

Unfinished Business: The Customary Land Individualization in Olilit Village Tanimbar Islands¹

Bayuni Shantiko²

Abstract

This paper discusses the transformation process of customary land tenure in Olilit village, Tanimbar Islands. The main feature of customary land in Olilit community is the marga control the access to the land by employing specific officer acting as land supervisor. The groups of marga (clan) will ensure that the land accessible for the whole community. Under this arrangement, land tenure is communal in nature but also recognized individual claim on the cultivated land. Thus, the marga control the land in a way that communal access and individual access work simultaneously.

While the lands are manage under customary law it doesn't prevent the land being individualized. The process took place when the land is transferred to the outsiders in many ways through commercialization and appropriation by the local government. Several factors affect customary institution to change. They are local government policy regarding to land use for local economic development, the growth of demand for land especially in the urban periphery and access mechanism which highlight the roles of various actors and how the actors. who mostly the elites usurp the benefit of land individualization. Moreover, this paper visualizes the important aspect regarding the impact of the land individualization to the life of the people in Olilit. The benefit might not be distributed evenly in the society. Yet, the livelihood of the people after land individualization remains a question.

Introduction

Historically, communal lands have been undergoing a transition process toward individual tenure. The most important force was agriculture commercialization and often accompanied by increasing population pressure³. This has led to gradual establishment of permanent right over the land under shifting cultivation system through new commercial crops⁴. At the same time, the land is getting more importance for non-agriculture purposes especially due to urbanization (Tacoli, 1998), the urban area has expanded its space throughout urban periphery. As a consequence, the rural land encounters a pressure from urban development as reflected by the excessive transfer from communal land to individuals in urban areas. The examples from sub-saharan Africa indicate the massive transfer from customary tenure to individual property occurred in urban areas⁵

¹ Paper to be presented to The 12th Biennial Conference of the International Association for the Study of Commons "Governing shared resources: connecting local experience to global challenges", the University of Gloucestershire Cheltenham, England, July 14-18, 2008

² Pathways Institute, Director/Researcher, bayuni01@yahoo.com

³ Bruce, 1988; Boserup, 1981; Rosenzweig, Binswanger and McIntire, 1988

⁴ See further discussion by Otsuka and Place (2001); Otsuka and Quisumbing (2001); Quisumbing et al. (2001); and Platteau (1996).

⁵ Durand-Laserve, 2003; Obala and Kinyungu, 2003; and Kironde, 2003

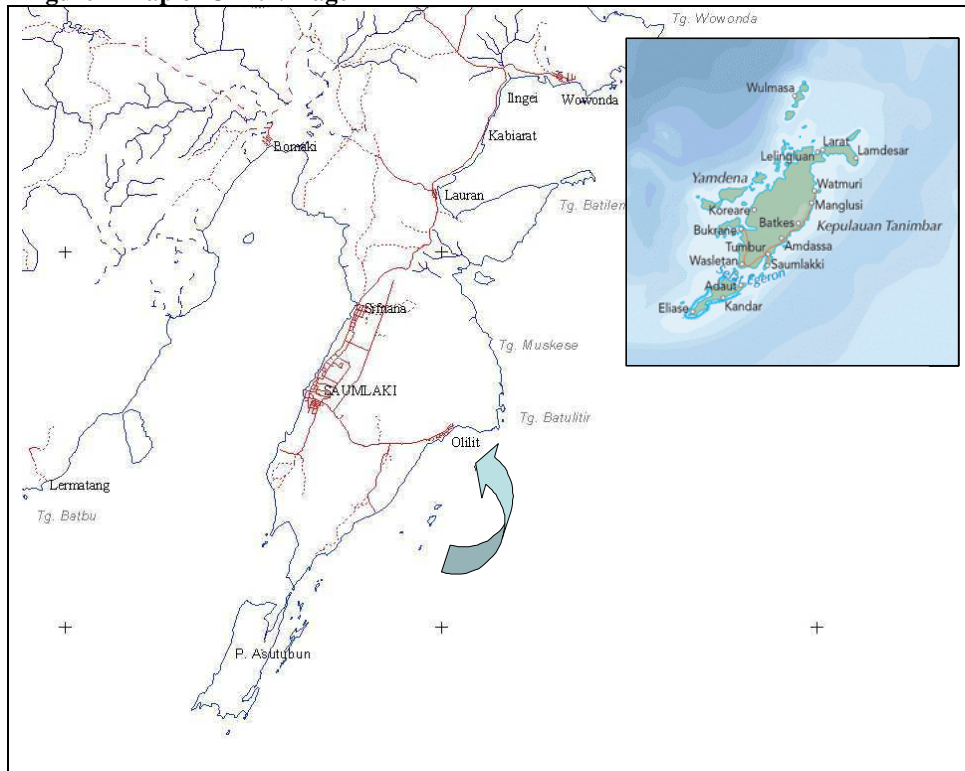
With reference to these models and facts, rural people in Indonesia have encountered similar problems. Land still becomes an issue with the fact that many people in Indonesia live in rural areas and the access to land are mostly mediated by group control under customary land management. poverty is still part of the life of rural people in Indonesia. the main livelihood are land-based which rely most with climate and cyclical income. As land becomes a valuable asset for them, the land individualization would leave several questions of livelihood sustainability. How will the people cope with the new land relation and will they be able to get a livelihood out of the land-based occupations?

This paper examines the land individualization process in Olilit village, Tanimbar Islands. The access to the land for Olilit society is mediated through group of family (*marga*) control under customary land tenure, namely *petuanan*. In the past 60 years, the Olilit community has been losing its control over their *petuanan* and the communal land has been transferred to private property through various ways. The case study explores the process of land individualization from perspective of rural people, some obvious consequences related to their livelihood and an insight in terms of who benefits and who loses from this process.

Olilit Community: Economic and Socio-political context

Olilit village is located at the southern tip of Yamdena Island in the Tanimbar Islands. This village is only a tea-drink away from Saumlaki, the district capital. Roads make it possible for people to travel from the village to the district capital. In terms of population, this village is larger compared to other villages in the island. It has an approximately 1,000 households or around 4,000 inhabitants.

Figure 1 Map of Olilit Village



Source: Tanimbar Land Use Project (2004); www.multimap.com (2003)

Olilit village consists of two settlement regions, West Olilit (WO) and East Olilit (EO). Prior to 1946, people were all living in WO until the establishment of the sub-district capital in Saumlaki. Although WO and EO became two separate regions, both are still under a single village government.

The villagers give utmost importance in understanding their roots hence; Olilit's history is being passed on from one generation to another for ages. According to them, the Tanimbarese people do not originate from this island. Myths say that people came to this island through a series of migration, sailing across archipelago and united with other groups forming a new settlement in the present home (Mc Kinnon, 1991:55).

At present, several groups of family live in Olilit namely, Iyat-Taborat; Ngrias or Ivakdalam dayar; Maselar and Mpamrenan; Nifmasar, Ibyaru, Rumray, and Batmwerar; Lakteru, Baritu, Laratmase and Rangkore; and an independent group called Ndriti and Kempirmase. These groups used to live separately but after a series of warfare and alliance, they united and established five soa called Fanumbi, Futuembun, Futunanembun, Ivakdalam, and Waranmaselembun. This was commemorated by changing the name of the old village from Lartutul into Olilit which means round⁶.

⁶ After consolidation, the people use 'Olilit' for an external affair but for an internal affair they use 'Olilit-Fanumbi'. The name of Olilit refers to the united of *Soa Waranmaselembun, Futuembun, Ivakdalam* and *Futunanembun* whereas Fanumbi was formerly different group, a consolidation of several groups (Mc Kinnon 1991:67).

During the union, the following pledge called *Ngrimase* (the words of gold) was declared:

1. *Tal da o lan lese, ma tal dol o lan lese* (we together go to the land, only one Olilit, as well as we together go to the sea)
2. *fwalir lan nim bubu roat na dol ma fwalir lan nim ampat werain nada* (you are allowed to harvest your stone fish trap in the sea as well as from your estate in the mainland)

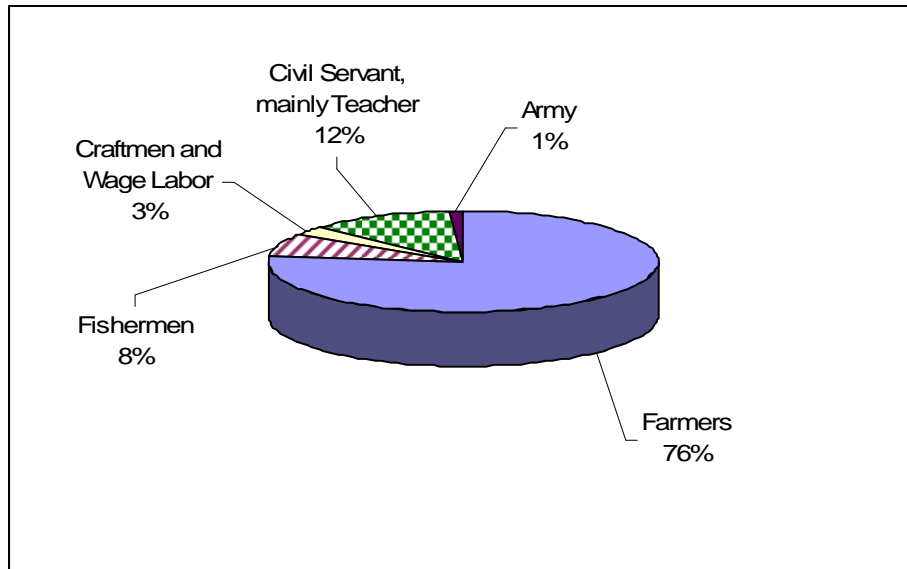
This pledge denotes an important wisdom on how the people in the community should live and manage their resources. Moreover, it serves as a basis of an institutional arrangement on the allocation and management of resources especially the land estates. At this time, people were engaged in subsistence farming, cultivation of estates for coconut and small scale fisheries exploiting stone fish traps in the sea.

The main activity of Olilit families is mainly on agriculture sector, with nearly 83 percent of total families in 2003 (PODES, 2003). Although it is a dominant livelihood, this doesn't mean that they just focus on this activity without doing other livelihood. In fact, the seasonality of income is important to note since some householders also work in the town nearby in order to get immediate cash income. They use some of their time after cultivation period to do paid-work in non-farm sectors in the town while the women will be responsible for nursing the crops in the field.

The food crop agriculture has contributed a small amount of cash income since most of the harvests are consumed by the households. Some food crops are also sold especially vegetables but the income derived from it is not necessarily aimed for capital accumulation. Therefore, we can say that the people in rural Olilit are still live on subsistence economy.

The general pattern of income distribution in the southern Yamdena shows that the rural global income is divided into various income generating activities. Trading copra (dried coconut kernel) and marine fisheries remain an important contribution to the household income. Besides farming activities, there are several activities which are considered as rural non-farm income such as craftsmen, unskilled labor, driver and entrepreneur.

Figure 2 Distribution of Activities in Olilit community



Source: Village secretary, interview (2006)

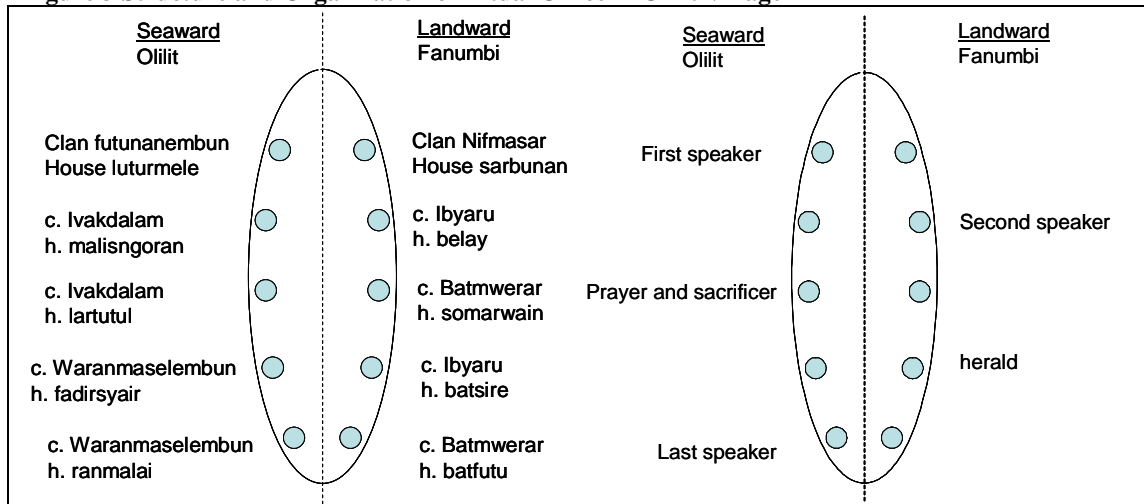
From this figure, the main livelihood of Olilit people is based on natural resources extraction: farming and fishing. Other livelihood activities are growing and getting more important for rural Olilits as well. This is partly developed during the growth of the nearest district capital, Saumlaki. A livelihood that is attract most of youth is motor-taxi driver (*ojek*) and there are around 120 persons developing *ojek* as their livelihood in Olilit society.

Socio Political Organization

Leadership is a central idea in traditional society including in Tanimbar society (Purwanto, 2005:26-27). The leaders are social, political and religious leaders at the same time. They are responsible in managing various aspects of human life such as social, culture, economics, defense as well as natural resource allocation. This means that the traditional leaders plays significant role in Olilit society. The natures of such leaderships are elite domination, single and absolute authority and often inherited.

In this context, the leadership structure is manifested into the boat sailing the sea. Each crew represents a particular leader with specific roles and responsibilities.

Figure 3 Structure and Organization of Ritual Office in Olilit Village



Source: Belay, Interview (2006)

The structure illustrates how the decision might come to an agreement in a hierarchical order. The meeting must be opened by the first speaker and continued by other speakers in sequence. In the meantime, nobody especially those who sit outside the boat, is allowed to interrupt the conversation until given the permission to do so.

All positions on the stone boat are important but with respect to the land, the officer called mangfaluruk has more importance compared to the others. Formally, the mangfaluruk plays a role in the village meeting but is also responsible for maintaining the relation between the physical and spiritual world, therefore its role in the ritual is as prayer and sacrificer. In the real world term, mangfaluruk becomes important as they give consent for every land used by the villager for any purposes be it agricultural or others such as building a house.

Land Access in The Olilit Society

The identical concept to *petuanan* is communal property right or customary tenure institution⁷. The latter definition emerges from the recognition of individual ownership originated from exclusive use right on cultivated land within the communal management. This is also a critique to an old-school of customary right in Indonesia led by Vollenhoven (Haar, 1948). The group control, as Vollenhoven suggests, doesn't mean that communal enjoys the common benefit equally instead some exclusion might be applied for minorities and marginalized groups. In reality, *petuanan* works with the communal principle but here the group also controls individual ownership within communal property.

The access in Olilit society is mediated through group control. There are at least three ways to obtain the right to control a land, they are: 1) being the first settler; 2) join other groups as an exchange of a portion; and 3) acquisition from the warfare (Purwanto,

⁷ Bromley and Feeny, 1992; Otsuka and Place, 2001

2004:87). It was clear that the first settler could claim a tract of land in a particular area. Since the island was relatively large, it is difficult to control and defend the area from the occupation of other groups. Therefore, the first settler will attempt to call other groups to join by bestowing the position in the ritual office. A 'stone' seat, as well as a tract of land or petuanan will be offered as an option for joining (McKinnon, 1991:65).

According to Purwanto (2005:79) the following are the different levels by which the petuanan is controlled: a) household; b) marga; c) soa; and village level. As a concept of territorial property, petuanan is controlled by one or more margas who are connected to each other through elder and younger brother relationship (Purwanto, 2005:77; McKinnon, 1991). This is very common in Yamdena Island but the most relevant aspect in Olilit society is wherein the marga controls the petuanan land.

The rights to control over the petuanan are exclusively determined. It is derived from the history of the ancestors translated to social structure in the society (see Socio Political Organization above). Few marga family control the petuanan land and several others have the land use rights. To use the land, the marga-users are obliged to get permission from the marga-owner. As a distinct feature, only the marga-owner employs the officer called mangfaluruk (see Appendix 1).

The role of *mangfaluruk*

In his study over customary land in Indonesia, van Vollenhoven identified an important officer acting as a land supervisor (Haar, 1948:91). This officer has a power over the land and uses this power to protect anybody in the group from any harms and unintended events. In the Olilit community, the similar officer is called mangfaluruk.

It is a belief that the petuanan land is not only about physical dimension but also spiritual. That is why there is a need to ask the consent of the mangfaluruk before the first use of the land. It has to do with the belief that any harm from the spirits could disturb the human activities on the land. Thus, mangfaluruk would mediate the spirits not to make any harm. In practice, they will worship and sacrifice by trickling palm wine to the ground. Having this responsibility, the mangfaluruk became an important actor in land allocation in the Olilit society.

Distribution of rights over *petuanan* in Olilit village

Customary land in Olilit recognizes both individual and communal control over the land. They are different in arrangement but exist simultaneously creating a complex customary land relation. Communal management is known traditionally by the term *makan bersama* (*Lit*: eat together).

This brings the notion of distinct rights between land and trees; even the trees grown on the land also have different attributes⁸. One year crops such as tubers, paddy, and vegetables are temporary in nature; it can not be used as a basis of individual land claim

⁸ Similar notion also explained by Ostrom and Schlager (1996:130-33) to show how bundle of rights (Access, Withdrawal, Management, Exclusion, Alienation) are allocated differently for different right-holders.

as oppose to perennial crops such as coconut, mango and breadfruit. This has to do with the fact that the working land might fallow after a series of cultivation usually three consecutive years. Moreover, the fallow land serves as communal land therefore it provides an access by other members of the community. Despite its communality, the use of this land is bounded to the control of a particular *marga* who in turn controls a specific *petuanan* area.

Perennial crops provide individual ownership and are more permanent in terms of bundle of rights. The rights attributed to it among others are right to use, right to alienate and right to inherit. Furthermore, such rights can be exercised by new owner as the property transferred.

At the early developing society while the land is still a communal property, the profits derived from the it are treated differently from the profits derived from the tree. The tree profits are individual whereas the land profits are shared to the society (Belay, interview). As the individuals started cultivating coconut in customary land, they developed individual land relation to the land. Having the coconut grown on their estate, households are able to get a set bundle of rights comprising the right to use, to get benefit, to inherit and to alienate the land. Through this mechanism, individual got land ownership and ability to sell their holding as well.

Conversely, the customary right has a different arrangement for outsiders. They are granted usufruct right combined with land inalienability. In Olilit's case, the outsiders living in the area (Saumlaki town) were granted the user's right and can get benefits from the annual crops; although making coconut plantation or planting any perennial crops were prohibited (Fasse, interview).

It should be noted that the complexity between the communal and individual rights has been recognized in *petuanan* system. The resources in the sea and in the land are vested in the community but every member of Olilit can access such resources. Vacant areas are considered as communal property and it can be utilized by those who are willing to exploit them. At the same time, individual ownership is recognized especially the area that has been marked like the stone fish trap in the sea or coconut estate in the mainland.

The Case Studies

The first case study illustrates how the land sales might taken place, what are the reason for selling and what are the consequences. It is based on personal motives and often voluntary therefore the seller has been already aware of the consequences of his decision. They might have anticipated the change after he sold the land. This is completely different from what happened in distress sales where it has to do with coping strategy in the shock situation. Hence the sales would enable the seller to stabilize short term income but in the long term reduce their wealth income-generating opportunity (Ruben and Masset, 2003:484).

Box Case 1 The Distress and Voluntary Land Sales

Rinus Kuai, one of the elders, told that he sold his holding of 1,500 m² in 1998 because he needed money to treat his wounded son in an accident and took his son to a bigger hospital in province capital, Ambon. When he made this decision and the buyer offered the installment payment, he agreed as he had limited choice at that time. He got IDR 11.25 million from this transaction. On the other hand, different story was told by Buang Belay, a young man works as a driver for others' motor-taxi business. He was the only son in his family therefore inherited from his father several plots of coconut plantation. He sold 2,000 m² of his plot in 2003 and got IDR 20 million. He spent the money for renovating his house, buying a home audio system and buying a second-hand motorcycle. This was a leap in his life, he started his own business in motor-taxi transportation.

Source: field work (2006)

Box 1 contrasts personal motive in one hand and the distress sales on the other hands. It is implied that different generation seems to have different decision and livelihood strategy as well. The elders wanted to keep the land as far as they could while the youth attempted to deal with changing situation. Therefore when the young decided to sell some of their holdings, they had made calculation of what should be done to compensate their lost from have no access to land afterwards.

On the contrary, the elder also made his efforts to adapt. However it was not easy when they wanted to leave agriculture sector and involve in wage labor in the town, the jobs might only be available for the young. At the end, the viable opportunity for them was going back to agriculture sector. The old people who still have some plots to work on are in better situation than those who have already sold out their holding. In the first case, although he lost some plots of land, he kept some holdings which he worked on until now.

For some people in the community, dealing with local land market requires a lot of efforts, complicated and a long tiring process.

To sell the land, the seller has to find the buyer himself (Tandjaya, interview). The information regarding the land availability such as the location and its size would be passed through a chain of personal network. In many cases, the seller goes to the buyer's place in person to make an offer.

On the other, the buyers are more interested in buying the land cultivated by coconut rather than bare land. Similarly the lands cultivated by annual food crops are less preferable. This is because land with coconut infers to individual holding and bare land or the land cultivated by annual food crops, it holds temporary holding.

However using social network to make transaction works is often more effective and efficient. The transaction cost might be reduced for both the land seller and land buyer as they can negotiate in a friendly manner with regards to the land price and the condition for payment.

Box Case 2 Land sales using kinship relation

In 1993, house Fasse detached an area of 2 hectares of customary land to one of Chinese businessman named Y. Samadara. He wanted to build a real estate area in Saumlaki. This transaction was possible and easily closed by a contract since Samadara's wife was adopted as a foster-child by the house Fasse. This practice was a common in the Tanimbar Islands especially for the new-comers; they are trying to build relation with the indigenous expecting the protection and help when they need it. Thus the nature of the relationship is reciprocal; foster-children are expected to behave such a way that the children usually do to their parents such as supporting the parents in any difficulties, taking care of them and so on. Similarly, Foster-parent would treat his foster-children in a way that he does to his own children. Though the wife wasn't an indigenous person and she asked to be adopted, house Fasse accepted this offer since the husband was a businessman.

Having such relationship opened the opportunity for the husband to access the land as he was before considered as an outsider. To request the land, Samadara visited his foster-father bringing a bottle of palm wine and the money for its cork as a medium to convey his request. In theory, the amount of money for contribution was voluntary however Fasse asked him to provide IDR 50 million for an exchange.

(Source: Filipus Fasse, interview)

It is a common practice in Olilit society, an exchange among kinsmen takes place for bride wealth, gift including the land exchange as well. This type of transaction is what Polanyi (cited in Eggertsson, 1990) called as transaction mode and applied when the market prices were absent. Indeed in Olilit society, it works as an alternative to price making mechanism.

The last case was about the local government appropriates the customary right for public infrastructure. This was among others facilitated by district regulation (Perda) No 9/2002 concerning spatial plan for Saumlaki town. Based on that spatial plan, the main road and the district office will be build in petuanan of Olilit. the problem is that the land has been taken by local government with small amount of land compensation. Thus, it was not surprising when this research was carrying out, many land claimants from Olilit rallied for land compensation.

Box Case 3 Land appropriation for local infrastructure

The project is covering the area of 17.2 ha for the main road, 40 m in width and 4,3 km in length. When the project was started in 2002, it was located covering two petuanans that is Olilit's and Sifnana's. To compensate the people, the series of calculation had been made to count the area to be cleared including the crops on it then a list of beneficiaries was prepared. From the lists, the LG started paying the compensation at the end of 2002.

Due to some administrative matters; the money was allocated in phases in the yearly district budget (APBD). Meaning that some beneficiaries would get the payment while the rest had to wait for the next budget year. This problem led to a dispute between the district government and the land holder. During the field work, the locals were protesting the government to pay their compensation. Besides asking for payment, some other agendas were also raised like to increase the compensation value as well as to add new claimants in the compensation' scheme. The latter led to the increase of the district budget and provoked more tension between LG and the people.

Source: field work (2006)

The infrastructure projects run by LG seemed obvious and it is likely that similar issues would happen again in the future at different scale and location. It means that future land might compete with the land use for infrastructure projects. As local town grows as local development improved, the question for future land access becomes relevant. Land is a fixed resource hence the land use should be planned carefully and consider all intended and unintended consequences. At some points, the locals would also benefit from being compensated but how long the benefit would last becomes another question. It depends strongly on how efficient households use the money.

The amount of the compensation was also subject to discussion between local government and the land claimants. Although it was agreed the amount of IDR 5,000/m² was the base value for compensation, the people felt it was lower than expected. Compared to recent inflation, one meter square of land even can't afford one kg of rice costs of IDR 6,000/kg.

Discussion

The existence of land market is characterized by imperfect information and distorted land price. While the idea of imperfect information has already been elaborated, the seller keeps the information in such a way that the buyers are convinced by the legal status of the land. Having customary land under a complex land relation among kinship and group of family, the seller who claims holding the land takes an advantage of unobserved information from people who don't understand local custom very well. This often causes latent conflicts in the future for instance other family of the seller re-claimed the land.

With regards to distorted price, the village head plays a significant role and is inseparable from determining the land price. It is part of his job to manage and regulate land affairs in Olilit society. The idea of setting price was to prevent outsiders from buying the land (Salembun, interview). In the last ten years, the land price was about IDR 2,500/m² and has increased to IDR 3,500/m² in 1998.

The regulated price in practice was proven ineffective and it was distorted in the sense that the equilibrium price as reflected by willingness to pay was much higher than of that value. Several cases have shown that some buyers were willing to pay above the regulated price since the value on invested land would increase over time. The land holder gained from the excess price, as experienced by Kuai (interview), he gained about 5,000/m² from the land he sold of IDR 7,500/m².

In relation to that the expected land price at community level is far different from the expected land price of commercial sectors (businessmen in the town). Businessmen have their own calculation so they expect the land price would be around IDR 20-50 thousand/m² (Tandjaya, interview).

Again, this is not only market force determining the land price but also from negotiation. How much the holder would gain from the transaction depends on the outcome of the negotiation. In case of distress sales, the holders seem to have few choices especially in

the crisis situation therefore it is likely that they would receive at any the price offered by the buyer. Unlike distress sales, personal and voluntary sales are more likely getting higher land price especially when demand is high. The seller can get a wide range of alternative where he can choose the highest bid. Even when the price is too low, the seller probably retains the land and sell them later.

The impacts and consequences of land transfer in Olilit will be discussed in the light of its impact to rural livelihood. The land individualization increases a concern of land scarcity and affecting agriculture sector in this village. As it has been shown above, the main livelihoods of the people are based on food crops farming and coconut plantation. While many land plots has been transferred to the outsiders, the availability of land for agriculture use is in shortage. At the same time, the plots that have been cultivated by coconut trees are relatively irreversible and very costly if it needs to be restored to bare land. Hence the land availability becomes less and lesser.

The impact for the youth is very obvious. They may cultivate crops in between coconut trees, though the land fertility was far less than of fallow land (Youth leader, interview). therefore it is not surprising for the youth; they prefer working at non-farm wage labor sector such as docker, driver and motor-taxi driver.

In terms of income generating activities, the wage labor is very attractive though it remains insecure to some extent. This is different to another type of wage labor as a civil servant. Only few people work as civil servant as they acquire a lot of skills and get advance education. In contrast, those who work as informal wage labor in town just rely on their low-skills and physical strength.

The majorities of people in Olilit would be likely affected by the enduring customary land transfer to the outsiders. This is contrast to what happen with the land after purchased by the businessmen in the town. The lands are accumulated for investment purposes for instance Apinga (interview) accumulated 5 ha land of which 2 ha had been taken over by the LG built for public attorney office. Whereas, with the remaining 3 ha, he intends to keep as a future investment. This is shown that advance agriculture development does not happen but merely for speculation.

Institutional Change on Customary land tenure

The process of land individualization in Olilit can be seen from how institutional change perspective⁹ and the actors with various access mechanism¹⁰.

Petuanan system in case of Olilit, as we have shown above, regulate who has the access to the land either communal access or individual access, what benefits can be extracted from common resources such as land and the sea and who control the allocation of resources among the people. One of the early arrangements the community had made was

⁹ Feeder and Feeny (1991)

¹⁰ Ribot and Peluso (2003) define access mechanism consists of access to capital, market, labor opportunity, knowledge, authority, social identity, negotiation and social relation, and technology

unification pledge which set the basic foundation on how resources management should be.

Institution doesn't only regulate what can and can not be done but also what sanction should be applied for any offensive behavior. In case of Olilit, sanctions related to customary land tenure are implicitly enforced. It would rely on the out worldly power to punish the outlaw who break in the custom's rules (Bohm, 1995:17). This kind of sanction is common and effective in any traditional society but it is getting weaker as replaced by modernity.

In this paper, the break down of customary institution can be seen as a result of the appropriation by the elites and urbanization process which bring new value of money economy. The interaction among actors with respect to customary land tenure also indicates a struggle between traditional and modern values to be adapted by the society.

A closer look at the roles of each actor is essential. At the first stage, the role of village head in changing the arrangement was very obvious. The village head was so dominant because he had access to authority. By looking at this access, it provides him the ability to control the society and the resources as well. To illustrate how the power was transferred to the new village head, when he was inaugurated, all leaders who sat on the stone boat bestowed him their valuables as a symbol that the village head had assembled all powers within village. Hence it is implied that the village head is the powerful actor to decide what are good or bad for the village society.

Speaking of domination it is very probable that the village head becomes authoritarian. In addition to that the length of ruling period provides a means for him to be a dictator. In the case of Olilit, as far as people could remember, there have been four village heads. Until recently one of them ruled Olilit for almost 30 years or more (see Table 1).

Table 1 The names of the village head and their ruling period since 1940s

Village head	Started from	Ended on	Ruling period (years)
Modesus Naturaman	1940s	1987	± 30
M Fanumbi	1987	1997	10
W Batlayeri	1997	2005	8
Sam Salembun	2006	On going	6 *)

*) : a period according to district regulation, however village head can be re-elected.

Source: Field work

In fact, the leadership system provided an advantage for the elected village head to stay in the position as long as he could. This was also becoming feasible since the check and balance mechanisms in the village level were less developed. Hence the reason of changing arrangement in these periods was more on expanding the village head's control over *petuanan*. The institutional arrangement on *petuanan* in Olilit had been undergoing a transformation very rapidly. It didn't stop anyway instead the successors continued the process of individualization.

In spite of this, the role of elders and other customary leaders are also significant. In Olilit community, the knowledge especially related to history of village and migration process is vested in the elders and the customary leaders. It is important since the knowledge is the base tenet to understand the power division among *marga* families with regards to *petuanan* management and the allocation of land supervisor.

The knowledge of the history is used to strengthen their position regarding resources allocation. Realizing the importance of this some people attempted to challenge the interpretation of customary law in order to get better access to the resources. They gained better formal education compared to elders but in the society system they are not part of customary leaders but the commoners. Hence, ascribed position in the society is undergoing transformation to new status based on acquisition of advance education. Indeed an improved education may change the way people view their world.

Access to authority also works in looking at the role of the district head. As a top decision maker at the district level, the district head used his power to persuade the people supported by his status as an Olilit' descendant which gave him legitimate access to the Olilit' land. Having two means of accesses simultaneously made it easier for him to influence and take control over customary land in Olilit. In fact, the Olilits were relatively cooperative with such development project because of these reasons.

The outsiders only have usufruct right for a certain period of time and the right they got is inalienable. However, the recent practices have shown that to transfer customary land to the outsider is applicable through kinship relation and land commoditization.

Access to social identity need to be exercised before exercising access to negotiation and social relation. This would operate through among others patronage relation such as father-foster child relationship. Having such relationship eases the outsiders to get the land they need. Apparently, businessmen are interested in getting the land for their investment; hence it is also true they are not interested in doing any advance agriculture. Regardless of land fertility, they would buy it whenever possible. In many cases, the businessmen are more interested in doing real estate projects.

In addition, access to capital plays a significant role. By looking at businessmen' interest at customary land in Olilit, they use their dominance in the local economy and the financial means to access the land through land commercialization. Thus it is not surprising that the businessmen are the most preferred land buyers.

Conclusion

The value of customary land in Olilit has been gradually transformed. In the past, the land had an important value for some reasons like being source of livelihood and it had social and religious functions. Hence the value perceived by the people was more on non-economic value rather than economic value. However the commoditization process mediated by agriculture product transaction has led to the integration of rural economy

into the market. As the market penetration went deeper; the needs were expanding creating increasing demand on secondary and tertiary needs such as luxurious goods.

While demands for secondary and tertiary goods were increasing, it became a threat to institutional arrangement in Olilit. This has been predicted by Baland and Platteau (1996) that a new value for the land commodity would get rid of some attributes such as sacred and taboo. In relation to that the reliance to old magical beliefs also has been weakened over the generation. The sanctions which part of institutional arrangement became ineffective. Partly because some people might refuse to accept such beliefs and offer an interpretation as new values.

The other factor contributes hastening the process of land individualization in Olilit village is the change of customary institutional arrangement. It was facilitated by the government policy regarding to the land use for local economic development. At the same time, urban area is progressing increased the demand of the land for urban settlement. Both factors intertwine with the fact that access to the customary land in Olilit is shaped by various access mechanisms. There are also several actors involved in this issue especially the outsiders creating pressure on demand of land. In addition to that the actors within the groups are getting more important to enhance the process internally by modifying the customary arrangement.

In answering who benefit from land individualization process in Olilit is a little bit fuzzy. The paper doesn't want to make an extreme polarization between who benefit and who lost. Instead, the actors related to land individualization process take both benefit and loss at different ways, levels and scales. Furthermore, the benefits so as lost were not always in monetary terms, but also non-monetary terms. It wasn't necessarily enjoyed by the elites only but also other non elites. However, there is a consistent pattern as expected by the theory that larger benefits were captured by the elites and the other non elites enjoyed a relatively minor benefit streams.

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Appendix 1 List of Clan, Mangfaluruk and House Seated in Ritual Officials

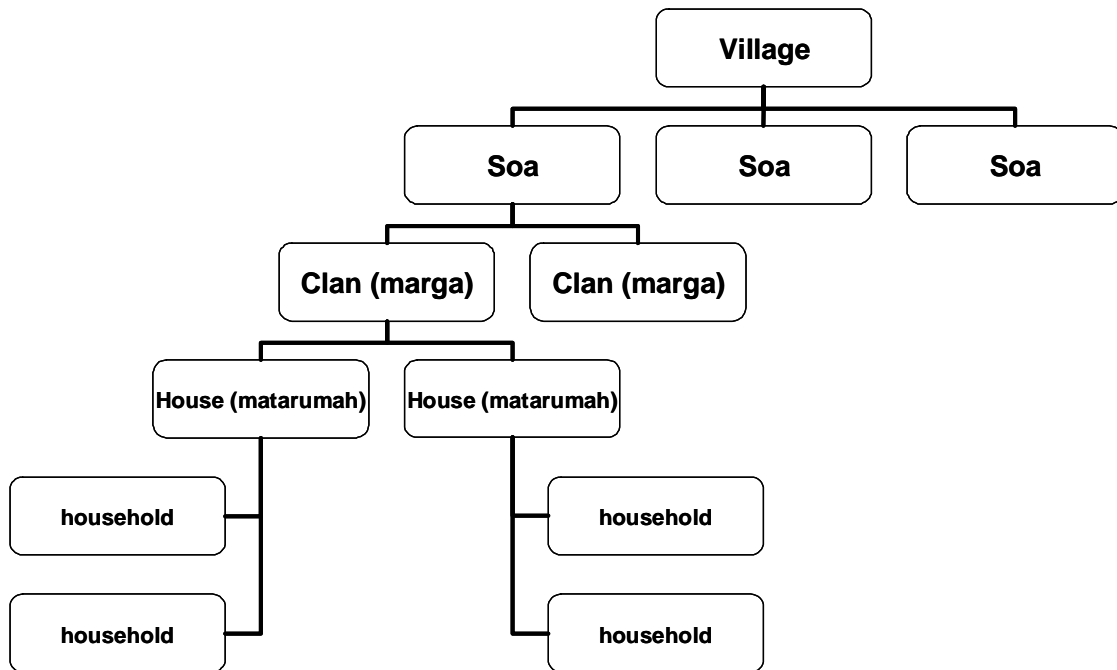
	Soa	Marga (clan)	House	Mangfaluruk	Ritual Officials
Olilit Side	Futuembun	Iyat-taborat	Matkus	Matkus	
			Kelbulan		
			Metantomwate		
			Oratmangun		
			Romrome		
			Fasse		
			Ranmaru		
			Batbual		
			Werempinan		
			Fenanlampir		
		Rumyane keliompar	Ranbalak		
			Londar		
			Kuai		
		Slyarwar	Fairsalili		
			Batseran		
	Futunanembun	Maselar	Luturmele	Luturmele	First speaker
			Batmomolin		
			Ngilawayan		
			Sikafir		
		Polikadu	Kelitubun		
			Rangkoli		
			Teftutul		
	Waranmaselembun	Waranmaselembun	Salembun	Ngilamele-Ranmalai	Herald
			Buarlely		
		Das Melawas	Fenyapwain		
			Fadersyair		
			Kempirmase		
			Sermatang		
			Ndriti		
		Ngilamele-Ranmalai	Ngilamele		Left rudder
			Ranmalai		
	Ivakdalam	Ivakdalam Dole	Malisngoran	Malisngoran	2nd speaker
			Melsasail		
			Watumlawar		
			Dasfamudi		
		Ivakdalam Dae	Samangun	Samangun	Mangsompe
			Lartutul		
			Luturmase		
			Batlayeri		

Appendix 1 (Contd.)

	Soa	Marga (clan)	House	Mangfaluruk	Ritual Officials	
Fanumbi side	Fanumbi	Nifmasar	Sarbunan	Sarbunan	First speaker	
		Batmwerar	Somarwain	Somarwain	Mangsompe	
			Batfutu		Right rudder	
			Tormyar			
			Boin			
		Ibyaru	Batsire	Batsire	Herald	
			Belay		2nd speaker	
			Karyaaain			
			Yempormase			
		Rumrayar	Batmomolin	Batmomolin		
			Belay			
		Awerar	Samponu	Samponu		
			Rananmase			
		Lakteru	Watumlawar	Watumlawar		
			Laratmase			
			Batmomolin			
			Rangkore			

Source: group discussion with elders of Olilit (L. Belay, E. Batmomolin, P. Fenyapwain)

Appendix 2 Kinship Relationship and Organization in Olilit



Appendix 3 List of Key Informants

No	NAME	ROLES PLAYED IN THE SOCIETY
1	Rein Matatula	Forestry agency staff
2	Petrus Saiya	District land board staff
3	Freddy Tandjaya	Businessman, land buyer
4	Proto Lololuan	Public work agency staff
5	Pino Tuasuun	Agriculture agency staff
6	Lusje I Latumakulita	Forewoman, Public work agency
7	Rinus Kuai	Olilits, land seller
8	Sam Salembun	Olilits, village head
9	Freddy Batseran	Head of district land board
10	Anton Fenanlampir	Olilits, head of youth group
11	Cos Lolunlun	Head of general affair section, District office
12	Yohanes Buarlely	Olilits, a docker
13	Atibaman	Olilits, an elder
14	Filipus Fasse	Olilits, elder, land seller
15	Apinga	Businessman, land buyer
16	Buang Belay	Olilits, land seller, ojek
17	Laurensius Belay	Olilits, village secretary
18	E Batmomolin	Olilits, a teacher
19	P. Fenyapwain	Olilits, an elder
20	Sil Salembun	Olilits, a teacher
21	Brampi Moriolkosu	Law section staff, District Office