



Ulayat's Fate: Tradition, Development and Conflict in West Sumatra's Oil Palm Plantations

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ARTICLE INFORMATION

Submitted: 8th December, 2025.

Review: 11st April, 2026.

Accepted: 25th May, 2026.

Published: 26th June, 2026.

KEYWORDS

Oil Palm Plantation; Tradition; Conflict; Development

CORRESPONDENCE

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A B S T R A C T

This paper describes the fate of customary land surrendered by indigenous peoples as part of the government's development programme to increase the palm oil plantation industry to support the economy and modernisation. The approach used is ethnography with a case study focus. Data were collected through interviews and observation techniques as well as literature study. Informants were selected by grouping the interests of individuals and tribal groups (Ninik Mamak, Tanjung Tribe, KAN, Companies, Local Government, and Community Leaders). As a result, after the Nagari Bawan and Manggopoh communities surrendered their land to PT AMP Plantation with a mechanism that was considered in accordance with customary rules and applicable laws and regulations, it eventually led to conflict. The Ninik Mamak of Nagari Bawan was provoked into an internal conflict over who had the most authority in the land, and some Ninik Mamak used customary rules for political interests. Likewise, the community of Nagari Manggopoh, namely the Tanjung tribe, has ventured into conflict with plasma land management and maintaining the status quo as a full landowner. In addition, the Tanjung tribe experienced conflicts between fellow Ninik Mamak, who claimed that they had the most power over the control of plasma products and were entitled to personal benefits. They (the Tanjung tribe) are also in conflict with community groups, Ninik Mamak (KAN), and the company because of the lack of transparency in the provision of plasma distribution.

A. INTRODUCTION

The expansion of oil palm plantations in rural areas cannot be understood solely as a process of economic development or land conversion, but must also be seen as a transformation of social and cultural life within indigenous communities. In many nagari in West Sumatra, land is not merely a productive asset; it is a collective identity, embedded in kinship structures, moral obligations, and customary authority. The control over ulayat land reflects not only economic interests but also the legitimacy of traditional leadership, particularly the role of Ninik Mamak as custodians of communal heritage. When external actors such as the state and corporations enter these spaces, they do not simply acquire land, but also engage with, negotiate, and sometimes disrupt deeply rooted customary systems.

At the local level, the encounter between customary institutions and plantation expansion often produces complex social dynamics. Agreements over land transfer are rarely neutral transactions; instead, they are shaped by negotiations, power relations, and competing interpretations of adat. While Ninik Mamak are formally recognized as decision-makers, their authority is continuously scrutinized by members of their own kaum, especially when decisions are perceived to prioritize external interests over collective welfare. This situation creates a layered tension—between adat and the state, between community and corporation, and within the community itself. In this sense, the transformation of ulayat land reflects not only material change but also a deeper structural tension, which can be understood through a structuralist lens as an opposition between collective values and capitalist interests, as emphasized in the works of Claude Lévi-Strauss.

These qualitative dynamics are further reflected in the rapid and measurable expansion of oil palm plantations across Indonesia. The expansion of oil palm plantations in Indonesia started in the 1980s. According to Afrizal et al. (2024), oil palm plantations are one of the most powerful land conversion forces in the modern history of rural communities. This is evident from the fact that the area of oil palm plantations has almost doubled over the last decade (Austin et al., 2019) and has converted 14,456,611 ha of land on the islands of Sumatra, Kalimantan, Sulawesi and Papua (Austin et al., 2017). Of this, around 8,559,836 ha (59.2%) is owned by plantation companies (state-owned and private), and around 5,896,775 ha is owned by small-scale plantations (local communities).

According to data from Tsujino et al. (2016), in West Sumatra, the total area of oil palm plantations is around 379,662 ha (42.14%). Of this amount, around 160,001 ha is owned by large companies, and the rest, 219,661 ha (57.2%), is owned by smallholders and local communities. For this reason, West Sumatra is among the top 10 oil palm-producing provinces in Indonesia.

The development of oil palm plantation area in West Sumatra Province for a period of 5 (five) years, such as 2018, reached around 418,420 hectares, in 2019 it reached 385,921 hectares, a decrease from the previous year. Whereas in 2020 it is around 408,602 hectares, in 2021 around 416,891 hectares, and in 2022 around 439,902 hectares. So that oil palm plantations in West Sumatra Province from 2020 to 2022 continue to increase.

One of the companies engaged in oil palm plantations in West Sumatra is PT AMP Plantation. This company was established in 1990 under the name Agra Masang Perkasa. The name comes from the location of the plantation, which is surrounded by the Masang River. The entry of a multinational investor in 1994 caused the company's name to be shortened to PT AMP Plantation. The company is one of the units of Wilmar International Limited, which is engaged in oil palm plantations and palm oil mill processing with Foreign Investment (PMA) status.

The products produced by PT AMP Plantation are fresh fruit bunches (FFB) and crude palm oil (CPO). Its plantations are located in Agam and West Pasaman Regencies. The current plantation area of PT AMP Plantation consists of 7,748 ha of nucleus plantations and 5,148.03 ha of plasma plantations. The company also builds cooperation with the Primary Member Cooperative Credit (KKPA) pattern with the surrounding community who are members of the Village Unit Cooperative (KUD).

The construction of the Manggopoh- Simpang Empat highway in 1982 opened the eyes of investors to invest their capital. PT AMP opened plantations in several Nagari in Agam and West Pasaman Regencies. It began in 1982, relying on land transfers from Ninik Mamak and/or KAN and the Regional Government (Agam and West Pasaman). In this case, the pattern of land transfer from

the community to the government and to the company has the customary system of each Nagari (village).

According to Indrizal et al. (2024) the pattern of handing over customary land to the government to become HGU by companies uses the customary system adopted by each Nagari, such as *adat diisi limbago dituang*. The concept of *adat diisi limbago dituang* is the authority of the customary landowners, namely the Ninik Mamak (traditional leaders) (Aprianto, 2021). Thus, the legitimate Ninik Mamak will sign a letter of submission to the local government. In addition, the obligations that must be fulfilled by the company in the form of compensation with a system of *tali asih* or *silih jariah* (Rahmadhani, 2024). This allows negotiations on the value of compensation and plasma sharing agreements between Ninik Mamak and the company.

In practice, the agreements established during the land conversion and handover process were not fully implemented by the company, thereby triggering tensions with the Ninik Mamak as the holders of customary authority. This non-compliance was perceived not only as a formal breach of contract, but also as a violation of the social norms and values of trust that underpin the relationship between the indigenous community and outsiders. Consequently, open conflict has arisen between the company and Ninik Mamak, which in turn has disrupted the company's operations and undermined its social legitimacy in the eyes of the local community.

On the other hand, the decision by the Ninik Mamak to transfer customary land to a company has actually raised suspicions amongst members of the community or tribe. Many community members believe that this decision fails to take into account the community's long-term interests, particularly regarding sustainable access to resources and the collective identity associated with the customary land. This perception is reinforced by the view that converting the land into oil palm plantations benefits outsiders more than the indigenous community itself. This tension subsequently developed into an internal conflict between the Ninik Mamak and community members, which ultimately weakened social cohesion and the traditional leadership structure (Indrizal, Nurti, et al., 2025). Conversely, the transfer of land by Ninik Mamak to the company has raised suspicions among tribe members. They believe that Ninik Mamak did not consider the fate of his tribe members when he converted customary land for oil palm plantations (Indrizal, Ermayanti, & Irwandi, 2025b; Indrizal, Ermayanti, Irwandi, et al., 2025). This has also sparked internal conflict (between the Ninik Mamak and members of the community). This is according to Indrizal et al (2025c) is a quasi-customary law concerning the impact of land transfer, especially customary land in Minangkabau.

This phenomenon can be understood through the concept of quasi-customary law, namely a situation in which customary norms continue to be used as a reference, but

have undergone a shift in meaning and function as a result of external interests or socio-economic changes. In the Minangkabau context, quasi-customary law emerges when customary practices such as the management of communal land are no longer entirely based on the principles of collectivity and deliberation, but are instead influenced by market economic logic and unequal power relations. According to Indrizal et al. (2025c), this condition creates normative ambiguity: on the one hand, actions taken are still framed as valid under customary law, but on the other hand, they give rise to conflict and resistance because they are perceived as deviating from ideal customary values. Thus, quasi-customary law serves as an analytical lens for understanding the dynamics of agrarian conflict in customary territories, particularly regarding the transformation of the function of customary land amidst the expansion of agrarian capitalism.

Conceptually, quasi-customary law refers to a hybrid form of 'authentic' customary law and new practices that have emerged as a result of intervention by the state, the market, and other external actors. In socio-legal literature, this condition is often associated with the weakening of collective authority and the shift of fundamental principles of customary law—such as deliberation, consensus, and communal justice—towards a more individualistic and transactional approach. In other words, customary law has not entirely disappeared, but has undergone a transformation that keeps it symbolically alive, even though its substance has changed. This phenomenon aligns with the view that customary law is dynamic and adaptive; however, in certain contexts, it can actually become distorted when confronted with dominant economic and political forces (Indrizal, Ermayanti, & Irwandi, 2025c).

Furthermore, quasi-customary law can also be understood as an arena of contestation between normative legitimacy and practical legitimacy. On the one hand, actors such as the Ninik Mamak still claim authority based on socially recognised customary structures. On the other hand, however, the decisions taken—for example, regarding the transfer of customary land—are often influenced by economic incentives, corporate pressure, or state policy, and thus no longer fully represent the collective will of the community. Consequently, a tension arises between what is considered 'legitimate' under customary law and what is perceived as 'fair' by community members. Within this framework, quasi-customary law explains why internal and external conflicts can occur simultaneously: because the norms employed are ambiguous, being half customary and half the result of external power structures.

On the other hand, Kasmanedi (2022) also emphasises that the process of handing over customary land from the community to the local government and the company has also been carried out procedurally in accordance with the applicable law on respect for the rights of local communities and traditional rights. However, in practice,

there are many conflicts between local communities and palm oil companies due to the transfer of land.

According to Asmah (2022), this occurs due to the lack of legal awareness and harmony between Ninik Mamak and the grandchildren (tribe members) so that they are easily influenced by local governments and companies. On the other hand, the problems that arise are also caused by the company itself, by not being cooperative (against the law) with the agreement made with Ninik Mamak. According to Rahayu & Fauzi (2023), unlawful acts committed by the company have caused losses to the subjective rights of indigenous peoples, and the settlement is taken through legal channels and customary rules. However, settlements through legal channels often disadvantage communities that do not have maximum resources (material strength and knowledge) and assistance (Wangi & Naldi, 2024). Thus, even though the court has decided the outcome of the case, in some cases, conflicts will continue to occur. Because the conflicts that occur are quite complex, both related to plasma distribution and demands for unclear boundaries of areas utilised by the company. So, tribal members from Ninik Mamak will ask for information from the company, but the conflict will end (Adhariani, 2021; Indrizal, Ermayanti, & Irwandi, 2025a).

Although various studies have examined the mechanisms of customary land transfer through the adat system as well as the conflicts that arise between communities and companies, several significant gaps remain. *First*, previous studies tend to position the Ninik Mamak as the sole legitimate actor, without delving deeply into internal conflicts within the adat structure, particularly the power relations between the adat elite and community members.

Second, previous research has focused more on breaches of agreements by companies. Still, it has not examined how customary law, as a social structure, is strategically (instrumentally) utilized by various actors to legitimize their interests. *Third*, the concept of quasi-customary law—which emerges from the interaction between customary law, the state, and the market—has not been analyzed as part of cultural structural transformation.

Thus, there remains a limited body of research that views these agrarian conflicts as the result of deeper structural relations, such as the opposition between customary law and the state, collectivity versus capitalization, and legitimacy versus self-interest.

This study makes an important contribution to the development of anthropological scholarship, particularly by demonstrating that traditional structures are not static but rather dynamic and open to negotiation and contestation of power. Theoretically, this study expands on Claude Lévi-Strauss's structuralist approach by positioning binary oppositions not only as cognitive structures but also as living, conflictual social practices within the context of contemporary agrarian society.

B. METHOD

This paper is based on a case that occurred in Nagari Bawan and Manggopoh, Agam Regency, West Sumatra. Nagari Manggopoh and Nagari Bawan are plantation areas of PT AMP Plantation. Ninik Mamak Nagari Bawan handed over customary land on 25 August 1991 with the Anak Angkat-Ayah Angkat system. Based on a letter issued by BPN on 23 August 1999 concerning the Results of the Re-measurement of Bawan Customary Land. The land area utilised by PT AMP in Nagari Bawan is around 766.51 ha and has been approved by Ninik Mamak. Ninik Mamak Nagari Manggopoh agreed to hand over 8,800 ha of land to PT AMP with a customary system *diisi limbago dituang¹ and silih jariah²* on 1 March 1994.

This research approach employs an ethnographic method over three months in 2025. The essence of ethnography is an effort to uncover the meaning behind the actions that occur in the lives of the communities we seek to understand (Nader, 2011). The goal is to understand ways of life from the perspective of indigenous communities in relation to their worldview (the communities under study) (Johnson, 2023). Interviews and participant observation were conducted to gather perspectives, experiences, and unexpected events (field data) from informants during the researcher's fieldwork. The research strategy employed is the case study method, as this approach addresses the research questions by addressing the "how" and "why." The case study method was chosen to enable an in-depth examination of the subject within its specific context.

Data collection in qualitative research focuses on the actual type of data and the collection process (Strudwick, 2021). Data collection includes seeking permission, implementing a good qualitative sampling strategy (selecting informants who are truly well-informed and credible), developing ways to record information (digital, paper), and anticipating ethical issues that may arise. But what researchers often do in collecting data from field research is observation and interviews (Creswell, 2015). In this study, researchers collected documents because they were related to the results of collective decisions and secondary data.

In research, the need to determine who will be used as informants (participants) can be individuals or groups in a community (Franco & Yang, 2021). The determination of informants is very important in field research, because the level of generalisation (or not) is partly derived from the sampling technique (informants), as well as related to the validity of the findings. If the people spoken to know little about the research topic, the data that will be generated will not be informative. If the research topic is complex

and involves many stakeholders and only collects data from one group of stakeholders, the findings and conclusions in the research will be limited (Heritage, 2023). Sampling in qualitative research includes purposeful sampling, and the focus in qualitative research is a relatively small sample, sometimes a single case, selected purposefully.

In terms of research ethics, we obtained permission from the village head and KAN (Kerapatan Adat Nagari) and coordinated with PT. Wilmar (PT. AMP) as the landowner and Ninik Mamak (Traditional Leader). We ensured that meetings, interviews, and observations were conducted with the consent of the informants, and that data confidentially and integrity were maintained throughout the research process. All interviews with informants were recorded with their verbal consent. When referring to informants, only their traditional titles are used, and their real names are not specifically mentioned. However, some informants are explicitly named because the data was sourced from the media and is already widely known.

All interviews were conducted with cultural sensitivity, respecting local customs and traditional protocols surrounding knowledge sharing. Some names have been disguised, but traditional leaders are still referred to by their real names, as they have already been publicly acknowledged. Data storage follows strict confidentiality measures, with access limited to the research team. Research findings are verified through a peer-review process, allowing participants to review and verify their contributions before finalisation.

In ethnographic research focusing on conflict, the researcher's position is never entirely neutral; rather, it is always situated within specific social relationships with the actors in the field. The statement that interviews were conducted with cultural sensitivity and respect for local customs indicates that the researcher positions themselves as a culturally embedded researcher – that is, striving to understand reality from the perspective of the local community whilst upholding research ethics. This approach is crucial in the context of customary-based agrarian conflicts, as the data collection process involves not only information but also touches upon aspects of trust, authority, and social legitimacy. Consequently, practices such as anonymising informants (except for public traditional figures), restricting data access, and implementing participant verification mechanisms reflect a commitment to qualitative research ethics, particularly the principles of 'do no harm' and the protection of research subjects (Atkinson & Hammersley, 1994; Creswell, 2014).

Furthermore, the dynamics of the field in conflict research require researchers to engage in constant self-reflection (reflexivity) regarding their position, role and potential biases. In situations where there is tension between the Ninik Mamak, the community and the company, researchers may be perceived as taking sides or even as

¹ Mechanisms governing the transfer of customary land that require the involvement of Ninik Mamak and are in accordance with customary rules.

² Compensation to be paid to customary landowners.

informal mediators. This makes the process of member checking – or the verification of findings by participants – not merely a methodological procedure, but also a strategy for building trust and reducing the potential for misrepresentation. Furthermore, participants' involvement in the process of reviewing findings strengthens the validity of the data whilst reflecting a collaborative ethnographic approach, in which knowledge is produced collectively. Thus, the researcher's position in this context is dynamic – simultaneously that of an observer, a limited participant, and a facilitator of dialogue – which must be managed ethically and reflectively throughout the research process (Denzin & Lincoln, 2017).

C. RESULTS AND DISCUSSION

1. Socio-culture of Nagari Bawan

Nagari Bawan is taken from the word *baawan* (cloudy), because when they were travelling and saw this area, what was seen was a lowland or valley filled with fog or clouds. The ancestors consisted of three datuks (traditional leaders), namely Datuk Tan Majolelo (Caniago tribe), Datuk Sardeo (Sikumbang tribe) and Datuk Rajo Nan Sati (Koto tribe). Nagari Bawan is one of the villages in Ampek Nagari District, formed in 2005, Kecamatan Ampek Nagari Agam Regency. Nagari Bawan has an area of about 56,400 ha, which consists of 5 jorong (hamlets), including Pasar Bawan, Pudung, Anak Air Kasing, Lubuk Alung and Malabur. The population is around 20,375 people, consisting of 10,486 men and 9,889 women. The village typology consists of food crops, plantations and forestry covering an area of 26,589 ha. Food crop land covers 10,757 ha, plantation land covers 7,808 ha and forest land covers 8,024 ha.

In Nagari Bawan, there are 7 tribes, namely the Caniago tribe, Sikumbang tribe, Jambak tribe, Tanjung tribe, Pili tribe, Koto tribe and Malay tribe. The customary system used in Bawan is the Koto Piliang customary system, namely *adat barajo-rajo*, *kemenakan barajo ka mamak*, *mamak barajo ka panghulu*, *panghulu barajo ka mufakaik*, *mufakaik barajo ka nan bana nan datang sandirinyo* (customary king, *kemenakan* obedient to Mamak, Mamak obedient to Penghulu and Penghulu obedient to rules and agreements). In the Koto Piliang customary system, there are levels of rulers as assistants to Penghulu Pucuk, *bajaranjang naiak batanggo turun* (tiered up, stairs down). By using the Koto Piliang customary system, there are Ninik Mamak Pucuk and Ninik Mamak Andiko. Ninik Mamak Andiko is the Ninik Mamak appointed by the Ninik Mamak Pucuk. Ninik Mamak Pucuk himself in Nagari Bawan is Basa Nan Barampek and Panghulu Nan Batujuah.

From the Ninik Mamak structure above, it can be seen that only Basa Nan Barampek and Panghulu Nan Batujuah have power over customary land and communal property.

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The three elements of Ninik Mamak in Nagari Bawan have the following functions:

1. Basa Nan Barampek: These four Ninik Mamak were the first to open the village and the first to own the area. In the four Basa, the leader is Dt. Sardeo as *urang tuo* (leader).
2. Pangulu Nan Batujuah: Ninik Mamak who came after Basa Nan Barampek and have their own customary territories that they *taruko* (cultivate) in different areas.
3. Andiko: The leader of each clan, whether native or immigrant:

2. Customary Land shedding and Ninik Mamak Conflicts

The land tenure system in Nagari Bawan organises the *babingkah tanah* system. This system regulates that customary land is owned by Ninik Mamak in Nagari Bawan, namely Basa Nan Barampek, including Pangulu Nan Batujuah. Thus, in the letter of surrender of Nagari Bawan on 25 August 1991 to the Regional Government of Agam Regency for oil palm plantations to be implemented by PT AMP Plantation, it was signed by Basa Nan Barampek and Pangulu Nan Batujuah.

The surrender system refers to the foster child-foster father. This system refers to the surrender of land there must be *tali asih* (compensation) and land division. In the land surrender agreement, it is also emphasised that the land area surrendered is divided 70% for PT AMP Plantation's core land and 30% for plasma managed by the community.

The agreement to issue this land transfer letter is based on an agreement between Ninik Mamak and the Local Government to obtain land management rights. After obtaining approval, PT AMP Plantation, as the third party, was granted authority over land management by the local government in the form of an HGU (Right to Cultivate). The Ninik Mamak served as the first party (the grantor), the company as the second party (the grantee), and the local government as the certifying authority (legitimizing the transaction). The land transfer letter also outlines obligations that the company must fulfill, such as the amount of the *tali asih* payment, labor requirements, and the area of land received. Thus, with this transfer letter, the company can manage the customary land and obtain an HGU certificate from the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN).

For the Ninik Mamak of Bawan, this constitutes a highly advantageous agreement. However, some Ninik Mamak disagree with the land transfer, viewing it as prioritizing the interests of the government and the company. Consequently, a conflict of interest has arisen, with the dissenting Ninik Mamak refusing to sign the transfer letter. Mr. Syafruddin Dt. Tan Majolelo and Dt.

Mangkudun did not participate in the signing of the surrender letter, because the letter was written that the surrender was carried out by Ninik Mamak Penghulu Tujuh Suku, Basa Nan Barampek and Ninik Mamak Bawan. According to him, this is wrong because Penghulu Tujuh Suku is a combination of Basa Nan Barampek and Penghulu Nan Batujuah as the Customary Head in Nagari Bawan. It should be written as Panghulu Nan Batujuah, Basa Nan Barampek Bawan and Ninik Mamak throughout Nagari Bawan.

In the handover of the customary land of Nagari Bawan to the Regional Government of Agam Regency, the Ninik Mamak involved in the handover did not all consist of Basa Nan Barampek and Penghulu Nan Batujuah. According to Dt. Tan Majolelo, the handover of the land was deemed wrong and seemed hasty, according to him there were interests from the Nagari Government at that time, namely M. Dt. Sinaro Panjang. During the handover, the headman who was both intelligent and powerful could become the Customary Head. The names involved in the handover have power and block Ninik Mamak who should be involved in the handover. The Nagari Government and Ninik Mamak who have the power cooperate in the handover of the land. The reason Mr. Sy Dt. Tan Majolelo and Dt. Mangkudun did not want to participate in the signing at that time because he felt that the handover was not in accordance with customs (*adat salangka Nagari*). But according to A. Dt. Tan Majolelo, why did Dt. Sy. Dt. Tan Majolelo and B. Dt. Mangkudun did not want to sign because they were not people who had the right to hand over the customary land of Nagari Bawan. After all, they were not people who had customary rights in Nagari Bawan. Because Mr. Sy at that time borrowed the title of Dt. Tan Majolelo was to become *Angku Palo* (village head) at that time.

This is also supported by the issuance of the Cultivation Rights Certificate (HGU) No. 12, dated 31 March 2004, concerning the total area of PT AMP Plantation's nucleus plantation, which is located on the customary land of Nagari Bawan. Oil palm plasma plantation with an area of ± 226 Ha is the initial stage of the struggle of Ninik Mamak Nagari Bawan because until now there is still a struggle to obtain plasma based on Cultivation Rights Title Certificate (HGU) Number: 11 dated 31 March 2004 with an area of ± 4360 Ha which raises unresolved problems. The existence of mutual claims to customary rights between Nagari Bawan and Nagari Manggopoh is due to changes in the administration of sub-district Nagari expansion, which initially based on Special Situation Map Number 12 of 1996 the village names were North Manggopoh Village, Lubuk Basung District, Tapian Kandis Village, Palembayan District, Taratak Nan Tigo Village, Tanjung Mutiara District. However, at the time of the issuance of the Cultivation Rights Title Certificate (HGU) Number: 11 dated 31 March 2004 on behalf of PT AMP Plantation, the condition of the Jorong and Nagari names at that time had changed to Tiku Limo Jorong and

III Koto Batu Kambing which was more detailed written in Measurement Letter Number: 1/AGAM/2004 Jorong Taratak Nan Tigo and Bawan so that the company could not provide the plasma. Nevertheless, with the existence of an oil palm plasma plantation of ± 226 hectares, which is customary property of the Nagari, it can contribute to the progress of the village because it is communally owned and not titled.

3. Socio-culture of Nagari Manggopoh

Manggopoh is a village located in Lubuk Basung District, Agam Regency, West Sumatra Province. The origin of the name Manggopoh is historically due to the source of 'Aia Simaruwok' in Lubuak Lansek which always comes out continuously with clear '*mangkapopoh*' around Simpang Gudang Jorong Balai Satu today, and has historical value, so the name of this area with Manggopoh. The existence of Nagari Manggopoh has existed since the 19th century, Nagari Manggopoh is one of the oldest Nagari in West Agam Regency.

Administratively, Nagari Manggopoh consists of eight Jorong including Jorong Balai Satu, Batu Hampar, Sago, Pasar Durian, Padang Tongga, Anak Aia Dadok, Kubu Anau, and Kajai Pisik. The area of Nagari Manggopoh is 116.85 km² with a population of 23,331 people (consisting of 11,881 men and 11,450 women).

The people of Manggopoh adhere to the Bodi Caniago and Koto Piliang systems. In this case, in making decisions, the deliberation system is prioritised. However, if it does not reach an agreement, it will be brought to the decision-making system from the top of the *adat*. However, in the control of customary land, the system adopted is *babingkah tanah*, so that each tribe and Ninik Mamak controls their respective customary land and has the right to land. According to Eri Gusrimal (Secretary of KAN) in Nagari Manggopoh there is no Nagari ulayat, so all land/land is controlled by the Ninik Mamak of each tribe.

In Nagari Manggopoh there are seven tribes, of which five tribes are native tribes in Nagari Manggopoh and two tribes are *malakok* (attached) tribes. The original tribes are Sikumbang, Caniago, Jambak, Tanjung, and Piliang. The immigrant tribes are the Koto and the Mandailing. Each tribe consists of Pucuk Adat/Rajo and Andiko. According to Barih Balabeh Adat (customary provisions) Nagari Manggopoh, the number of legal Ninik Mamak is 40 people consisting of 3 Rajo Nan Batigo, 4 Basa Nan Barampek, 3 Orang Tuo Adaik, 28 Andiko Basa, 1 Nagari Imam and 1 Nagari Khatib.

Figure 1. Structure of Ninik Mamak Nagari Manggopoh.



From the description above, the five customary structures have their respective functions and customary areas, including:

1. Rajo Nan Batigo is the king who controls Nagari Manggopoh. The three kings consist of Dt. Rajo Bandaro (Sikumbang tribe) as *ambun puruak* (financial manager) who has customary territories in Batu Hampa, Sago and Balai Satu. Dt. Tumbijo (Caniago tribe) as *pasuang jo rantai* (customary laws and rules) who has customary territory in Batu Hampa. Dt. Basa (Jambak tribe) is a *dubalang* (village guardian) who has customary territories in Kubu Anau and Batu Hampa.
2. Basa Nan Barampek is the *pucuk adat/basa* who controls customary land in Nagari Manggopoh. They are collectively also referred to as *induak suku* (tribal leaders). The four people are Dt. Rajo Mudo (Koto tribe), Dt. Majo Sati (Tanjung tribe), Dt. Bandaro (Piliang tribe) and Dt. Indo Majo (Mandailing tribe).
3. Urang Tuo Adak are elders and are neutral in all matters in Nagari Manggopoh. They have a function as *tampek baiyo* (discuss). The three people are Dt. Sirajo (Caniago tribe), Dt. Bintaro Rajo (Tanjung tribe) and Dt. Bintaro Hitam (Tanjung tribe).
4. Andiko Basa are dreamers in their respective communities and do not have customary territories or control over customary land. They consist of 28 people.
5. Imam Nagari and Khatib Nagari are people who take care of religious matters. They consist of two people from the religious community.

4. Customary Land Conveyance and Conflicts

The Tanjung clan has customary land, a legacy of their ancestors, which is communally based on the Right of Origin. From the results of the interview, the information revealed by Dt. Bintaro Rajo (74 years old), as the owner of customary land and Ninik Mamak of the Tanjung Tribe are as follows:

“In August 1937, the Minangkabau Nature Conference was held in Bukittinggi, which was attended by all Ninik Mamak representing the Nagari in West Sumatra. The discussion at that time was about customary land, and the results of the meeting suggested that each Nagari make rules about customary rights. Then in 1938 the Nagari Manggopoh ordinance was born. From the ordinance came the recognition of customary ownership in Manggopoh, specifically identifying five groups, which can be considered as five tribes. The 5 tribes are Tanjung, Edi Indrizal

Sikumbang, Piliang, Jambak and Chaniago. Those who do not have land are Mandailing and Koto”.

The communal land owned by the Tanjung Tribe has been recognised through the deliberation of all Ninik Mamak in Minangkabau, in August 1937, in Bukittinggi, and strengthened through the Nagari Manggopoh Ordinance in 1938.

In 1984, PT KAMU, a subsidiary of PT AMP (Agro Masang Plantation), established an oil palm plantation next to the customary land of the Tanjung Tribe. The Tanjung Tribe's customary land has an area of around 5000 ha which is still a jungle and only a few heads of families from the Tanjung Tribe cultivate the land by farming. By seeing PT KAMU build an oil palm plantation next to the Tanjung Tribe's customary land, several Ninik Mamak of the Tanjung Tribe saw an opportunity to develop the Tanjung Tribe's customary land into more productive land.

The above got an opportunity because of Dt. Tumbijo as a Nagari Government official was offered by PT AMP to provide land for Plasma. Dt. Tumbijo chose the Tanjung Tribe's Customary Land and the Ninik Mamak of the Tanjung Tribe agreed to it. Thus, the process of managing the customary land of the Tanjung Tribe was then carried out by PT AMP. This can be seen from the results of an interview with Dt. Bintaro Rajo (74 years old) is the Ninik Mamak of the Tanjung Tribe, as follows:

“In the past, the oil palm plantation company was called AMP (Agro Minang Permata). The AMP company wants to invest in Nagari Manggopoh. Sometime later, the company's people met with Dt. Tumbijo who was the village official in Manggopoh. The company offered an investment to Dt. Tumbijo. With the agreement made, Dt. Tumbijo was willing to accept investment from the company and wanted to find land for the AMP company's Plasma. With the vast customary land of the Tanjung Tribe which has been managed traditionally, Dt. Tumbijo chose the Tanjung Tribe's customary land as an option, which was also approved by the Ninik Mamak of the Tanjung Tribe”.

After an agreement between the village apparatus and the investor (PT. AMP), and approved by the Ninik Mamak of the Tanjung tribe, as the holder or decision maker regarding the management of the Tanjung Tribe's Customary Land based on the Right of Origin. Then the Plasma Inti mechanism or rules apply. Inti is a plantation owned and managed by the investing company, namely PT AMP and Plasma is an oil palm plantation intended for the Nagari Manggopoh community, developed on the Tanjung Tribe's customary land under the guidance of PT AMP.

After reaching an agreement between the Nagari apparatus and the Ninik Mamak of the Tanjung Tribe, that the customary land was used as an oil palm plantation, an agreement was made with PT AMP, as stated by the Dt.

Majo Sati (50 years) is the Ninik Mamak of the Tanjung Tribe as follows:

“The bank issues credit and is then guaranteed by PT AMP as a mentor (apalis). PT AMP is responsible for guiding the Plasma farmers from land cultivation to production, and then the results are purchased by PT AMP. As long as the Plasma farmers are not yet independent, they are listed as employees of PT AMP”.

The cooperation with the company is only as a guarantor to borrow money from the bank to open the land and is responsible for guiding the community to cultivate from land farming until it produces and buys the garden products directly. the guidance is carried out until the Plasma farmers are independent.

After the establishment of the cooperation with PT AMP, the Manggopoh Village Unit Cooperative or KUD Manggopoh for short was formed, which brings together all the Plasma farmers. The purpose of the formation of the cooperative is to obtain a loan from the Bank as initial capital in the development of oil palm plantations, by making land certificates a requirement from the Bank. therefore Dt. Tumbijo as the authority in Nagari Manggopoh opened registration for anyone who was able to provide the cost of making certificates regardless of tribe or class. As explained by Tamsuar (52 years old), as a member of the Tanjung Tribe Nagari Manggopoh in an interview, namely as follows:

“The Co-operative had to get a loan from the Bank on the condition that there was a certificate. The certificate was made by Dt. Tumbijo. The condition for making the certificate is that the community must provide IDR 650,000, and then the community will get a land area of 1 ha per certificate. The making of the certificate was announced to the Manggopoh community regardless of ethnicity. So, the people who have the certificate are mixed, meaning not only from the Tanjung tribe but many from outside the Tanjung tribe”.

To become a Plasma farmer, you must pay a predetermined amount of money. Anyone who can pay the fee can become a member of the Plasma farmers and get a land certificate. In reality, many of the Plasma farmers are Manggopoh people outside the Tanjung Tribe.

The transfer of Customary Land to Cultivation Rights in Manggopoh Nagari in 1994. At first, the customary land in Manggopoh Nagari was still a wilderness. The land can only be mortgaged and cannot be sold. The status of the land is that even though the land has been allocated to one tribe, the children of other tribes still have the right to cultivate the land. Outsiders can also cultivate the land with the right to use the model by giving compensation to the tribal penghulu as the ruler of customary land. If the land is no longer used, the land must be returned to its original form, namely, tribal customary land (Perda Agam Regency No. 3 of 2004).

Problems arose when HGU certificate No. 4 1992 was issued, which according to the Special Situation Map dated 20 May 1990 No. 01/1990 covered an area of 8,625 hectares. Which was then strengthened by the Decree of the Head of the National Land Agency number: 14/HGU/1991 concerning Cultivation Rights on behalf of PT Mutiara Agam, Padang dated 30 September 1991, which basically stated that the HGU land used by PT Mutiara Agam was declared State Land and the HGU was valid until 31 December 2026 and could be extended every 25 years at the request of the government.

Ninik Mamak Nagari Manggopoh agreed with PT Agra Masang Perkasa (AMP) Plantation which uses uncultivated jungle land to make oil palm plantations. In 1993, based on an agreement between the Ninik Mamak of the Tanjung Tribe and the Ninik Mamak in the Nagari Customary Density (KAN) chaired by Asmawi Dt. Tumbijo agreed to hand over 2,000 ha of Nagari customary land in the north Manggopoh jorong to be processed into oil palm plantations by PT Agro Masang Perkasa (AMP) Plantation with a period of 35 years.

After a tough negotiation, on 1 March 1994, based on a statement of agreement from the Ninik Mamak/penghulu pucuk adat/customary leaders, owners and rulers of customary land in Nagari Manggopoh, the Tanjung Manggopoh tribe from the umbrella of Dt. Bintaro Hitam, Dt. Bintaro Rajo, Dt. Majo Sati, Dt. Ganto Suaro, and Dt. Talut Api in North Manggopoh Village (Jorong Manggopoh), Lubuk Basung sub-district, Agam Regency expressed their willingness to surrender the customary land of Nagari Manggopoh, North Manggopoh village for the Foreign Investment Company (PMA) PT Agro Masang Perkasa (AMP). The letter was acknowledged by the Head of North Manggopoh Village, the Chairman of the Manggopoh Customary Council, and the Lubuk Basung Sub-District Head.

5. Quasi-Customary Law: Conflict and Political Economy

The structural approach of Claude Lévi-Strauss (1963) views society as a system composed of symbolic relations and binary oppositions. In the context of Nagari Bawan and Nagari Manggopoh, the social structure is constructed through the division of roles among Ninik Mamak, such as Basa Nan Barampek, Panghulu Nan Batujuah, and Andiko, which function not only administratively but also represent the cosmological order of adat (customary law). The structure known as “bajanjang naiak batanggo turun” reflects an organized hierarchical principle, where authority flows in tiers from the highest customary leaders down to clan members. From a structuralist perspective, this indicates the presence of a stable pattern (deep structure) that regulates social relations, particularly in the control of tanah ulayat (customary land) as a symbol of collective identity and genealogical continuity (Afnaini & Syamsudin, 2022).

However, this structure does not exist in a static condition; rather, it faces pressures from external systems such as the state and plantation capitalism. Within Lévi-Strauss's framework, we can identify binary oppositions such as "adat" versus "state/corporation" and "collectivity" versus "economic individualization." In Nagari Bawan, for example, the transfer of customary land to corporations through formal mechanisms such as cultivation rights (HGU) reflects a transformation from a symbolic adat-based system into a state legal-formal system. These oppositions are not merely conceptual but are manifested in real conflicts between Ninik Mamak who support and those who oppose land transfers. Thus, the conflicts can be understood as a clash between two different structures of meaning in interpreting land: as ancestral heritage versus as an economic commodity (Judiasih et al., 2025).

Furthermore, internal conflicts among Ninik Mamak themselves reveal what can be described as a "contradiction within the structure," a key concern in structural conflict analysis. Differences in perspective between figures such as Syafruddin Dt. Tan Majolelo and others reflect tensions in the interpretation of adat itself. In Lévi-Strauss's view, myths or customary narratives function to maintain structural balance; however, in this case, such narratives are contested and mobilized to legitimize differing actions. This suggests that the adat structure is not entirely homogeneous but contains latent conflict potential, which becomes visible when confronted with rapid social change, such as the expansion of oil palm plantations.

In the case of Nagari Manggopoh, the more complex adat structure—combining the Bodi Caniago and Koto Piliang systems—demonstrates flexibility in decision-making while also opening broader space for negotiation with external actors. From a structural perspective, institutions such as the KAN (Customary Council) and plasma cooperatives can be seen as mediating mechanisms between adat structures and modern economic systems. However, the introduction of land certification mechanisms and bank credit systems has shifted the meaning of land from a collective symbol to an individualized asset that can be partially commodified. This creates a new binary opposition between "origin rights" and "formal legal rights," which becomes a source of agrarian conflict.

The conflicts that emerge, both in Bawan and Manggopoh, can also be analyzed as attempts by communities to reconcile old structures with new ones. In Lévi-Strauss's perspective, conflict is not merely a dysfunction but part of the process of structural transformation itself. When communities encounter change, they tend to produce hybrid forms—such as nucleus-plasma systems or quasi-customary arrangements—to bridge these differences. However, because this process does not occur in a balanced manner, power inequalities emerge, triggering

resistance not only toward corporations but also toward customary elites perceived as deviating from adat values.

Thus, Lévi-Strauss's structural analysis helps explain that agrarian conflicts in both nagari are not merely economic or legal issues but are manifestations of shifts in structures of meaning and social relations. Tanah ulayat, which traditionally existed within a symbolic and collective domain, is being rearticulated as an economic object within agrarian capitalism. When these two systems intersect without strong integrative mechanisms, conflict becomes inevitable. Therefore, understanding these conflicts requires a deep reading of the underlying cultural structures, rather than viewing them simply as disputes over interests.

From a political economy perspective, the dynamics in Nagari Bawan and Nagari Manggopoh illustrate how power relations among the state, corporations, and customary elites reshape control over resources. Customary land (tanah ulayat), which was originally embedded within a moral economy based on collective sustainability, has been transformed into a commodity within the framework of agrarian capitalism through mechanisms such as cultivation rights (HGU), bank credit schemes, and nucleus-plasma plantation systems. In this context, Ninik Mamak no longer functions solely as guardians of customary values, but also as political-economic brokers who mediate external interests and local communities. This situation creates unequal access to information and authority, meaning that decisions over land often favor actors occupying strategic positions within the power structure. As a result, the conflicts that emerge are not merely differences in perception but reflect deeper struggles over control of valuable economic resources (Mizuno et al., 2026).

This condition is closely linked to the emergence of quasi-customary law, where customary practices are used to legitimize economic transactions that are in fact rooted in market logic and state policies. In this setting, customary law no longer fully serves as a mechanism for collective protection, but instead becomes an instrument that can be negotiated and strategically utilized by certain actors for political and economic gain. This ambiguity generates layered conflicts: vertical conflicts between communities and corporations or the state, and horizontal conflicts within the community, particularly between customary leaders and their members. Thus, quasi-customary law functions both as a bridge and a source of tension between two value systems—customary norms and capitalism—that are not entirely compatible. This phenomenon highlights that the transformation of customary law within a political economy context produces not only institutional change but also new arenas of conflict that continue to be negotiated in everyday social practice (McCarthy, 2010).

6. Customary Land, Contested Future: The Ulayat dilemma

After the people of Nagari Bawan and Manggopoh surrendered their land to PT AMP Plantation with a mechanism that was considered in accordance with customary rules and applicable laws and regulations, it eventually led to conflict. Ninik Mamak Nagari Bawan was provoked into an internal conflict over who had the most authority in the land surrender and some Ninik Mamak used customary rules for political interests. Likewise, the community of Nagari Manggopoh, namely the Tanjung tribe, has ventured into conflict with plasma land management and maintaining the status quo as a full landowner. In addition, the Tanjung tribe experienced conflicts between fellow Ninik Mamak who claimed that they had the most power over the control of plasma products and were entitled to personal benefits. They (the Tanjung tribe) are also in conflict with community groups, Ninik Mamak (KAN) and the Company due to the lack of transparency in the provision of plasma distribution. Customary land is seen as an agent that becomes the basic structure of relations between Ninik Mamak which has a binding system of customary rules. Thus, in the handover of communal land, customary perceptions appear to be *adat diisi limbago dituang, silih jahiah* and adopted children-foster fathers. Ninik Mamak as an agent who can translate the concept plays a role in taking personal advantage and economic interests. So that a hierarchy of Ninik Mamak is formed, which is the most authorised and not authorised in the handover of communal land (*tanah ulayat*). Thus, conflicts and strengthening of interest groups will occur between those in relation.

In structuralist theory, the structure of relations created between agents (Ninik Mamak, the Company, KAN, members of the Tanjung tribe and indigenous peoples) and the customary system (cognitive structure) played as if they were 'dancing without music'. In the end, the pleasure can only be felt by themselves without touching the people of Nagari Bawan and Nagari Manggopoh. The community should not only see the movements, but also be able to listen to the beautiful music and participate in dancing even though they are not on the same stage.

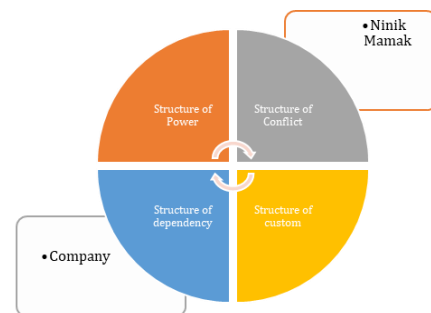
However, these elements are both interconnected and in conflict with one another. Companies interact with the government and traditional leaders, traditional leaders interact with companies, and the government interacts with companies. Among these elements, there are rules that they adhere to: the Ninik Mamak exercises their customary legal authority in accordance with the agreements reached; the local government complies with applicable statutory law; and the companies' position is bound by both sets of rules.

But there is an agent element that dances while playing music, namely the Company or the dominant Ninik Mamak who has strong interests. The complexity of

interests and discourses is played by both Ninik Mamak and the company even though they are in a vortex of conflict and are both resistant and discursive. This is very necessary because the company has more economic and political power than Ninik Mamak. However, the company is dependent on Ninik Mamak who has access to customary land. So that Ninik Mamak relates to the company in the form of conflict for profit. Agent relations are called factions; both carry out hidden missions.

The hidden mission is that the company dominates the decision-making process related to the utilisation of customary land. Ninik Mamak resists with their traditional beliefs (*adat diisi limbago dituang, silih jahiah/tali asih and anak angkat-bapak angkat*) as a method of defending their rights to their customary land. So that they negotiate with each other in an agreement over the fate of customary land.

Figure 3. Map of Conflict Relationships in Oil Palm Plantation Areas.



From the relationship map, it can be illustrated that Ninik Mamak plays a role and interest in customary land (structure of custom) as their manager and protector (structure of power). Customary land is also used as an intermediary for Ninik Mamak negotiations and struggles (structure of dependency). Customary land is also a medium for their resistance to customary land access rights (structure of conflict). Vice versa, the company relates to customary land as an object of exploitation and capitalism. Therefore, the company deals with Ninik Mamak as the ruler of customary land to fight for its goals and interests in the name of negotiations. In negotiations, the Company holds a sledgehammer (economic and political power) that can influence Ninik Mamak. Thus, this cycle will continue to rotate either clockwise or counterclockwise.

Analytically, the "ulayat dilemma" reflects not merely a breakdown of agreement, but a deeper structural transformation in the meaning and function of customary land within a political-economic regime. Drawing on the structuralism of Claude Lévi-Strauss, customary land (*tanah ulayat*) operates as a central symbolic code that organizes relationships among actors. However, when this symbolic system is overlaid by market-oriented logics, its meaning becomes unstable and open to competing interpretations. The emergence of factions among *Ninik*

Mamak—each claiming legitimacy based on adat—demonstrates that the “deep structure” of customary authority is being fragmented. What appears as internal conflict is, in fact, a structural dislocation: adat principles such as *adat diisi limbago dituang* and *tali asih* are reinterpreted as instruments for negotiating economic gain rather than maintaining collective balance. In this sense, customary land becomes a contested semiotic field where authority, legitimacy, and material benefit are simultaneously produced and disputed.

From a conflict and political economy perspective, the interaction between *Ninik Mamak* and the company reveals a pattern of asymmetric interdependence that sustains ongoing tensions. The metaphor of “dancing without music” captures a condition in which actors follow structural roles but lack a shared normative foundation, resulting in dissonant and fragmented outcomes. The company, equipped with greater economic and political capital, effectively “plays the music,” shaping the terms of engagement while remaining dependent on customary leaders for access to land. This creates a paradoxical relationship: domination coexists with dependency, and negotiation becomes a site of both collaboration and covert contestation. The notion of “hidden missions” underscores that both parties operate strategically within overlapping systems of adat and formal law, producing what can be understood as a quasi-customary configuration. In this configuration, rules are neither fully traditional nor entirely modern, enabling actors to maneuver between them to secure advantage. Consequently, conflict is not incidental but systemic—embedded in the very structure of relations that link land, power, and economic interests, and continuously reproduced through cycles of negotiation and resistance.

CONCLUSIONS

The transfer of customary land agreed between *Ninik Mamak* and the Regional Government and the company was carried out with the customary system and applicable rules. However, in the process and after the transfer process there were several actions that resulted in future conflicts. So that at this time, after PT AMP Plantation obtained HGU on customary land in Nagari Bawan and Manggopoh, both vertical and horizontal conflicts arose. The problem is related to the letter of transfer of customary land, the concept of knowledge of customary rules, the interests of *Ninik Mamak* and the company.

In the problems that exist in Nagari Bawan and Nagari Manggopoh related to the transfer of customary land to the PT AMP Plantation company, it is seen as having 2 aspects, namely juridical and non-juridical constraints. Juridical constraints include: 1) The absence of laws and regulations that explicitly regulate efforts to return Nagari assets originating from and managed by the former

Village and KAN which were handed over to Nagari. Until now, there has been no specific regulation related to the management of Nagari customary land. However, in terms of Nagari customary land as part of Nagari assets, it has been regulated in regional regulations, both West Sumatra Province Regional Regulation Number 2 of 2007 concerning the Principles of Nagari Government and Agam Regency Regional Regulation Number 12 of 2007 concerning Nagari Government, as well as Agam Regent Regulation Number 45 of 2013 concerning Procedures for Managing Nagari Wealth. 2) There is no legal certainty regarding the overall area of plasma that is the right of the Nagari Bawan community. In accordance with the agreement to hand over customary land to the Regional Government of Agam Regency, after the land is handed over, the Regional Government has the obligation to regulate the implementation of plantations with a foster child-foster father (plasma) linkage programme system with the provisions of 70% core plantations and 30% plasma plantations from the total area of customary land handed over or the customary system *adat diisi limbago dituang* and *silih jahiah*.

The recommendation of this paper is to harmonize the policies made regarding the authority of KAN and *Ninik Mamak* to be involved in the surrender of communal land, even though a single tribe controls the communal land. Then, in plasma management, the involvement of Nagari as a government institution is considered necessary and can strengthen the existence of plasma and land surrender agreements.

ACKNOWLEDGMENT

Thank you to the people of Bawan and Manggopoh and PT AMP Plantation. Thank you to *Ninik Mamak* and the Community.

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