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Evaluation of the Welfare of Piece Workers at Oil Palm Plantations in West Kutai, East Kalimantan

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ABSTRACT

The oil palm industry was expected to become a substitute for the main source of foreign exchange for East Kalimantan, which to date is still dependent on coal mining. Since 2018, the Governor of East Kalimantan has launched the Green Kaltim program to accelerate the realization of oil palm as a new mainstay of East Kalimantan's economy. PT Laskar (a pseudonym) in West Kutai Regency is one of the largest oil palm companies in East Kalimantan and has started to operate in the 1980s. This article is the result of an initial investigation concerning the welfare of piece workers at oil palm plantations to collect data that will be used to prepare labor rights advocacy activities as a form of community service. The investigation was carried out using the participant observation methods. The team visited workers' barracks, socialized with them, strengthened discussions, and together formulated the scope of the problems they faced. The evaluation results reveal that the piece workers are put in a very vulnerable position, both in terms of job certainty, income, health, and assistance from outside parties when experiencing problems. Weak control from the state perpetuates these inhumane labor practices, allowing workers to live in limitations and minimal supports, both from the company and the local government.

1. Introduction

Oil palm was brought to Indonesia by the Dutch colonial government in 1848, when as many as four trees were cultivated in the Bogor Botanical Gardens. This plant allegedly was brought from Africa. Expansion of oil palm plantations was then carried out in Banyumas (Central Java), Palembang, and Deli (Sumatra) in 1875. Large-scale oil palm plantations were developed 34 years later by Adrian Hallet in Sungai Liput (East Aceh) and Raja Island (Asahan). In the same year, KLT Schat also developed oil palm in Itam Ulu (Deli). In 1914, the area of oil palm plantations in the Dutch East Indies had reached 3,250 ha (Surambo, 2010). In 2019, or 144 years since the initial planting, the oil palm plantations area in Indonesia has reached 16.38 million ha, the largest in the world, far beyond Malaysia and Thailand. Indonesia's oil palm production is 43 million tons, twice that of Malaysia and 34 times that of Thailand. These three countries are known as the top three oil palm producers in the world.

The growth of the oil palm industry is very rapid. The Indonesian Oil Palm Association (GAPKI) reported that revenues from the oil palm industry contributed to export's foreign exchange at USD 35 billion or IDR 530 trillion. Nonetheless, this achievement has been followed by many negative consequences. Oil palm plantations accelerated the rate of loss of customary community rights, various agricultural systems, and ecological balance (Krishna & Kubitza, 2021; Kubitza et al., 2018; Ndi, 2017; Li, 2019). Julia and White (2012) described how the expansion of oil palm plantations usurped the women's traditional rights of the Dayak Hibun community in Sanggau Regency, West Kalimantan (Bou Dib et al., 2018; Krishna & Kubitza, 2021; Obidzinski et al., 2012).

The rapid development of labor-intensive oil palm plantations did not necessarily create a positive impact on the welfare of the local community (Alwarritzi et al., 2015; Krishna & Kubitza, 2021; Li, 2019; Obidzinski et al., 2012; Sareya et al., 2015). In Papua, the potential for new livelihoods arising from the development of large-scale oil palm plantations was more advantageous for migrant workers (Rifin et al., 2020). Similarly, the labor regimes in Mexico and Guatemala have put the local youths into plantation workers with low levels of employment, low wages, and risky works (Castellanos-Navarrete et al., 2019).

Malaysia and Kalimantan show differences in labor issues. Malaysia experiences a continuing dependence on migrant workers, as local workers are reluctant to work in this sector (Kamaruddin et al., 2018). Migrant workers dominate plantations in Malaysia and cause various migrant employment problems there. Pye (2017) explored the strategies of Indonesian migrant workers in Malaysia in utilizing extensive transnational networks to evade border controls, escape and switch employers, and coordinate illegal strikes. Each fragmentation becomes a provocation to form a new coordination to deal with the company's capital spatial control strategy. In Indonesia, workers' migration for oil palm plantations mainly occurs from sending islands (Java, Bali, NTT, NTB) to receiving islands (Kalimantan, Sumatra, Papua, Sulawesi) (Nugraha, 2019).

In East Kalimantan, oil palm was prepared to replace the main source of foreign exchange, namely coal mining. In 2017, the Plantation Office (*Dinas Perkebunan*) of East Kalimantan noted that the economic structure of the province was still dominated by the mining/quarrying and processing sector at 46.47%. However, the contribution of the agricultural sector to the Gross Regional Domestic Product (GRDP) in general has increased by 7.82%, where the plantation sub-sector contributed at 55.75% to the agricultural sector, or 4.36% to the province's total revenue. As the COVID-19 pandemic emerged and revenues from the mining sector declined, oil palm became a savior for East Kalimantan's foreign exchange. In 2019, the local Manpower and Transmigration Office (*Disnakertrans*) noted that oil palm industry absorbed 4.42 million of workers, most of whom came from outside of East Kalimantan. However, it is estimated that the amount of workers who have not been officially registered are still a huge.

Oil palm plantations began to emerge in the 1980s in ex-HPH areas. Oil palm plantations were initiated in 1982 through the People's Nucleus Plantation Project (PIR) managed by PTPN (*PT Perkebunan Nasional*) VI. As of 2011, the area of oil palm had only reached 827,347 ha, consisting of 164,952 ha as plasma/community plantations, 17,237 ha as nucleus plantations belonging to State-Owned Enterprises (BUMN), and 645,158 ha belonging to large private plantations. In 2011, the production of FFB (Fresh Fruit Bunches) amounted to 4,471,546 tons or equivalent to 975,112 tons of CPO (Crude Palm Oil) (Kehati, 2019).

In contrast to its contribution to state/regional foreign exchange, the practices of labor relations in plantations still reveal various problems. The plantation colonialism system that perpetuates the practice of hegemonic labor relations is still ongoing in oil palm plantations in Indonesia, even after nearly 150 years since its emergence (de Groot Heubner, 2021). Low wages, job certainty, protection against work accidents, barracks condition, and sanitation are continually emerging problems in oil palm plantations.

The higher flow of migrant workers to East Kalimantan means encouraging more and more new workers who are willing to become piece workers (PW). Even though they are allowed to occupy barracks in company's facilities like permanent workers, these piece workers face many complex work-related issues. The piece workers are put in the most vulnerable position: they do not get the same protection and guarantee for labor rights as permanent workers, they are prone for being fired, they do not receive health insurance, and job certainty depends on the company's ability. This article is a report on the advocacy process for PT Laskar's labor rights in Tanjung Isuy Sub-district, West Kutai Regency, East Kalimantan, one of the largest oil palm corporations in the province.

The purpose of this investigation is to collect initial data that will be used to develop an advocacy strategy for piece workers. The initial investigation is considered important in order to be able to formulate an appropriate labor advocacy strategy. The results of this evaluation are used to formulate advocacy strategy steps that focus more on the most crucial issues of piece workers. Without an initial investigation, advocacy will not be effective in encouraging workers' awareness to fight for their rights. This activity is part of community service activities

2. Methods

The investigation was conducted for one week in early September 2019. The participatory observation methods were used (Moser & Korstjens, 2017) to obtain valid and in-depth information about the problems faced by the workers. The team visited the barracks, mingled with them for one week, held various intensive group discussions, and formulated together the problem points they felt. The steps taken to approach the workers are described as follows:

- First day: The team rented a lodge in a sub-district that located closest to the plantation. The team discussed with residents the testimonies of labor issues, the company's relationship with external communities, and several land conflict issues. The team obtained the contact numbers of several workers who lived in company's barracks from residents who were also workers.
- Second day: Thanks to a local guide, the team managed to visit four workers' barracks, namely Gelora Makmur, Pahu Makmur, Tanjung Makmur, and BM barracks. The team found a significant difference between Gelora Makmur barracks, which were located in the central management area, and the other barracks, which were located far from it. Even though they are the same size as other barracks, the Gelora Makmur barracks have complete facilities, including electricity, water, and good sanitation. In other barracks, many buildings were not permanent, electricity was uncertain, there were no or minimal clean water facilities, and inadequate bathing/washing/latrine facilities (MCK). Among the existing barracks, BM was that located farthest from the central management area and was the most deplorable, both in terms of physical condition and the fate of its workers.

The team finally decided to focus their investigation on the workers at the BM barracks in Bekokong Village.

- Day three to six: The team visited the BM barracks after previously made an appointment with the workers, choosing a time when they returned from work. The team explored the situation and conditions of the barracks, the workers' knowledge of their obligations as workers, as well as the rights they should receive.
- Seventh days: The team held a focus group discussion with representatives of the workers at the lodge to re-discuss the previously collected data. The formulation of labor issues that have been prepared was discussed again with the workers to get the final input and check if there were unpleasing things.

3. Results and discussion

The phenomenon of migrant workers in East Kalimantan is similar to what was described by Kamaruddin's study in Malaysia (Kamaruddin, et al., 2018). There, local workers were reluctant to work at plantations because of the negative image of plantation workers and the remote location (Kamaruddin et al., 2018). However, in East Kalimantan, the reluctance of local workers to work at oil palm plantations is mainly due to the low wages, thus they are more interested in working in coal mines that promise higher wages. PT Laskar, which is located in West Kutai Regency, has plantations, most of which are located in Tanjung Isuy Sub-district, where the majority of the people there are the Benuaq Dayak Community. Even though the background of the local communities' life is gardening and farming, they are not very enthusiastic about working as laborers at PT Laskar. The percentage of workers who come from local communities around the plantations is only around 3%, the rest of them are migrant workers.

In Malaysia, Pye (2017) described how migrant workers struggled to deal with immigration control and various labor activities they did in order to survive. At PT Laskar, migrant workers with temporary status often face significant problems in terms of resident administration; they never reported themselves to the local village or sub-district government. Because they are not registered in the local resident administration, they, especially those with piece workers status, face difficulties when they need to access local government services. On the other hand, weak state control on labor relations at PT Laskar means that the workers do not receive significant protection from the government when they are feel disadvantaged by the company's practices.

Similar to the report by Nugraha (2019), the team found many vulnerable sides of piece workers when dealing with the company. The company seems so obedient in fulfilling workers' rights, only for those who have status as permanent workers. However, for the much larger amount of piece workers, the company allows them to face job uncertainty, uncertainty about their status advancement, lack of health insurance, and allows the union that officially work with companies to ignore their fate.

3.1 The implementation of labor rights at the plantations in general

PT Laskar, which operates in Jempang Sub-district, West Kutai Regency, is the first and one of the largest oil palm plantation companies in East Kalimantan Province. PT Laskar's report for the last five years states that they has never experienced significant losses, even though in 2018 they reported a decline in profits. However, the implementation of basic labor rights is still not optimal in many aspects. This company still does not provide adequate and equitable housing facilities (barracks, toilets, clean water, cemeteries) for all workers throughout the estate. Moreover, workers' recruitment using nepotism practice is still prevalent, the system for status advancement is unclear, working hours are uncertain, and work targets are equalized for different workloads.



Figure 1. Workers' barracks at the nucleus plantation: a concrete building with clean water and electricity facilities

The quality of the barracks is differs. The barracks located at the management center (Gelora Estate) are more proper and have clean water and MCK facilities. The condition of most of the workers' barracks outside of Gelora Estate is more deplorable: they are made of old-looking wood, inadequate toilets (unit lacking and many are damaged), and a scarcity of clean water facilities. There are no cemetery facilities on the plantation so that the burial of PW often triggers conflicts with several villages around the plantation.

Labor recruitment is still dominated by informal mechanisms. Most of the workers started their career as PW (peace of worker) and came from outside of Kalimantan (Java, Sulawesi, and NTT). In the initial phase, many of them were recruited by job-seeking agency companies, but later they mostly followed relatives who have already worked at PT Laskar. This company is still considered a magnet that attracts workers from poor areas. Most of them were captivated by the news of their relatives' success and only then realized how hard and full of uncertainty the struggle to achieve permanent worker status at PT Laskar was.

According to data at the West Kutai *Disnakertrans*, official data reported by PT Laskar in 2019 states 4,119 workers with MRP, DRP, and PKWT status. There are no records of workers with PW status. However, the testimony of workers throughout the six months of monitoring showed that the amount ratio of PW to other worker statuses ranged from 60:40 to 25:75. This means that there are still at least 6,178 workers who are not officially registered. This amount at the same time presents a quite concerning images regarding the workers' amount who have not received their basic rights.



Figure 2. Barracks in plasma plantations are located far from company management; there are no clean water facilities, there is electricity but not always available

There are four types of worker status at PT Laskar. Permanent worker status consists of Monthly Rate Payment (MRP), Daily Rate Payment (DRP), contract workers (PKWT), and piece workers (PW). Workers who really get basic worker rights are only MRP and DRP. For PKWT, working hours have ensured that they can receive a salary according to the regional minimum wage (UMR), but there is no guarantee and certainty whether they will be appointed as permanent workers. According to the law, PKWT must have been appointed as permanent workers after working for a maximum period of one year, but many PKWT have not yet been appointed as permanent employees after many years, and some have even been downgraded to PW status. Meanwhile, the PW status is not included in the Labor Law. The fate of PW is very uncertain: there is no official data at the *Disnakertrans*, there is no certainty about working hours, the work is conducted at their own risk, there is no certainty whether the status will be upgraded to permanent workers, and they must be prepared at any time not to be employed.

Freedom of opinion and association is also not optimal. The only labor union recognized by the company is the All Indonesian Labor Union (*Serikat Buruh Seluruh Indonesia/SBSI*), whose members are non-PW. This union is independent because apart from being managed by plantation assistants (workers' superiors), they also receive a number of company facilities. The workers think that this union has been siding with the company's interests rather than fighting for the workers' fate.

3.2 Particular conditions of BM barracks and the workers

3.2.1 *The unreasonable condition of the barracks*

The BM barracks are barracks for plasma plantation workers, belonging to the residents of Bekokong Village. In general, the condition of the workers' barracks in the plasma plantations are more deplorable than those in the nucleus plantations. The location of the plasma barracks is far from the housing complex and the main plantation barracks, also they are made of planks that looks neglected. The barracks consists of two buildings, one building consists of 10 doors. Each barrack's room measures 3 x 6 or 7 m, consisting of one bedroom, living room, kitchen, and is occupied by a worker's family. There is one building that has not been occupied by workers due to problems with the builders. PT Laskar has not yet paid the builders concerning the building. Some workers with bachelor status have not yet received a barracks, thus they have to sleep in a former office house, which is about 1 km away from the other barracks.

Electricity is available for eight hours, between 17:00–23:00 and 04:00–06:00. The workers understand this arrangement of electricity hours as a special policy from the company in forcing the workers to halt their activities only until 23:00, so that they sleep early and don't wake up late the next day when they have to be at the plantation at 06:00 in the morning. This arrangement is used by workers, especially men, to gather and interact with fellow workers after working day at the plantation.



Figure 3. Puddles of water between the palm trees, used by workers for bathing and washing clothes

There are no clean water facilities in the BM barracks. Clean water for bathing and washing clothes is obtained by workers from swamp or river water at the plantation area. They have to buy clean water for cooking and drinking purposes from villagers outside the barracks. The water used for bathing is water that comes from the ditches around the oil palm plantations. The water looks very brown and oily. Some people claim to have experienced itching at the first time they bathed in this water. However, because they were forced to use the water, they eventually get used to it.



Figure 4. Collected water in wheelbarrows, used to wash dishes and glasses

3.2.2 Piece workers who are not registered in the local resident administration

There are 50 workers in the BM barracks. The majority of of them came from eastern Indonesia, two people from South Sulawesi, and one person from East Java. Several informants admitted that they were interested in working at PT Laskar because they saw that their relatives has been successful while working there. The indicators of success they see are being able to build houses in their hometowns and open new businesses. Once the workers succeed, then they will return to their hometowns. Nonetheless, after arriving at the plantation and working as laborers, they realized that not all the nice images of working at a plantation that were previously imagined really existed. Only those with permanent worker status are truly able to succeed according to what they previously expected.

They followed their relatives who has become workers, then immediately registered themselves by submitting applications through the foremen. In the last five years, the job acceptance system has begun to use a system for submitting job applications, Citizen Identity Card (KTP), and Family Identity Card (KK). In previous years, it was only necessary to report to the foreman. Once it was approved, the workers could work immediately. When they first arrived at the plantation, they used to stay in the barracks that were already occupied by their acquaintances or relatives who has become workers.

None of the workers in the BM barracks reported their arrival to the local village/sub-district resident administration. As a result, not only the workers in the BM barracks, but all workers in the plantations have not been officially registered in the villages closest to the plantations. They still use the KTP from their region, even though they have worked at the BM plasma plantations, which are officially located at Bekokong Village administrative area. This often leads to small conflicts with the village when workers need services in the village, such as Posyandu. There was also a refusal to bury

the bodies of workers in the village cemetery because they were thought to have never wanted to be part of the village community, but when they died they used village facilities.

3.2.3 Working hours, work targets, and job certainty

Working hours and work targets are set the same for all types of plantations, either with land or swamp topography. The workload is much harder at plantations with swamp topography, during high tide or rainy season. MRP, DRP, and PKWT are still paid the minimum wage in any situation. There is no certainty when and under what conditions PKWT status can be upgraded to DRP. This status can last for a very long time, some are up to more than 10 years, some are even demoted to PW, and some others fluctuate. PW experience many uncertainties in terms of the amount of working days and changes in worker status (promoted or dismissed).

All workers who live in the BM barracks are they who are recognized in this company as peace workers (there is no such term in the Labor Law). Wages are calculated per day and paid at the end of each month. There are no provisions for working days and holidays for them, thus they can choose to take a day off on Sundays or keep working, and wages will be paid according to the amount of working days/month. Likewise, if they are unable to work or sick, then there will be no automatic calculation of wages that day. This is different from permanent workers who receive a standard UMR monthly salary.

In the BM barracks, job certainty is vary randomly among work types. Those with harvester status have more certainty of permanent work throughout the year, as long as the garden bears fruit. However, for sprayers, seed sowers, and weed cleaners, job certainty is very erratic. According to the workers' testimony, there is a big difference between maintaining the nucleus plantations and the plasma plantations, which has a big impact on the job certainty of the workers who work to maintain the plantations. The female workers who work as weeds cutters complain because the company always waits for the weeds on the plantations to be very tall and lush, then work on them. This increases their workload because the roots of tall and old weeds are very labor-intensive to clean. They think that if weeds cleaning is conducted regularly, not waiting for it to become too dense, it will make it easier for workers to clean it perfectly and will also guarantee their job certainty.

So far, cleaning the plantation is a work with erratic job certainty. The company always argues that they wait for the budget to clean up the plantation. While waiting for this budget, workers do not work and do not get paid at all. Several workers tried to plant vegetables and cassava around the barracks to meet food needs, while they were waiting for the plantation to be cleaned. The workers who work as sprayers also suffer more or less the same fate as them.

3.2.4 The unions that only assist permanent workers

The SBSI is the only labor union at PT Laskar. They claimed to be fighting for labor rights, provided with the Joint Labor Agreement (*Surat Perjanjian Kerja Bersama/SKB*) document made jointly by the company and the *Disnaker*. However, it turns out that only workers with PKWT status and higher are members of this union, while PW are not allowed to become members. SBSI admits to fighting for the rights of PW despite they are not union members. On the other hand, PW informants said that SBSI has been siding with the company's interests rather than improving PW's fortunes. Because of this, PW do not trust SBSI and are more interested in other labor unions. A worker named DT (PW in Division 4 of the KME barracks) testified that the Indonesian Workers Union (*Serikat Pekerja Indonesia/SPI*) had entered this barracks and had formed a management structure, but had not had enough time to develop it because it was rejected and thwarted by the company. All administrators who were PW workers were lured with status advancement to become PKWT, then canceled their membership in SPI. In early 2019, a number of other labor unions appeared to recruit PW: the Indonesian Labor Union (*Serikat Buruh Indonesia/SBI*), the Indonesian Plantation Labor Union

(*Serikat Buruh Perkebunan Indonesia/Serbundo*), and the Indonesian Workers Union Association (*Kesatuan Serikat Pekerja Indonesia/KSPI*). These labor unions that have been emerging lately are mostly consisted of PW members. According to them, these unions are more serious about fighting for the rights of PW than SBSI. KSPI Samarinda said that there were 200 KSPI East Kalimantan members who came from PT Laskar, most of whom were PW.

3.2.5 Inadequate health insurance

Workers in oil palm plantations complain about the health insurance provided by the company. Only workers with PKWT status and higher are entitled to Social Security Administrator for Health (BPJS) health insurance, while PW are not. However, what is quite problematic is that when workers with PKWT status get BPJS health insurance, only those concerned are entitled to have BPJS, while their family members (wife and children) do not. In fact, the BPJS policy requires that beneficiaries must include all names on the KK. Nonetheless, many workers who receive BPJS feel disadvantaged because the amount of the BPJS insurance is deducted from their wages.

Free health service facilities do exist in the plantation complex, but they are located in the Gelora Estate, which is very far from the BM barracks. Many workers who are close to the health service center in Gelora have complained about the clinic's services. The medicines available are only those that more or less the same as what are available in the village stalls. Moreover, some of the services from the clinic seem unfriendly to workers seeking treatment.

A 60-years-old worker whose eye was stung by a wasp while harvesting oil palm fruit only received minimal medical assistance when he was taken to the health service at Gelora Makmur. Fellow workers then took the initiative to take him to the Posyandu in Bekokong Village for treatment. After only three days of rest, he finally returned to work even though his eyes had not recovered yet because if he rested for a long time he would not earn any income while he was sick. After nearly two weeks of working with sore eyes, he asked his 12-years-old grandson to show him ripe fruit ready to harvest so that he would not make a mistake of harvesting the unripe fruit, which would lead to a wages deduction.

4. Conclusions

The investigation results concerning the welfare of piece workers (PW) at PT Laskar's BM barracks concluded the following: The condition of PW is still far from prosperous even though they work in the oldest and one of the largest oil palm plantation companies in East Kalimantan. Labor rights that should be obliged to be given by the company are not properly implemented. Job uncertainty, inadequate housing facilities, poor health insurance, and castrated union rights mean that many workers' complaints are not properly channeled to the company or the local government. The absence of state control allows these inhumane labor practices to continue. The state is considered weak in controlling three things: recruitment system that are not comply with the Labor Law procedures, oppressive labor relations practices, and very loose resident administration. These three factors then put the piece workers in the most vulnerable position. Companies are free to play around with this labor politics, because it is not strictly controlled by the state.

In connection with this investigation results, plans will be made for further Community Service (PkM) activities, related to the protection of labor rights and policy advocacy, including the follows:

1. Assistance in data collection of PW from outside of the area, in the local sub-districts, districts, and regencies. This is necessary to complete the database of health services or workers' problems when they need services.
2. Advocacy of Labor Law, especially labor rights that workers need to understand so that they are aware of what their rights are and of what company practices that may disadvantage them.

3. Cooperate with local labor unions to advocate and assist in efforts to organize workers, encouraging them to unite in labor union organizations that really willing to assist and fight for the workers' interests.

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