

## Becoming Indonesian citizens: Subjects, citizens, and land ownership in the Netherlands Indies, 1930–37

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*For decades after their introduction in 1854, state-defined categories of subjects and citizens in the East Indies remained largely uncontested. But a furor erupted when Indo-Europeans — legally Europeans and citizens of the Netherlands — demanded rights to own land, rights exclusively apportioned to the autochthonous population. This article recounts a contentious campaign in the 1930s by the Indo-European Association to gain rights to own land, and the vehement rejection by Indonesians expressed in various civic outlets. I argue that by challenging state categories of entitlement, race, and belonging, the debates on rights to own land defined more sharply notions of citizenship among the Indies population. Drawing on ‘acts of citizenship’, I situate the discourse of rights at the centre of the debate on colonial citizenship. In so doing, I offer an insight into the genealogy of exclusion that has haunted the idea of citizenship in postcolonial Indonesia.*

‘If [Indo-Europeans] are willing to become *Indonesische staatsburgers*, then we are obliged to take their claims into serious consideration.’

Tabrani, *Revue Politik*, 23 August 1930

Colonial citizenship is a *contradictio in terminis*, some scholars have argued, because subjects who comprised the bulk of colonial societies had very limited civic rights. As a result, studies on citizenship in the Netherlands East Indies have focused their attention on its cultural aspects. An emerging literature on citizenship that privileges substantive practices over formal legal aspects, however, has paved a way to re-examine ‘acts of citizenship’ beyond the boundaries of the cultural realm into the realm of rights.

In the 1930s a social organisation for Eurasians, the Indo-European Association (Indo-Europeesche Verbond, IEV), launched a campaign to gain rights to own land

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for Europeans of mixed blood. This article examines the contentious campaign and the vehement rejection by Indonesians from diverse ethnic, geographic, and religious backgrounds. Categorised as Europeans and citizens of the Netherlands, the increasingly impoverished Indo-European population, who made up 85 per cent of the Europeans in the Indies, had no rights to own land. Such rights were apportioned exclusively for the autochthonous<sup>1</sup> population. Their demand for a form of land ownership led to protracted debates with Indonesians in various civic outlets. Drawing on newspaper articles, organisational bulletin reports, records of Volksraad (People's Council) debates, official reports of government commissions, and other material in the colonial archives, I trace the process by which citizens and subjects alike came to imagine themselves as legal persons in relation to one another and to the colonial state. I argue that by challenging state categories of entitlement, race, and belonging, the debates on rights to own land defined more sharply notions of citizenship among the Indies population. In so doing, I offer an insight into the genealogy of exclusion, which has haunted the idea of citizenship in postcolonial Indonesia.

I begin my article with recounting the new literature on citizenship, specifically acts of citizenship, in conversation with existing research on colonial citizenship in the Indies. Afterwards, I present key moments in the trajectory of the debates on land rights that confronted IEV and Indonesian leaders — and, to a limited extent, the Chinese communities — with what it meant to be citizens and subjects under colonialism. I conclude by reflecting on how land rights and citizenship remain an unresolved debate in postcolonial Indonesia.

### From cultural citizenship to acts of citizenship

A cursory glance at colonial citizenship gives one an impression of an ambiguous, if not oxymoronic, concept. This ambiguity hinges on the diverse thickness of colonial subjects' rights and entitlements across varied colonial experiences: from a virtual void on the one end to a certain degree of presence on the other. Two cases in the French Caribbean and East Asia illustrate how colonial citizenship — when it was possible at all — was always partial, continually deferred, and a façade for camouflaging the civilising project.<sup>2</sup> In another case, that of nineteenth-century Sierra Leone and twentieth-century South Africa, the creoles who were eligible for citizenship received 'paradigmatic citizenship', i.e. legalised citizenship that legitimised and reproduced inequality.<sup>3</sup> In the Indies, in contrast, members of the native population were never citizens; by law they were only subjects (*onderdanen*) of the Netherlands.<sup>4</sup>

1 I use 'autochthonous' and 'native' interchangeably as a translation of the Dutch words *inlandsch*, *inheemsch*, and *autochtoon*, all of which refer to full-blooded Indonesians; I do not use 'indigenous' as it has a particular nuance in contemporary Indonesian public debate in terms of mirroring the global discourse on the rights of indigenous peoples.

2 See Laurent Dubois, 'La république métissée: Citizenship, colonialism, and the borders of French history', *Cultural Studies* 14, 1 (2000): 15–34; and Iam-Chong Ip, 'Welfare good or colonial citizenship: A case study of early resettlement housing', in *Remaking citizenship in Hong Kong: Community, nation and the global city*, ed. Agnes S. Ku and Ngai Pun (London: RoutledgeCurzon, 2004), pp. 37–53.

3 See Zimitri Erasmus, 'Creolization, colonial citizenship(s) and degeneracy: A critique of selected histories of Sierra Leone and South Africa', *Current Sociology* 59, 5 (2011): 635–54.

4 Patricia Tjoock-Liem, *De rechtspositie der Chinezen in Nederlands-Indië 1848–1942: Wetgevingsbeleid tussen beginsel en belang* (Leiden: Leiden University Press, 2009).

Colonial citizenship in the Indies, thus, tends to be seen as an oxymoron, resolved only by focusing analysis on citizenship's cultural aspect.<sup>5</sup> Indonesian women's aspiration to suffrage rights<sup>6</sup> and the desire to emulate a certain lifestyle<sup>7</sup> are examples of cultural citizenship, which refers to an explicit invitation to educated, upper-middle class Indonesians, 'through educational programmes and commercial advertisements ... to abandon traditional habits and to become the new cultural citizens of the colony'.<sup>8</sup> In a slightly different vein, but within the strand of cultural citizenship, Robert Elson attributes the emerging notion of citizenship in the Indies to the imagination of Indo-European and Indonesian thinkers from the early 1910s. E.F.E. Douwes Dekker, Dr Cipto Mangunkusumo, and Suwardi Suryaningrat founded the idea of Indies citizenship on what they imagined as 'a shared experience of colonised subjection and the specific solidarity that flowed from it'.<sup>9</sup> Here, they attached belonging not to the colonial state, but to an alternative polity, 'the Indies' (Hindia), which would take all racial groups as its rightful members. Despite the enthusiastic response to it from various Indies student organisations in the Netherlands,<sup>10</sup> the pioneers' vision had a limited audience in the Indies; Elson concludes that the thinking about citizenship among Indonesians themselves 'was less advanced and less sharp'.<sup>11</sup> The observation is perhaps correct for that period, but certainly misses the zeitgeist of the succeeding decade.

These substantial studies leave unexplored, however, the aspiration to citizenship by Indies residents — Indo-Europeans, Chinese, and Indonesians alike — in terms of the demand for rights and entitlements. The focus on citizenship's cultural aspects inadvertently overlooks the oft-forgotten role of colonial 'civic' infrastructure such as the Volksraad, a proto-parliament established in 1917, in awakening a different sense of belonging, particularly one informed by the right to own land.

Contemporary citizenship studies now offer a means to address the seeming contradictions in 'colonial citizenship', where the colonial state granted citizenship and claims to the state unevenly across population groups. The borderless postmodern world that attracts immigrants into metropolitan centres has encouraged scholars to re-examine the mainstream concept of citizenship. Scholars have shifted their investigation from normative to substantive citizenship, understood here as practices aimed at inclusion and belonging in order to create stronger claims to rights which are

5 Elsbeth Locher-Scholten, *Women and the colonial state* (Amsterdam: Amsterdam University Press, 2000); Henk Schulte Nordholt, 'Modernity and cultural citizenship in the Netherlands Indies: An illustrated hypothesis', *Journal of Southeast Asian Studies* 42, 3 (2011): 435–57.

6 Locher-Scholten, *Women and the colonial state*.

7 Nordholt, 'Modernity and cultural citizenship'.

8 *Ibid.*: 440.

9 Robert Elson, 'Constructing the nation: Ethnicity, race, modernity and citizenship in early Indonesian thoughts', *Asian Ethnicity* 6, 3 (2005): 148. Having been marginalised by the pure-blooded Dutch streaming to the colony, a certain segment of the Indo-European population felt the state oppressed them as much as it oppressed the native population.

10 For a short while, Indies student organisations of various ethnic and racial backgrounds in the Netherlands picked up the progressive idea, but their enthusiasm eventually waned when Perhimpunan Indonesia embraced the idea of an 'Indonesian-ness' that was attached more closely to race and ethnicity.

11 Elson, 'Constructing the nation': 155.

traditionally guaranteed only if one is a member of a polity.<sup>12</sup> The shift validates as citizenship practices those projects that non-citizens, alien residents, or subjects create to lay claim to the state and to situate themselves as legal persons vis-à-vis the state.<sup>13</sup>

One specific term that emerges from this strand of scholarship is Engin Isin's 'acts of citizenship'.<sup>14</sup> Isin characterises 'acts' as the opposite of 'habitus' and as resulting in rupture that 'enables the actor ... to create a scene rather than follow a script' in order to claim rights and entitlement to the state.<sup>15</sup> Acts of citizenship need not be founded on or carried out according to the law; they can be committed by non-citizens; and they produce actors whose ultimate accountability is to justice. Acts of citizenship enable citizens, non-citizens, outsiders, aliens, subjects, and the like — motley denizens that reflect the Indies population — to defy state-granted identity and to reinvent themselves in relation to others. Foregrounding acts in thinking about citizenship means, Isin underlines, 'to implicitly accept that to be a citizen *is* to make claims to justice: to break habitus and act in a way that disrupts already defined orders, practices and statuses'.<sup>16</sup> Although devised to analyse contemporary phenomena, acts of citizenship offer an effective vocabulary to understand claims to belonging and entitlement in a colonial setting.

### Citizen, subject, and land rights in the Indies

The Dutch East Indies' citizenship policy traces its genealogy to two population classifications introduced in the colony's Constitutional Regulation of 1854: on the one hand, Europeans and those 'deemed to be alike' (*gelijkgesteld*) European in status, and on the other hand, natives and those categorised as *gelijkgesteld* natives, which included Chinese, Arabs and other foreign Orientals.<sup>17</sup> The ruling aimed at helping the state designate specific laws for specific population groups.<sup>18</sup> The Netherlands' comprehensive Nationality Act of 1892 (*De wet van 1892*) clarified further the legal status of the Indies population.<sup>19</sup> At the draft stage, the Act allowed everyone who

12 Engin F. Isin and Bryan S. Turner, 'Citizenship studies: An introduction', in *Handbook of citizenship studies*, ed. Engin F. Isin and Bryan S. Turner (London: Sage, 2002), pp. 1–10; Engin F. Isin, 'Citizenship in flux: The figure of the activist citizen', *Subjectivity* 29, 1 (2009): 367–88; Julia Eckert, 'Introduction: Subjects of citizenship', *Citizenship Studies* 15, 3–4 (2011): 309–17; Nandini Sundar, 'The rule of law and citizenship in central India: Post-colonial dilemmas', *Citizenship Studies* 15, 3–4 (2011): 419–32.

13 Yasemin Nuhoglu Soysal, *Limits of citizenship: Migrants and postnational membership in Europe* (Chicago: University of Chicago Press, 1994); Dubois, 'La république métissée'; Anne McNevin, 'Political belonging in a neoliberal era: The struggle of the sans-papiers', *Citizenship Studies* 10, 2 (2006): 135–51; Sundar, 'The rule of law and citizenship'.

14 Isin, 'Citizenship in flux'.

15 *Ibid.*: 379. 'Habitus' is a term reintroduced by Pierre Bourdieu to overcome the separation of structure and agency. He defines it as 'the system of structured and structuring dispositions which is constituted by practice and constantly aimed at practical — as opposed to cognitive — functions. See Loic J.D. Wacquant, 'Towards a reflexive sociology: A workshop with Pierre Bourdieu', *Sociological Theory* 7, 1 (1989): 42.

16 Isin, 'Citizenship in flux': 384, original emphasis.

17 *Regeeringsreglement* 1854, Art. 109. In 1920, the colonial authorities revised the grouping into European, Foreign Oriental, and Native, effectively putting the native population at the lowest rung of the ladder.

18 I thank Patricia Tjiok-Liem for pointing this out to me.

19 For a concise history of legal rulings on Dutch citizenship that reverberated in the colony, see Ko Swan Sik, 'Nationality and international law in Indonesian perspective', in *Nationality and international law in Asian perspective*, ed. Ko Swan Sik (Dordrecht: Martinus Nijhoff, 1990), pp. 125–76.

possessed the status of Dutch nationality (*Nederlander*) at the time the Act came into force to become a Dutch citizen. Based on the Dutch Civil Code, it would include 'all persons born in the Kingdom or its colonies, of parents who were themselves there domiciled'.<sup>20</sup> Consequently, everyone in the colony could have become a *Nederlander*. The Lower House (Tweede Kamer) of the parliament quickly amended the draft, such that the final provision of the Nationality Act prevented Indies natives from being qualified to become Dutch citizens.<sup>21</sup>

If the Dutch refused to grant citizenship to the autochthonous population, they were lenient towards Eurasians. Legitimate Eurasians born from a Dutch father automatically became *Nederlanders*. A Eurasian born out of wedlock could acquire European legal status if the European father recognised her; a European mother had no such right. Unrecognised Eurasians tended to disappear into their maternal community, losing the privileges that came with European citizenship such as guaranteed access to European schools and welfare assistance. Precariousness characterised the social status of Indo-Europeans, defined here specifically as Eurasians who had acquired legal recognition as Europeans. Racial purity marked the social hierarchy of the Indies' European society. On the top rung were *trekkers*, pure-blooded, educated Dutch individuals who came to the colony to work in the government or private sector. They planned to return to the motherland when they retired. On the lower rung were European *blijvers*, Dutch individuals who resided permanently in the Indies. Pure-bloods were situated higher in the *blijvers* social rank, followed by Indo-Europeans, who made up the bulk of *blijvers* in the Indies.

Indo-Europeans traditionally relied on government jobs for their livelihood,<sup>22</sup> but the newly educated natives increasingly competed with them for these jobs.<sup>23</sup> To assist the socioeconomic development of Eurasians, the community founded IEV.<sup>24</sup> Trying to be inclusive, IEV counted as members not only Indies-born Eurasians, but also Indies-born, pure-blooded Europeans and their descendants, and any full-blooded Europeans with children born in the Indies, or who were married to

20 Ibid., p. 133.

21 *Wet van 12 December 1892, Staatsblad no. 268, Overgangsbepaling*, p. 90. Tjiok-Liem points out the irony that based on article 12 of this law, the Indies native population found themselves 'as strangers in the land where they belonged' (Tjiok-Liem, *De rechtspositie der Chinezen*, p. 435). To ensure non-citizens and aliens remained under Dutch jurisdiction, Dutch lawmakers introduced the act on 'the Status of Netherlands Subject other than *Nederlander*' in Staatsblad 1910 No. 55 (Ko, 'Nationality and international law in Indonesian perspective', p. 134). This ruling was mainly addressed to Chinese born of Chinese fathers, to whom China had granted citizenship.

22 Paul van der Veur estimated that in 1930, 47.3 per cent of employed Indonesian-born Europeans worked in the civil service, railways and tramways, and the telegraph and telephone services, while 10.4 per cent worked in independent occupations. Their privileged European status did not necessarily translate into a European standard of living. Only 10 per cent of Indonesian-born European wage earners earned more than the estimated minimum wage to maintain a European lifestyle; Paul van der Veur, 'The Eurasians of Indonesia: Castaways of colonialism', *Pacific Affairs* 27, 2 (1954): 126.

23 J. Th. Petrus Blumberger, *Indo-Europeesche beweging in Nederlandsch-Indië* (Haarlem: Tjeenk Willink, 1939).

24 IEV was not the first initiative at civic organising by Indo-Europeans. In 1912, Douwes Dekker initiated the Indische Partij, later transformed into Nationaal-Indische Partij/Sarekat Hindia, with Cipto Mangunkusumo and Suwardi Suryaningrat. Inspired by revolutionary-nationalist sentiment, it failed to attract mainstream Indo-Europeans, though. For an account of other initiatives by Indo-Europeans, see Blumberger, *Indo-Europeesche beweging*.

Indo-Europeans.<sup>25</sup> The all-encompassing membership later caused uneasiness among Indonesian leaders because it was pliable and vulnerable to manipulation to serve IEV's interests.

While Indo-Europeans enjoyed entitlements as citizens in the form of guaranteed education and welfare assistance, the Indonesian masses remained subjects of the Dutch, who ruled them indirectly through the native regents. Rights remained elusive, but obligations abounded in the form of compulsory labour services (*heerendiensten*).<sup>26</sup> Property rights were regulated by customary (*adat*) laws with uneven effectiveness. As subjects, Indonesians had few rights in relation to the colonial state. One of the few was the right not to be alienated from their ancestral land, a ruling enacted in *Staatsblad* 1875 No. 179. Popularly known as the Alienation Prohibition (*Vervreemdingsverbod*), the ruling prohibited permanent transfer of land from natives to non-natives, that is the Chinese, Arab, Indo-European, and European population.<sup>27</sup> Tightly controlled mechanisms for exceptions indeed existed with legal consequences if trespassed.

Despite the Alienation Prohibition, colonial law allowed Europeans six avenues to control land, two of which were highly coveted due to their near-absolute status of disposal and guaranteed state protection in the case of conflicts. They were *eigendom* (full ownership) and *erfpacht* (heritable leasehold right). The European Civil Code (*Burgerlijk Wetboek*) defined *eigendom* as the right to free enjoyment of an object and the right to dispose of it in an absolute manner pursuant to legal regulations. The government strictly controlled this right.<sup>28</sup> Leasehold rights (*erfpacht*), in contrast, had more flexibility. It was to be recognised almost as an *eigendom* following an annual rent payment, either in cash, products, or yields from the land. The government differentiated *erfpacht* rights into three groups: leasehold rights for large-scale plantations, leasehold rights for country estates, and leasehold rights for small-scale agriculture (*erfpacht voor kleine landbouw*).<sup>29</sup> The leasehold rights for small-scale agriculture were dedicated as a safety net for the citizens. Impoverished (*minvermogend*) Europeans and charity organisations were eligible

25 Blumberger, *Indo-Europeesche beweging*, p. 51.

26 Soepomo, *De reorganisatie van het agrarisch stelsel in het gewest Soerakarta* ('s-Gravenhage: L. Gerretsen, 1927); Jan Breman, *The village on Java and the early colonial state* (Rotterdam: CASP Erasmus University Rotterdam, 1980). See Soepomo and Breman on the ways Central and West Java peasants avoided oppressive compulsory labour services for the colonial state and for the native authorities. See also Ann Laura Stoler, *Capitalism and confrontation in Sumatra's plantation belt, 1870–1970* (Ann Arbor: University of Michigan Press, 1985).

27 Permanent transfer here refers to transferring the land permanently from the native legal regime into Dutch *eigendom*, although I do not discount de facto massive land grabs made possible by the Agrarian Law of 1870. While de jure protection did exist in *Staatsblad* 1875 No. 179, as Soepomo brilliantly shows in his keynote speech at the Indies Juri Congress in 1936, its implementation was not as rosy. Soepomo, 'Het vervreemdingsverbod van inlandsche gronden', *Indisch Tijdschrift van Het Recht*, Bijlage (1936): 85–145.

28 *Eigendom* was only applicable to land no larger than 71,000 m<sup>2</sup>, and only for expanding towns and villages, or to set up work or industrial establishments. The limited acreage practically prevented land under *eigendom* from being utilised as agricultural estates or from being concentrated into massive landholdings.

29 'Verslag van de Commissie voor het grondbezit van Indo-Europeanen. Samenvatting van de Beginselen en Hoofdzaken der Agrarische Wetgeving en van de Voor Europeanen in Nederlandsch Indie Verkrijgbare Rechten of Grond' (Batavia, 1936), pp. 10–18.

for up to 25 and 50 *bouws* (17.74 and 35.48 hectares) along with various subsidies and assistance.<sup>30</sup> With the 'generosity' came strict requirements. Leaseholders lost their lease if they: transferred the leasehold rights without due permit from the authority, which included turning the leasehold into sharecropping with the autochthonous populations; divided or subdivided the land due to death or other reasons; failed to pay back the government farming loan.<sup>31</sup> These conditions were difficult for impoverished Indo-Europeans to fulfil given their lack of the farming and managerial skills required to run a leasehold of such size, as well as secondary financial resources for emergencies.

Unable to benefit from this 'safety net', the Indo-European community continued its downward spiral. Joblessness worsened when the Great Depression hit the Indies in 1930, drying up employment in agricultural estates and manufacturing. Economic hardship exacerbated the fear of 'becoming native',<sup>32</sup> while persistent job scarcity prompted the community to search for a means of livelihood that could sustain the lifestyle 'appropriate' to their status. For a while, IEV leaders had deemed small to medium agricultural enterprises a viable option. When IEV acquired the largest representation in the Volksraad in 1930, the time was ripe for action, but the path to acquire land was a difficult one. IEV's six Volksraad seats, the most of any party, wielded them little influence. Its political objective to create a united front for all Europeans received only a lukewarm response from full-blooded Europeans who suspected that IEV aspired to ascend the ladder of colonial society on their backs.<sup>33</sup>

### Acts of citizenship

#### *Citizen's entitlement: Claim to the state*

Increasingly desperate to provide jobs for its members, IEV campaigned for rights to own land. The campaign was the first step in the plan to establish Indo-European-run small to medium-sized agricultural estates. An IEV representative, N. Beets, launched the campaign in the Volksraad 1930/1931 session by narrating an epic story of an Indo-European man who attempted to cultivate a small leasehold (*kleine erfpacht*) in Sindangwangi village, Tjibatoe, West Java. He planted the land with kapok saplings, vanilla orchids, feed grass, cassava, and paddy, financing it from the 2,000 guilders line of credit eligible for the leasehold. An illness followed by a job laying rail tracks in Aceh to pay for his rising debts forced the man to entrust the leasehold to his native in-laws. In 1927, the government threatened to confiscate his leasehold because he 'put the land under a sharecropping arrangement with a native', a cause for lease termination. When in 1930 he finally managed to return and recover the land from his in-laws, he found the land had already been auctioned

30 The land should be intended strictly for agriculture or horticulture, while the tax was set at no more than 1 florin per *bouw* per year. In special circumstances Europeans could also be exempted from administrative costs and other expenses required to obtain the certificate. Further, such a leaseholder could keep the land for a maximum of 25 years and could mortgage it for loans. *Ibid.*, p. 16.

31 *Ibid.*, p. 17.

32 Ann Laura Stoler, *Carnal knowledge and imperial power: Race and the intimate in colonial rule* (Berkeley: University of California Press, 2002).

33 Justus M. van der Kroef, *Dutch colonial policy in Indonesia 1900–1941* (Ann Arbor: University Microfilms, 1953).

off and the new native owner, the local village head, had arranged it into a sharecropping with ten native workers.<sup>34</sup>

The small leasehold, according to Beets, was prohibitively expensive, its regulation too limiting for impoverished Indo-Europeans to manage profitably. Had the Indo-European owned the land with no restrictions like native landholders, he could have arranged a sharecropping while earning elsewhere to help pay back his loan. He could have thrived. Beets concluded his speech thus: 'And if I would argue for a greater equality with regards to rights to land, I do so after all for a population who by virtue of its birthright, justly and fairly, ... can assert certain rights.'<sup>35</sup>

To overcome the limitation to prosper, IEV demanded three revisions to the existing land rights regulations: first, a provision for Indo-Europeans to own land for housing and livelihoods in a form similar to that of native landholders; second, relaxing of leasehold conditions for small-scale *erfpacht* to include all Indo-Europeans regardless of their economic status; and third, abolition of the Alienation Prohibition. IEV also pleaded for temporary sharecropping dispensation until their members acquired the skills to run the farms. In return IEV promised to respect native customary rules on land and to continue carrying out customary obligations attached to autochthonous land ownership regimes.<sup>36</sup> IEV's willingness to accept rights to own land under native title illustrates their desperation.

IEV found support for its campaign from the conservative, right wing *Vaderlandsche Club* (Fatherland Club, VC).<sup>37</sup> Through its representative in the *Volksraad*, R.A.A. Fruin, VC expressed its full sympathy with IEV's endeavours.<sup>38</sup> However, the director of *Binnenlands Bestuur* (Department of the Interior), F.H. Muhlenfeld, was sceptical of IEV's sharecropping dispensation proposal. He suspected that the IEV intended it to skirt the sharecropping prohibition for small leaseholders. To Muhlenfeld, the proposal was too optimistic, 'because sharecropping is, in many cases, the most advantageous method of exploitation for a landowner, often to the detriment of the sharecropper and the public interest'.<sup>39</sup>

Although IEV had long struggled to gain a form of land ownership rights, this campaign was the first time it had put the demand forward officially and it outraged many Indonesians. Within a couple of days Tabrani, a prominent Indonesian journalist, protested in the North Sumatra-based, Malay-language newspaper, *Revue Politik*. He wrote:

34 *Volksraad, Handelingen van de Volksraad 1930/1931*, pp. 319–20.

35 *Ibid.*, p. 321.

36 *Ibid.*, p. 320.

37 I thank the anonymous reviewer who pointed out to me the relationship between IEV and VC. An organisation established in 1929 by full-blooded, Netherlands-born Dutch *blijvers*, VC aimed to counter the government's 'overly-friendly' Ethical Policy that allegedly brought about Indonesian nationalism. By 1931, VC had successfully placed five representatives in the *Volksraad*. L. de Jong, *Het Koninkrijk der Nederlanden in de Tweede Wereldoorlog, Deel IIA, Nederlandse-Indië I* (Leiden: Martinus Nijhoff, 1984). See also a fascinating account of de *Vaderlandsche Club* in P.J. Drooglever, *De Vaderlandsche Club 1929–1942, Totoks en de Indische Politiek* (Franeker: Uitgeverij T. Wever BV, 1980). In the subsequent years, VC and IEV joined forces to pioneer Dutch colonisation in Dutch New Guinea. See Ulbe Bosma, 'Nederlands Nieuw-Guinea en de late empire builders', *Tijdschrift voor Sociale en Economische Geschiedenis* 6, 3 (2009): 2–25.

38 *Volksraad, Handelingen 1930/1931*, p. 374.

39 *Ibid.*, p. 1275.



Their request for land rights is logical, but more logical is our duty to reject the request, as long as the Indos consider themselves strangers, and so for us [they are]. If they are willing to become *Indonesische staatsburgers* (Indonesian citizens), then we are obliged to put their claims into serious consideration. These land rights are key to our existence and our prosperity. Watch that those rights are not transferred to foreign hands!<sup>40</sup>

IEV's demands and Tabrani's reaction offer us a glimpse into acts of citizenship in a colonial setting. The IEV manoeuvre in the Volksraad was a case of a citizen's association claiming an entitlement to the state while simultaneously defying state-granted identity. Here, IEV claimed the citizens' right to be protected from poverty by attempting to gain access to land ownership, which was prohibited to them precisely because of their citizenship. Being of mixed heritage, they demanded an acknowledgement that they, too, belonged to the land. In this act, IEV members reinvented themselves into an image other than the one granted by the state: Europeans, yet with an unquestionable bond to the land, which entitled them the birthright to own a piece of it. The promise to respect adat obligations that came with owning land arguably demonstrated their willingness to associate themselves with their Indonesian cousins.

Tabrani's essay signalled not only his empathy with the Indo-Europeans' plight, but also an experiment with a new concept: citizenship. He claimed he did not object to the demands, but he was outraged that despite their demand Indo-Europeans decidedly insisted on remaining 'strangers' to Indonesians. To earn rights to own land, Tabrani called for Indo-Europeans to become *Indonesische Staatsburger*, Indonesian citizens. In doing so, Tabrani reimagined new relations between Indonesians and Indo-Europeans: he presented the native population not as 'the Other' to Indo-Europeans, but as belonging to a new category of which Indo-Europeans could become members. In fact, they were *invited* to become members.

Further, Tabrani's deliberate use of the term *Indonesische Staatsburger* implies an emerging concept of an alternate politico-legal entity, one which would implement a different set of property relations from those established by the colonial authorities. The vision Tabrani presented here was not unlike the one the Indische Partij leaders had promoted in the 1910s, that is new relations between Indonesians and Indo-Europeans that were based on equality within a new polity, the autonomous Indies. Although their anchor for loyalties differed, both IEV's move and Tabrani's reaction expressed acts of citizenship in the way they 'disrupt(ed) already defined orders, practices and statuses'.<sup>41</sup>

Despite dissenting Indonesian opinions, on 15 June 1931, the government set up the Commission for the Land Rights of Indo-Europeans (De Commissie voor het grondbezit van Indo-Europeanen), tasked with inquiring after IEV's request. Popularly known as Commissie Spit after its chairman, H.J. Spit, the Commission was to decide if it was possible and desirable to create provisions regarding land rights for the Indo-Europeans, considering their social position and the Indies agricultural

40 *Revue Politik*, in *Indisch-Maleisch Pers Overzicht* (henceforth *IPO*), 23 Aug. 1930, p. 341. There were more protests published in, among others, *Swara Publik* (in *IPO*, 14 Feb. 1931) and *Pewartu Surabaya* (in *IPO*, 24 Apr. 1931). 'Indos' was a popular term for biracial Indo-Europeans.

41 Isin, 'Citizenship in flux': 384.

policy, and to recommend ways to do so.<sup>42</sup> The appointment made Indonesians acutely aware of particular relations between the state and its citizens: the state actually listened, and responded, but only to its citizens.

*Subjects' entitlement: Land rights*

The government's move to establish the Spit Commission upset many Indonesians. Boedi Oetomo, the Javanese nationalist organisation known to have amicable relations with the government, argued against such concessions, citing the risk of the Chinese and Arabs demanding the same right should the Indo-Europeans' request be approved. The demand would threaten the native population's already precarious economic condition. 'Therefore we will,' wrote the author, 'not let our land be divided in this way by foreigners (*vreemdelingen*).'<sup>43</sup>

A charismatic representative from Batavia and a key figure in the Indonesian Nationalist Faction in the Volksraad, Mohammad Thamrin, was sceptical about the practicality of IEV's demand. In a speech in the Volksraad 1931/1932 session he underlined that the right of allocation (*beschikkingsrecht*) attributed to the native population was a moral and natural right inherent in the very nature of the natives' indigeneity; it was not a privilege granted by the state. He argued eloquently,

However, over centuries this right of disposal was repeatedly and heavily questioned, the fiercest by the so-called the government's domain declaration, which, according to Professor van Vollenhoven, is the biggest injustice imposed upon the native population in the present time .... Due to the domain declaration, it has become possible to satisfy other populations' hunger for land, fulfilled by the establishing and granting other [forms of] rights to non-native groups, such as property rights (*eigendomsrechten*), leasehold rights (*erfpachtsrechten*), agrarian rights (*agrarische rechten*), and rights to the small agricultural leasehold (*kleinen landbouw erfpachtsrechten*). Through these other [forms of] rights the special position of the natives as legitimate and genuine owners, as autochthonous people, hence the exclusive owners of land, over time has been put to an end, so that of the many forms of rights that used to belong to the autochthonous population, what remains is only the native heritable individual property right (*erfelijk individueele bezitsrecht*), essentially no more than a right to occupy, and which when compared with the previous forms of rights, imposed very onerous stipulations. I hereby once again underline that the moral and natural right to land for a population group is a consequence of being indigenous (*autochtoon*).<sup>44</sup>

Thamrin was concerned that IEV's inclusive membership, which included Indo-Europeans as well as full-blooded Europeans with the flimsiest connection to the East Indies, was vulnerable to abuse and would deprive many Indonesians of their land.<sup>45</sup> Thamrin further argued,

42 'Verslag van de commissie voor het grondbezit van Indo-Europeanen, Deel 3, Eindconclusies', Batavia, 1936.

43 Boedi Oetomo, in *IPO*, 22 Aug. 1931, p. 347.

44 Volksraad, *Handelingen van den Volksraad*, 1931/1932, p. 808, emphases added.

45 Thamrin and IEV chairman De Hoog exchanged heated remarks when he questioned the IEV's membership criteria, which seemed to deliberately include full-blooded, Netherlands-born Europeans. Volksraad, *Handelingen* 1931/1932, p. 808.

Certainly there is a part of the IEV group who feels like the child of the land (*landskinderen*)<sup>46</sup> and a certain theoretical entitlement to the nation's land (*nationalen bodem*), but as long as the group identifies itself, or is identified with other groups [full-blooded Dutch], which theoretically cannot assert this right, [such identification] means a surrender of this right. For the genuine children of the land, it is inexcusable ... A defensive attitude on our part in this matter should not be attributed to a non-sympathetic attitude toward the IEV, but should rather be seen as self-defence.<sup>47</sup>

Thamrin's speech marked an important point in the trajectory of Indonesian rethinking of the relations between indigeneity, land rights, and claims to the state. Thamrin explicitly summoned concepts of entitlement, race, and belonging when he argued that rights to own land were 'moral and natural rights' attributable only to the native population. He would acknowledge Indo-Europeans' birthright claim to own land only if they would forgo identifying themselves as Europeans. The threat of having to share what little remaining rights that had been exclusively assigned to the native population compelled Thamrin to seek legitimacy beyond the existing institutions.

Notably absent in Thamrin's speech was the Alienation Prohibition, despite the ruling's undeniable role in his argument. By this omission, Thamrin implicitly challenged the colonial government's authority as a politico-legal entity authorised to grant rights and to regulate property relations. To Thamrin, a loyalty to Dutch citizenship meant an explicit forgoing of rights to own land, which by now had become a marker of genuine *landskinderen*. Perhaps Thamrin was aware of the irony that the emerging notion of what it meant to be an Indonesian owed its argument to a colonial law. After all, it was the Alienation Prohibition which introduced the legal notion that only the native population had the right to own land.

All through the debate, the colonial government carefully nurtured its image as an impartial arbiter. The director of the Binnenlands Bestuur maintained that the government had had to establish the commission because 'the executive body cannot revoke the rights of the native population'. It trusted the neutrality of the Spit Commission, presumably because being full-blooded Dutch, its members had no direct stake in the Commission's final decision.<sup>48</sup>

### Acts of citizenship

The Spit Commission unexpectedly carried out its inquiry in a participatory manner, to Indonesians' eager responses. It held meetings with governors, residents,

46 It is important to recognise the calculated usage of *landskinderen* as opposed to *inlandsche kinderen* in Volksraad debates. IEV's N. Beets brought *landskinderen* into the Volksraad, having borrowed it from a government official. The latter asked a rhetorical question about who had the first claim to land, to which he answered himself, 'the citizens, the children of the land' (*de staatsburgers, de landskinderen*) (Volksraad *Handelingen* 1930/1931, p. 1192). The usage of *landskinderen* side-by-side with 'citizens' indicated a positive concept, with echoes of citizens possessing rights, obligations, and a social contract with the state. Beets adopted *landskinderen* and used it to express Indo-European sentiments towards the East Indies. *Inlandsche kinderen*, on the other hand, was a slippery term often used pejoratively, which Ann Stoler unpacks in *Along the archival grain* (Princeton: Princeton University Press, 2009).

47 Volksraad, *Handelingen* 1931/1932, pp. 809–10.

48 Volksraad, *Handelingen* 1931/1932, p. 1076.

and native regents; carried out listening sessions with agricultural and forestry officials from Java and Madura;<sup>49</sup> sent surveys to Binnenlands Bestuur officials, regional heads of the Outer Islands and small farm leaseholders;<sup>50</sup> and advertised in numerous vernacular newspapers for opinions from local organisations and civic associations regarding IEV's demands.<sup>51</sup> The first response from Indonesians arrived from Sumatra's West Coast where several women's associations held public meetings in Padang and Padang Pandjang. The meetings passed motions from voting members to reject IEV's demand.<sup>52</sup> Java reacted slower than Sumatra because many nationalist and civic organisations there followed a boycott by the Union of Political Associations of the Indonesian People (Permufakatan Perhimpunan Politik Kebangsaan Indonesia, PPPKI), which had objected to the Spit Commission appointment.<sup>53</sup> Chapters of the Catholic Youth Organisation, a part of the Javanese Catholic Party (Pakempalan Politik Katolik Djawi, PPKD), in Blitar and Magelang rejected the idea of granting land rights to Indo-Europeans, arguing that it would disrupt the economic, social, and political stability of the native population.<sup>54</sup> Responses continued to flood in during the next four years until the Spit Commission announced its summary of findings in 1935. Indonesians grabbed the opportunity given by the Spit Commission to voice their opinions, even though they were unconvinced that their rejection would be taken seriously.<sup>55</sup> Nevertheless, the exercise gave Indonesians a taste of participating in the making of an important public policy.

IEV's campaign to obtain rights to own land spurred Indonesians to scrutinise the benefits Indo-Europeans received from the state. *Swara Katholiek*, an official publication of the Indonesian Catholics, published an article that described in detail the generous assistance enjoyed by 'impoverished Indo-Europeans'. Indo-Europeans were entitled to small leaseholds for agriculture (*kleine landbouw erfpacht*) of up to 25 *bouw* (17.75 hectares) at an extremely low rent of 10 cents per *bouw* per year, affordable for even landless Indonesians; they were exempted from tax; their children received free European education, a privilege highly coveted in the Indies; and if living in a native village, they enjoyed full services provided by the village while being exempted from customary village obligations. Many of these small leaseholds were

49 'Grondrechten voor Indo-Europeanen' [Land rights for Indo-Europeans], *Het Vaderland*, 19 Nov. 1931, <http://kranten.delpher.nl/nl/view/index?image=ddd%3A010013830%3Ampg21%3Aa0211> (last accessed 2 July 2014).

50 'Grondrechten voor Europeanen: Overvloed van studie-materiaal' [Land rights for Europeans: Floods of study material], *Sumatra Post*, 29 Sept. 1932, <http://kranten.delpher.nl/nl/view/index?image=ddd%3A010361722%3Ampg21%3Aa0074> (last accessed 2 July 2014).

51 Anonymous, 'Grondrechten voor Indo-Europeanen' [Land rights for Indo-Europeans], *Het Vaderland*, 30 Nov. 1931, <http://kranten.delpher.nl/nl/view/index?image=ddd%3A010013848%3Ampg21%3Aa0257> (last accessed 2 July 2014). In the first round of inquiries, European and native officials aired their scepticism about the feasibility of the Indo-Europeans' demand. Dutch Residents and native Regents in West Java rejected IEV's request in light of the social and political tensions in the region.

52 *Bintang Timoer*, in *IPO*, 31 Oct. 1931.

53 *Ibid.*; Anonymous, 'Grondrechten voor Indo-Europeanen'.

54 *Swara Tama*, in *IPO*, 13 Feb. 1932. For many Indo-Europeans, this rejection was unexpected and disappointing, because PPKD was part of the larger Catholic community in the Indies, which counted numerous Indo-Europeans as its members.

55 Anonymous, 'Lampoeng di tepi Djoerang', *Soeara Lampoeng*, 30 July 1932.

managed under sharecropping arrangements with local natives despite the prohibition against doing so.<sup>56</sup> These generous benefits captured Indonesians' attention: IEV's demand for land rights and the state's response by creating the Spit Commission demonstrated to them what citizens could claim vis-à-vis the state. The benefits also underlined the state's obligations to its citizens, such as the provision of free quality education and protection from pauperisation. Understandably, the widespread resentment toward IEV's demand for land rights sprang from the belief that Indo-Europeans already enjoyed generous benefits from the state.

While many rejected the IEV's demands, quite a number of Indonesians expressed a more nuanced albeit still rhetorical stance. An essay published in a North Sumatra newspaper, *Lentera*, empathised with the Indo-Europeans' plight. It claimed it could understand Indo-Europeans' need for the right to own land, but vehemently identifying with the Dutch while doing so was offensive. The author invited Indo-Europeans to identify themselves as one of many Indies ethnic groups and to become an official part of 'Indonesia' if they wanted legitimacy.<sup>57</sup> Another Indonesian writing in *Swara Katholiek* insisted he had no objection if Indo-Europeans gained some form of land rights if they equated themselves with Indonesians in their legal status and if they cooperated with the nationalist front for Indonesian independence.<sup>58</sup> Yet another in the same newspaper emphasised the importance of the land question in the context of race relations. Because Indo-Europeans identified themselves with the 'masters' (*overheerschers*), they must bear the consequences of their decision.<sup>59</sup> An article in *Pewarta Deli*, a newspaper published in North Sumatra, echoed this position. The author would approve Indo-Europeans' demands if they shared the same obligations imposed on Indonesians. The author urged the 'genuine *landskinderen*' to defend their rights, which the law had already acknowledged.<sup>60</sup>

These records of public discourse illustrate what Indonesians of varied ethnic and geographic backgrounds learned from the debates: that the consequence of Dutch citizenship was a prohibition on owning land, while the consequence of being Indonesian was having the right to own land. The right to own land by now had become a marker of identity. Indonesians thus continued to call — genuinely and rhetorically — on Indo-Europeans who wanted land to become 'one of us', or in Tabrani's words, 'to become Indonesian citizens'. IEV's leaders, however, insisted on keeping the group a part of the European population. In the 1934 Congress, the chairman De Hoog restated IEV's commitment to the Netherlands: '*Indo's Nederlanders zijn en willen blijven*' — Indo-Europeans are Dutch citizens and will remain so. Such defiance attracted mockery. An essay by an Indonesian accepted IEV's position because no better alternative existed, but nevertheless reminded them that 'the question for Indo-Europeans was whether the full-blooded, purebred Dutch-*trekkers* recognised them as 100 per cent Dutch, because the name "Indo" itself signified a difference

56 *Swara Katholiek*, in *IPO*, 17 Mar. 1934.

57 *Lentera*, in *IPO*, 7 Nov. 1931.

58 *Swara Katholiek*, in *IPO*, 30 Jan. 1932.

59 *Swara Katholiek*, in *IPO*, 13 Feb. 1932.

60 *Pewarta Deli*, in *IPO*, 15 Oct. 1932.

with “European”.<sup>61</sup> The author also alleged that poor Indo-Europeans rejected De Hoog’s position; he urged the latter to note what De Hoog had declared.

The Spit Commission announced its summary of findings in 1934 after a three-year delay while the full final report came out only in mid-1936. The members acknowledged the real economic urgency for Indo-Europeans to have rights to land, which the state needed to accommodate for social and political reasons. At the same time, they carefully underlined the importance of protecting the native population’s rights. Thus, in response to IEV’s three demands, the Commission recommended the government to consider granting Indo-Europeans some forms of rights to own land for housing, livelihood, and agricultural purposes. To prevent massive land transfer from the natives, the Commission rejected the IEV proposal to abolish the Alienation Prohibition, a ruling the Commission deemed as an essential part of the colonial agrarian regime. Any solution to land ownership for Indo-Europeans had to be established under the native adat law regime instead of within the European legal system.<sup>62</sup>

The suggestion to retain under adat law land to be allocated for Indo-Europeans and European *blijvers* resonated with the IEV’s initial promise to honour adat obligations if given the rights to own. However, this suggestion had other profound consequences. Keeping the land under adat law meant that the new non-native holders were bound to pay taxes and undertake social obligations attached to the land according to adat law regulations, which differed radically from Europeans’. It implied that non-native owners would have to deal with native officials for their day-to-day operations. Further, keeping the land under adat law was a pragmatic recommendation because the land could easily revert back to the native landholders without complicated legal entanglements that would ensue had the land been put under Dutch *eigendom*. Finally, disputes would be resolved at the Landraad, the native Court of the first instance, a jurisdiction considered inferior to a European court.

Within two months after the Spit Commission published its recommendations, the IEV held a congress. The recommendation to grant land but to retain it under the native legal regime caught IEV by surprise, despite their initial willingness to accept it as expressed in the Volksraad. This led to a fierce internal debate. A representative from the Malang chapter, Schijfsma, argued that IEV would create lasting change only if it could effect a revision of the Alienation Prohibition. The revision should try to unify the racially divided agrarian law, which would prevent predatory land transactions between natives and non-natives and curb dispossession by the rich natives of the poor. In this way, transforming the autochthonous land rights regime would offer both the Indo-Europeans and natives ‘principled and lasting solutions’ for ‘the salvation of the native society’, a principle ‘completely in line with our [position for] unified colonial politics’.<sup>63</sup>

A more pragmatic member, Barre, disagreed with Schijfsma. He contended that the government would never abandon the core principle of its agrarian regime as laid out in the Alienation Prohibition, not so much for fear of native dispossession by the

61 *Pemandangan*, in *IPO*, 7 Apr. 1934, p. 205. If Indonesian-language newspapers focused on reporting Indonesian reactions, the Dutch-language newspapers in the East Indies and in the Netherlands appeared distant. They limited their reports to the factual progress of the Spit Commission’s work.

62 ‘Verslag Commissie voor het Grondbezit van Indo-Europeanen, Deel 3’ (Batavia, 1936), p. 2.

63 *Onze Stem: Organ van het Indo Europeesch Verbond, Congress Nummer*, 1935, p. 74.

Indo-Europeans as for fear of the threat by the Chinese and Arab populations, who as moneylenders had amassed large amounts of land from their native debtors. Barre criticised Schijfsma's unification idea as unspecific, lacking clear direction, and vulnerable to multiple interpretations to the disadvantage of the Indo-Europeans. Managing land under the native regime, according to Barre, would force Indo-Europeans to carry out numerous obligatory services, such as services for the village and village head; services to maintain public facilities, roads, and gutters; and other menial tasks unworthy of their status. Barre said,

These are all obligations inherent in the native property rights, because of unification of this property right, the European [will be put] directly under the native village officials, not under the highest [European] government official as it should be ... There is no defence against that possibility. He will be exposed to incessant harassment from the village officials.<sup>64</sup>

Instead of unification, Barre recommended that IEV focus its energy on exploring the heritability of small leasehold rights, which the Spit Commission had recommended be extended to 75 years. It was a simpler solution that the Spit Commission appeared to want to pursue. Further, Barre recommended lobbying the government to regulate the heritability of this small leasehold in the Civil Code (*Burgerlijk Wetboek*), thus securing it for management under European law.<sup>65</sup> It is clear that IEV's leaders strongly preferred to maintain a clear boundary and separation from 'the million masses' of the native population.

The internal debate within IEV illustrates how their confrontation with the various possibilities for owning land under an autochthonous legal regime defined more sharply their understanding of citizenship. Had they, as Europeans, been granted land rights under the autochthonous regime, they would have had no guaranteed access to European officials, no guaranteed security under a European civil code, and no guaranteed protection from random harassment — real or perceived — from native officials. To IEV, this option was an inferior form of land ownership. In contrast to Beets' speech in the Volksraad session of 1930/1931, when IEV claimed it was open to customary forms of ownership, IEV's leaders now realised the stark reality of it, a reality that extinguished any interest in expressing solidarity with the Indonesian population. It made IEV more resolute to pursue land rights protected by a European civil code, and to hold fast to their Dutch citizenship, which gave them secure protection by the state.

Like IEV, the Volksraad promptly started the debate about the Spit Commission's summary recommendations as soon as the 1935/1936 sessions began. The Indonesian Nationalist Faction members were cautious about the recommendations. They underlined the privileged status of Indo-Europeans in terms of law, legal jurisdiction, employment, and salary levels, as well as in terms of the state's guarantee of personal rights and education. I.J. Kasimo, a Volksraad member representing Indonesian Catholics, contended that allowing Indo-Europeans to have land rights made even

64 Ibid., p. 78.

65 Ibid.

more unfair the already unjust tax structure.<sup>66</sup> In special circumstances their ground rent could even be pardoned.<sup>67</sup> Where Indonesian farmers had to resort to moneylenders for cash relief, Indo-European small farmers enjoyed generous assistance from the government through farming credits.

Indonesians did not stop at the Volksraad; they used various civic outlets to express their rejection of IEV's demands and of the Spit Commission's recommendations, and to urge the government to resist giving in to IEV pressures. The possibility of land rights becoming accessible to non-natives raised alarm among Indonesian leaders. An article in the vernacular newspaper *Radio* reminded readers that members of IEV were going all out to secure the constitutional and legal position of Indo-Europeans once and for all. The author underlined the hypocritical position of the Indo-Europeans. They felt humiliated if they were categorised as a part of the autochthonous group, yet they wanted to share the rights of the natives based on their being *landskinderen*, the country's children.<sup>68</sup> One article pointed out that even without provisions, non-natives already controlled vast swathes of land in West Java.<sup>69</sup> The fear of a massive land takeover was further underscored by another article in *Sinar Sumatra*,<sup>70</sup> which warned of a Pandora's box effect if the government granted Indo-Europeans their land rights demands.

As concern escalated, Indonesians began taking some concrete actions. In March 1936, Volksraad member Mohammad Thamrin from the Nationalist Front established the Native Commission for the Study of Land Rights. Consisting of three native lawyers educated at the Rechtshogeschool in Batavia, the Native Commission was independent of the colonial government.<sup>71</sup> It planned to produce a legal report on the state of agrarian matters and a report on agrarian politics in the colony available for the public.<sup>72</sup> One initiative that emerged in Semarang, Central Java, deserves a careful note. A committee was established in reaction to the Chinese Association Chung Hwa Hui's initiative to gain rights to own land following in the Indo-Europeans' footsteps. As many Indonesians and Indo-Europeans feared, the Chinese had begun to inquire about the possibility of owning land. They had sent their representative in the Volksraad, H.H. Kan, to make enquiries of the Minister of Colonies in the Netherlands. The news reached a wide audience, and native leaders reacted to it.<sup>73</sup> The Semarang Committee vowed to fight the granting of land rights to non-natives and would continue to oppose such initiatives in the name of the landless farmers in Java. The Committee called on all Indonesians to get involved in containing the actions of the Indo-Europeans and the Chung Hwa Hui.<sup>74</sup> By this time,

66 Whereas a native farmer had to pay a tax of 10 guilders every three years for two to three *bouws* (1.4–2 hectares) of land, an 'impoverished' Indo-European farmer working his small agricultural leasehold was charged only 10 to 25 cents tax per *bouw* per year for up to 25 *bouws* (17.25 hectares).

67 Volksraad, *Handelingen* 1935/1936, p. 739.

68 *Radio*, in *IPO* 16 May 1936.

69 *Pemandangan*, in *IPO*, 21 Mar. 1936.

70 In *IPO*, 1 Aug. 1936.

71 Mr Mohammad Yamin acted as secretary, and Mr Syarifudin and Dr Mr Sukanto as second and third secretaries.

72 *Pemandangan*, in *IPO*, 28 Mar. 1936.

73 *Pemandangan*, in *IPO*, 18 July 1936.

74 *Ibid.*



Indonesians felt they were besieged by not only Indo-Europeans but also the Chinese population. In all their responses, Indonesians were practising acts of citizenship, where ‘subjects that are not citizens act *as* citizens: they constitute themselves as those with the “right to claim right”’.<sup>75</sup>

### The promise of citizenship

Resentment and rejection notwithstanding, a voice of reason — rhetorical and otherwise — also emerged from among Indonesian thinkers and leaders after the publication of the Spit Commission’s summary findings. A North Sumatran author reminded his readers that all population groups in the Indies belonged in the same boat.<sup>76</sup> Economic hardship befell not only the Indo-European population, but also the Chinese and the Arabs, who considered the Indies their homeland, and who experienced more dire circumstances than the Indo-Europeans. Consequently, the Spit Commission should recommend the same rights for these groups as the rights they recommended for the Indo-Europeans. This was a rhetorical call; the author knew the government would hesitate to do so for fear of massive land transfers to non-natives as Barre had hinted at during the recent IEV Congress. The author called for Indonesians to unite in defending their land rights because the native farmers had had to compete for land against large-scale agricultural estates as well as the government’s setting up of forest reserves.<sup>77</sup> In a similar rhetorical call, another writer called for the governor-general to remain neutral and to protect each population group beyond Indo-Europeans.<sup>78</sup>

Along these lines, Agus Salim, a well-known nationalist leader, offered a deeper, more genuine insight into the protracted debate. Instead of stoking the resentment, he pointed out how the government’s politics of divide-and-rule had caused the two groups to butt heads, despite their shared interests in creating the Indies as a prosperous homeland. The reason for the animosity between the two groups was more theoretical than practical. Indonesians had no genuine reason to fear competition from the Indo-European farmers because only a few of them would actually seek a livelihood through farming. Further, IEV’s request for the right to own land was not based on practical need, since IEV could not force any of its members to farm if they did not wish to do so. Finally, the recognition of IEV’s demands had yet to take place.<sup>79</sup>

In a separate article, responding to the heated debate in the *Volksraad*, Agus Salim again called for calm.<sup>80</sup> He advised Indonesians to become acquainted with and to pay attention to the Indo-Europeans’ struggle, because Indonesians would most likely never live apart from them. To the Indo-Europeans, Agus Salim counselled shedding their racial illusions and image of superiority. Salim alleged that many Indo-Europeans’ wish to be identified more as autochthonous persons was prevented by their peers and by the Dutch intention to protect ‘the prestige of

75 Isin, ‘Citizenship in flux’: 371.

76 *Sinar Deli*, in *IPO*, 1 Aug. 1936.

77 *Ibid.*, p. 495.

78 *Tjaja Timoer*, in *IPO*, 15 Aug. 1936.

79 *Pemandangan*, in *IPO*, 11 Sept. 1936.

80 *Pemandangan*, in *IPO*, 10 Oct. 1936.

Europeans'. The Indies, Salim concluded, needed to jettison racially tinted views, regulations, and provisions. Europeans could take part in this project by abandoning their racist delusions. He wrote,

The welfare of the Eurasians and the Dutch can only be served if instead of racial sentiment, considerations of humanity are taken as a basis. And Eurasians shall see their ideals realised, such as acquisition of full rights to property in this land, which has indeed become their country, if they let go of their relationship with the Netherlands. The welfare and prestige of the Indos cannot be served if they do not focus all their attention and interest in this country, and do not concentrate all their work towards the advancement of Indonesians.<sup>81</sup>

In Salim's statement one observes a calm, rational re-examination of race, belonging and entitlement to land rights. To some extent, it echoes the sentiment of the *Indische Partij* that dreamt of an Indies citizenship that embraced all races, nations, and ethnicities. However, instead of grounding this notion on the abstract idea of shared subjection under the colonial authority, Salim called upon a concrete, material aspect of citizenship: the entitlement to own land. Salim's call defied and punctured state-granted identities, which separated Indo-Europeans from their Indonesian cousins. To Salim, entitlement was the promise of a citizenship not defined by race, but by humanity, where entitlement was granted to all who belonged.

In the midst of enthusiastic debates among various population groups in the Indies, the colonial government remained in the background. It portrayed itself as an impartial mediator. The government was noncommittal to the Spit Commission's findings and the ensuing debates; it would decide independently of the Commission's recommendation whether changes in the agrarian regulations would be made after gaining approval from the Netherlands.<sup>82</sup> However, as history reveals, nothing came of this indecisiveness.

### Conclusion

IEV's demand for rights to own land and the ensuing debates with Indonesian leaders propelled citizens and subjects alike to imagine themselves as legal persons in relation to the colonial state. Manoeuvring through acts of citizenship by challenging state categories of race, entitlement, and belonging, and by renegotiating their association with one another, each Indies population group staked their claims to land ownership rights. The struggle steered them to a new understanding of citizenship: To be citizens meant to have a relationship with the state in the form of claims and entitlements. In contrast, and despite contributing taxes and *corvée* labour, colonial subjects' limited rights to land remained vulnerable to citizens' claims for economic welfare. Cornered after the colonial state set up a commission to inquire after Indo-Europeans' demands, Indonesians proposed Indonesian citizenship, a new construct that would radically alter their relations with their Eurasian cousins.

Throughout this struggle, Indonesians came to grasp the promise of Indonesian citizenship: a citizenship that reached beyond racial boundaries and guaranteed the rights to own land. Land ownership became a key privilege of Indonesian citizenship. Two key

81 *Ibid.*, pp. 651–2.

82 Volksraad, *Handelingen* 1936/1937, p. 1287.

factors brought about this notion; first, the Alienation Prohibition ruling that IEV wanted annulled, and second, the argument Thamrin presented at the Volksraad, that land rights was an inherent right of the native population, not a right 'given' by the colonial state.

Land rights and citizenship continue to shape the contemporary Indonesian political landscape. Decades after independence, Indonesia's indigenous peoples have asserted that they remain *de facto* subjects because the state is yet to fulfil the promise which goes with their Indonesian citizenship — the promise to recognize and protect their rights to their ancestral lands. United under Aliansi Masyarakat Adat Nusantara (Indigenous Peoples Alliance of the Archipelago, AMAN), Indonesia's indigenous peoples made explicit their sentiments toward the state in AMAN's first congress in 1999: 'If the state does not recognise us, we don't recognise the state'. Their relentless struggle to gain much deserved 'full citizenship' forces one to reflect on Agus Salim's wise counsel: only when humanity becomes the unifying base for citizenship would Indonesia emerge a prosperous nation.