted to Sime-Darby, a commercial plantation company, and it soon reported improved physical and financial performance, mainly by shedding a large proportion of its staff. Management was subsequently given over to Sarawak Plantation Services (SPS). In 2000 its plantation assets, including over 24,000 ha of oil palm in 13 estates, were transferred to Sarawak Plantation Bhd (SPB), a company specifically set up for the purpose, in return for which the government acquired 100% of the company’s shares. These shares were then purchased by private interests with close connections to the current political regime. In 2007 SPB was listed on the Kuala Lumpur
Stock Exchange, completing the privatization process. SLDB’s original purpose – to develop land for smallholders – was never achieved.

SALCRA’s operations were also significantly affected by the neoliberal policy agenda. In the mid-1980s King commented that “SALCRA has spent substantial monies without realising any income to date, and with the possibility that it will not (as SLDB did not) recover its development costs. There is some room for optimism in the SALCRA-sponsored tea project; and the general concept of in situ development of Native Customary Land pursued by SALCRA is a good one, and acceptable to most natives. It is in implementation that SALCRA activities leave much to be desired” (1986: 95). According to King, implementation problems were attributable to the unduly heavy demands being placed on SALCRA’s (and Sarawak’s) limited managerial and technical expertise. This provided the basis for restricting SALCRA’s expansion into new areas and even knocking back funding from the Asian Development Bank for this purpose. In 1996 SALCRA’s management was also contracted to Sarawak Plantation Services (SPS), the same group that had managed SLDB, though it has since reverted to its original management structure. It is now said to be following a commercial approach rather than the “socio-economic” approach of its first two decades. However, unlike SLDB, SALCRA has remained an important public-sector institution in the neoliberal era, with nearly 14,000 landholders in 395 villages and over 45,000 ha of oil palm. Though the schemes are low-yielding by industry standards and the agency continues to be plagued by allegations of inefficiency and corruption (Thien 2005), high prices have enabled SALCRA to pay dividends to scheme participants, allaying some of their early concerns.
The privatisation of the SLDB schemes and the containment of SALCRA to the more densely settled districts of southern Sarawak can be seen as clearing the way for a third and more radical approach to engaging customary landholders in oil palm development – one that sought to give a leading role to the private sector. The vehicle for this new approach was the Land Custody and Development Authority (LCDA), established in 1982 to initiate joint ventures between native landholders and private developers in both urban and rural areas. The aim was to consolidate land held under customary tenure into extensive “land banks” suitable for plantation development, and to resettle scattered rural communities into large townships. Sarawak’s powerful chief minister, Abdul Taib Mahmud, has repeatedly articulated this policy, as in this statement in 1984: “My vision for the next twenty years is to see modern agricultural development along the major trunk road with rows of plantations and villages well organised in centrally managed estates with a stake of their own in them.”

Dayak reluctance to be involved and the strength of political opposition at that time meant that LCDA made little progress in large-scale development of Dayak land in the 1980s. By the mid-1990s, however, with forest resources dwindling, oil palm plantations attracting good returns, increasing interest from both local and peninsula-based investors, and the major Dayak opposition party (Parti Bansa Dayak Sarawak, PBDS) now incorporated in the ruling National Front (Barisan Nasional), the government could refocus attention on the so-called “problem of Native Customary Land”. In 1995 the government initiated its Konsep Baru (New Concept), involving a state-wide campaign to
promote the joint venture approach to commercial land development, mainly for oil palm (Sarawak 1997).

LCDA is not primarily a land development agency in the same sense as SLDB and SALCRA but an intermediary between landholders (whether the State or customary landholders) and private plantation companies. Under the Konsep Baru policy the landholders are persuaded to assign their land rights to LCDA, which then forms a joint venture company with a private-sector partner. A consolidated land title covering 5,000 ha or more is issued to the joint venture company for a 60-year period (two cycles of oil palm). Following a rough ground survey (termed a “picket survey”) of individual holdings within the lease area, the investor pays the value of the land to the owners, pegged at RM 1,200 per ha. Of this, 10% is paid up-front in cash, 30% is invested in a government unit trust scheme, and 60% is regarded as the landowners’ (30%) equity in the company. The private-sector partner has 60% equity and LCDA 10%. Landholders receive no title to their land but can expect to receive dividends according to the area of land contributed to the project, as well as employment on the estate as labourers. In practice, landholders have found the work onerous and the wages too low, hence Indonesian labour has predominated.

LCDA reported 22 such projects in 2006 with a total planted area of 29,624 ha. Most of the productive area was in one of the largest and earliest projects, located in the lower Kanowit. The joint venture company (Boustead Pelita Kanowit Sdn Bhd), involving over 900 Iban landholders, was formed in 1996. By 2001 nearly 12,000 ha had been planted.
and around 97 per cent of the 1,400 plantation workers were local Iban. However, the project had given rise to a number of issues (IDEAL 2001; Matsubura 2003). Some of the concerns expressed to researchers by both participants and non-participants were: the developer often bulldozed land indiscriminately without taking account of the locations of fruit groves and cemeteries, or of the land withheld from the project by non-participating households or longhouses; up-front payment was not always received; there was little opportunity to pursue alternative land-use options as almost all the land was planted with oil palm; the workers received low wages and disliked the monotonous and regimented nature of plantation work; there was no involvement in the management of the joint venture company; there was uncertainty about the level of future dividends to the landholders; there was uncertainty about the status of the land at the end of the project, or if the project failed. By 2007, most of the plantation workers were Indonesians as the landholders shifted to more remunerative and less arduous pursuits. However, low yields and excessive borrowings meant that the company had not yet paid a dividend to the landholders, creating considerable uncertainty about the future of the joint venture approach.

Though much of the debate about oil palm expansion in Sarawak has focused on the various types of government scheme described above, most of the expansion in the past decade or two has been due to private plantation companies, with significant financial spin-offs to the political elite in Sarawak’s pervasive patron-client network. Thus the neoliberal policy narrative has provided a smokescreen for the rapid and far-reaching privatisation and concentration of both public and communal land resources. As noted,
private estates have played a minor role throughout most of Sarawak’s agrarian history. However, this changed dramatically in the 1990s as a result of the surge in the profitability of oil palm and the policies and legislative changes described above. With cashed-up local timber companies such as WTK and Rimbunan Hijau, and plantation companies from Peninsular Malaysia such as Perlis, Golden Hope, Boustead, and Tradewinds (as well as state-owned corporations such as FELDA Bhd and FELCRA Bhd) keen to invest in large-scale oil palm estates, the Sarawak Government streamlined access to State land for this purpose, including large areas subject to native customary rights claims.

Hence longhouse communities who claimed customary rights to part or all of the land allocated for a private oil palm estate often knew nothing of the granting of a lease until bulldozers arrived to clear the area for planting. When they protested they were mostly ignored, given notice to leave the area or, in the worst cases, subjected to violence. The response of a number of Dayak communities has been to blockade estate access roads, prevent bulldozers from working (e.g., by removing the keys or impounding the bulldozers), and in many cases institute legal proceedings (IDEAL 1999). In two incidents, one in 1997 and another in 1999, both in northern Sarawak, clashes between longhouse members and police or plantation company employees have resulted in fatalities. Such incidents represent the extreme outcomes of a widespread conflict over land (IDEAL 1999; Dimbab ??; Cooke 2006; Cramb 2007).
The shift from state-led rural development to the dominance of private interests in the neoliberal era is reflected in the official statistics. In 1980 the area of oil palm in Sarawak was only 22,750 ha, of which 79 per cent was in government land schemes (primarily SLDB and SALCRA schemes), 17 per cent in (semi-) private estates (primarily Sarawak Oil Palm), and 4 per cent in smallholdings. By 2006 the total area was 581,000 ha, with 79 per cent now in private estates (some of them partly in public ownership), 18 per cent in government schemes (including 6 per cent in Konsep Baru joint venture schemes), and 3 per cent in smallholdings.

Conclusion

In other places analysts have shown how received ideas about the environment can continue to be marshalled to justify public policy, thereby providing a consistency of interpretation over long periods of time. This view of the role of power in the formation, accumulation and reproduction of knowledge has proved particularly fruitful in understanding the emergence of state policy regimes that have sought to use legal and administrative means to restrict “local” land uses (Fairhead and Leach 1996). In a similar fashion researchers have described the genealogies in colonial knowledge and practices in South East Asia (Dove 1999; Peluso and Vandergeest 2001). We have shown that, in a similar fashion, the “frontier” is both created and transformed through particular policy narratives on both the Malaysian and Indonesian frontiers – narratives that depend upon long established conceptualizations of landowner backwardness and the
legal concepts of “idle” or “waste” land that remain embedded in post-colonial legal regimes.

These paradigmatic narratives tend to overlook the specificities of existing land uses, livelihoods and labour patterns or selectively misread them. Yet, as we have seen, in practice state policy makers and plantations have explicitly had to deal with these issues in the field. In many ways the history of oil palm development is one of various attempts to assuage, to accommodate and to coopt or to suppress customary landowner grievances within various modes of smallholder development. Yet, these narratives that constitute frontiers as particular spaces open to plantation development continue into the present, providing for the transformation of local realities to replace, as one official has noted, old values and institutions with “a knowledge and technological based society” that accords with “the challenges of a changing age” (Taher, 2002). They provide the rationale for policy approaches that facilitate the transition, underpinning particular institutional arrangements such as land boards and the incorporation of smallholders into cooperatives in Malaysia and Indonesia respectively.

Clearly the capacity of the state to facilitate the transformation of these agrarian frontiers shifts over time. Nonetheless, the developmental problem has remained that of delivering land for development and providing labour to support it. These challenges have also been consistently tied to the political challenges of sustaining clientelist networks for dominant politico-bureaucratic elites while also dealing with local contestation.
As we have seen ideas regarding the best policy approaches and most suitable policy instruments have also shifted over time. With the ascendancy of what might be broadly considered a “neo-liberal” mindset, the possibility of new policy assumptions and instruments emerged. Rather than necessarily replacing the earlier approaches, however, this new mindset added to the mix. Indeed, given that state intervention remains so important to these transitions, neo-liberal ideas have been taken up very unevenly. Aspects of the market led approach mix with a continuation or rearticulation of earlier approaches, which together are inserted into changing clientelist contexts.

While these policy narratives appear to provide a seemingly inexorable logic for policy interventions, we contend that state policy makers – together with their private sector partners – do make particular political choices: policy narratives are advanced by particular actors to serve particular agendas. Indeed it is the articulation of particular interests through these policy narratives that, in a dialectic relation with community resistance in the field, determines the particular form that these agrarian transitions are taking.

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