



**THE  
ORANG ASLI  
AND THE  
CONTEST FOR RESOURCES**



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INDIGENOUS POLITICS, DEVELOPMENT AND IDENTITY  
IN PENINSULAR MALAYSIA

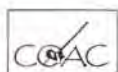
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for the  
Orang Asli infants and children  
who needlessly  
left this world early



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1 US Dollar (USD) = 3.80 Malaysian Ringgit (RM)

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## PREFACE

This work largely represents a doctoral dissertation submitted in April 1998 to the Institute of Postgraduate Studies and Research, University of Malaya, Kuala Lumpur. It has since been revised extensively to include additional information and reflection as of April 2000.

The aim is to situate the Orang Asli's political position in the Malaysian nation state from early times to the present. It also seeks to address issues of social and distributive justice affecting the Orang Asli as a marginal community, in a polity generally opposed to granting it recognition as an indigenous people. The responses of the Orang Asli to national integration and ethnic accommodation, especially as it relates to a contest for Orang Asli traditional territories and resources, is also examined.

Towards this end, this work traces the role, involvement and contribution of the Orang Asli during various epochs in Malaysian history and examines their relationship with the wider political and developmental framework. It also evaluates the content and impact of various government policies and programmes as they relate to Orang Asli aspirations and needs. The responses of the Orang Asli to the political and economic changes confronting them are also discussed, especially those that relate to Orang Asli organisation and identity, and Orang Asli political and economic advancement.

The study was structured using a broad-based, multi-disciplinary research approach incorporating various methods of data gathering, followed by interpretative analysis of the information gathered. Data gathering began in 1990 when several visits were made to a wide range of Orang Asli communities for first hand information on issues faced by them. Data were also gleaned from archival records, published and unpublished works (including the newspapers and official documents), participation in Orang Asli meetings, forums and conferences, and direct involvement in some legal cases involving Orang Asli.

The broad scope was developed early in the research and remained a focus of the observations made and the information gathered. This, however, did not mean that other data or observations were not gathered or were ignored at the data-gathering stage. With the exception of published historical information, data were also collected while observing and documenting events as they happened, from information related to me, or when information or data were specifically sought by me. The task was to

document each activity as it occurred or to acquire the information when such was available elsewhere. This was an approach, not of choice, but of circumstance, as the situation revolving around the Orang Asli was frequently fluid and unpredictable. With research involving contemporary responses to very current events and issues, there was no way to tell how an individual or a community, for example, would react to a 'development issue', or to know that a dispute between Orang Asli and outsiders over land would end up with lives lost, or that the personal and political ambitions of some Orang Asli leaders would surface in unexpected circumstances.

As the focus of the research was on the politics and development of the Orang Asli of Peninsular Malaysia – *as a people* – the usual anthropological method of extended fieldwork in a particular community was not adopted. Nevertheless, the anthropological method of participant-observation was used widely, especially in my concurrent capacity during the research period as Coordinator of the non-governmental organisation, Center for Orang Asli Concerns (COAC).

While I was a passive observer in Orang Asli matters for the most part, I was also, on some occasions, an interested player, rather than an objective researcher. However, I take comfort in the observation of Edward Said (1979, cited in Devalle 1992: 15), who said that, while the researcher only occasionally appears explicitly in the text, he is nevertheless always there because no production of knowledge in the human sciences can ever ignore or disclaim its author's involvement as a human subject in his own circumstances.

In any case, my direct involvement in some of the issues the Orang Asli faced frequently gave me a better insight into particular situations that I was to study and appreciate at close quarters.

I should add, however, that this study makes no pretence of being a statement of what the Orang Asli want. For certain, this work is not their word. Without doubt, they are capable of expressing their aspirations themselves and have done so eloquently and emphatically on various occasions. On the contrary, this study is undertaken by a person sitting on the outside listening to, and noting, what is being said, by whom, and why, and observing events as they unfold around the Orang Asli. The aim is to try to assess the future direction of Orang Asli politics and development and to help inform the indigenous actors, especially those who seek to reclaim their birthright.

## ACKNOWLEDGEMENTS

Many tasks cannot be done alone and a study of this nature is certainly one of them. The list of persons whom I must, at the very least, thank is continually increasing and in having to put some names down, I fear I may omit some. If so, it is certainly not intentional.

My Orang Asli friends, contacts, and travel companions have been the impetus for the study. They are also the source of much of the information contained here. Those whom I am more indebted to include Bah Tony Williams-Hunt, Bah Akeh, Ali Gadang, Bek Aman, Bek Ahoi, Bek Minggu, Bek Terus, Mahat, Juli, Itam Wali, Majid, Arif, Ilam, Sambut, Suki, Elan, Serani, Ani, Ayob, Kening Ruan, Tiah, Tijah, Wa' Nuri, and several more in the communities, plus some in the civil service who would prefer not to be named.

I am aware, nevertheless, that not all of them will agree with my interpretation of events and as such one should not assume their acceptance with what is written here.

In the academic circle, many of the people I have had the good fortune to know may not realise the impact they have had on me. They include Hood Salleh, Dee Baer, Robert Dentan, Kirk Endicott, Syed Husin Ali, Tan Chee Beng, Geoffrey Benjamin, Shuichi Nagata, Tim Harper, Peter Laird, Barbara Nowak, Gordon Means, Razha Rashid, Alberto Gomes, Shamsul A.B., Wan Zawawi, Rosemary Gianno, Signe Howell, Kua Kia Soong, Hasan Mat Nor, Khor Geok Lin, Wazir Jahan-Karim, Shanti Thambiah, Lye Tuck Po, Mohd. Halib and Mohd. Ikmal. K.S. Jomo, my thesis supervisor, has been supportive right from the beginning. His extensive academic (and general) knowledge provided critical feedback on this work and this is really appreciated.

The interaction with lawyers involved in Orang Asli cases helped hone my understanding of the working of the law. They include K. Chandra, Raja Aziz, Lim Heng Seng, Ramdas Tikamdas, Cyrus Das, K. Kumaraendran and especially Koo Patrick (who was also a regular travelling companion, with Francis Cheong, to Orang Asli areas). Ramy Bulan and Sothi Rachagan also helped provide opportunities for expanding my legal exposure.

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Carol Yong and Chiew Kieok, in particular, helped me meet the original deadline. Dee Baer, Joceline and Carol did the final proofreading.

The current revision benefited greatly from the comments of the members of the examining committee viz. Professors Kirk Endicott, Hood Salleh, Mohd. Halib, K.S. Jomo and Ansary Ahmed.

Nevertheless, the blame for the shortcomings or errors that remain must rest with me.

Also, this publication is possible because of the timely (and supportive) intervention of Chris Erni at IWGIA and Brenda Melles at the CIDA office in Kuala Lumpur. I also received much professional help with the layout and design from my friends at WDSB viz. Ren, Kar Yew, Soo and Cat.

Finally, I should add that while writing the original research was academically motivated, and for fulfilling the conditions of a fellowship award from the University of Malaya (which I gratefully acknowledge here). I am nevertheless hopeful that perhaps, but only perhaps, that those involved with the Orang Asli, and the Orang Asli themselves, will have some use for it.

CN  
30 April 2000

## GLOSSARY

4MP	Fourth Malaysia Plan 1981-1985
5MP	Fifth Malaysia Plan 1986-1990
Adat	Custom, tradition
Adat perpatih	Local custom based on the Minangkabau tradition of matrilineal social organisation
Akar bahar	A black branching coral
Anak buah	Citizens, followers
Barisan Alternatif	Alternative Front, the coalition of opposition political parties
Barisan Nasional	National Front, the ruling coalition party
BAKOAIS	Badan Kebajikan Orang Asli Islam (Muslim Orang Asli Welfare Body)
Ceramah	Talk or lecture
COAC	Center for Orang Asli Concerns
Dakwah	Muslim missionary activity
DAP	Democratic Action Party
Dato/Datuk	Honorary title
DO	District Officer
DOA	Department of Aborigines
DPOASM	Dewan Perniagaan Orang Asli Semenanjung Malaysia
Dusun	Fruit garden/orchard
DWNP	Department of Wildlife and National Parks
EIA	Environmental impact assessment
Emergency	Malaya's civil war with the communist insurgents, 1948-1960
FELCRA	Federal Land Consolidation and Rehabilitation Authority
FELDA	Federal Land Development Authority
Gaharu	<i>Aguilliar spp.</i> The diseased part of the inner core of the trunk is an important ingredient in the manufacture of some perfumes

Gob	Outsider, but frequently used to mean Malay in Semai, Temiar, Batek and by most Orang Asli
Gotong royong	Community self-help (e.g. cleaning-up) programme
Gombak	A district in Selangor state where the JHEOA has its hospital and museum complex
Hari Keraian Orang Asli	Orang Asli Day of Celebration
Hari Moyang	Feast day for the ancestral spirits
HOAS	Hari Orang Asal SeDunia (World Indigenous Peoples Day)
IKD	Institut Kajian Dasar (Institute for Policy Research)
JAIJ	Jabatan Agama Islam Johor (Johor Islamic Religious Department)
JHEOA	Jabatan Hal Ehwal Orang Asli (Department of Orang Asli Affairs)
JKHEOA	Jawatankuasa Hal Ehwal Orang Asli (Committee for Orang Asli Affairs)
JKKK	Jawatankuasa Keselamatan dan Kemajuan Kampung (Village Security and Development Committee)
JOAS	Jaringan Orang Asal SeMalaysia (Indigenous Peoples Network of Malaysia)
Kafir	A Malay/Muslim term for infidel, unbeliever
KDAJ	Koperasi Daya Asli Johor
KWOA	Kor Wanita Orang Asli (Orang Asli Women's Corps)
KSOA	Kelab Siswazah Orang Asli (Orang Asli Graduates Club)
Kebun	Orchard/farm/garden
Keadilan	Parti Keadilan Nasional (National Justice Party)
KEMAS	Jabatan Kemajuan Masyarakat (Department of Community Development)
Ketua Penggerak Masyarakat	Chief community development officer
KKMB	Koperasi Kijang Mas ('Golden Barking Deer' Cooperative)
Kongsi	Workers' quarters for a logging operation

KSU	Ketua Setiausaha (Secretary-General of a Ministry)
Lelah Maharajah/ Setia Rajah	Titles conferred on Jakun and Temuan (Biduanda) chiefs in Melaka
MAIS	Majlis Agama Islam Selangor (Selangor Islamic Religious Council)
Majlis Adat	Council of Customs
MCA	Malaysian Chinese Association
Menteri Besar	Chief Minister
Mengkuang	Species of <i>pandanus</i>
Merdeka	Independence (obtained in 1957)
MIC	Malaysian Indian Congress
Nenggirik	Semai for 'country' or traditional territory
Orang Asal	Indigenous (or First) Peoples (of Malaysia)
Parti Melayu Semanga '46	Malay Spirit of 1946 Party
PAS	Parti Islam SeMalaysia (formerly Partai Islam Sa-Malaya) (Pan-Malaysian Islamic Party)
PASLIM	Persatuan Perniagaan Orang Asli Malaysia (Orang Asli Entrepreneurs' Association of Malaysia)
Pemaju/Penggerak Masyarakat	Community Development Officer
Penghulu	Village-head
PERKIM	Pertubuhan Kebajikan Islam Malaysia (Islamic Welfare and Missionary Association of Malaysia)
Persatuan Kaum Darat, Selangor	Society for Interior Peoples, Selangor
Petai	<i>Parkia speciosa</i> . A specie of bean which is harvested and sold as an important source of Orang Asli income
POASM	Persatuan Orang Asli Semenanjung Malaysia (Peninsular Malaysia Orang Asli Association)
Polis Hutan	lit. Forest Police (colloquial for Forest Department Officers)
PPRT	Program Pembasmian Rakyat Termiskin (Programme for the Eradication of Hardcore Poverty)
PSSM	Persatuan Sains Sosial Malaysia (Malaysian Social Science Association)

RISDA	Rubber Industry Smallholders Development Authority
RM	Ringgit Malaysia (Malaysian unit of currency, formerly the Malaysian Dollar, M\$)
RPS	Rancangan Pengumpulan Semula (Regroupment Scheme)
RTK	Rancangan Tanah Kelompok (Grouped Land Schemes)
RTM	Radio Television Malaysia, a government-controlled broadcasting station
Sakai	Slave, debt-bondsman. Derogatory term used to refer to the Orang Asli, especially in the past
SAS	Special Air Services
SEDC	State Economic Development Corporation
Senoi Praaq	lit. Fighting Aborigines. Orang Asli paramilitary force organised under the Police Field Force (now renamed the General Operations Force)
SMOA	Persatuan Sahabat Masyarakat Orang Asli (Friends of the Orang Asli Community)
SPM	Sijil Pelajaran Malaysia (Malaysian Certificate of Education)
SRP	Sijil Rendah Pelajaran (Lower Certificate of Education)
Suku-kaum	Ethnic subgroup
Surau	Muslim prayer-hall or chapel
Tanah kosong	Vacant lot
Titian Mas	'Golden bridge' or foster family programmes
Tok Batin	An Orang Asli village-head or chieftain
Tripang	Sea slug, used as an ingredient in Chinese soups and medicinal preparations
UKM	Universiti Kebangsaan Malaysia (National University of Malaysia)
UM	Universiti Malaya (University of Malaya)
UMNO	United Malays National Organisation
UNWGIP	United Nations Working Group on Indigenous Populations
Waris	Heir
Wawasan	Vision



Map 1  
Distribution of the Orang Asli subgroups



Source: Geoffrey Benjamin



# 1



## PEOPLE AND CONTEXT

Numbers and Origins  
The Orang Asli as a People  
The Orang Asli as Targets

**Plate 1. Jahai girls at a streambed in Kampung Manok (Jeli, Kelantan).** One wears a forest flower as an 'ear-ring' while another has floral patterns on her forehead made with rice flour paste – sometimes done for decorative purposes, at other times for ritual or healing purposes. [CH-1984]



## Chapter 1 *People and Context*

### **Numbers and Origins**

The Orang Asli are the indigenous minority peoples of Peninsular Malaysia. They are a minority because, with a population of 106,131 in 1997, they make up just 0.5 per cent of the national population.<sup>1</sup> And they are indigenous because, as the term 'Orang Asli' translates, they are the original or first peoples of the Peninsular. The Orang Asli, however, are not a homogenous people — although shared socio-economic indicators and social histories can justify their treatment as one. The term is a collective one for the 18 ethnic subgroups officially classified for administrative purposes under Negrito, Senoi and Aboriginal Malay.<sup>2</sup>

The **Negritos**,<sup>3</sup> comprising a little over three per cent of the Orang Asli population, is the smallest of these three categories. They are also the oldest, and are believed by some (e.g. Carey 1976: 13) to have been in the Malay Peninsula for at least 25,000 years. However, current archaeological evidence seems to link the Negritos to the Hoabinhians who lived between 8,000 BC and 1,000 BC during the Middle Stone Age.<sup>4</sup> The present-day Negritos are the direct descendants of these early Hoabinhians, who were largely nomadic foragers, living in one location as long as the food supply was able to maintain the community.

Today, however, many of the Negrito groups live in permanent settlements in Northeast Kedah (the Kensiu people), along the Kedah-Perak border (Kintak), Northeast Perak and West Kelantan (Jahai), North-central Perak (Lanoh), Southeast Kelantan (Mendriq), and Northeast Pahang and South Kelantan (Batek). Customarily, some groups enter the forest for varying lengths of time such as during the fruit season to practise opportunistic foraging, or to extract forest products (such as rattan and *gabarui*) to be exchanged for cash. Such activities have often caused them to be labelled as nomadic and to be considered the more economically backward of the Orang Asli subgroups.

As the name suggests, the Negritos ('little Negroes') are generally physically small in stature (1.5 metres or less), dark-skinned (varying from a dark copper to black), typically woolly or frizzy hair, and with broad noses, round eyes and low cheekbones (Carey 1976: 15). Their language is in the Northern Aslian division of the Aslian family of Mon-Khmer languages (Benjamin 1996).

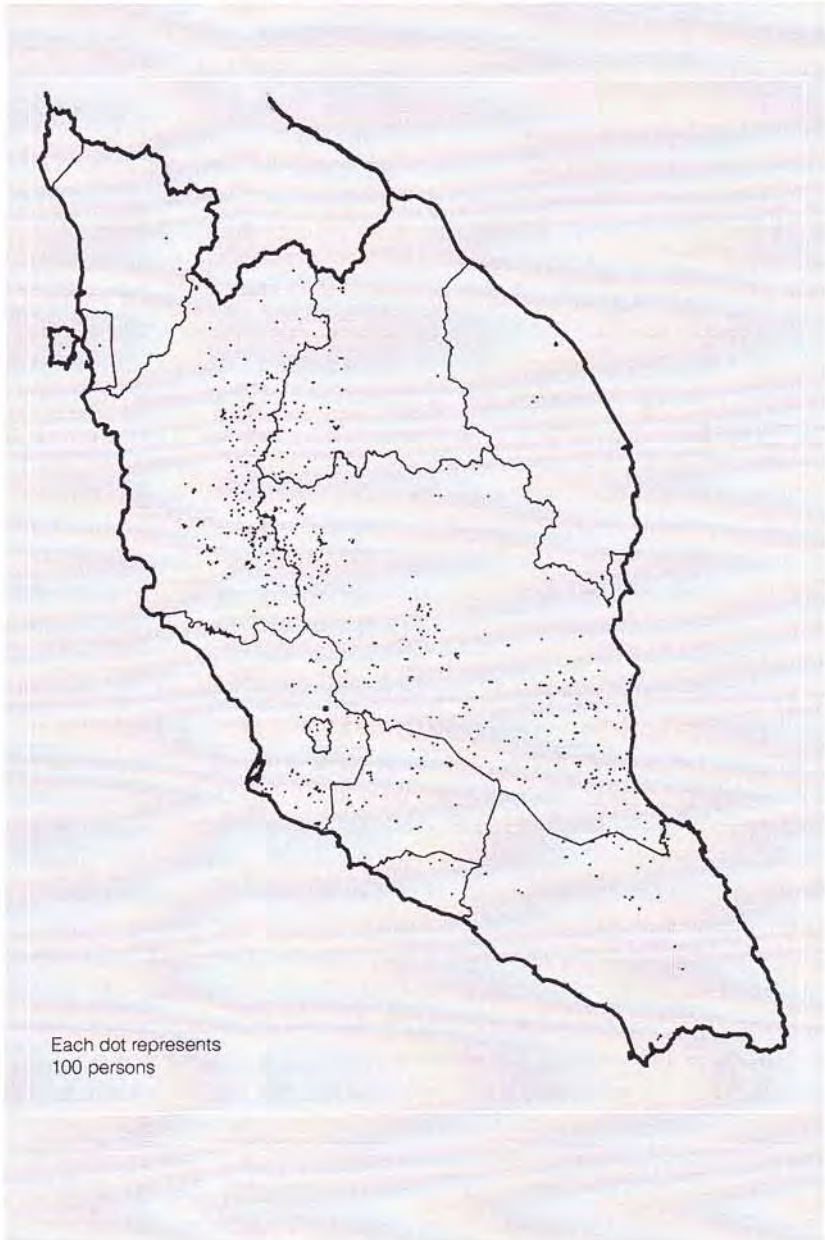
The Senoi are the largest group of Orang Asli with about 54 per cent of the Orang Asli population. They are a Mongoloid people who are descendants of both the Hoabinhians and the Neolithic cultivators who entered the Malay Peninsula around 2,000BC from the north. They are physically different from the Negrito in that they are slightly taller; their skin is of a much lighter colour and their hair wavy rather than frizzy. They continue to speak Austro-Asiatic languages of the Mon-Khmer subgroup, thereby manifesting their ancient connection with mainland Southeast Asia.

Today, the Senoi subgroups live mainly on both slopes of the Main Range in Perak, Kelantan and Pahang (Semai, Temiar), in Central Pahang (Jah Hut, Chewong), Coastal Selangor (Mah Meri) and South-central Pahang (Semoq Beri). While they were mainly swiddeners and dependent on the forest for their subsistence in the past, today many of the Senoi have taken to permanent agriculture (managing their own rubber, oil palm or cocoa farms) and participate in the wage sector (in unskilled, skilled and even professional capacities).

At about 43 per cent of the Orang Asli population, the **Aboriginal Malays**<sup>5</sup> are the second largest group of Orang Asli. They live mainly in the southern half of the Peninsula — in Selangor and Negri Sembilan (Temuan), Central Pahang and East Negri Sembilan (Semelai), South Pahang and North Johor (Jakun), East Johor (Orang Kanaq) and West and Central Coasts of Johor (Orang Kuala, Orang Seletar). While prehistoric recordings in the south are almost non-existent, it is generally accepted that between 2,000 and 3,000 years ago, the southerly groups encountered the sea-faring peoples from Borneo and the Indonesian islands. Some of these Orang Asli who traded with Austronesian-speakers assimilated with them, hence the term proto- or early-Malays often used to refer to them. The exception perhaps is the Orang Kuala group that migrated from Sumatra about 500 years ago.

Today, the Aboriginal Malays are very settled peoples, engaged mainly in permanent agriculture or riverine and coastal fishing. Many of them are also in the wage market as well as in entrepreneurial and professional occupations. Physically, they are very close to the Malays while their languages remain as archaic variants of the Malay language (with the exception of the Semelai and Temoq languages that have links to the Senoic languages).

Map 2  
Distribution of the Orang Asli population, 1991



Source: Department of Statistics (1997), p. 7.

Nevertheless, while the various Orang Asli subgroups differ, sometimes widely, in origins, physical features, economic lifestyle, social organisation, religion and language, they do share something in common — they are descendants of the earliest known inhabitants who occupied the Malaysian Peninsula before the establishment of the Malay kingdoms.

### **The Orang Asli as a People**

Before 1960, the Orang Asli, as an ethnic category, did not exist. The various indigenous minority peoples in the Peninsula did not see themselves as a homogenous group, nor did they consciously adopt common ethnic markers to differentiate themselves from the dominant population. Instead, they derived their micro-identity spatially, identifying with the specific geographical space they lived in. Their cultural distinctiveness was relative only to other Orang Asli communities, and these perceived differences were great enough for each group to regard itself as distinct and different from the other.

However, particular ethnic labels and identities had historically been ascribed to indigenous communities by others who wanted to discriminate against them on grounds of their real or assumed ethnic characteristics (cf. Veber and Wæhle 1993: 14). The Orang Asli were no exception. In the colonial period, the generic terms '*sakai*' and 'aborigines' were commonly used to refer to this group of people — terms that carried varying derogatory connotations.

Prior to this, anthropologists and administrators referred to the Orang Asli by a variety of terms. Some were descriptive of their abode (as in *Orang Hulu* — people of the headwaters, *Orang Darat* — people of the hinterland, and *Orang Laut* — people who live by the sea). Others were descriptive of their perceived characteristics (as in *Besisi* — people with scales, and *Mantra* — people who chanted). Still others were clearly derogatory and reflected the assumed superiority of the 'civilised' speakers (*Orang Liar* — wild people, *Pangan* — eaters of raw food, *Orang Mawas* — apelike people, and *Orang Jinak* — tame or enslaved people) (Skeat and Blagden 1906: 19-24; Wilkinson 1971: 15-20; Wazir-Jahan 1981: 13).

Ironically, it was the communist insurgents and the Emergency of 1948-60 that made the colonial government realise that a more correct and positive term was necessary if they were to win the hearts and minds of the Orang Asli (and so win the war with against the communist insurgents). Realising that the insurgents were able to get the sympathy and support of the indigenous inhabitants in the forest, partly by referring to them as 'Orang Asal' (original people), the colonial government in turn adopted the next closest term 'Orang Asli' (literally 'natural people', but now taken



**Table 1**  
Population distribution of the Orang Asli by subgroup and state, 1991

State	Senoi			Proto Malay				Negrito	Total
	Temiar	Semai	Other Senoi	Jakun	Temuan	Semelai	Other Proto Malay		
Johor	90	51	33	3,589	448	17	2,825	39	7,092
Kedah	6	6	8	27	4	4	61	137	253
Kelantan	5,932	58	17	23	18	9	44	843	6,944
Melaka	84	9	3	42	642	29	34	9	852
Negri Sembilan	46	98	8	33	4,455	1,251	51	10	5,952
Pahang	295	9,239	5,411	12,737	2,751	2,967	169	609	34,178
Pulau Pinang	11	15	8	170	9	2	35	5	255
Perak	10,010	17,973	390	189	703	250	185	1,141	30,841
Perlis	1	0	0	1	1	46	13	1	63
Selangor	373	1,112	2,095	226	5,990	184	1,025	79	11,084
Terengganu	7	14	341	10	1	2	100	119	594
Kuala Lumpur	37	52	28	19	35	14	175	26	386
Total	16,892	28,627	8,342	17,066	15,057	4,775	4,717	3,018	98,494
Percentage	17.1	29.1	8.5	17.3	15.3	4.8	4.8	3.1	100.0

Source: Department of Statistics (1997), p. 12.

to mean 'original people' as well). It also became official policy that the Malay term be used even in the English language (Carey 1976: 3). However, this in itself was not enough to forge a common identity among the Orang Asli subgroups, nor did they immediately accept the term.

As such, Orang Asli homogeneity was initially a creation of non-Orang Asli perceptions and ideological impositions rather than something that



**Plate 2. Traditional Temiar house in Kampung Sungkal, Korbu (Ulu Kinta, Perak).** The general perception is that all the Orang Asli are forest-dwelling peoples. In reality, only about 40 per cent of the Orang Asli live within or close to forested areas. Others live in rural agricultural communities, growing rubber or oil palm, or are coastal dwellers with fishing as their main occupation. A significant number are also engaged in 'mainstream' employment or manage their own business. (CH-1992)



**Plate 3. Chewong with banana harvest on the Teris River (Kampung Sungai Enggang, Lanchang, Pahang).** This Senoi community is still dependent on forest resources for both its subsistence needs and for its source of cash incomes. The bananas were harvested from their forest farms and are being transported to their settlement where it will be sold to the middleman for about 50 sen (13 cents) per kilogramme. (PH-2000)



**Plate 4. Semelai women in dugout near Kampung Benal (Tasek Bera, Pahang).** The culture of the Semelai is closely tied to the freshwater lake ecosystem that comprise much of their traditional territory. However, like other Aboriginal Malay subgroups they are also cash crop agriculturalists. [c.1933]



**Plate 5. Jahai family returning from the forest (Kampung Manok, Jeli, Kelantan).** Orang Asli are frequently being told that they can only be provided with the 'fruits of development' if they discontinue their nomadic existence. In reality, less than one per cent of all Orang Asli – particularly among the Negrito groups – are still semi-nomadic opportunistic foragers. Even so, these communities have their own distinct traditional territories. [c.1933]

was self-defined. Nevertheless, with increased contact with the dominant population, it became clear to various Orang Asli groups that they had more in common with one another than they did with the dominant population. This was especially so since much of this latter contact was not amiable or beneficial to them. As I argue later, the social stress that they experienced as a result of this contact caused these indigenous minority groups to develop a common identity under the label 'Orang Asli'.

Nevertheless, while it is not denied that the various Orang Asli subgroups that constitute the category 'Orang Asli' are distinct peoples themselves, I have elected, for the purpose of this study, to refer to this generic category of peoples as a distinct community vis-à-vis other generic communities in Malaysia. Thus, for example, just as the Chinese people in Malaysia comprise different subgroups (e.g., Hakka, Cantonese and Hokkien, each with its own language and cultural specifics), so too the Orang Asli can be regarded as a distinct people in Malaysian society.

Such categorisation should not be regarded as an attempt to deny the respective Orang Asli subgroups recognition as distinct peoples in themselves.<sup>6</sup> Rather, it is used here to demonstrate that the various subgroups can be regarded as a generic category – viz., the indigenous minority peoples of Peninsular Malaysia – as they individually satisfy the requirements and indicia used in determining indigenous groups. Kingsbury (1995: 33) lists these requirements and indicia as:

- Self-identification as a distinct ethnic group;
- Historical experience of, or contingent vulnerability to, severe disruption, dislocation, or exploitation;
- Long connection with the region;
- The wish to retain a distinct identity;
- Non-dominance in the national society;
- Close cultural affinity with a particular area of land or territory;
- Historic continuity (especially by descent) with prior occupants of the land in the region;
- Socio-economic and socio-cultural differences from the ambient population;
- Distinct objective characteristics: language, race, material or spiritual culture, etc.; and
- Regarded as indigenous by the ambient population or treated as such in legal and administrative arrangements.

These shared experiences of the Orang Asli subgroups in many ways reflect their common social history.

### The Orang Asli as Targets

In the main, the Orang Asli groups kept to themselves until about the first millennium A.D. when traders from India, China and the Mon civilisations sought forest products such as resins, incense woods, rhinoceros horns, feathers, and even gold. Orang Asli living in the interior became suppliers of these items, bartering them for salt, cloth and iron tools.

The rise of the Malay sultanates, however, coincided with a trade in Orang Asli slaves that prompted many Orang Asli groups to retreat further inland to avoid contact with outsiders. For the most part, therefore, the

Table 2  
Orang Asli subgroups, location and estimated population, 1993

Subgroup	Location	Population	%
<b>Negrito</b>			
Kensiu	Northeast Kedah	224	0.2
Kintak	Kedah-Perak Border	235	0.3
Jahai	Northeast Perak and West Kelantan	1,049	1.1
Lanoh	North Central Perak	359	0.4
Mendriq	Southeast Kelantan	145	0.2
Batek	Northeast Pahang and South Kelantan	960	1.0
	<b>Sub Total</b>	<b>2,972</b>	<b>3.2</b>
<b>Senoi</b>			
Semai	Northwest Pahang and South Perak	26,049	28.1
Temiar	North Perak and South Kelantan	15,122	16.3
Jah Hut	Central Pahang	3,193	3.5
Chewong	Central Pahang	403	0.4
Mah Meri	Coastal Selangor	2,185	2.4
Semoq Beri	South Central Pahang	2,488	2.7
	<b>Sub Total</b>	<b>49,440</b>	<b>53.4</b>
<b>Aboriginal Malay</b>			
Temuan	Selangor and Negri Sembilan	16,020	17.3
Semelai	Central Pahang and East Negri Sembilan	4,103	4.4
Jakun	South Pahang and North Johor	16,637	18.0
Orang Kanaq	East Johor	64	0.1
Orang Kuala	West and South Coasts of Johor	2,492	2.7
Orang Seletar	West and South Coasts of Johor	801	0.9
	<b>Sub Total</b>	<b>40,117</b>	<b>43.4</b>
	<b>TOTAL</b>	<b>92,529</b>	<b>100.0</b>

Source: JHEOA (1994), based on the PPRT survey.

Orang Asli lived in remote communities, each within a specific geographical space (such as a river valley) and isolated from others. They identified themselves by their specific ecological niche,<sup>7</sup> which they called their customary or traditional land, and developed a close affinity with it. Much of the basis of their culture and religion is derived from this close association with the particular environment.

This is not to suggest that the Orang Asli lived in complete isolation, existing only on subsistence production. Economic dealings with the neighbouring Malay communities were not uncommon during the past few hundred years, especially for the Aboriginal Malay groups. There seemed also to be a certain amount of interaction between the Orang Asli and the other ethnic groups, particularly the Malays who resided along the fringes of the forest.

The arrival of the British colonialists brought further impacts into the lives of the Orang Asli. After the early interest in the Orang Asli as targets of missionary Christian zeal and as rich subjects of anthropological research, the events of the Emergency – the colonial government's civil war with the communist insurgents from 1948 to 1960 – pushed the Orang Asli into the political arena. The primary motive for such newfound interest in the Orang Asli was undeniably that of national security – as Orang Asli help was necessary if the Malayan government was to win the war against the insurgents. The Emergency period also saw the introduction of two administrative initiatives that were to have a lasting impact on the future of Orang Asli wellbeing: the establishment of the Department of Aborigines in 1950 and the enactment of the Aboriginal Peoples Ordinance in 1954.

The post-Independence period, as the following chapters discuss, proved to be no less impactful for the Orang Asli. The 'development' of the Orang Asli became a prime objective of the government. Towards this end, the government adopted a policy in 1961 that sought the Orang Asli's 'ultimate integration with the wider Malaysian society'.<sup>8</sup> The original process was to be by improving the socio-economic position of the Orang Asli. However, with time, the policy began to emphasise their assimilation with the Malay community and, by extension, their adoption of Islam (JHEOA 1983).

The last two decades of the past millennium, additionally, were a period of sustained growth for Malaysia. With a development model that emphasised modernisation and industrialisation, especially with a vision to make Malaysia a fully industrialised nation by the year 2020 (Mahathir 1991), the Orang Asli began to experience a contest for their traditional resources. In particular, encroachments into, and appropriation of, Orang Asli traditional territories became increasingly frequent, provoking varying responses from the Orang Asli themselves. These ranged from subdued



**Plate 6. In a Batek camp one-and-a-half hours away from Kuala Yong (Taman Negara, Pahang).** Many of the Negrito Orang Asli are still forest-dependent. The lad in the foreground is preparing blowpipe darts while the elder in the background is singeing a gibbon to remove its fur prior to cooking it. (c.1996)

acquiescence and political lobbying to vocal protestation and legal recourse. The Orang Asli also began mobilising themselves through various organisations, particularly the Peninsular Malaysia Orang Asli Association, POASM. Soon, as this work reveals, the Orang Asli became more visible and vocal as a cultural and political entity — and consequently, this generated more interest in the people not only from non-Orang Asli but from among the Orang Asli themselves, albeit for varying reasons.

### Notes

1. This is the Orang Asli population as of 31 May 1997 (JHEOA 1997d) while the Malaysian population in mid-1999 was 22.7 million (*The Star* 24.12.1999). The figure of 106,131 appears to be a more accurate figure for the Orang Asli compared to earlier official censuses. For example, according to the *Profile of the Orang Asli in Peninsular Malaysia* (Department of Statistics 1997), the population of the Orang Asli, based on the 1991 census, was 98,494 (Table 1). On the other hand, the Department of Orang Asli Affairs, or JHEOA, reported that there were 92,529 Orang Asli in 1993 (Table 2). The apparent discrepancy can be explained by the fact that the JHEOA tally only took into account the 845 Orang Asli settlements that come under its purview. It did not include those Orang Asli living in urban areas and urban settlements (the latter defined as small town

centres with a population size between 1,000 and 9,999 persons). However, despite the 92,529 figure being bandied about by the authorities for the most part of the 1990s, several Orang Asli leaders have frequently opined that the Orang Asli population had already exceeded 100,000 since the mid-1990s.

2. Earlier official categorisation of the Orang Asli had 19 ethnic subgroups. It seems that the Temoq people have been conveniently dropped as a separate ethnic subgroup and subsumed under 'Jakun', in part so as to have equally six subgroups under each of the three main categories — an administratively neat way to present the information graphically.
3. I prefer not to use 'Semang' for 'Negrito', as is the current preferred practice among some anthropologists, as the term carries a negative connotation when used by some of the Senoi groups.
4. The discussion on the prehistory of the Orang Asli in this chapter draws on Evans (1927), Tweedie (1953), Benjamin (1976), Adi (1986), Dentan et al. (1997), and Bellwood (1997).
5. Geoffrey Benjamin (personal communication, 2 March 1998) suggests that 'Aboriginal Malay' is the more correct translation for 'Melayu Asli' instead of the more commonly used 'Proto-Malay' in administrative and academic references.
6. The use of the term *peoples* has (rightly) proved sensitive in international practice, principally because it has been employed to designate a category of nonstate groups holding particular international-law rights, most notably the right of 'all peoples' to self-determination. For this reason, nations have been reticent about the use of the term 'indigenous peoples' at the international level (Kingsbury 1995: 15).
7. The term is used by Tachimoto (1997: 33) to refer to a particular geographical space that has a specific ecological identity (or site-consciousness) that is related to a sense of place for its inhabitants.
8. The original policy statement, however, advocated the assimilation of the Orang Asli with the Malay section of the national community (JHEOA 1961: 2).



# 2



## ORANG ASLI DEVELOPMENT THE SOCIO-ECONOMIC INDICATORS

Population • Age Indicators  
Educational Attainment  
Health • Poverty and Wealth  
Ownership of Land

**Plate 7. Semai children leaving for school at dawn, Kampung Woh (Taph, Perak).** Because of the many disadvantages and obstacles placed in their path, the dropout rate among Orang Asli schoolchildren is very high. Blame for this has often been (wrongly) placed on the Orang Asli parents. Most Orang Asli parents, in fact, value the importance for education. Mainstream education, nevertheless, does have its implications for Orang Asli autonomy. [CN-1997]



## Chapter 2

# *Orang Asli Development: The Socio-economic Indicators*

Ever since the five-year Malaysia Plans were published, the Orang Asli have never failed to be listed among the most impoverished of Malaysians. Regrettably, recent statistics still indicate that the Orang Asli continue to be so. This chapter looks at various social indicators in order to demonstrate their marginal position in Malaysian society.

### **Population**

The Orang Asli population has been growing steadily over the years. Table 3 shows that from 1947 to 1997, the average rate showed an increasing trend averaging four per cent annually. This is largely due to an overall improvement in the quality of life of the Orang Asli, although better and more accurate counting methods used in the censuses over the years played a contributory role.

The JHEOA frequently puts forward a figure of 40 per cent for the number of Orang Asli who live in forest areas.<sup>1</sup> The 1991 census survey, however, showed that 88.7 per cent of the Orang Asli lived in the rural areas while the rest (11.3 per cent) lived in urban areas or in small urban towns (Table 4). Those living in the rural areas are engaged in a variety of occupations, most of which are related to agriculture or forest resources. The Semai, Temiar, Chewong, Jah Hut, Semelai and Semoq Beri, for example, live close to or within forested areas where they engage in swiddening (hill rice cultivation) and some hunting and gathering. These communities also trade in *petai*, *durian*, rattan and resins to earn cash incomes. On the other hand, the Orang Kuala, Orang Laut, Orang Seletar and Mah Meri live close to the coast and are mainly fisherfolk. A fair number of Orang Asli – especially Temuan, Jakun and Semai – are involved in permanent agriculture and now manage their own rubber, oil palm or cocoa smallholdings.

Only a very small number – less than one per cent of the Orang Asli

**Table 3**  
Growth rate of the Orang Asli population, 1947-1997

Year	Number	Period	Average annual growth rate (per cent)
1947	34,747		
1957	41,360	1947-1957	1.9
1970	53,379	1957-1970	2.2
1980	67,014	1970-1980	2.5
1991	98,494	1980-1991	4.3
1997	106,131	1991-1997	1.3

Source: Department of Statistics (1997), p. 3 (up to 1991)  
1991-1997 rate based on JHEOA's population figure for 1997

**Table 4**  
Percentage distribution of the Orang Asli by location, 1980, 1990 and 1991

Location	1970	1980	1991
Urban areas	1.6	3.8	8.9
Small urban towns	2.4	2.9	2.4
Rural areas	96.0	93.3	88.7
Total	100.0	100.0	100.0
Numbers	(53,349)	(67,014)	(98,494)

Source: Department of Statistics (1997), p. 6.

**Table 5**  
Number and percentage distribution of major Orang Asli subgroups 1991-1992

Population Census 1991	Senoi	Proto Malay	Negrito	Total
Number	53,861	41,615	3,018	98,494
Per cent	54.7	42.2	3.1	100.0
JHEOA (1992)				
Number	49,562	39,054	2,701	91,317
Per cent	54.3	42.8	2.9	100.0

Source: Department of Statistics (1997), p. 10.

population – are still semi-nomadic, preferring to take advantage of the seasonal bounties of the forest. These communities largely belong to the Negrito groups (such as Jahai and Batek).

However, a significant number of Orang Asli live in the urban areas or urban settlements, engaged in various occupations, either as proprietors or as employees. From Table 6, for example, we find that of the 30,695 Orang Asli with an occupation, 19 per cent (5,835 persons) were not in agriculture or forest-related occupations, and were generally urban-based. This figure correlates with the difference in census figures by the JHEOA and the Department of Statistics (Table 5), where the latter statistics show an additional 7,177 Orang Asli who are not accounted for.<sup>2</sup>

Tables 6 and 7 also throw light on other types of occupations the Orang Asli were involved in. Among the professional and semi-professional group, most were employed as teachers and medical assistants. Of those in the service sector, the men were mainly in the protective sectors as members of the police force (*Senoi Praaq*) and forest rangers, whereas the women worked as maids and cooks. However, the majority of those involved in factory work (as electrical and electronic equipment assemblers) were women.

From Table 7, it will be seen that for both sexes, participation in agriculture was the highest for those in the older age groups, particularly for women (93 per cent). Relatively high proportions of females in the 10-24 age group (14.6 per cent) were also employed in production and related occupations (Department of Statistics 1997: 37). For this reason, the two peninsular states that have no native Orang Asli populations – Penang and Perlis – now show Orang Asli residing there (Table 8). This attests to the mobility of the Orang Asli, as their presence in these two states is largely due to their employment in the electronics and textiles sectors there.

**Table 6**  
Occupational distribution of the Orang Asli by selected occupations, 1991

Major occupational groups	Selected minor group	Total
Professionals, technical and related workers	Professionals	21
	Semi-professionals	41
	Medical assistants	72
	Teachers (college, secondary, primary)	143
	Social workers	38
	<b>Total</b>	<b>431</b>
Administrative and managerial workers	<b>Total</b>	<b>43</b>
Clerical and related works	Government executive officials	152
	Typists, stenographers, book-keepers, cashiers	53
	Clerks	173
	<b>Total</b>	<b>425</b>
Sales workers	Working proprietors (wholesale, retail)	190
	Salesmen, shop assistants	141
	Street vendors	58
	<b>Total</b>	<b>416</b>
Service workers	Cooks, waiters, maids	255
	Policemen and detectives	1,271
	Protective services, not elsewhere classified	329
	<b>Total</b>	<b>2,120</b>
Agricultural, animal husbandry and forestry workers, fishermen and hunters	Specialized field crop farmers	9,687
	Specialized livestock farmers	43
	Other agricultural and animal husbandry workers	8,510
	Field crop and vegetable farm workers	1,045
	Fruit tree and related tree and shrub workers	3,656
	Loggers	365
	Forestry workers	195
	Fishermen, hunters	1,268
	<b>Total</b>	<b>24,860</b>
Production and related workers, transport equipment operators and labourers	Miners and quarrymen	75
	Sawyers, plywood makers	103
	Cabinet-makers and related wood workers	96
	Machinery fitters, assemblers (except electrical)	113
	Electrical and electronic equipment assemblers	215
	Production and related workers, not elsewhere classified	197
	Bricklayers, carpenters and other construction workers	200
	Motor vehicle drivers	115
	Labourers, not elsewhere classified	437
	<b>Total</b>	<b>2,400</b>

Note: The totals shown are for each major occupational group and the detailed occupations given will not add up to the total, as only selected occupations are shown.

Source: Department of Statistics (1997), p. 36.

**Table 7**  
 Percentage distribution of the employed Orang Asli aged 10 years and over  
 by occupation, sex and broad age group, 1991

Occupation	Male			Female		
	10-24	25-44	45+	10-24	25-44	45+
Professional, technical and related workers	0.5	1.7	1.4	1.3	2.7	0.8
Administrative and managerial workers	-	0.3	0.1	-	0.2	0.0
Clerical and related workers	0.6	2.0	1.0	1.3	2.5	0.2
Sales workers	1.1	1.3	1.4	1.8	1.4	1.8
Service workers	3.4	13.2	4.8	4.4	3.4	1.4
Agricultural, animal husbandry and forestry workers, fishermen and hunters	83.5	74.6	88.6	76.5	82.9	93.2
Production and related workers, transport equipment operators and labourers	10.9	6.9	2.8	14.6	6.9	2.7
Total employed	100	100	100	100	100	100
Numbers (thousands)	(7,478)	(10,393)	(4,941)	(3,349)	(3,369)	(1,556)

Source: Department of Statistics (1997), p. 37.

## Age Indicators

The Orang Asli have a very young population (Department of Statistics 1997: 13). Table 9 shows that 47 per cent of the Orang Asli were below 15 years of age in 1991. This compares with only 36 per cent for the total Peninsular Malaysia population in the same age group. The median age (16.4 years in 1991) further substantiates the youthful characteristic of the Orang Asli population.

Table 10 provides more age indicators for the Orang Asli. The child/woman ratio<sup>3</sup> showed an increase from 8.5 in 1980 to 8.9 in 1991, indicating continuing high birth rates. The corresponding ratio for Peninsular Malaysia was only 5.2 in 1991. A significant increase was also observed for the child dependency ratio,<sup>4</sup> from 87.6 in 1980 to 92.6 in 1991. In comparison, the child dependency ratio for Peninsular Malaysia was only 61 in 1991.

Table 8  
Distribution of the Orang Asli population by state, 1947-1991

State	Number					Percentage distribution in 1991
	1947	1957	1970	1980	1991	
Johor	1,389	1,329	3,292	3,883	7,092	7.2
Kedah	182	90	227	289	253	0.3
Kelantan	4,569	3,995	4,758	5,005	6,944	7.0
Melaka	241	256	427	681	852	0.9
Negri Sembilan	1,826	2,313	2,688	3,003	5,952	6.0
Pahang	13,173	16,076	18,822	24,157	34,178	34.7
Pulau Pinang	68	9	152	440	255	0.3
Perak	10,208	13,103	16,863	21,123	30,841	31.3
Perlis	0	58	12	45	63	0.1
Selangor	2,907*	4,032*	5,906*	6,547	11,084	11.2
Terengganu	174	99	232	398	594	0.6
WP Kuala Lumpur	-	-	-	421	386	0.4
Total	34,737	41,360	53,379	65,992	98,494	100.0

Source: Department of Statistics (1997), p. 5.

\* Includes the Federal Territory of Kuala Lumpur

The old age dependency ratio<sup>5</sup> for 1991 was 4.0, which was much lower than the 6.6 for the whole of Peninsular Malaysia.

Several implications can be drawn from the prevalent age distribution of the Orang Asli. Considering the youthfulness of the age structure, we can expect the growth rates to be maintained at high levels for some time, even with relatively modest birth rates. The large proportion of the population below 15 years also implies that development plans and strategies need to give greater emphasis to this age group, especially in terms of educational facilities and health care. There is also a need to give greater emphasis to young mothers, especially in terms of nutrition and health care. Also, the high dependency ratio implies a heavier burden on the working age population (15-64 years) towards those younger and older to this group. Thus, if the policy of Orang Asli integration into the mainstream were to be pursued actively, it would require the provision of adequate employment opportunities and the development of sufficient economic activities to sustain this large group of dependents (Department of Statistics 1997: 15).



**Table 9**  
Age distribution of the Orang Asli, 1980 and 1991

Age groups	1980	1991	1980	1991
	Number		Percentage	
<b>Male and female</b>				
0-14	30,715	46,396	45.9	47.1
15-24	13,273	18,612	19.8	19.0
25-34	8,007	13,967	11.9	14.2
35-44	6,629	8,120	9.9	8.2
45-54	4,521	5,847	6.7	5.9
55-64	2,614	3,550	3.9	3.6
65 and over	1,255	2,002	1.9	2.0
<b>Total</b>	<b>67,014</b>	<b>98,494</b>	<b>100.0</b>	<b>100.0</b>
<b>Male</b>				
0-14	15,727	23,607	45.4	47.1
15-24	6,518	9,088	18.8	18.1
25-34	4,043	6,905	11.7	13.8
35-44	3,568	4,228	10.3	8.4
45-54	2,478	3,191	7.2	6.4
55-64	1,517	1,936	4.4	3.9
65 and over	782	1,180	2.2	2.3
<b>Total</b>	<b>34,633</b>	<b>50,135</b>	<b>100.0</b>	<b>100.0</b>
<b>Female</b>				
0-14	14,988	22,789	46.4	47.2
15-24	6,755	9,524	20.9	19.7
25-34	3,964	7,062	12.2	14.6
35-44	3,061	3,892	9.4	8.0
45-54	2,043	2,656	6.3	5.5
55-64	1,097	1,614	3.4	3.3
65 and over	473	822	1.4	1.7
<b>Total</b>	<b>32,381</b>	<b>48,359</b>	<b>100.0</b>	<b>100.0</b>

Source: Department of Statistics (1997), p. 13.

Table 10  
Age indicators of the Orang Asli population and total population, 1980 and 1991

Age indicator	Orang Asli		Total population (Peninsular Malaysia) 1991
	1980	1991	
Median age	17.0	16.4	22.2
Dependency ratio	91.2	96.6	67.6
Child dependency ratio	87.6	92.6	61.0
Old age dependency ratio	3.6	4.0	6.6
Child/woman ratio	8.5	8.9	5.2

Source: Department of Statistics (1997), p. 14.

### Educational Attainment

Hasan (1997: 26), analysing JHEOA's statistics, found that, on average, 94.4 per cent of the Orang Asli schoolchildren who registered in Primary One never reached the end of secondary schooling 11 years later. Hasan (1997: 21) also found that an average of 62.1 per cent of Orang Asli students dropped out annually for the period 1971-1995.

Recent data provided by the JHEOA show that the dropout rate at the primary level was 54.5 per cent for the period 1996-2000 (Table 11). The data also show a gradual decline in dropout rates over the years — except for a marked jump in 2000 which can be attributed to the withdrawal of education subsidies for the Orang Asli for the previous year as a result of the depressed economic situation in the country then.

In general, while there have been significant improvements made in the overall enrolment of the Orang Asli in school, the duration of actual schooling leaves much to be desired. Table 12 provides some idea of the educational levels attained by the Orang Asli community aged 6 years and over. The 1991 census revealed that 37.8 per cent had at least primary schooling whereas only 7.8 per cent had reached lower secondary school. Even fewer — 2.4 per cent — had reached upper secondary school.<sup>6</sup> While the proportions have been small, a significant number of Orang Asli have also reached tertiary education. As of June 1997, 138 Orang Asli had completed tertiary education with government assistance, while another 99 were still continuing their education (*The Star* 1.11.1997).

Although the proportion of Orang Asli with no schooling declined 15 percentage points for both males and females, as Table 12 shows, males indicated lower levels of those without any education, i.e. 46.3 per cent

Table 11  
Dropout rate from Primary 1 to Primary 6, 1976-2000

Year of Admission	No. of registered students in Primary 1	Year completing Primary 6	No. of students completing Primary 6	No. of students dropping out	Dropout Rate (%)
1976	2,105	1981	630	1,475	70.1
1977	2,151	1982	741	1,410	65.6
1978	2,317	1983	705	1,612	69.6
1979	3,102	1984	757	2,345	75.6
1980	2,304	1985	654	1,650	71.6
1981	2,416	1986	783	1,633	67.6
1982	2,729	1987	944	1,785	65.4
1983	2,868	1988	1,000	1,868	65.1
1984	2,651	1989	1,052	1,599	60.3
1985	2,879	1990	1,124	1,755	60.9
1986	2,942	1991	1,031	1,911	64.9
1987	2,988	1992	1,217	1,771	59.2
1988	2,881	1993	1,255	1,626	56.4
1989*	2,970	1994	1,466	1,404	48.9
1990	3,078	1995	1,699	1,379	44.8
1991	3,248	1996	1,679	1,569	48.3
1992	3,202	1997	1,825	1,377	43.0
1993	3,379	1998	2,264	1,115	33.0
1994*	3,128	1999	2,574	472	15.1
1995	5,505	2000	3,144	2,361	42.9
TOTAL*	58,843		26,544	32,117	54.6

Source: JHEOA

\*The totals show a discrepancy of 182 arising from errors in the 1989 and 1994 figures.

**Table 12**  
Percentage distribution of Orang Asli population aged six years and over by educational attainment and sex, 1980 and 1991.

Level of educational attainment	Total		Male		Female	
	1980	1991	1980	1991	1980	1991
No schooling	66.4	51.4	61.2	46.3	72.0	56.6
Primary	27.3	37.8	30.6	41.7	23.6	33.8
Lower secondary	4.6	7.8	5.7	8.7	3.4	6.8
Upper secondary	1.2	2.4	1.7	2.6	0.8	2.1
Tertiary	0.5	0.6	0.7	0.7	0.3	0.6
Total	100	100	100	100	100	100
Total (Numbers)	52,800	75,800	27,500	38,200	25,300	37,600

Source: Department of Statistics (1997), p. 27.

**Table 13**  
Percentage distribution of Orang Asli population aged six years and over by educational attainment and stratum, 1991.

Educational attainment	Urban	Rural
No schooling	24.4	54.0
Primary	40.9	37.6
Lower secondary	19.8	6.6
Upper secondary	10.1	1.6
Upper secondary	10.1	1.6
Tertiary	4.8	0.2
Total	100.0	100.0
Total (Numbers)	6,885	69,950

Source: Department of Statistics (1997), p. 28.

compared to 56.7 per cent for females. The same applies for primary education. However, the differences were not very significant for both sexes for secondary and tertiary educational attainment (Department of Statistics 1997: 27).

As expected, Orang Asli who lived in the urban areas at the time of the 1991 census displayed much higher levels of education, as can be seen

**Table 14**  
Crude death rates and infant mortality rates for Orang Asli  
and general population in Peninsular Malaysia, 1984-1987

Year	Crude Death Rate		Infant Mortality Rate	
	Orang Asli	National Population	Orang Asli	National Population
1984	9.4	5.3	47.0	17.5
1985	11.3	5.3	56.9	17.0
1986	11.0	5.0	56.4	15.5
1987	9.7	4.8	46.7	14.4
Median	10.4	5.2	51.7	16.3

Source: Ng Man San *et al.* (1987), p. 13, cited in Razha (1996: 13).

from Table 13. Some 10 per cent of the urban Orang Asli had completed upper secondary education while another 5 per cent had obtained tertiary education. In contrast, only 1.6 per cent of rural Orang Asli completed upper secondary school, while only 0.2 per cent obtained tertiary education. In all, about 92 per cent of the rural Orang Asli had no schooling or had only primary schooling at the time of the 1991 census. This motivated the government to transfer the responsibility of Orang Asli education from the JHEOA to the Ministry of Education with effect from 1st January 1995. This move, as discussed in Chapter 6, apart from benefiting the Orang Asli, also helped the state achieve its objective of integrating the Orang Asli with the mainstream society.

## Health

It is generally accepted that there has been a marked improvement in the provision and availability of health facilities for the Orang Asli. However, there is still much more that needs to be done.

For example, it was reported (*The Sun* 28.9.1996) that of the 42 mothers who died during delivery in 1994, 25 (60 per cent) were Orang Asli women. Given that the Orang Asli community is only 0.5 per cent of the national population, this means that an Orang Asli mother in 1994 was 119 times more likely to die in childbirth than a Malaysian mother.

The crude death rates and infant mortality rates for the Orang Asli also do not compare well with the national statistics. Table 14 shows that, for 1984-1987, the Orang Asli recorded a much higher infant mortality rate (median=51.7 deaths per 1,000 infants) than the general population (median=16.3). Similarly, the crude death rate for the Orang Asli

Table 15  
Number of malaria and tuberculosis cases among the Orang Asli, 1981-1995

Disease	1991	1992	1993	1994	1995
Malaria	4,356 <sup>a</sup>	4,810	7,215	6,186	6,142
Tuberculosis	293	177	171	162	200

<sup>a</sup> This figure is for cases treated at the JHEOA hospital in Gombak only.

Source: Malaria figures from Roslan Ismail (1997) and Lim Hin Fui (1997);  
Tuberculosis figures from Fadzillah Kamaludin (1997).

(median=10.4) was doubled that of the national population (median=5.2). Accordingly, their life expectancy at birth (estimated at 52 years for females and 54 years for males) was also significantly lower than that for the national population (72 years for females and 68 years for males). The lower life expectancy for Orang Asli females could be due to their higher maternal death rates caused by childbirth or to poor maternal health (Ng *et al* 1987, cited in Razha 1996: 13), or to Orang Asli mothers being over-burdened with reproductive, as well as productive, tasks.

With regard to diseases inflicting Orang Asli, Veeman (1987) found that the persistent diseases are infectious and parasitic ones, specifically tuberculosis, malaria, leprosy, cholera, typhoid, measles and whooping cough. This is confirmed by the Director of the JHEOA Hospital in Gombak, who disclosed that the main cause of admissions in 1996 was infectious and parasitic diseases (Roslan 1997: 61). Of the 785 admissions for that year (including for childbirth complications and motor vehicle accidents), almost half (368 or 46.8 per cent) were from such preventable diseases as malaria, tuberculosis and scabies.

In fact, malaria and tuberculosis continue to plague the Orang Asli, as Table 15 indicates. The figures are more disturbing when compared to the national statistics. For example, of the 7,752 malaria cases reported in Peninsular Malaysia in 1995, more than three-quarters (79.2 per cent) were from the Orang Asli (6,142 cases). Similarly, for tuberculosis the incidence of the disease is 5 to 7 times greater for the Orang Asli than for the rest of the country.<sup>7</sup>

Data on Orang Asli health also indicate that malnutrition is prevalent among Orang Asli. Khor (1994: 123), for example, found that even in regroupment schemes, some 15 years after relocation, the nutritional status of Orang Asli children can be described as poor — with a moderate to high prevalence of underweight, as well as acute and chronic malnutrition. This is supported by three studies examining growth retardation in Orang

Asli children (Table 16). The prevalence of underweight Orang Asli children ranged from 18 to 65 per cent, while stunting (an indication of under-nourishment) ranged from 15 to 81 per cent. A few cases of wasting (an indication of severe malnutrition) were also found. Concurring with this, Chee (1996: 63) opines that together with the nutritional problems – poor diet, low growth achievement, anaemia, diarrhoea – it appears that the poor health of the Orang Asli is tightly bound to the destruction of their traditional subsistence base and their resultant material deprivation.

Nevertheless, despite relatively good medical service provision, the health problems that the Orang Asli face are still those that reflect underdevelopment (Chee 1996: 63). They continue to suffer from a disproportionate incidence of tuberculosis, malaria, skin diseases and malnutrition (*New Straits Times*, 19.6.1999).

**Table 16**  
Comparison of studies on growth retardation among Orang Asli children, 1986, 1992

Study (year of study)	Population studied	Sample (n)	Age group (years)	Prevalence (%)			
				Underweight	Stunting	Wasting	
Ismail <i>et al.</i> (1986)	Semai, Betau	25	4-6	52	60	8	
	(non-schoolers)	38	7-10	18	47	5	
	(schoolers)	48	7-10	27	35	6	
Mohd. Sham Kassim (1986)	Cameron Highlands	94	0-10	32	50	-	
	Pos Jernang, Perak	55/58	0-10	58	58	-	
	(all Semai)	DARA, South- east Pahang	99/97	0-10	65	71	-
	West Pahang	189/186	0-10	65	81	-	
	RPS Betau	58	0-10	65	71	-	
Massita (1993)	Semai, RPS Betau	14	0-1	57	50	-	
		30	>1-4	30	47	7	
		52	>4-7	38	46	3	
		33	>7-8	18	15	-	

Source: Extracted from Chee (1996), p. 60.

Zulkifli, *et al.* (1999), who surveyed 620 Orang Asli children aged 1-10 years in the Kuala Betis Regroupment Scheme in Kelantan, found that the nutritional status of the children was poor with a greater prevalence of underweight (33.7-65.3%), stunting (55.3-74.4%) and wasting (4.4-29.7%) compared to Malay children. They suggest that this could be due to the poor economic base of the Temiar community during the transformation period of the resettlement.

However, in a comprehensive review of Orang Asli health, disease and survival, Baer (1999) found that there is sufficient information on Orang Asli health available to enable health personnel to plan for, and provide, better healthcare facilities for the benefit of the Orang Asli, especially since most of their health problems are easily preventable and curable.

### Poverty and Wealth

Statistics revealed by the Director-General of the JHEOA (*The Star*, 19.2.1997) show that 80.8 per cent of the Orang Asli live below the poverty line (compared to 8.5 per cent nationally), of which 49.9 per cent are among the very poor (compared to 2.5 per cent nationally). Nevertheless, in an apparent retraction of the data, the Director-General, Ikram Jamaluddin, argued in his farewell press release dated 31 October 1997, that the figure is actually “an under-estimation” as it does not reflect the “real income” of the Orang Asli. Furthermore, he added, the incidence of abject poverty among the Orang Asli is not that significant since, of the 100,000 extremely poor families in the country, only 7 per cent are Orang Asli. However, given that the Orang Asli are only 0.5 per cent of the national population, the incidence of poverty among the Orang Asli is therefore 14 times greater than all the other communities put together. Furthermore, in 1999, the poverty level among the Orang Asli had increased to 81.4 per cent (as the National Economic Consultative Council was informed by the JHEOA).

Other indicators also point to the poor quality of life that the Orang Asli experience. For example, only 46.4 per cent of Orang Asli households had some form of piped water, either indoors or outdoors. As expected, almost all the houses served with piped water were urban-based (Department of Statistics 1997: 46). However, the 1991 census also showed that almost a third of Orang Asli households still depended on rivers and streams for their water needs (Table 17a).

The availability of toilet facilities as a basic amenity was lacking in 47 per cent of the Orang Asli housing units, compared to only 3 per cent at the Peninsular Malaysia level (Department of Statistics 1997: 47). For example, some 9,700 Orang Asli households (49.5 per cent) in 1991 reported having no toilet facilities, and most were in the rural areas (Table 17b).

For lighting their homes, 36.2 per cent of Orang Asli households enjoyed electricity, while the majority depended on kerosene lamps (*pelita*). Much of the availability of electricity supply in the interior rural settlements was derived from generators, either provided by the JHEOA under the RPS development schemes or purchased by individual households (Table 17c).<sup>8</sup>

Another indicator of wealth (or poverty) is the availability (or absence) of selected household items that could provide an approximate measure



**Table 17a**  
Percentage distribution of Orang Asli housing units by type of supply of drinking water, 1991

Piped water inside housing units	26.8
Piped water outside housing units	19.6
Well	23.6
Others (rivers, etc.)	30.0
Total housing units	20,841

Source: Department of Statistics (1997), p. 46.

**Table 17b**  
Percentage distribution of Orang Asli housing units by type of toilet facility, 1991

Flush	13.4
Pour Flush	31.4
Pit	5.7
Enclosed space over water	2.9
None	46.6
Total housing units	20,841

Source: Department of Statistics (1997), p. 48.

**Table 17c**  
Percentage distribution of Orang Asli housing units by type of lighting, 1991

Electricity	36.2
Gas lamps	1.0
Oil lamps	57.0
Others	5.8
Total housing units	20,841

Source: Department of Statistics (1997), p. 47.

Table 18  
Percentage of Orang Asli households with household items by location, 1991

Household items	Urban	Rural	Total	Total households (Peninsular Malaysia)
Motorcar	29.2	4.1	7.9	34.2
Motorcycle	39.8	35.0	35.8	52.9
Bicycle	44.6	21.2	24.8	42.0
Refrigerator	59.5	8.3	16.1	63.5
Telephone	29.6	1.8	6.0	34.0
Television	75.8	30.7	37.6	82.1
Video	28.7	3.4	7.3	32.6
Radio/hi-fi	72.2	49.3	52.7	78.3
None of the items	3.4	25.6	22.2	3.4
Total number of households	3,313	18,460	21,773	2,875,154

Source: Department of Statistics (1997): p. 41

of material wellbeing. Table 18 shows that the motorcycle is an important means of transportation in the rural settlements, where about a third (35 per cent) of the households own one. In general, however, as is to be expected, more of the urban Orang Asli possessed household items when compared to the rural Orang Asli.

In fact, there is very little difference between the proportions of availability of household items between urban Orang Asli households and overall Peninsular Malaysia. This suggests that urban Orang Asli households are not materially very different from their non-Orang Asli neighbours. Of significant note, also, is that a fair proportion of both rural and urban Orang Asli households have access to a radio or television, thereby negating any presumption that they are 'isolated', or that they are blissfully impervious to outside influences. Significantly, also, almost a quarter (22.2 per cent) of all Orang Asli households said that they did not have any of the selected household items — indicating a "certain lagging in economic development" (Department of Statistics 1997: 42).

### Ownership of Land

The attachment Orang Asli have to their traditional lands cannot be over-emphasised. Most Orang Asli still maintain a close physical, cultural and

spiritual relationship with the environment. Increasingly, however, Orang Asli are beginning to see the ownership of their traditional lands as an essential prerequisite for their material and economic upliftment. Under present Malaysian laws, the greatest title that the Orang Asli can have to their land is one of tenant-at-will — an undisguised allusion to the government's perception that all Orang Asli lands unconditionally belong to the state. However, provisions are made for the gazetting of Orang Asli reserves, although such administrative action does not accord the Orang Asli with any ownership rights over such lands.

The status of Orang Asli gazetted land is given in Table 19. In 1996, a total of 131,735.75 hectares of Orang Asli land were given some form of recognition by the government. Of this, 18,587.26 hectares (14.1 per cent) were gazetted Orang Asli reserves, while another 29,878.63 hectares (22.7 per cent) had been approved for gazetting but have yet to be officially gazetted. Still another 83,269.86 hectares (63.2 per cent) have been applied for gazetting but no approval had been obtained as of 1996. However, it should be stressed again that these areas are merely those that the government deem to be Orang Asli lands. From calculations made based on the JHEOA's *Data Tanah* (1990a), it was found that the area gazetted represented only 15 per cent of the 774 Orang Asli villages. The remaining villages faced (even greater) insecurity of tenure over their territories.

Of more concern is the realisation that the size of gazetted Orang Asli reserves had actually declined from 20,666.96 hectares in 1990 to 18,587.26 hectares in 1996 — a decline of 2,079.70 hectares. Similarly, approval for

Table 19  
Status of Orang Asli gazetted land, 1990, 1994, 1996 (hectares)

Land status	1990	1994	1996	Change (1990-1996)
Gazetted Orang Asli reserves	20,666.96	17,903.61	18,587.26	- 2,079.70
Approved for gazetting, but not gazetted as yet	36,076.33	34,599.24	29,878.63	- 6,197.70
Total Orang Asli land with some legal status	56,743.29	52,502.85	48,465.89	- 8,277.40
Applied for gazetting but not approved yet	67,019.46	79,684.94	83,269.86	16,250.40
Total	123,762.75	132,187.79	131,735.75	7,973.00

Source: JHEOA (1990a); Press statement by Minister of National Unity and Social Development, 4 March 1994; Nik Mohd Zain Yusof (1997), Appendix E.

Table 20  
Status of Orang Asli gazetted land, 1999

Land status	Hectares
Gazetted Orang Asli reserves	19,507.4
Approved for gazettement but not gazetted yet	28,932.2
Applied for gazettement, but not approved yet	78,795.0
Total	127,234.6

gazetting has been withdrawn from 6,197.70 hectares of the 36,076.33 hectares originally approved in 1990. However, there had been an increase (of 16,250.40 hectares) in new applications for gazetted Orang Asli reserves. While this may seem as a consolation for the gazetted and approved lands lost, these new applications are invariably for new regroupment schemes. Based on the data given in Table 25, we can ascertain that a total of 13,944 hectares in regroupment schemes have been applied for but have yet to be approved while another 5,798 hectares were in the process of being applied for.<sup>9</sup>

However, the issue of land rights for the Orang Asli got a big media boost (for the government) in May 1999. This was when the Finance Minister, Daim Zainuddin, officiating at the opening of the Annual General Meeting of POASM, spoke on the issue and declared that, "Large areas of Orang Asli land [are] to be gazetted" (*New Straits Times* 10.5.1999). He announced the latest status of Orang Asli gazetted land, as given in the table above.

This announcement was given wide coverage in the local media, with the news reports taking the line that the Orang Asli are finally going to be given land rights to an "area slightly smaller than the state of Malacca" (*New Straits Times*, 10.5.1999, 11.5.1999; *Berita Harian* 10.5.1999, 11.5.1999, 12.5.1999; *The Sun* 10.5.1999).

What was not mentioned was that these figures were not at all new. In fact, some of the approvals for gazettement were given in the 1960s and 1970s (JHEOA 1990a), and yet no action had been taken since then to gazette the reserves.

Furthermore, comparing the 1999 figures with those for 1996 (given in Table 19), it is clear that some discrepancies exist. For example, while the total gazetted reserves had increased by 920.14 hectares in the ensuing three years, another 5,241.29 hectares are now 'missing' from the category of Orang Asli lands that have been approved for gazettement (down 946.43 hectares from 18,587.26 hectares in 1996) or that have been applied for



**Plate 8. Mak Minah being photographed for yet another story on her people's plight (Kampung Peretak, Kuala Kubu Bahru, Selangor).** The late Mak Minah was a committed keeper of her people's culture and intensely opposed the construction of the dam that would flood her people's homeland. This is territory that the Temuans are now told do not belong to them because the earlier approval for gazettement was a typographical error. (CN-1999)

gazetting (down 4,294.86 hectares from 83,269.86 hectares in 1996). If we deduct the newly gazetted Orang Asli reserves (920.14 hectares) from the 'missing' 5,241.29 hectares that have been taken off the 'approved' or 'applied' lists, we are faced with no explanation as to what happened to the remaining 4,320.15 hectares.

Perhaps the case of Kampung Peretak and Gerachi in Kuala Kubu Bahru might throw some light on how some Orang Asli lands can be taken off the schedule, often rather arbitrarily. According to the JHEOA *Data Tanah* (1990a), a total of 595.25 hectares were approved in these two villages to be gazetted as Orang Asli reserves as far back as 1965. However, due to an apparent administrative omission, the actual gazette notification was never formally completed. Nevertheless, legal opinion argue that this does not invalidate the status of their land as an Orang Asli reserve for the simple reason that the Orang Asli landholders should not be punished for the inefficiency of some administrative functionary.

Thus, when the issue of the construction of the Sungai Selangor Dam came to the fore, and the status of the Temuans' land was discussed, it was worrying to hear the Director-General of the JHEOA, citing the department's 1996 survey (JHEOA 1997d), asserting that the land in question was never approved for gazettement in the first place and that it is instead a state forest reserve (*The Star* 27.4.1999). When asked how the gazettement approval got into the department's 1990 survey report, the Director-General explained it was a "typo" (*The Star* 7.6.1999). This is worrying because it does suggest that the Orang Asli are losing their traditional territories simply because someone finds the delete key very useful on his wordprocessor.



**Plate 9. Temuans manning blockade at the radar site for the Kuala Lumpur International Airport (Bukit Tampoi, Dengkil, Selangor).** In an attempt to legalise the acquisition of this site, the state government tried to quietly (and unconstitutionally) degazette this portion of the Temuan's traditional territory. In the last decade, 76 per cent of Orang Asli traditional territories in Selangor have been degazetted. (04/1997)

Understandably, the fear is that the Orang Asli are slowly losing their gazetted reserves, often without their knowledge, and frequently by administrative fiat rather than by constitutional means. This seems to be the case in the state of Selangor where the pace of development is greatest and where Orang Asli traditional territories are becoming increasingly much sought-after assets. Thus, when the Finance Minister made the widely-publicised statement that Orang Asli are to be given land rights and urged state governments to speed up the process of making this a reality, the Selangor Menteri Besar, Abu Hassan Omar, like other state Chief Ministers, responded with statements that alluded to a better deal for the Orang Asli. In a news report suggestively titled 'More land for Orang Asli in Selangor' (*New Straits Times* 17.5.1999), the Chief Minister revealed that the state government had gazetted 1,263 hectares as Orang Asli reserve. He added that the state was also looking into the possibility of allocating another 4,487 hectares as reserve land for the Orang Asli.

To the uninformed, this may seem good news for the Orang Asli in Selangor. The reality is that these new figures reflect a worrying picture of declining landholding for the Orang Asli. Table 21 compares the land status of the Orang Asli in Selangor in 1990 from the JHEOA's *Data Tamah* (1990a) with the Chief Minister's figures for 1999.

Clearly, rather than there being more land earmarked for the Orang Asli in Selangor, they actually experienced a huge loss of their traditional territories. In terms of gazetted Orang Asli reserves, for example, they lost 4,039.78 hectares (76.2 per cent) of their original 5,302.78 hectares of gazetted reserves between 1990 and 1999. In terms of Orang Asli areas

Table 21  
Orang Asli Land status in Selangor, 1990 and 1999 (hectares)

Land status	1990	1999	Change in land area between 1990 and 1999
Gazetted reserves	5,302.78	1,263.0	- 4,039.78 (76.2%)
Approved for gazetting	1,458.31	1,213.0	- 245.31 (16.8%)
Applied for gazetting	8,601.40	4,487.0	- 4,114.40 (47.8%)
Total	15,362.49	6,963.0	- 8,399.49 (54.7%)

that were awaiting approval for gazetting or being applied for gazetting, they lost 4,359.71 hectares (43.3 per cent) of what they had in 1990.

Land, however, is constitutionally a state matter. How a state perceives Orang Asli rights to their traditional territories is reflected in Tables 22 and 23. For example, Pahang and Perak – the states with the largest Orang Asli populations – have been generally slack in gazetting Orang Asli lands. These states had the largest quantum of applications and approved

Table 22  
Orang Asli land status by state, 1996 (hectares)

State	Gazetted Orang Asli reserves	Orang Asli land approved for gazetting but not gazetted yet	Orang Asli land applied for gazetting	Total
Perak	5,189.41	7,277.22	17,297.52	29,764.15
Kedah	173.38	-	-	173.38
Pahang	4,013.62	13,718.17	43,495.13	61,226.92
Kelantan	0.16	3,893.52	12,573.00	16,466.68
Terengganu	1,312.60	200.66	161.94	1,675.20
Selangor/W.P.	1,586.91	1,213.30	4,583.96	7,384.17
Johor	3,859.16	2,081.07	2,600.52	8,540.75
N. Sembilan	2,336.05	1,176.76	2,547.69	6,060.50
Melaka	115.97	317.93	10.10	444.00
Total	18,587.26	29,878.63	83,269.86	131,735.75

Source: Nik Mohd. Zain bin Nik Yusof (1997)

Table 23  
Gazetted Orang Asli reserves and Orang Asli population by state, 1996

State	Gazetted Orang Asli reserves (ha.)	Orang Asli population	Hectares per person
Perak	5,189.41	30,841	0.17
Kedah	173.38	253	0.69
Pahang	4,013.62	34,178	0.12
Kelantan	0.16	6,944	0.00002
Terengganu	1,312.60	594	2.21
Selangor / W.P.	1,586.91	11,470	0.14
Johor	3,859.16	7,092	0.54
Negri Sembilan	2,336.05	5,952	0.39
Melaka	115.97	852	0.14
TOTAL	18,587.26	98,176*	0.19

\*The difference of 318 individuals from the national Orang Asli population of 98,494 is due to those in Penang and Perlis being excluded here.

Calculated from Tables 1 and 22.

applications waiting to be gazetted. Kelantan, on the other hand, has an even more dismal record of gazetting Orang Asli land, with only 0.16 hectare gazetted in 1996.<sup>10</sup> Even Melaka, with a small Orang Asli population, has not acted positively towards gazetting Orang Asli lands — it set aside only 0.14 hectare of gazetted reserve for each Orang Asli (the national average being 0.19 hectares).<sup>11</sup> Kedah and Terengganu rank better, where the size of gazetted reserves per Orang Asli was 0.69 and 2.21 respectively.

In terms of actual titled ownership to Orang Asli traditional lands, the statistics are even more dismal. As can be seen from Table 24, only 51.185 hectares (0.28 per cent) of the 18,587 hectares of gazetted Orang Asli reserves were securely titled. Furthermore, according to the JHEOA Director-General, only 0.02 per cent of Orang Asli (19 individuals) have title to their land (*The Star* 19.2.1997).

The dismal record of securing Orang Asli land tenure — coupled with increased intrusion into, and appropriation of, Orang Asli traditional lands by a variety of interests representing individuals, corporations and the state itself — remains the single element that is of grave concern to the Orang Asli today. The various Orang Asli subgroups are able to empathise with each other precisely because of the common social stress brought about by this insecurity over their traditional territories.



Table 24  
Orang Asli ownership of land, 1997

State	Land Area (ha.)		
	Ownership in Orang Asli areas	Ownership in Orang Asli reserves	Ownership outside Orang Asli reserves
Perak	-	-	-
Kedah	-	-	-
Pahang	38.35	15.65	31.32
Kelantan	37.21	-	-
Terengganu	-	32.195	-
Selangor / W.P.	-	-	6.12
Johor	-	3.34	15.78
Negeri Sembilan	-	-	12.57
Melaka	-	-	1.61
TOTAL	75.56	67.42	51.185

Source: Nik Mohd. Zain bin Nik Yusof (1997)

To recap, the generally low socio-economic status of the Orang Asli is not a result of fate, nor is it in their nature to be poor. On the contrary, ever since the Orang Asli became the responsibility of the state, various approaches towards their development have been proposed and applied, with equally varying results and consequences. Then, as is the case today, the development of the Orang Asli was intricately linked to the need to 'modernise' them.

As we shall see in the following chapter, this model of development for the Orang Asli grew out of the 'modernisation' discourses that were in vogue in the 1960s and 1970s. Unfortunately, this development paradigm persists today — at least as far as those mandated with the responsibility of improving the situation of the Orang Asli are concerned.

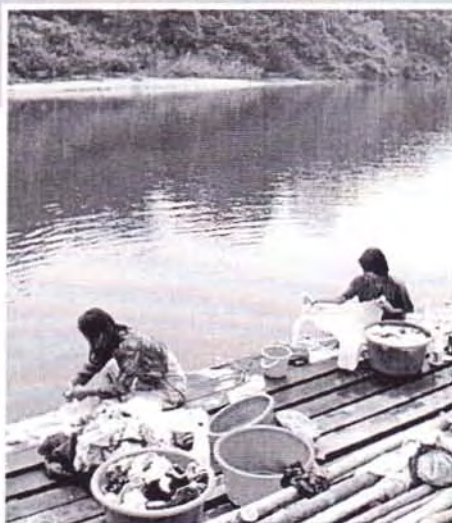
### Notes

1. Lim Hin Fui (1997: 42), analysing JHEOA's raw data, computed that of the 774 Orang Asli villages in 1990, 120 (16 per cent) were easily accessible, 379 (49 per cent) were in forest-fringed areas and 275 (35 per cent) were in remote areas.
2. The difference between the shortfall of 7,177 and the number listed as engaged in urban occupations (5,835) is probably due to unemployed Orang Asli individuals accompanying their employed relatives in the urban areas.

3. This is the ratio of children aged 0-4 years to women aged 15-44 years.
4. This is the ratio of children aged 0-14 years per 100 persons aged between 15-64 years.
5. This measures the proportion of elderly persons (aged 65 years and above) per 100 persons aged between 15-64 years.
6. Merely having been attending school is not fully indicative of educational attainment. Pass rates among Orang Asli schoolchildren have not been too encouraging, though they have been improving over the years. For example, Lim (1997: 45) comments that the percentage of passes among Orang Asli schoolchildren taking the SRP (Primary 6) exam in 1990-1992 was between 43 and 59 per cent, compared to 69 to 78 per cent at the national level. Similarly, for the 1993-1995 period, the proportion of Orang Asli passing the SPM (Secondary 5) exams was 51 to 54 per cent, compared to 66 to 67 per cent nationally.
7. For example, Kumar Devaraj (personal communication, 1996) reports that for Perak, there were 72 tuberculosis cases in 1996 for an Orang Asli population of 26,542. In contrast, there were 550 cases for the whole state population of 1,440,500 (including the Orang Asli). As such, 2.71 out of every 1,000 Orang Asli contracted tuberculosis, compared to 0.38 out every 1,000 individuals for the state.
8. Lim Hin Fui (1997: 62) reports much lower attainment levels for electricity and water supply in Orang Asli homes. Based on raw data from the JHEOA, of the 774 Orang Asli villages surveyed in 1990, only 149 (19 per cent) had electricity and 232 (30 per cent) had (piped) water supply. Nevertheless, even if we were to accept the higher figures of the Department of Statistics, the low level of attainment of these facilities by the Orang Asli is still a cause for concern.
9. Even if all such applications were to be considered favourably by the respective states, it is unlikely that all the affected Orang Asli will consider this as a positive move for them – for as we shall see later, regroupment is an alternative that not all Orang Asli see eye-to-eye with the planners.
10. The policy apparently has been to grant Orang Asli in Kelantan Temporary Occupancy Licenses (TOL) for Orang Asli settlements, including JHEOA regroupment schemes (as in Sungei Rual, Jeli). The other possible reason is that almost the whole of the state, with the exception of some of the urban areas, has been designated as Malay Reserve Land.
11. However, even this figure compares poorly to the same computation for the Malays. With the size of the total Malay Reserve Land being 4,413,000 hectares (*The Sun* 23.5.1996), and with a Malay population of 10.2 million in 1996 (*The Star* 31.1.1998), the Malay reserve land to population ratio is 0.43 hectare per person. This is more than double that for the Orang Asli (0.19 hectare per person).

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Unit 33



## LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK

Development, Politics and Indigenous Cultures  
Orang Asli and Modernisation  
Orang Asli Politics and Development  
Conceptual Framework

**Plate 10. Jakun women doing their washing on the Endau River (Kampung Punan, Endau, Pahang).** Orang Asli conflicts with the state come about primarily because the state regards the lifestyles of the Orang Asli, and the attachment they have to their traditional territories, as impediments to modernisation. [C14-1399]



### Chapter 3

## *Literature Review and Conceptual Framework*

Much of the rationale for governmental approaches to Orang Asli development has its roots in the development theories of the 1960s and 1970s. Even today, the basic philosophy underlying the current development strategies remains the same, although the specific programmes may differ. As such, in order to help situate the current context of Orang Asli politics and development, a brief discussion of the various development models that continue to influence Orang Asli is given below.<sup>1</sup> The critiques and deliberations of several researchers as to the appropriateness of these policies follow this. A conceptual framework is then developed to help direct the study on Orang Asli politics and development.

### **Development, Politics and Indigenous Cultures**

The years following World War II saw a succession of theories, each purporting to resolve the problem of underdevelopment in less-developed countries. These theories ranged from the neo-classical quantitative approaches to the structural and articulation models of the neo-Marxist schools. All, however, sought to explain how 'traditional' social formations were transformed into 'modern' ones.

Development as economic growth was defined as a rapid and sustained rise in real output per head and attendant shifts in technological, demographic and economic characteristics of a society. This had its roots in the neo-classical economics of the late 19th century, which posed the problem of economics as one of scarcity and was founded on the assumption that individuals, firms and nations are economically rational and will choose always to maximise profits or utility and minimise costs. The insatiable quest for wealth and profit was seen as one of the major motives for economic and social development. Taylor (1975: 4-7), among others, argued that these axioms caused conventional economics to be turned into an exclusively quantitative analysis. Development was thus

distinguished from underdevelopment by some purely quantitative indicator such as income per head.

Subsequently, the developed sector was identified as capitalist while the underdeveloped sector was non-capitalist. The underlying assumption was that the traditional sector lacked initiative and innovation to develop on its own and hence it had to be developed. The two sectors were considered separate from each other, so that the problem of development could be defined as discovering means to transfer labour and resources from the non-capitalist sector to the capitalist sector — as in the theory of economic dualism.

The most influential of the neo-classical growth economists was W.W. Rostow. He argued that all societies had to pass through five stages in their effort to develop. These were: the traditional society, the preconditions for take-off, the take-off itself, the drive to maturity and, ultimately, the age of high mass consumption (Rostow 1960). Nevertheless, the necessity for every society to pass through the same stages of development in a deterministic and progressive manner has been rightly rejected. The consensus is that even if certain societies were to converge in their development, the processes by which this occurs could differ in critical ways. Balogh (1982: 1) contends that the major weakness of the growth theories was their failure, or refusal, to recognise the actual nature of economic relationships. This was partly due to the restricted view of what was conventionally regarded as economic relationships to the exclusion of other vital influences as well as to the inadmissible method of analysis to which this narrow view gave rise.

By the early 1960s, consequently, it became necessary to re-define the excessively narrow economic interpretation of development to include changes of a social, psychological and political nature. Underdevelopment was now believed to exist because the cultures of the less developed countries were antagonistic to the competitive values of western capitalism (Clements 1980: 13). The new emphasis on development as modernisation then revolved around ways to ensure that 'modern' culture replaced 'traditional' culture so that traditional obstacles to development could be reduced, if not eliminated. This meant inculcating wealth-oriented behaviour and values in individuals, representing an apparent shift from a commodity to a human approach (Mabogunje 1980: 38-9). It saw a new concentration in the provision of educational and health facilities, better housing and recreation and renewed interest in youth and cultural activities.

There was also a cultural dimension to it: to be modern meant to endeavour to consume goods and services of the kind usually manufactured in the advanced industrial countries. The agreeable word 'modern' was



**Plate 11. Semai youth at home with his consumables (Sungei Ruli, Tanah Rata, Pahang).** The emphasis on development as modernisation revolved around ways to ensure that 'modern' culture replaced 'traditional' culture so that obstacles to development could be reduced, if not eliminated. [C2-1989]

frequently used as an euphemism and a substitute for a less agreeable word 'western'.

When the neo-classicalist models were unable to explain why the less developed countries (especially those in Latin America) failed to develop themselves, the structuralist – and later, the dependency – models of development were advanced. The structuralist school explained underdevelopment in terms of the manner in which colonies and neo-colonies of the 19th century had been integrated into the world economy by the advanced capitalist nations. The Dependency theorists contended the appropriation of raw materials and agricultural commodities on extremely favourable terms for the industrial countries was what characterized the underdevelopment process of most of Africa, Asia and Latin America. It was argued that there could be no underdevelopment if there was no development in the first place. Development and underdevelopment were thus seen as two sides of the same coin. As such, the areas which were usually the most backward were those which had been strongly linked to the centre (Frank 1969: 4-15).

Later, in an attempt to demonstrate how insertion into the capitalist world economy has transformed pre-capitalist societies and determined the emergence of new class structures, the mode of production approach and its articulation variant were developed. These models focused strongly on the development of commodity relations at the level of exchange and argued that it was unnecessary to assume that capital must absorb all other modes before being transformed by its internal contradictions. Thus, in

certain instances, it would be in the interest of capital to subordinate or conserve the non-capitalist mode rather than destroy or dissolve it. For instance, Rey (1973) and Meillassoux (1981) argued that by conserving the means of agricultural subsistence in the traditional sector, the labour power so extracted from it can be kept at a low wage. The need to secure raw materials is another reason that is advanced for articulation.

A variant of the articulation model focused on commodity production as a *form* of production, rather than on the *relations* of production through which it was constituted. Bernstein (1979) showed that commodity relations can be intensified in a particular social formation without any sustained development of the productive forces or improvement in any living conditions of large segments of society. This was shown to be true for the case of the Semai in Pahang in the early 1980s (Nicholas 1985b, 1994c).

Nevertheless, despite its well-documented failings and contradictions, the modernization model still remains popular with economists and policymakers. Clements (1980: 16) suggested that the most likely explanation for the popularity of the modernization theory is that its central assumptions leave the world economic system intact, does not demand any radical restructuring of the domestic economy, and it can be accommodated to the most conservative political philosophies.

### **Orang Asli and Modernisation**

While the debate on the path to development continues, the paradigm adopted by the Malaysian government – at least in its treatment of the Orang Asli – remains largely of the modernization model.<sup>2</sup> Even in the resolution of the Orang Asli problem, the cultural-assimilationist approach (developed along the lines of western colonial expansionism) is adopted. Here, the overriding prescription for developing the Orang Asli lies in their ‘cultural transformation’ to a politically-defined ‘mainstream’.

Social change is thus perceived as a natural and uniform process (which in fact is a process of deculturation) with ‘modernization’ as its final goal. Inadvertently, political, economic and cultural confrontations are concealed in the process (Devalle 1992: 38-9).

These confrontations come about when the state regards the lifestyles of the Orang Asli, and the attachment they have to their territories, as impediments to modernization. The antagonism is further intensified if the state perceives that it cannot modernize effectively if it were to tolerate indigenous minority cultures in its midst. The fear of not being able to exploit the resources that lie within the territories of the Orang Asli, if access to them is impeded by indigenous minority groups living there, is also of concern to the state (Maybury-Lewis 1996: 39). Invariably,





**Plate 12.** Semal elder and his son on the way to their new *selai* (swidden) in Kampung Woh (Tapah, Perak). The traditional territories of the Orang Asli are quickly becoming much sought-after natural assets with a potential for quick profits. The fear of not being able to exploit these territories, and the resources within them, if the Orang Asli impedes access to them, is of particular concern to the state. (CNA-1997)



**Plate 13.** Temuan holding out against the bulldozers during the construction of the Damansara-Puchong Highway (Bukit Lanjan, Selangor). For the Orang Asli inhabitants of the natural resource areas, capitalism and colonial-style exploitation (made presentable as development projects) seek to erode their resource base, forcing them to move out of their traditional homelands and threatening their cultural identity and economic stability, as well as impacting on their political autonomy and self-reliance. (CNA-1997)

dispossession of indigenous minority peoples from their traditional homelands becomes a project of the state, often under the guise of the altruistic goal of incorporation or assimilation into the national economy and dominant culture.

For the Orang Asli inhabitants of the natural resource areas, capitalism and colonial style exploitation (made presentable as development projects) seek to erode their resource base, forcing them to move out of their traditional homelands and threatening their cultural identity, economic stability and self-reliance. The political system increasingly treats them either in 'law and order' terms or as ethnics and aliens with whom some kind of territorial arrangements must be worked out (Kothari 1989: 34).

Arguments of 'primitiveness' vs. 'development' and 'traditional society' vs. 'progress', further serve to justify the exploitation of natural resources on Orang Asli territories (Devalle 1992: 99). But, as Eder (1993: 3) points out, incorrect stereotypes of tribal societies are scarcely a recent phenomenon in anthropology; those associated with the victims-of-progress model reflect its characteristic preoccupation with the alleged contrast between tribal societies and modern industrial societies. Thus it is often said that tribal cultures are anti-materialistic.<sup>3</sup> This is simply not true about all tribal societies. The traditional societies of the Tolai (Epstein 1968; Salisbury 1970) and the Iban (Sutlive 1978), for example, are said to have fostered such personal traits as individualism and achievement orientation that have powerfully influenced the respective responses of these peoples to the opportunities for participation in wider socio-economic systems.

However, quite apart from the economic opportunities gained when relating with the wider society, the increased exposure, and vulnerability, of the indigenous community to the overriding interests of the centre means that indigenous communities have more to contend with than they can cope with. Michael Banton (cited in Armitage 1995: 185-186) distinguishes six orders of race relations which exist after initial contact. They are:

- Institutionalized contact, which occurs when two peoples first meet and establish some trading relationships between each other;
- Acculturation, which occurs when two peoples intermarry and develop institutions with roots in both societies;
- Domination, which occurs when one society takes control of the other;
- Paternalism, which occurs when one society governs the other in what it views as being the other's best interest;
- Integration, which occurs when single institutions are developed and racial or ethnic origin ceases to be recognised; and

- Pluralism, which occurs when more than one ethnic group is recognised as having a right to continued recognition.

Of these, domination, paternalism, and integration all occur within the general framework of assimilation.

Domination and paternalism, as will be argued in the following chapters, have in fact been the consequences of policies, based on 'integration', advocated for Orang Asli development. However, like most other minority groups, the Orang Asli need and want to have their cultural identity protected against the encroachment of the predominant culture and do not want to be assimilated or integrated into it. Hence, the ability of the Orang Asli to preserve their cultural identity will depend on their ability to define, defend and advocate its form and content. This may include the (re)possession of unusual collective rights and powers and the corresponding restriction of certain individual rights of non-members within the Orang Asli's traditional territory (cf. Kymlicka 1989, cited in Okin 1991: 126-7).

Maybury-Lewis (1996: 8-9, 38) contends that indigenous minority cultures – the distinctive way of life of a given people – often form the cornerstone of any indigenous political or cultural action. These cultures are what are regularly threatened, even when their lives are not at risk. And it is to their cultures that indigenous minorities often cling, in order to give meaning and dignity to their lives. The point to remember, then, says Maybury-



**Plate 14. Semai family preparing for a healing ritual (Kampung Rengsak, Tapah, Perak).** Indigenous minority cultures often form the cornerstone of any indigenous political or cultural action. Thus, it is to their cultures that Orang Asli turn to in order to claim, firstly, a cultural identity before asserting their political identity. (Okin, 1991)

Lewis, is that indigenous cultures are not extinguished by natural laws but by political processes that are susceptible to human control. As such, indigenous peoples are actually victims of the convenient use of power against the relatively powerless.

Political processes do not merely subjugate vulnerable groups such as the Orang Asli. The process by which discrete small-scale societies are incorporated as marginal components of a larger universe is usually also the process by which class formation is started (Swift 1978: 13-14). The commercialization of previously subsistence economies leads to the emergence of new and more permanent economic and social inequalities. In turn, the new institutions and roles that are created to mediate between the small society and the larger one often become the institutions of a new class system. As a result, the problem of a marginal society begins to become a problem of class as much as ethnic or cultural identity, although it may continue to be perceived and formulated solely as the latter.

When appealing to their collective historico-cultural identity, the new classes express their concerns and views on issues of culture and deculturation, self-respect, self-determination, the right to linguistic specificity, and on the unequal nature of existing socio-economic politics. This participation is often sought outside existing structures through a process of redefinition of the contents of politics. They take a stand against the inequalities present in their society, against the abuses of the state, and against the hegemonic claims of the ruling sectors (Devalle 1992: 239). Nevertheless, it remains to be examined if such motivations are not merely machinations for more individualistic projects.

Here, it would seem pertinent to focus on the wellsprings of individual behaviour as well. The failure to focus clearly on individuals in situations of change – on their wants and needs, on the demands placed on them – in part explains, as Eder (1993: 6-7) contends, why a large anthropological literature on the impact of modernization on tribal societies, however valuable it is for documentary purposes, has contributed relatively little toward the construction of a more adequate theory of human adaptation and culture change.

Orang Asli development, therefore, has to be studied from a number of contexts: historical, political, and socio-cultural, at the very least. Since the Orang Asli have not developed in isolation, their political and economic relations historically, and their response to interventions into their lives today, are prerequisites for understanding the problem of development of their society. Because the Orang Asli are now incorporated into a modern nation state, their development must also be seen in the context of the goals of the state, especially as they pertain to the control and exploitation

of natural resources. Invariably, Orang Asli-state relations form the basis of an Orang Asli identity, where the assertion and manipulation of such identity can be used by both the state and the Orang Asli to serve their own purposes.

### **Orang Asli Politics and Development**

There is now a considerable amount of literature, both academic and popular, on the Orang Asli, ranging from ethnographic studies and linguistics (although this is still very rudimentary), to an increasing body of work on Orang Asli economics, development, ethnicity and politics. The literature on the Orang Asli, in fact, has moved away from the traditional ethnographic recording to the more 'sensitive' issues of inter-community relations and the impact of development and government policies, as well as on matters of political representation and 'indigenous struggle', particularly in the last five years of the last century. For our purposes, however, only a select review of the writings on Orang Asli development and politics, insofar as they pertain to the scope of this work, will be discussed here.

Perhaps the most comprehensive intimation of the official approach towards Orang Asli development is to be found in the CIRDAP report by Jimin (1983).<sup>4</sup> Essentially, for the JHEOA, development is seen as 'growth plus change' — that is "not only seeking an increase in the Orang Asli's productive capacity, but also the transformation of their productive capacity" (Jimin 1983: 114). Two methods of development approaches were to be used by the Department to achieve such development:

- Economic upliftment through land development measures and commercial ventures; and
- Provision of social services (health, education, housing, personal welfare) which should be equitable with that made available to the wider society (Jimin 1983: 114).

Since these approaches merely reflected the 'economic growth' objectives of the modernisation paradigm, one would think that there would be a fair achievement rate since the more subjective elements of development (e.g., autonomy and political representation) were not included in the permutations. But, as was seen in the preceding chapter, the development indicators for the Orang Asli leave much to be desired.

Mohd. Tap, in a very comprehensive and insightful 'examination of the development planning among the rural Orang Asli,' concluded that planning and implementation of development programmes have not been the most appropriate in terms of poverty eradication among the Orang Asli. He offered four major reasons for the poor results of the development programmes:

- Highly centralized planning system of JHEOA;
- Programmes too generalized and with poor follow-up support;
- No significant adjustments made to adapt national development policy to the needs of the Orang Asli; and
- Unmotivated bureaucratic machinery distanced from the community (Mohd. Tap 1990: 504-506).

However, he considered the integration of Orang Asli economies with the national *economy* inevitable and desirable (Mohd. Tap 1990: 124), and called for it be a two-way process, whereby the Orang Asli economies should also benefit from such a relationship. But several researchers had already recognized that an obvious effect of the modernisation programmes of the JHEOA was the increased monetization of the Orang Asli economy. For one, Endicott (1979: 199-202; 1982), had argued that the exposure of the Orang Asli to the money economy (brought about by the construction of highways and the opening up of more forest areas for logging and land development schemes) would lead to ridicule and social pressure on the Orang Asli, a disappearance of some of their customs, and the loss of most of their forest resources and land. Hood (1982) also contended the Orang Asli were being transformed into Malay-type peasants in view of the increased monetization of their economy and the continued shortage of land. He also noted that roads, instead of facilitating the Orang Asli, served the capitalistic entrepreneurs even better such that, far from transforming their community into a viable economic entity, the flow of wealth was basically one way and moved even further away from the community to the towns (Hood and Hasan 1982: 26).

This phenomenon however is looked upon differently by Baharon (1976: 52), who asserted that the Orang Asli could be said to be integrating into the national economy because, he noted, they were almost dependent on the market economy of the country, like their neighbouring peasant communities.

Nonetheless, it became increasingly clear that integrating the Orang Asli merely into the national economy was not quite the ultimate goal of the government. Neither was this the issue facing the Orang Asli. On the contrary, the Orang Asli frequently assert that they are not averse to development or having their economy integrated with the national economy — which, to them, is already the case anyway.

Writers on the Orang Asli have instead pointed out that the bone of contention of the Orang Asli has been the expressed goal of integrating the Orang Asli with the mainstream *society*. This goal, however, is often interpreted (and substantiated by policy proclamations and actions of



**Plate 15. Trader making a sale from his travelling shop at Kampung Woh (Tapah, Perak).** It has been contended that the Orang Asli have integrated into the national economy because they are almost dependent on the market economy as their neighbouring peasant communities. However, the government's objective is not one of merely integrating the Orang Asli with the mainstream economy but rather with the mainstream *society* – implying more than just an economic change in the lifestyles of the Orang Asli (Ch' 1992)

government agencies) to mean assimilation with the Malay section of society, with Islamization of the Orang Asli being imperative (Gomes 1994, Nicholas and Williams-Hunt 1996, Dentan et al. 1997).

Nevertheless, the issue of Orang Asli integration and assimilation has precipitated varying responses from varying researchers. Sabihah (1989: 92-3) for example, opines that the need for a policy of integration is there because the government feels that the Orang Asli are isolated and closed. She asserts, however, that it is the policy of the government (protection, especially via Act 134) that has caused the Orang Asli to be isolated and closed. On the contrary, she notes, the Orang Asli have had dealings with outsiders, especially the Malays, for generations.

Razha (1995: 2) maintains that the Orang Asli want to assimilate culturally and to develop a Malaysian sense of identity — but not with losing their own cultural diversity. This was the view of Baharon (1973), who opined that the future of the Orang Asli does not depend on being assimilated to any particular ethnic group but rather on an increased adaptation to the Malaysian nation and to the modern world at large. Nevertheless, Hasan (1992: 127) contends that economic development alone does not necessarily result in complete social integration. He adds that in designing social integration programmes, efforts to create attitudes that accept others as equals should be given attention.

Some researchers, however, argue that by integrating into the mainstream or in adopting Islam, the Orang Asli do not lose their identity. Ikram



**Plate 16. Orang Asli Muslim youth choir at the launch of the Malay-Orang Asli Village Twinning Programme (Kampung Bawong, Lasah, Perak).** Some researchers contend that the future of the Orang Asli does not depend on being assimilated to any particular ethnic group but rather on an increased adaptation to the national society. Others argue that by integrating into the mainstream or in adopting Islam, the Orang Asli do not lose their identity and as such, this should be the direction to take. Seldom, however, are the Orang Asli consulted on this matter. (CN 1997)

(1997) cites the case of the community in Bawong, Lasah where the Orang Asli there have converted to Islam, and yet they still maintain their Orang Asli identity. Some see this as the direction the Orang Asli are to take. Hood (1992: 9), for example, contends that, in the final analysis, “the Orang Asli have to decide whether to remain as Orang Asli (which most of them consider demeaning and something which is the result of a condescending outside social order) with an identity and traditions of their own, or to opt to join a larger community upon whom they put much of their trust.”

To some extent, this appears to be the happening. Some Orang Asli, even whole communities, have opted to absorb the identity of the more dominant ethnic group, invariably via conversion to Islam and in adopting Malay cultural forms. Several writers have noted this and contend that this is not necessarily a recent phenomenon. Edo (1997, 1998) and Baharon (1976), amongst others, regard Orang Asli-Malay relations in a more positive light and assert that the Orang Asli are co-relating with Malays on an equal footing. Other writers (e.g. Dentan 1963, Couillard 1984, Gianni 1993), however, suggest that Orang Asli-Malay relations in the past have not been too acrimonious and that separate Orang Asli identities actually came about as a result of such relations.

Nevertheless, despite past relations with other ‘large’ communities, several writers point to the policy of integration and assimilation as the source of many of the current problems facing the Orang Asli. For others,



they do not see this policy as problematic in itself. Mohd. Tap (1977: 96), for example, says that “the ‘problem’ is not seen in the light of majority-minority relations, rather the problem is seen as the relationship between the rich and the poor sections of the society. It is believed that the notion of minority versus majority will form a serious obstacle to the solution of the ‘problem’ which is mainly economic in origin.”

Not many will disagree that the policy of integration towards the Orang Asli is actually economic in origin. However, according to Mohd. Tap, the ‘economic origin of the problem’ stems from the fact that the Orang Asli are socially and economically backward, and that their standard of living needs to be raised. Lim (1997: 145-157) also suggests that the solution to the Orang Asli ‘problem’ is in equalising their socio-economic variables with the other citizens, thus achieving their social integration with the mainstream.

Other researchers (e.g., Romeli 1996, Williams-Hunt 1996), however, have pointed out that under the guise of development and integration, the appropriation of Orang Asli resources, especially their traditional land, has been the target of the state. As the pace of development increases, they assert, so does the pain of Orang Asli when others compete for their scarce resources. Gomes (1988: 111) contends that such inter-group competition for scarce environmental resources has led to the persistence and genesis of discrete ethnic groups.

I have also argued (Nicholas 1997a) that the social stress experienced by the Orang Asli, especially with the loss of their traditional resources, has opened avenues for increased ethnic mapping along generic Orang Asli categories. Orang Asli ethnicity, it would appear, is very much a response of the Orang Asli to their contemporary situation, particularly in the context, as Loh (1993: 168) notes, of the prevalence and dominance of ethnicity in Malaysia’s social relations and social structure. Certainly, it would be difficult to analyse Orang Asli identity as “a very personal and subjective matter” as suggested by Wan Zawawi (1997: 1). For, insofar as the Orang Asli are beginning to assert their identity as a unification of various Orang Asli ethnic subgroups, it is difficult to see how Orang Asli identity can be a personal matter.

On the contrary, the pace of development nationally, and that directed towards the Orang Asli specifically, has invariably caused persistent and increasing threats to their resources and their way of life. Orang Asli, it appears, are more likely to be victims of development rather than its beneficiaries. In this regard, it was rather premature for Mohd. Tap (1990: 514-5) to have concluded, in an otherwise excellent critique of the development planning among the Orang Asli, that:

with the thawing of the Cold War and the laying down of arms by the Communist Party of Malaya... no longer will the Orang Asli be occupying a strategic position in the security of the interior, that is, their status as the first line of defence is no longer a valid claim. Although it is anticipated that there will be little change in the development policy and policy of integration, it is expected that the sense of urgency and priority of development programmes in the interior will be relaxed, since the political *raison d'être* of the previous massive determined efforts in the interior has disappeared. For those Orang Asli areas in the rural areas, it is anticipated that the changes in the political climate will have little impact on their everyday existence.

However, as is demonstrated in this work, it is precisely the rural Orang Asli in particular who are now the target of much threat to their livelihood and their identity.

But the Orang Asli themselves perceive the possibility of development encroaching into their traditional areas differently. Some fear they will be side-stepped by such development, others see it as an opportunity to improve their own socio-economic situation. Precisely for either of these reasons, the Orang Asli have organised themselves along a common identity marker.

Dentan et al. (1997) discuss the issues involved most succinctly, outlining the gradual change of policy from one that concerned their economy to one that sought to control their society. The writers also point to the aspiration of the Orang Asli to have their own leaders and organisations speak up for them. Towards this end, Zawawi Ibrahim (1996: 202) contends that:

The future will push POASM into the political arena, for it is on this terrain of political struggle that some of the crucial issues confronting the Orang Asli must find some real solution... The problem must be approached in its totality, which therefore necessitates a consideration of the Orang Asli or 'tribal question' not just at the level of the 'economy' but also on the terrains of culture and politics, their historical specificity and their struggle.

Nevertheless, while the political factor is often mentioned in the context of the Orang Asli current struggle, it is rarely examined in sufficient depth to reveal the actual dynamics involved. Jumper (1997:106) for example, in a sympathetic but seriously flawed work (in that many of the facts have not been corroborated or even checked to be accurate), attempts to include the historical and political context in studying the future of the Orang Asli. However, it is difficult to agree with him when he argues that, "If and



**Plate 17. Less-privileged Semai household in Kampung Sungai Buntu (Raub, Pahang).** The problem of (non)integration of the Orang Asli into the mainstream is actually economic in origin, stemming from the fact that the Orang Asli are economically backward. As such, their standard of living needs to be raised and their socio-economic variables equalised with that of other Malaysians. Only then can integration with the mainstream be achieved. (D. 1992)

when the Orang Asli wholeheartedly join UMNO *en masse* they will have effectively taken the plunge into a political arena in which dialogue is the medium of exchange, not bullets."<sup>5</sup>

Orang Asli politics, as this work argues, has everything to do with economics and with the contest for resources. Merely entering into the domain of partisan politics will not resolve the basic quandry for involvement in Orang Asli development. The future of the Orang Asli, as Endicott and Dentan (1994: 6) have stated, is still under dispute and revolves around two diametrically opposed goals: that of assimilation (for the government) and integration (for the Orang Asli). They observe that, despite the government having greater resources in money and coercive powers, the Orang Asli have shown that they have ways to resist. Further, as Orang Asli become educated and politically vocal, the greater will be their strength.

Thus far, however, insufficient work has been done on the history of Orang Asli resistance (or response) to external forces of change. Even less work has been done to examine the mechanics of Orang Asli politics and representation in their effort to claim their birthright. This book hopes to contribute towards reducing the lacuna.

### **Conceptual Framework**

Based on the observed situation of the Orang Asli, and building on research done by several others, the study aimed at situating Orang Asli politics and development in the context of the Malaysian nation state. Only after



**Plate 18. Orang Asli youths trying out new technology (Petaling Jaya, Selangor).** The Orang Asli have not developed in isolation but have continually changed and adapted themselves, and their social organisation, to those they came in contact with, either on their own accord or as a result of circumstances foisted on them. Increasingly, also, their lives are becoming inseparable from their relations with the external systems of expansion and domination. [CR 1993]

examining the historical evolution of the Orang Asli as they have emerged in today's polity, and after assessing the issues of social and distributive justice particularly in the contest for their traditional resources, did it become possible to develop a framework to conceptually understand the Orang Asli problem.

Such a framework had to be able to explain the political responses of the Orang Asli as they reacted to the changing demands imposed on them, and as their individual and group aspirations became more evident. This conceptual framework can be outlined as follows:

### ***History and Political-Economy***

The Orang Asli have not developed in isolation but rather in contact with the feudal, agriculturalist and modernizing stages of Malaysian history. Far from being stable or static societies, they have continually changed and adapted themselves – and their social organization – to those they came in contact with, either on their own accord or as a result of circumstances foisted on them. Increasingly, the lives of the Orang Asli are becoming inseparable from their relations with external systems of expansion and domination.

Fundamentally, the history of Orang Asli development and their involvement in the nation state is invariably a history of justifications of the different state systems in each epoch. For example, they could be sought for their labour in one epoch; in another period, for their skills in sourcing various forest resources;

and at other times, as compatriots in the political arena.

Only by locating the Orang Asli in their full historical and socio-economic context can their present response to political and economic changes to their lifestyles be understood. For today, as it was in the past, the Orang Asli are locked in a dynamic struggle with the wider society – and with themselves – over the control of resources they declare as their own, over attempts at denying and redefining their cultural identity, and over concerns of political access and economic distribution.

They, therefore, find themselves poised against the machinations of the nation state that they now are a part of. It also follows that it is the state – which, by its very nature, is politically organised to assert and maintain control over its citizens – that, in current times, is largely responsible for the ever-changing conditions of Orang Asli society. This has steadily created a need for the Orang Asli to adjust their conceptual schemes to continuously new situations.

And as their present situation vis-a-vis the national society changes, Orang Asli perspectives of history change too. This is so because Orang Asli perspectives comprise a history that is valid in terms of their mode of understanding the past, especially in their relations with outsiders. Invariably, aspects of prior residence, exploitation of their labour, appropriation of their territories and imposition of alien cultures feature prominently in perspectives of their history. In contrast, the underlying interests and influences of present-day politics and economics give no deference to past wrongs that cry to be righted. These ‘past wrongs’, as it is with Orang Asli history, whether written or in oral tradition, are inescapably political, affecting, as most political issues do, their economic position as well. As such, history, from the Orang Asli viewpoint, is not fixed in the past, but is something that is shifting and amenable to intervention and so can be used as a way of reaffirming or even changing the present (cf. Attwood 1989: 143).

It follows then that having a grasp of the past enables us to situate the Orang Asli in the present political context. This is likely to be more so for the Orang Asli themselves than for non-Orang Asli planners, politicians and private opportunists. However, mere knowledge of the past is not sufficient for social and political reform. But such knowledge can motivate processes that can initiate or effect reform.

### ***Development and the Contest for Resources***

Developmental policies pursued by the state consciously or unconsciously ignore the economic and social interest of minorities such as the Orang Asli — in part because of the in-built national mechanism of development

causing these minorities to be dumped into the informal sector (Nagaraj 1990). National governments, too, have come to regard indigenous peoples such as the Orang Asli as being no different from the other citizen groups and thereby not warranting government on different terms.

This situation stems primarily from the refusal of governments to recognise that relations between indigenous peoples and governments revolve largely around the fundamental asymmetry of the parties involved: a people and a state (Dyck 1989: 7). Governments frequently choose to see the former simply as a community of individuals and the latter as a legal and political organization in which indigenous communities are simply aggregates of separate individuals belonging to a category. Indigenous peoples, however, regard themselves as separate and distinct groups deserving of self-government and sovereignty in the particular territorial bases that they are usually associated with. Indeed, the attachment of indigenous peoples to particular localities (or ecological niches) is one of their most notable and politically significant features whereas, as Cohen (1982: 7) notes, identification of self with locality is anathema to the logic of modern political-economy.

Governments, generally, in addition to ideological and economic interests, are motivated by a range of specifically short-term political, social, and bureaucratic interests that often lead to policies and programmes whose impacts need to be analyzed rather than assumed (Feit 1989: 389).<sup>6</sup> Furthermore, given specific political and bureaucratic interests, the impact of government interventions – sometimes contradictory and inconsistent in themselves<sup>7</sup> – often initiate significant changes in the lives of Orang Asli. The changes habitually conform to state interests and frequently produce a pattern of policy failure and local crises, accompanied by a growing pattern of local dependency and reduced local autonomy.

A reduction in local autonomy, nevertheless, is the key instrument for the state to effect control over Orang Asli society and resources. It can be said that Orang Asli have begun to be a target of internal colonialism. This is a state in which the Orang Asli are subjected to administrative control, dispossession of lands and resources, and to forced or induced assimilation (Berman 1993: 314). The reasons for the propagation of internal colonialism are varied, but are usually related to areas of control. Ironically – and yet demonstrative of its effectiveness – such domination eventually becomes so successful that it becomes culturally accepted by the Orang Asli.

Nevertheless, economic growth should not be an end in itself. Neither can economics or politics be separated from culture. For, as opined by Makita (1995: 372, cited in Hood 1997: 59), if the ultimate goal of development and economic growth is the wellbeing and happiness of



**Plate 19. Semai assessing freshly harvested corn (Bareh-chi, Tapah, Perak).** The traditional territories of the Orang Asli have provided them with both the form and content of their culture. However, an integral part of modern development has been the environmental destruction, or the appropriation, of these territories. The consequence of this is to cause a process of de-culturalisation of the Orang Asli, accompanied by much social stress. (CN-1997)

every member of society, change cannot be imposed from outside or from above. The rate of change must also accommodate human capacities. Above all else, for the health of cultures and the quality of the natural environment, all people must retain their sense of dignity, their sense of self-confidence. They must feel that they have some control over their lives and over their environment. To achieve greater material productivity at the cost of losing, or depriving someone else of, a satisfying spiritual and social life is not necessarily 'progress'. But such noble aspirations for Orang Asli development do not coincide with the objectives of the state. It is therefore inconceivable that a modern nation state, especially one founded on capitalist motivations, would willingly concede to traditional ('socialistic') notions of development and progress, firmly rooted around the concept of local autonomy.

The reluctance of the state to accord such autonomy to the Orang Asli has to do, in large part, with the fact that the Orang Asli occupy the last remaining resource frontiers in a nation-state dominated by a profiteering system searching for natural resources.

It is now widely recognised that their traditional lands have provided the Orang Asli with both content and form of their culture. Its environmental destruction – an integral part of modern development – destroy the fabric of Orang Asli societies in an unprecedented manner such that the logical conclusion of such a path of development is de-culturalisation. Precisely for

this reason, the unrestrained state sees this as an effective process to assert control over a people, and remove any remnant of autonomy-aspiring pockets of peoples.

It soon becomes clear to the Orang Asli, therefore, that the agenda of the state is quite distinct from that of their own.

### *The Creation of Identity and the Role of Ethnicity*

Ironically, as Gray (1995: 42) contends, a struggle for resources is usually the reason indigenous peoples, such as the Orang Asli, become aware of a threat to their future. For as the nation state expands economically and politically, it must by necessity incorporate and dominate the Orang Asli in order to appropriate the resources they lay claim to. In the process, the Orang Asli become marginalised and suffer increasingly greater economic disparity in relation to the 'others'.

The appropriation of Orang Asli resources, particularly their traditional territories, becomes an important project of the state for both economic and political reasons. Economically, because Orang Asli lands are no longer considered a 'frontier' resource, such territories are now a much sought-after factor-of-production, especially if they can be obtained cheaply. Politically, having Orang Asli groups exercise autonomy, however limited, over their traditional homelands is tantamount to the state being perceived as conceding some political control and hegemony to the Orang Asli.

Towards this end, the state carefully nurtures the notion of 'mainstream' to serve as a frame of reference to the Orang Asli. Not only is this in keeping with the logic of the nation-state to grow on the social base of a single nationality,<sup>8</sup> but advocating an ideology of integrating with the mainstream allows the state to achieve its dual economic and political objectives of appropriation and control. This poses a constant threat to the integrity of the Orang Asli as unique cultural entities, as well as to their continued control of their traditional resources. So the Orang Asli usually, and justifiably too, fail to respond to the ideals of the dominant nationality, whereupon they are generally treated with contempt and suspicion.

Invariably, the sustained and often aggressive efforts of the state to assimilate or integrate the Orang Asli with the mainstream generates within their community a deep sense of grievance and injustice. Such a commonly felt grievance via-a-vis the attitudes and actions of non-Orang Asli citizens and the government can, and does, provide a powerful means of mobilizing the Orang Asli beyond the local level (cf. Dyck 1992: 18).

Prior to the intervention of the state, for example, their cultural distinctiveness was relative only to other Orang Asli groups. At the time, they perceived these differences as great. Thus, even as the term 'Orang





**Plate 20. A session of the National Conference on Indigenous Land Rights and Identity in progress (University of Malaya, Kuala Lumpur).** It is significant that the theme of the first conference organised by the Indigenous Peoples Network of Malaysia (JOAS) should touch on the link of land rights with indigenous identity. This suggests that the indigenous peoples of Malaysia appreciate that they can use their indigenesness as a tool for political action directed against the power of outsiders, and especially the nation state. (201-1996)

Asli' was introduced by the state in the early 1960s, it did not automatically forge a common identity among the various groups then. However, having the non-Orang Asli and the state as 'adversaries and contraries' helped to forge an Orang Asli identity (as per Axtell 1981). It became clear, therefore, that in more recent times, the Orang Asli had more in common with each other than they did with others (cf. Barnaby 1992: 39). That is to say, the various Orang Asli groups, in discovering that they faced very much the same problems and from apparently the same sources, began to forge a common identity among themselves. An element of political consciousness soon developed where Orang Asli indigenesness became a unifying factor.

Indigenesness, it needs to be said, is an attribute of personal and collective identity that emerges only when it is experienced. It is also a self-reflexive notion, which means that people have looked at themselves from the outside, identified the problems that face them, and understand why an assertion of their identity is a prerequisite for their survival (Gray 1995: 40-41). Invariably, therefore, indigenesness is an assertion by people directed against the power of outsiders, focusing primarily on the nation-state.

The state, nevertheless, is aware that indigenesness is a concept of political action as much as it is of semantic reflection. It is also aware that an Orang Asli indigenes movement is immediately a challenge to the

state because it argues that the notion of a mainstream society is not sufficient reason to take control out of the hands of a people (Gray 1995: 42).

Consequently, in order to protect its interests, the state actively seeks to deny or inhibit the development of Orang Asli indigeneness. The ensuing state actions inadvertently further enhance social stress among the Orang Asli, and in so doing, galvanize them to use their newly-created ethnic difference as a currency of power in asserting their position. A 'politics of difference' thus emerges in which the Orang Asli declare their entitlement and vie for power based on the qualities that make them different from the others (cf. Steele 1989).

### ***Identity, Representation and Orang Asli Development***

The first response from Orang Asli individuals, communities or organisations, is likely to be to initiate various forms of indirect and symbolic opposition that speak loudly to the members and appeal to them to remain committed to their community. Notable among these forms of indirect opposition are various manifestations of cultural conservatism, reinforced by passive resistance and strategies of indirect competition that assert their dignity and value of an indigenous community and culture (Dyck 1992: 10).

Eventually, as the stakes against them increase, the response is to claim a communal identity that combines cultural particularity (which never before had to be affirmed) with modern political and developmental aspirations.

Nevertheless, it is inconceivable that the Orang Asli would have a unified understanding and interpretation of their political and economic aspirations. Even those aspirations that are vocalised may not truthfully represent the majority Orang Asli aspiration. In this regard, the question of Orang Asli identity, in particular, takes a new twist for, besides being discussed from the perspective of 'the other', it now needs to be approached from another angle — the viewpoint of the community itself regarding its own identity (cf. Hakim 1996: 1494).

But what constitutes the essential elements of Orang Asli identity may vary from one individual to the next, from one community to the next. Nevertheless, what remains universal is the reality that, as Roosens (1989: 13, 151) notes, ethnic self-affirmation is always related in one way or another to the defence of social or economic interests. That is, many people are willing to assert an ethnic identity only if they can gain by doing so.

This creates a paradox, for Orang Asli ethnic claims and slogans are not being formulated and promulgated by those who are confronted with the crucial issues of survival and dispossession, but rather by those who seem to have markedly moved away from their own culture of origin, which they now want to "keep". This, however, as Sowell (1994: 28) submits,



**Plate 21. Chewong children at play (Kampung Sungai Enggang, Lanchang, Pahang).** Unlike in a friendly war of tugs, the state's control of the recognition of Orang Asli representation – i.e. representivity – can cause the contest for resources to shift away from a state-Orang Asli tussle to one between the Orang Asli themselves. [civ-1999]

is a common social phenomenon — those who have lost their culture, often become its most strident apostles. They now “identify” with their group, and may even do so in a highly vocal and exaggerated form.

Thus, in pursuit of the fruits of development, both political and economic, several representative Orang Asli organisations and institutions emerge, each claiming to have the mandate of its client base. This may pose a threat to the state as the very act of staking claims on Orang Asli identity and representation can be a powerful weapon for the Orang Asli to seek political redress and attain distributive justice.

On the other hand, with various Orang Asli groupings claiming Orang Asli representation, the state is also able to decide to whom to accord such representational status. That is to say, the state can use ‘representivity’ as a political resource by assigning, or withdrawing, such representivity to serve its own interests. In turn, also, the control of Orang Asli representivity by the state can also cause the contest for resources to be shifted away from a state-Orang Asli tussle to one between Orang Asli themselves.

The contemporary situation of the Orang Asli is both complex and intriguing. Clearly, it has its basis in their history and their politics. It is to this that we now direct our attention.

### Notes

1. I have also discussed this in Nicholas (1989).
2. Jimin (1983: 55-6, 113-4) revealed that the government was pursuing Rostow's 'stages of growth' theory in respect of its attempts to 'modernize' the Orang Asli. Mohd. Tap (1990: 501) maintains that this is still the policy of the government. This is sustained by recent official pronouncements in the press and in JHEOA programme summaries.
3. See Bodley (1982: 10-11) for a discussion on this perception.
4. The report was presented at a conference of the Center for Integrated Rural Development for Asia and the Pacific. Although Jimin, then the Deputy Director-General of the JHEOA, was the principal author, it was based largely on the masters thesis of Mohd. Tap Salleh (1977) entitled, 'An integrated planning approach for the development of the Orang Asli'. Mohd. Tap, however, was himself a senior management staff of the JHEOA and there is therefore no doubt that both these documents represented JHEOA's thinking on development as well as development approaches then.
5. Jumper has brought out a sequel to his book – *Orang Asli Now* – that he claims "takes readers on a journey deep into unchartered territory and the heart of the Orang Asli political movement" (Jumper 1999: xvi). Unfortunately, perhaps a result of his employment in the US Navy then, the book reads like a hurriedly-written CIA report and, like his first volume, suffers from numerous factual inaccuracies, uncorroborated inferences, poor guesswork, and much fiction. More seriously, it suffers from academic pilfering.
6. For example, Cramb (1989: 2) holds the view that resettlement schemes continue to be a popular form of development project because they serve the interests of politicians, bureaucrats, donor agencies and businessmen. For politicians, land settlement schemes can be used to legitimate those who hold power by demonstrating, in a highly visible fashion, that something is being done to alleviate rural problems. For bureaucrats, such schemes are attractive because they can be planned and developed in 'project units' that are amenable to the algebra of conventional cost-benefit calculations. For donor agencies, land schemes are an 'off-the-shelf' project type that can be speedily planned and funded on a large scale. Finally, commercial interests favour such projects because of their high dependence on external expertise and supplies, opening up profitable opportunities for business.
7. For example, an early government policy towards the Orang Asli was that they should be protected by the federal government from external encroachments and influence. They were thus herded into forts or reserves in isolation from the rest of the national society. Later, because of changed political and social conditions, governmental policy sought to assimilate the Orang Asli into the wider Malaysian society and economy.
8. Which Nagaraj (1990:17) opines is usually a motley collection of symbols of the dominant linguistic and religious community.

# 4



## ORANG ASLI IN HISTORY AND EARLY POLITICS

Early Perceptions of the Orang Asli  
Autonomy and Political Dominance  
Orang Asli as Subjects  
The Road to British Paternalism • The Emergency  
The Aboriginal Peoples act  
The Contest for Resources • The UMNO Factor

**Plate 22. Semal family surveying their newly-planted swidden (Kampung Woh, Tapah, Perak).** Today, as in the past, the Orang Asli practice of rotational agriculture, or swiddening, is still frowned upon by the authorities for its supposedly destructive nature. However, the Orang Asli are clearly being made the scapegoats here – for their swiddens utilise less than one per cent of the forest areas in Peninsular Malaysia destroyed by activities such as logging and land-clearing for agricultural and other development projects. (CH 1982)



#### Chapter 4

## *Orang Asli in History and Early Politics*

The Orang Asli were not always an impoverished and dependent people. As the first people on this peninsula, they were very much participants and actors in the political and economic structure of the early civilisations. Nevertheless, each flux of later-arriving peoples – who invariably coveted the Orang Asli's resources – perceived the usefulness of the Orang Asli differently and dealt with them accordingly. Thus, as we shall see, from being in control of their society and their resources in early times, they were eventually reduced to being regarded as mere 'savages' and 'wards of the sultans' by the time of British colonialism.

### **Early Perceptions of the Orang Asli**

The term *Sakai* – used variously to mean slave, dependent or savage, but never used by the Orang Asli to refer to themselves – appeared in European literature in the eighteenth century to designate the non-Muslim indigenous groups of the Malaysian Peninsula that were the objects of slave raids. Couillard (1984: 84-5), however, argues that the connotation of 'savage' is valid for only one historical period, namely that of colonial intervention. Before this period, she shows that the word *Sakai* had very different connotations reflecting relations of personal dependence similar to those suggested by the terms 'subject' or 'dependent', and indeed even 'ally'. The last meaning is probably derived from the Sanskrit '*sakhi*' (meaning 'friend') and probably, asserts Couillard, referred to the indigenous 'companions' with whom the Hinduised traders were dealing as far back as the seventh century, or earlier.

In any case, it is clear from the literature that the ancestors of today's Orang Asli never lived in isolation, nor were they divorced from the political situation of the day.<sup>1</sup> Relations with the other communities ranged from the Orang Asli being regarded as non-humans, to them being given due

deference in view of their ruling status. Malay and European perceptions of the Orang Asli, however, were generally not too kind. Osborn (1857: 239–40), for example, described the Orang Seletar of Singapore as:

human beings in their most degraded form without religion, without any acknowledged form of government and only gifted with animal instincts and passions.... Of a Creator they have not the slightest comprehension, a fact so difficult to believe, when we find that the most degraded of the human race, in other quarters of the globe, have an intuitive idea of this unerring and priory truth imprinted on their minds.... The personal appearance of these people is unprepossessing, and their deportment lazy and slovenly, united to much filthiness of person.

Abdullah bin Abdul Kadir (1985: 251), in his 1849 biography, *The Hikayat Abdullah*, similarly perceived the Orang Asli in Malacca in no kind way:

The first thing I noticed was that in their general bearing they were human beings like ourselves, but that in their habits they were hardly even as animals. For animals at least know how to keep themselves clean, which the Jakun certainly did not... Their eyes had a wild look in them as though they were ready to bolt. As they chattered to one another they sounded to me like birds twittering.

The literature is dotted with various references to the way the Orang Asli were perceived. For instance, the colonial administrators, Skeat and Blagden (1906: 103), assumed that “the hillmen of Negri Sembilan never indulge in the luxury of a bath.” Harrison (1986: 44) considered the “semi-wild Sakais” to be “as shy as most beasts of the forest ... (and) would be most reluctant to leave their own part of the forest and might have little or nothing to do with the Sakais in the next valley.”

Frank Swettenham, in relating the story of Mat Aris (1984: 53–63), also alluded to “the primeval forest, the home of wild beasts and Sakai people, aboriginal tribes almost as shy and untamed as the elephant, the bison and the rhinoceros, with which they share the forests of the interior.”

It has also been supposed that they (‘Samangs’) worshipped the sun (Bird 1980: 15). And Harrison (1986: 44) insinuated the low intelligence of the Orang Asli when he commented that many of them “knew only their primitive language and who, when their three numerals *Na-nu*, *Nar* and *Ne*, ‘one, two, and three’, have been used, fall back for further expression of mathematical ideas on the word *Kerpu*, which means “many”.<sup>2</sup>

Bird (1980: 13–15), writing in the 1880s, informs that the Orang Asli were called indiscriminately *kafirs* or infidels by the Malays and “were





**Plate 23. Examining the batu musuh in Kampung Kugek (Chenderiang, Perak).** This is the 'enemy's rock' used by slave-raiders to sharpen their swords before they swooped down on the Semai village there. Numerous writers, especially during the colonial period, have documented how the Orang Asli were hunted down like wild beasts, the men killed and the women and children carried off into slavery. [CN-1990]

interesting to them only in so far as they can use them for bearing burdens, clearing jungle, procuring gutta, and in child-stealing." Slavery in the Malay Peninsula, as Gullick (1989: 99) remarks, was invariably restricted to non-Muslim slaves, such as Orang Asli captured in raids by Malays. Endicott (1981: 222) suggests that the Malay slave-hunters were probably ordinary villagers who did this when an opportunity happened to present itself, or when their headman or chief demanded it. But, he adds, there may have been full-time professional slave-hunters as well. At the same time, some of the actual slave-raiding was done by other Orang Asli, though the ultimate 'consumers' of the slaves captured were the Malays (Endicott 1981: 223).

Numerous authors (e.g., Mikluho-Maclay 1878, Swettenham 1880, Clifford 1897, and Wray 1903) also relate how the Orang Asli were hunted down like wild beasts, the men killed, and the women and children carried off into slavery. Hugh Clifford (cited in Gullick 1993:13-15) for example, describes a desperate attempt by 'Sakais' to throw pursuing slave-raiders off their tracks, while the naval officer Osborn (1857: 239-40) related how, when Orang Asli were caught by the Malays, "they were tied up or caged just as we should treat chimpanzees."

In fact, it was as recent as 1936 when H.D. Noone, the then field ethnographer at the Perak Museum in Taiping – noting that in the previous year, Semai and Temiar have been 'shown' in Singapore, Penang and Taiping – urged that the "practice of transporting aborigines and putting them on

show in amusement parks and elsewhere should be forbidden by law universally" (Noone 1936: 65).

Even so, it is clear from some of the early writings that Malay relations with the Orang Asli were a significant element in village life. Apart from organising the slave raids against the Orang Asli, Malay villagers also traded with them and sometimes intermarried with them (Gopinath 1991: 13). The Russian ethnologist Mikluho-Maclay (1878: 212) also noted that:

These *Orang Sakai Jina* (tame Orang Asli) generally speak Malay and their children for the most part forget their original language. They visit the huts and the kampongs of the Malays (in small parties with their wives and children) and this is one important reason of the mixture of two races, the *Orang Sakai* giving their daughters as wives to the Malays.

Nevertheless, the forested hinterland were the habitat not of Malays but of the forest dweller, the ancestors of today's Orang Asli, and it was they who were the major collectors of local products (Andaya and Andaya 1982: 10-11). Malay settlement, as a rule, had developed along the rivers and coasts rather than the hinterland, and Malays themselves rarely ventured beyond the fringes of the jungle. Roberts (1899: 3), for example, noted that "from the junction of the Telom and Seram rivers, few Malay houses were found at long intervals, but above that there are none whatever, the whole of it being *Sakai* country."

Dunn (1975: 109) also noted that the Orang Asli have played a significant role in the Malaysian Peninsula's economic history as collectors and primary traders as early as the 5th century A.D. This is confirmed by Andaya and Andaya (1982: 11), who suggested that an internal trading network had linked the periphery of the forest with the hinterland. By this means, goods were bartered and passed from one group of Orang Asli forest dwellers to another, sometimes over forest tracks but most often along rivers. Various items were traded. The Malay chronicler, Abdullah bin Kadir, for example, writing in the early 19th century, mentions that the Jakun of Pahang traded in ivory, resin, camphor and rattans (Abdullah 1985: 257).

And as the Chinese market developed, and the list of sea products came to include such items as the rare black branching coral known to the Malays as *akar babar* and the famed *tripang* or sea slug (used as an ingredient in Chinese soups and medicinal preparations), it was the Orang Laut who could locate with unerring accuracy the desired products (Andaya and Andaya 1982: 13). Without their swimming and diving skills it would have been impossible to source these products.

Similarly, the collection of jungle produce demanded much more than



**Plate 24. Temuan cleaning gaharu splinters to remove the non-aromatic parts (Kampung Sungai Batu, Gombak, Selangor).** Certain signs such as peeling bark and falling leaves betray the presence of the valuable aromatic heart of the gaharu tree. The Orang Asli's intimate knowledge of the natural resources made them the best persons to extract these commodities. (CVU-2002)

simple identification. The collector had to be attuned to minute clues acquired as part of his cultural upbringing. For example, only certain signs such as peeling bark and falling leaves betray the presence of the valuable heart of the *gaharu* tree from which aromatic wood is obtained. Similarly, camphor, which takes the form of small grains inside the tree trunk, must be detected by specific signs like the smell of the wood when chipped. Equally important for the extraction of forest products was the mastery of the magical skills needed to facilitate the search and placate the spirits of the plants concerned (Andaya and Andaya 1982: 11). And only the Orang Asli forest dwellers had these knowledge and skills, which the Malays tapped.

The Malays also prudently tapped the knowledge of the Orang Asli in selecting potential spots for mining (Gullick 1989: 151, citing Perak Government Gazettes 1889: 633 and 1894: 337). This is also alluded to by Mohamed Ibrahim Munshi (1975: 17-18) who noted in 1871 that "some Jakuns earn money by pointing out rivers or streams where there is tin, etc." In fact, during a trip to Pahang, Munshi Abdullah in 1838 saw Jakun not only bringing resins, rattans and aromatic wood to trade with Malays but also working in Malay gold mines (Andaya and Andaya 1982: 133-4).

### **Autonomy and Political Dominance**

However, the Orang Asli were not always merely collectors and labourers for the ruling Malays. On the contrary, there is much evidence in the

literature to show that some of the Orang Asli groups played very dominant roles in the administration and defence of established political systems in the Malaysian Peninsula.

Andaya and Andaya (1982: 49-50) argue that when the Malay newcomers arrived with an established system and political ranks, there were already Orang Asli groups in the Malacca region to whom such concepts would have been familiar. Thus when Parameswara appeared in Malacca with his following, there was already a small fishing village at the site, whose population included the Orang Laut. Parameswara tightened his links with the Orang Laut by bringing their leaders into the political hierarchy and, via judicious marriages, into the royal family itself. For hundreds of years the Orang Laut's devotion to the Malay rulers of Malacca was a crucial factor in the kingdom's preservation and prosperity. In fact, Hang Tuah, the most famous Laksamana in Malay folklore, was himself of Orang Laut background (Andaya and Andaya 1982: 70; Winstedt 1982: 53; Edo 1998: 98).

The State of Rembau (in Negri Sembilan) also presents us with the curious anomaly of an Orang Asli chief reigning over a population of Malays. Wilkinson (1908 cited in Hooker 1970: 22, fn. 4) informs how the Dato' (of the State of Rembau) would have to be an Orang Asli ('*Sakai*') in the direct female line. Although by blood he must be largely a Malay – owing to the law of exogamy – his claims to heirship is by virtue of the Orang Asli element in his ancestry. The Dato' of Johol is also a '*Sakai*' in this sense.

Wilkinson (1908, cited in Hooker 1970: 27) further adds that in Rembau, the system of land ownership according to the *adat perpateh* worked very well and has made the Biduanda (Orang Asli) tribe a very wealthy and powerful clan that has picked up Malay culture and was more than able to hold its own with the descendants of the Sumatran settlers. Under the *adat perpateh*, ownership went with actual tenure, subject, in some places, to the payment of a small allowance to the descendants of the ancient races who had once possessed the land. The *adat* also laid down that some compensation was due to the dispossessed, were it only for the hunting rights of which they were deprived. In a sense, the law even admitted the claim of the beasts and birds to some consideration: the birds possess the earth, the fish possess the sea, but the Orang Asli or their representatives owned the wastelands and the forests. And while the Malay settlers owned the cultivated tracks, the tribal headmen owned the stretches of ricefield and the rows of areca palms (Hooker 1970: 25-6).

Preceding Rembau, the Orang Asli in Malacca also had political control over their territories. Newbold (1839, II: 117-126) gives accounts of how Jakuns and Bidoandas [sic] came to be penghulus and chiefs in Malacca

with titles such as *Lelab Maharajah* and *Setia Rajah*. The Bidoandas also enjoyed certain special privileges and were even exempted from capital punishment for serious crimes.

The *Hikayat Abdullah* (1985: 260-1) also relates how four Orang Asli tribes had held dominion over Naning (in Malacca) since early Portuguese times. In 1642, when the Dutch Governor of Malacca sought to appoint a Ruler of Naning, all the Naning folk ("the very old and the young included") had debated the matter and concluded that they "should like Datok Seraja Merah of the Biduanda Tribe to be our ruler." Datok Seraja Merah was subsequently appointed Ruler of Naning and upon his death, sometime later, he was succeeded by his sister's son, also of the Biduanda tribe.

In the south, we are told that in the mid-17th century, the Sultan of Johor went to the Orang Asli kampung at Ulu Beranang (in Negeri Sembilan) where he met Puteri Mayang Selida. He married her, and brought her to Johor whereupon they had four sons born to them (Buyong Adil 1981: 4). The Legend of the White Semang in Perak also relates how Nakhoda Kasim of Johor had gone to Perak and married an Orang Asli woman who was thought to have supernatural endowments, and eventually founded the Perak sultanate (Maxwell 1882).

Gullick (1965: 39) also described how aspiring heirs in Negri Sembilan had to resort to claiming Orang Asli (matrilineal) ancestry in order to be eligible for hereditary positions. This was achieved by claiming that the founders of their families were the sons of Orang Asli (*Sakai*) ancestresses married to Malacca noblemen. Certain of the *waris* groups even called themselves Biduanda. In this way they were able to argue that by Orang Asli ancestry on the maternal side they were entitled to primacy over mere matrilineal immigrants.<sup>3</sup>

In Pahang, too, being able to trace your lineage along an Orang Asli blood line appears to have been important enough for great care and accuracy to be taken in recording genealogies. For example, Endang – the pen name of an Orang Asli leader in Pahang – cites the *Sejarah Batin Simpok* and *Batin Simpai* (The Annals of Batin Simpok and Batin Simpai), still being passed down in oral tradition, where the genealogies and lines of inheritance are still very clear; this being concrete evidence of the autonomous nature of Orang Asli society in the not too distant past (*Berita Harian* 24.6.1997). Endang also recalls that the Orang Asli in Pahang had similar status as in Malacca and Negri Sembilan where, for example, the *Tok Batin* (Orang Asli village-head or chief) had the same standing as that of a Ruler or Raja of the Orang Asli. Consequently, he was the judge and the reference point for all matters of customs and tradition, which were highly developed.

Among northern Orang Asli groups, Mikhulo-Maclay (1878: 215) recorded that “the Orang Sakai and the Orang Semang consider themselves the *original inhabitants* and independent of the Malay Rajahs, and so they are in fact in their woods.”

Noone (1936: 61-2) also noted that the Temiar, prior to the intervention of British rule, “pursued the independent existence of a hill people on the Main Range.” In his opinion, it was the decision of the British Government that the boundaries of the states of Perak and Kelantan should be defined by the watershed that has made the Ple-Temiar the subjects of anybody.

### **Orang Asli as Subjects**

That the Orang Asli became subjects of anybody can be seen in the manner in which titles now came to be bestowed on Orang Asli leaders in exchange for favours or responsibilities, rather than the Orang Asli being the bestower of such titles or privileges. Edo (1997: 8, 1998: 303) gives a list of titles given to Orang Asli leaders on behalf of the Sultan of Perak and suggests that this reflects that “the Orang Asli had received political endorsement of their Malay allies even in the 19th century, and probably in the period before.”<sup>4</sup>

In Woh (Tapah), Semai elders still remember the titles given, as well as the time when the Sultan of Perak had given seven elephants to the headmen in the area to help the Orang Asli transport rattan and tin (they worked the latter with the Chinese) for the Sultan.

Without doubt there had been a change in the relationship between the Orang Asli and the Malays, especially among the elites of both groups. It is possible that, with the sultanates and the Malay system of political ascendancy becoming more firmly entrenched in the Peninsula, the need to resort to using the legitimacy of Orang Asli lineage, for example, no longer arose.

On the contrary, it seemed likely that the Malay aristocrats chose instead to step up their exploitation of the Orang Asli and their resources in the pursuit of greater wealth. Thomson (1875: 77), for example, remarked that:

the Tumongong (of Johore) ... is steadily adding to his resources by the export of wood, which grows in unlimited quantities in his vast primeval jungles. But while doing all this, he is driving from their wild haunts a simple, untutored, and most interesting type of the human family, the Jacoons.... They have long been used by the Tumungong, in cutting wood and clearing a route for the railway. They, however, detest the Malays, and hold no direct intercourse with them.



**Plate 25. Temiar wash-hour on the Nenggiri River, Kampung Chengkelik (RPS Kuala Beti, Gua Musang, Kelantan).** A century ago, the Temiar were the only people on the upper reaches of this river and the surrounding districts. They exercised autonomy over this area and zealously stopped others from entering their territory. [C14-1992]

Penghulu Yok Rinchit of Kampung Woh Intek, in the interior hills of the Tapah Forest Reserve, related to me how his people were originally from the lowlands of Teluk Intan, but then moved to the forested hills at Woh, and then to Blantan, before settling further upriver at Intek. According to him, the migration started in the late 1800s and was basically to escape from the Malays.<sup>5</sup>

The general aversion of the Orang Asli to submission to, or to control by, other communities is evident in the response of the Orang Asli to intrusions into their lives. At one extreme, as Newbold (1839: 397) notes for instance, attempts to domesticate the Jakuns – who are “extremely proud and will not submit for any length of time, to servile officers or to much control” – generally ended in the Jakun’s disappearance on the slightest coercion.

At the other extreme, Clifford (1992: 103-4) refers to a seemingly recalcitrant response from another group of Orang Asli in Kelantan, as can be seen from his report:

The Nenggiri River is fairly thickly populated by Malays near its mouth, but the upper reaches and the surrounding districts are inhabited almost entirely by aboriginal tribes. These consist chiefly of Tem-be Sakai, who speak a dialect almost identical with that spoken by the Plus Sakai in Perak, with whom, indeed they are said to hold constant intercourse. These tribes are said to number several thousand souls, and as they bear a bad reputation among



**Plate 26. Pat Noone measuring a Temiar's head at Kuala Legap (Ulu Kinta, Perak).** Ethnographic portrayals of the Orang Asli as defenceless creatures with limited intelligence and capacity for self-reliance helped to justify British intervention into their lives and in turning the colonial power into a 'protector' of the Orang Asli. [H.D. NOONE ca. 1936]

the local Malays, the interior of the Nenggiri district is almost entirely given over to them, very few Kelantan natives ever penetrating far into this Sakai country, in many parts of which the Malay language is still unknown. I am informed that, unlike most of the wild aboriginal tribes, these Sakai have frequently committed depredations on Malays entering the district, and that more than once a string raiding party has been despatched up the Nenggiri, by orders of the Sultan, to keep the jungle people in check, and to punish them for their misdeeds.

Clearly, therefore, the ancestors of today's Orang Asli detested being the subjects of anybody and valued their autonomous way of life — at least for as long as they could defend it.

### **The British Road to Paternalism**

Nevertheless, it is argued that the onset of British rule was also the beginning of paternalism towards the Orang Asli. This was due in part, as Harper (1997: 5) notes, to European ethnography that seemed bent on looking to the Orang Asli for evidence of the prevailing theories of social evolution. Out of this, Harper observed, emerged a pervasive assumption that for the most part the Orang Asli represented an early stage of Malay development, and only in their eventual absorption in the Malay community would they find culmination of a slow march towards a settled, civilised existence.

Also, a recurring motif of colonial writings was that until the British intervention, Malay relations with the Orang Asli were those of master and



slave (Harper 1997: 5). The autonomous Orang Asli chiefdoms of early Malayan history, with its highly evolved political and economic systems, apparently did not weigh much for the British administrators.<sup>6</sup>

British paternalism is perhaps best illustrated by the comments made by the British Resident towards the end of the nineteenth century, who, when asked to decide on the applications of two Orang Asli for title to their fruit orchards in Selangor, said that, "They must be provisionally treated as children and protected accordingly, until they are capable of taking care of themselves" (Sel. Sec/2852/1895). The applications, needless to say, were rejected. Nevertheless, this paternalism, as we shall see, was so ingrained in the official treatment of the Orang Asli that it was continued by the JHEOA after Independence in 1957 (McLellan 1986: 91).

Nonetheless, colonial rule brought about some administrative changes, with laws being enacted to outlaw certain 'uncivilised' activities such as slavery and debt-bondage while other laws were also enacted to control the extraction of natural resources and the alienation of land, for example. And while the imposition of colonial rule removed some of the violence from trade (Harper 1997: 7), the control of the British rulers began to permeate every facet of living in the Peninsula. By the mid-nineteenth century, for example, Malay and Orang Laut participation in sea-borne trade had been eliminated by the British (Andaya and Andaya 1982: 122-3).

It was nevertheless clear that for the British, economic interests in the region were their main priority.<sup>7</sup> As far as the Orang Asli were concerned, it has been suggested that ethnographic portrayals of the indigenous communities as defenceless creatures with limited intelligence and capacity for self-reliance helped to justify British intervention into their lives, essentially by turning the colonial power into a 'protector' of the Orang Asli (Dodge 1981: 8-9, Loh 1993: 33-4). Ironically, also, while it sought to free Orang Asli from slavery and debt-bondage, the colonial government at the same time agreed that the Orang Asli should be regarded as 'wards' of the Sultans (Howell 1995: 276).<sup>8</sup>

Direct intervention into the affairs of the Orang Asli began in concert with H.D. Noone's *Aboriginal Tribes Enactment* (State of Perak, Enactment No. 3 of 1939). This closely followed his rather detailed *Report on the Settlement and Welfare of Ple-Temiar Senoi of the Perak-Kelantan Watershed* (1936), which sought to perpetuate the view of the British colonialists that the Orang Asli should remain in isolation from the rest of the Malayan population and should be given protection.

Noone called for the establishment of large aboriginal land reservations where the Orang Asli would be free to live according to their own tradition and laws. He also proposed the creation of 'patterned settlements' in less

accessible areas, where the Orang Asli could be taught agricultural skills. He further sought the encouragement and development of aboriginal arts and crafts, and the creation of other forms of employment among the Orang Asli. Several protective measures were also proposed, such as the banning of alcohol in Orang Asli reserves and the controlled peddling of wares. Although not implemented by the government of the day, his 'Proposed Aboriginal Policy' did, however, lay the groundwork for future government policy towards the Orang Asli.

Orang Asli reserves were also mooted, but their establishment was interrupted by the war with the Japanese (Harper 1997: 11). While the period during, and following, the Japanese Occupation opened the eyes of the colonial administration to the existence, special situation and usefulness of the Orang Asli, it was to be the Emergency of 1948-1960 that caused the Orang Asli to be placed directly in the plans of the government.<sup>9</sup>

### **The Emergency**

As several researchers (e.g., Jones 1968, Short 1975, Carey 1976, Leary 1995) have documented, the Orang Asli were not unaffected bystanders during the Emergency of 1948-1960. On the contrary, some Orang Asli – both civilian as well as Orang Asli who decided to take up arms on either side of the warring parties – lost their lives or were injured during the insurgency.<sup>10</sup> This was so especially after the war strategies included the Orang Asli. This was when the insurgents were no longer able to get help from their sympathisers in the rural areas, and the Brigg's Plan – which involved relocating much of the rural population into closely-guarded 'new villages' – successfully cut the link between the two parties. Consequently, the insurgents were forced to operate from areas in deep forests, where they sought the help of the Orang Asli, some of whom were old acquaintances from the Japanese Occupation (1941-1945). The Orang Asli were known to provide food, labour (as porters and guides) and intelligence to the insurgents, while a few even joined their ranks. Abdullah C.D. (1998: 147-160), one of the leaders of the Communist Party of Malaya (CPM) at the time, reported how the Orang Asli, especially those in the north of the peninsula, favoured the presence of the communist insurgents to the British forces primarily because the latter had inflicted death and destruction on some Orang Asli communities. Abdullah also described the pact made between Angoi, the Orang Asli chieftain on the Perak-Kelantan border and Rashid Mydin, another CPM leader, and the subsequent merry-making that followed it (Abdullah 1998: 153).

Given the close relationship between the Orang Asli and the insurgents, the Colonial Government quickly realised the importance of winning over

the hearts and minds of the Orang Asli in order to bring an end to the insurgency. As a first step, the post of Adviser on Aborigines was created. However, initial efforts at controlling the Orang Asli proved disastrous — especially the move to herd them into hastily-built resettlement camps in order to prevent the insurgents from getting support from the Orang Asli. A few hundred Orang Asli died in these crowded and sun-baked camps, mainly due to mental depression and disease.<sup>11</sup>

Later, realising their folly, and recognising that the key to ending the war lay in “winning over the hearts and minds the Orang Asli,” a Department of Aborigines was established and ‘jungle forts’ set up in Orang Asli areas, introducing the Orang Asli to elementary health facilities, education and to basic consumer items. This period also saw the first important attempt at legislation to protect the Orang Asli. The Aboriginal Peoples Ordinance of 1954 – amended in 1967 and 1974 and now referred to the Aboriginal Peoples Act – was a turning point in the administration of the Orang Asli, as it indicated that the government had officially recognised its responsibility to the Orang Asli.

During the same period, the Department of Aborigines was enlarged in order to make it an effective force. But, as the former Commissioner for Orang Asli Affairs noted, the only reason for such reorganisation was to ensure better control over the Orang Asli so that they would have less inclination and few, if any, opportunities to support the insurgents (Carey 1976: 312).



**Plate 27. A police patrol coming into Fort Brooke (Gua Musang, Kelantan).** In order to contain the communist insurgency (which had shifted its base to the forest areas) the Orang Asli were herded into hastily-built resettlement camps that were watched over by a police patrol stationed at these forts. The initial attempts at resettlement caused many Orang Asli to die of disease and mental distress. (ROY FOLLOWS - 1964)

Later, in an apparent reversal of the government's policy towards the Orang Asli, the jungle forts were abandoned and replaced by 'patterned settlements' (later to be called 'regroupment schemes'). Here, a number of Orang Asli communities were resettled in areas that were more accessible to the department officials and the security forces and yet close to, though not always within, their traditional homelands. The schemes promised the Orang Asli wooden still-houses as well as modern amenities such as schools, clinics and shops. They were also required to grow cash crops (such as rubber and oil palm) and practise animal husbandry so as to be able to participate in the cash economy.

Despite the varying negative impacts the colonial plan had on the Orang Asli, the strategy nevertheless proved successful in that Orang Asli support for the insurgents waned, and the Malayan government was able eventually to declare the end of the Emergency in 1960. However, for the Orang Asli, this spelled the beginning of a more active and direct involvement of the state into their affairs and lives.<sup>12</sup>

### **The Aboriginal Peoples Act**

As mentioned above, the Emergency also saw the enactment of the Aboriginal Peoples Ordinance 1954. However, this was essentially the same legislation as the Aboriginal Tribes Enactment of 1939 for the state of Perak that was introduced by the then field ethnographer of the Perak Museum at Taiping, H.D. Noone. This enactment in itself was based largely on Noone's seminal 1936 paper where, among other provisions, he called for a scheme of Controlled Reservation and Patterned Settlements (Noone 1936: 62-74). Thus, when circumstances of the Emergency called for the introduction of some regulations for the protection and control of the Orang Asli and their traditional territories, the 1939 enactment was adopted, with little change, as the Aboriginal Peoples Ordinance of 1954. Later revised as the Aboriginal Peoples Act (1974), the Act is unique in that it is the only piece of legislation that is directed at a particular ethnic community. For that matter, the Department of Aborigines, or the JHEOA as it is called today, is also the only government department overseeing a particular ethnic group.

Being introduced, as it did, during the height of the Emergency, the Aboriginal Peoples Act basically served to prevent the communist insurgents from getting assistance from the Orang Asli. It was also aimed at preventing the insurgents from imparting their ideology to the Orang Asli. For this reason, there are provisions in the Act that allow the Minister concerned to prohibit any non-Orang Asli from entering an Orang Asli area, or to prohibit the entry of any written or printed material, or anything capable of conveying

a message, among others. Even in the appointment of headmen, the Minister has the final say. Generally, the Act treats the Orang Asli as if they were a people needing the 'protection' of the authorities to safeguard their wellbeing.

Nevertheless, the Act does recognise some rights of the Orang Asli. For example, it stipulates that no Orang Asli child shall be precluded from attending any school only by reason of being an Orang Asli. It also states that no Orang Asli child attending any school shall be obliged to attend any religious instruction without the prior written consent of his parents or guardian. Generally also, the Act allows the right of the Orang Asli to follow their own way of life.

With regard to their traditional territories, while the Act provides for the establishment of Orang Asli Areas and Orang Asli Reserves, it also grants the state authority the right to order any Orang Asli community to leave – and stay out of – an area. In effect, the best security that an Orang Asli can get to their land is one of 'tenant-at-will'. That is to say, an Orang Asli is allowed to remain in a particular area only at the pleasure of the state authority. If at any such time the state wishes to reacquire the land, it can revoke its status and the Orang Asli are expected to move elsewhere. Furthermore, in the event of such displacement occurring, the state is not obliged to pay any compensation or allocate an alternative site.

Thus, in effect, the Aboriginal Peoples Act laid down certain ground rules for the treatment of Orang Asli and their traditional territories. Effectively, it accords the Minister concerned, or the Director-General JHEOA, the final say in all matters concerning the administration of the Orang Asli. In matters concerning land, however, the state authority has the final say. The development and welfare objective of the Act, therefore, appears to have been subsumed by both the security motive and the tendency to regard the Orang Asli as wards of the government.

The constitutionality of many of the provisions in the Aboriginal Peoples Act is strongly challenged by informed legal opinion. However, in the absence of an explicit decision either way from the courts, the state authorities continue to interpret and apply them in their favour.

### **The Contest for Resources**

The impact of the Emergency aside, colonial rule particularly affected the position of the Orang Asli vis-à-vis their traditional territories and their rights to forest resources. In fact, the debate on the 'contest for the forests' preceded the Emergency and had been sustained, on occasion passionately, by foresters on the one side and government officials sympathetic to the cause of the Orang Asli on the other. Harper (1997: 28) discusses the



**Plate 28. Jah Hut with preparing bark strips for the wall of his house (Kampung Pian, Kuala Krau, Pahang).** The curtailment of Orang Asli rights to its forest resources began with the British Colonial Government as when its Forestry Department sought to restrict the number (and type) of bark, wooden poles, rattan and even the amount of firewood that the Orang Asli could harvest from their traditional territories. (JCA 1988)

matter in historical detail and suggests that the advent of colonial rule began a process by which not only new economic pressures, but new ideological concerns, led to a steady assertion of dominion over the Orang Asli, which brought challenges to their position as forest exploiters as well as unprecedented social change.

For example, in 1958 the Chief Forester lamented that the destruction of valuable forest and the loss of considerable revenue could eventually become prohibitive if shifting cultivation rights were allowed in forest reserves, and if the movement of Orang Asli to a settled existence and permanent cultivation outside forest reserves was not accelerated (Wyatt-Smith 1958: 149). He further advised that, "It would be foolhardy to jeopardise the future of a nation by 'preserving' a way of life for 50,000 people – for what may be many years – when an opportunity, as a result of the Emergency, exists today to start settling them permanently."

The early government gazettes even spelled out specific rights and privileges that the Orang Asli enjoyed in relation to forest resources. For example, the rules only allowed:

The privilege of taking annually as an average for their own domestic use and not for sale or barter: (i) the bark of one kepong tree over 8ft. in girth at 6ft. from the ground for every three households; (ii) 200 Class II poles, 2 tons of Class I fuel and 2,000 running feet of whole cane for every household (Wyatt-Smith 1958: 149).

Such regulations effectively informed the Orang Asli, in no uncertain terms, that their traditional territories – over which they previously had dominion and autonomy – were no longer under their full control.

To aggravate the situation, Orang Asli also experienced discrimination in the way the rights to their traditional territories were being considered. Means (1985: 639-70) noted that:

by 1913, certain areas of the Peninsula were designated as ‘Malay reservations’ where only Malays could own or lease land. These reservations provided substantial protection for the customary holdings of Malays, whose titles were legally recognised in perpetuity. By contrast, no such protection was extended to any of the aborigines. Instead, aboriginal lands were deemed to be crown lands of the Malay rulers, and were treated as if they were unoccupied....(the aborigines) were permitted to live on ‘unoccupied lands’ by sufferance, as dependants of the Malay rulers. Naturally, these assumptions were not shared by the aborigines, who remained blissfully unaware of their presumed status in law and its bearing on land use and property rights.

Noone (1936: 62) also noted that on the prevailing state map of Perak, large areas of exclusive Ple-Temiar land were designated ‘Malay Reservation’ — and most of it was unsurveyed. “If we are to have a reservation,” he suggested, “let us at least reserve the land for the people who occupy it.”<sup>13</sup>

Noone also recorded cases where Orang Asli land was given to Chinese squatters and the Orang Asli themselves were ejected. And while in one district compensation was given to Senoi groups whose land was alienated to European estates, no compensation was given to land alienated at Cameron Highlands (Noone 1936: 62). A quick look at the archival records of the Colonial Government during the earlier half of this century reveals a host of applications by non-Orang Asli for lots on Orang Asli territories as well as appeals by Orang Asli to secure their rights to their traditional territories. Without doubt, therefore, Orang Asli lands were increasingly being lost to others even during the colonial period.

### **The UMNO Factor**

In a rather strange twist of fortunes, the Orang Asli found themselves having to resort to a Malay political party, UMNO, to try to seek some reinstatement of their rights. Malay politicians submitted to the Colonial Government that the Orang Asli “have no one to plead their cause”, and argued for their rights as “the original inhabitants of the country” (Harper 1997: 17).<sup>14</sup>

In 1948, the secretary-general of UMNO, Zainal Abidin Hj. Abas, in a letter to the Deputy Chief Secretary of the government, requested that all Orang Asli reserves be surveyed and gazetted. He noted that “the present system of earmarking certain areas as Sakai reserves without survey and publication in the gazette as intended by law, did not give the Sakai population sufficient security ... (and) cases had been known where land was alienated to non-Sakais” (Fed. Sec. Larut 789/48 & 49).

The UMNO secretary-general was actually responding to a “strong representation” from the Persatuan Kaum Darat, Selangor,<sup>15</sup> who had asked UMNO to request the Colonial Government to consider that:

1. All Sakai Reserves in the Federation be surveyed and gazetted under the appropriate land laws, and;
2. All Sakai head-men,
  - a) In Selangor be appointed after consultation with the Persatuan Kaum Darat Selangor;
  - b) In other states be appointed after consultation with the ‘Batin’ and the ‘anak-buah’ of the area concerned (D.O. Larut No. 789/48).

Two years later, the Adviser on Aborigines, P.D.R. Williams-Hunt, himself sought the assistance of UMNO to look into the wellbeing of the Orang Asli. He engaged in “unofficial correspondence” with Captain Hussein Onn on the subject of UMNO policy towards the Orang Asli (Fed. Sec. 12354/50 (15)) and subsequently intimated in his letter to the Deputy Chief Secretary that, “from the political viewpoint, the aborigines are generally considered as Malays, if they are considered at all, and that a large percentage of the existing Malay population in the country is of aboriginal origin.”<sup>16</sup>

Williams-Hunt felt that UMNO, with its “extensive funds and membership, was in a better position to undertake welfare and advancement work that could not be attempted by the existing government organisations, and could do much to prevent friction between Malays and adjacent aborigines” (Fed. Sec. 12354/50(15)).

UMNO, apparently, was also involved with the Orang Asli of the day in other matters. In December 1948, for example, it was reported that in Segamat, Johore, two groups of Jakun ‘refugees’ totalling 81 persons had embraced Islam. This was the direct result of the efforts of the Segamat branch of UMNO, supported by other district branches, which contributed to a fund to assist the Islamization and to give aid to the converts (*Warta Negara*, 22.12.48 cited in Leary 1995: 175).

Thus, the political position of the Orang Asli had experienced about-turn, at least as far as wielding political influence is concerned. When in





**Plate 29. Semai putting up Barisan Nasional posters during the 1999 general election (RPS Terisu, Cameron Highlands, Pahang).** The Orang Asli's political strength has come a full circle – from when they were sought as political equals during the founding of the early Malay kingdoms, to their situation today where they are obliged to seek patronage from the new holders of political power. (c.1999)

the past Malays aspiring for political status had to consort, adopt or claim Orang Asli association or lineage, by the time of Malaya's Independence, it was the Orang Asli who had to resort to relying on the new holders of political power to safeguard their interests.

### Summary

Despite the very broad brushstrokes used here, a picture of the circumstances leading to the Orang Asli situation today can be appreciated.

In the early years, the Orang Asli were treated according to, and depending on, how others coveted their resources and/or their political status. Thus, when they were the people best suited to extract natural resources (because of their intimate knowledge of the environment and skills in procuring the needed products), their labour was exploited as independent procurers and traders. At other times, when only their physical labour was required, they were enslaved. And when prevailing customs for political ascendancy required genealogical ties with Orang Asli ancestry, such bonding was sought, or even crafted, if only to claim control over territory and resources.

In the transition to British rule, as well, full control over forest resources was sought by the colonisers, and the ideological manoeuvre involved in achieving this was to regard the Orang Asli as savage dependents of the state, requiring protection and paternalistic intervention.

In essence, then, a people who were once autonomous, who were once in control of their traditional territories and its natural resources, and

who were involved in independent trading and political relations with others, had now come to be dependent on others, losing much of their political and economic control over the territories they deemed their own. Eventually, as the contest for resources intensified, the new Malaysian state further intensified its control over the Orang Asli by introducing various policies and programmes for their so-called development.

### Notes

1. The ancestors of today's Orang Asli are generally referred to as 'aborigines' in the literature apart from the derogatory 'Sakai' and the respective terms used to identify them such as 'Jacoons', 'Biduanda' and 'Orang Laut'. However, for our purpose here, the term Orang Asli will be used to refer to both the present day Orang Asli as well as their ancestors, unless specifically identified.
2. By this reasoning, one might ask, are we to conclude that modern computer binary language, based on a series of zero's and one's, is even more unsophisticated since it only uses two numerals?
3. See also Winstedt (1932: 135-42), 'Bendahara Sekudai and Negri Sembilan', and Gullick (1949: 7-13).
4. The giving of titles to Orang Asli and other leaders appears to have been a common practice during the rule of the Malay Sultans. Linehan (1973: 50), for example, states that in 1738 when Sultan Sulaiman visited Kuala Endau, "the headmen of the nine proto-Malay tribes (*Suku Biduanda*) came before him and he gave them titles." Swettenham (1880: 59) also mentions that "the headman of the Slim *Orang Jakun*, or *Sakeis* as they are called, is blessed with the title of 'Mentri'."
5. Personal conversation, 2nd February 1992. However, Edo (1997) infers that the relationship between the Malay aristocrats and the Orang Asli during this period was one of "traditional alliance". This may be so, since the Orang Asli who chose to remain in their original homelands, in all likelihood, had no choice but to 'work with' the Malays. His references to tribute-giving to the Sultan of Perak is perhaps an indication of the Orang Asli's realisation then that submission was better than warfare.
6. Bah Akeh, a Semai elder in Tapah, reduces the whole Orang Asli problem today to British short-sightedness when they first arrived on our shores. "For," he opined, "if they had looked harder and further inland, they would have seen us and this country would have been called 'Tanah Orang Asli' instead of 'Tanah Melayu'" — an allusion to the belief that the root of the Orang Asli problem today is that they are not recognised as the duly legitimate indigenous or 'original' people of this country.
7. The records of the early travellers continually reiterate that before British enterprise opened up the interior, the Malays had barely penetrated beyond the big rivers, coasts and estuaries. Noone (1936: 62, fn. 1) noted that the present towns, such as Sungkai, Slim and Tapah, all followed British intervention and were founded



Plate 30: Tunku Abdul Rahman (CN-1988)



Plate 31: Mahathir Mohamed (CN-1999)



Plate 32: Anwar Ibrahim (CN-1997)

**Plate 30:** Tunku Abdul Rahman, Malaysia's first Prime Minister at his home in Penang. **Plate 31:** Prime Minister Mahathir Mohamed at Bukit Lanjan, Selangor. **Plate 32:** Anwar Ibrahim, then Deputy Prime Minister, at Kampung Bawong, Ulu Kinta, Perak. All three national leaders downplayed Orang Asli indigeneity and their right to claim political primacy in Peninsular Malaysia (see note 14).

moreover by non-Peninsular Malays (Mendilings, Achinese, etc.) who intermarried with the Orang Asli.

8. Earlier Noone (1936: 62) seemed to view the matter of 'wards' of the Sultan differently. From the point of view of the British Government, he noted, the Ple-Temiar have been assumed to be the subjects of the Sultans of Perak and Kelantan. But he acknowledged that "the whole question is very open.... (since) The Ple-Temiar are not Mohammedans [and therefore not Malay], and there is no reason to suppose that they shew [sic] any tendency to become such in bulk."
9. Nagata (1997: 95) contends that "although the British colonial government virtually ignored the welfare of the Orang Asli until the Emergency forced it to recognise them, a few of these states were already dealing with them (e.g., the office of To' Mikong and To' Pangku in the case of Kelantan and Perak). Many of these practices fell into disuse as a result of the establishment of the federal Orang Asli department.... It is therefore misleading to assume that the administration of the Orang Asli affairs began solely as a result of the Emergency."
10. Khoo and Adnan (1984: 233) provide statistics on the number of Orang Asli injured or killed during the Emergency, as follows: Orang Asli terrorists – 60 killed, 6 injured, 57 surrendered, 5 captured. Orang Asli civilians – 69 killed, 15 injured, 53 missing. Auxiliary Police or Home Guard – 4 killed, 5 injured. Special Constable – 1 injured.
11. Jimin (1983: 60, fn. 1), citing JHEOA records, reports that 7,000 Orang Asli died during the early resettlement effort. This figure is however disputed by many researchers. Also, Polunin (1953) hints that the Orang Asli deaths were mainly due to starvation and disease.
12. According to an editorial in the *Strait Times* of 1.7.1955 (cited in Leary 1995: 161-162), the Emergency had, at least for the non-Orang Asli citizens, one salutary effect: "It has focused attention on a group of people toward whom the popular attitude has been one of indifference mixed with contempt. In the definition of Malay peoples, the Aborigines were not included. They were part of the animal

life around the fringes of the jungle.... All the people of Malaya have staked their claims and asserted their inalienable rights except our dispossessed hosts driven into the jungle fringes ... The old policy of treating them as interesting museum pieces to be protected and preserved could only mean the extinction of the real sons of the soil."

13. For Noone, the first point to be decided was the right of the Orang Asli to be regarded as full subjects of the Malay Rulers, to whom benefits enjoyed by the Sultan's other subjects, if they are to be the full subjects of that rule, should be extended (Noone 1936: 62). This situation exposed the anomaly in the treatment of Orang Asli as Malays. They were apparently acceptable as Malays culturally and politically, but when it came to being eligible for lots in Malay Reservations, they were not accepted. This was to be an issue that was persistently raised in later years.
14. However, this submission did not imply that UMNO recognised that Malaya belonged to the Orang Asli. The release of the 1947 census saw statements on the preliminary position of the Orang Asli in the new society being debated, which prompted the Malay newspaper *Utusan Melayu*, to warn that: "The people who pretend that Malaya belongs to the Sakais are trying to deny that Malaya belongs to the Malays" (Harper 1997: 15).

This view was maintained years later by Mahathir Mohamad (1981: 73) when he contended that "the Malays are the original or indigenous people of Malaya and the only people who can claim Malaya as their one and only country."

To further reiterate the perception, Tunku Abdul Rahman, the first Prime Minister, in response to an ongoing 'row' over the pribumi issue in the press, said that: "There was no doubt that the Malays were the indigenous peoples of this land because the original inhabitants did not have any form of civilisation compared with the Malays... and instead lived like primitives in mountains and thick jungle." (*The Star* 6.11.1986).

In perhaps a final attempt to conclusively drum home the message, the then Education Minister and UMNO Youth Chief, Anwar Ibrahim, said that the younger generations "must understand the political dominance of the Malays in the country, the modern history of which began with the arrival of Islam during the days of the Malacca Sultanate." As such, he proclaimed, "Our history should begin with modern Malay history from the days of the Malacca Sultanate" (*The Star* 21.9.1986, cited in *The Rocket*, December 1986).

15. This appears to be the first organised grouping of Orang Asli. However, nothing more as yet is known about it, including how many, and who, its members were.
16. However, just two months earlier, Williams-Hunt did not support the suggestion of the Malay penghulu at Kerdau that the Jah Hut children there be sent to school. The reason given was that he felt that "any attempt to turn them into Malays would be unfortunate for I would rather see them as first rate aborigines than fifth rate Malays" (Ref. No. (2) in AA Phg. General, T 274/49 (16)).

5



## POLICIES FOR A PEOPLE

Protection • Integration  
Sedentism/Regroupment  
Modernisation/Multi-Agency Approach  
Islamisation and Assimilation  
Piecing the Policies Together

**Plate 33. Semai father child-minding his son (16th mile, Cameron Highlands Road, Perak).** The Orang Asli were perceived as backward communities needing protection and policy intervention to integrate them with an imagined mainstream. Often, however, such policies had other motives that were not necessarily beneficial for the Orang Asli. [c. 1990]



Chapter 5

*Policies for a People*

Policies on the Orang Asli are sometimes structured and published. At other times, the policies appear to be reactions to current crises or attempts to keep in line with prevailing national trends or needs. Invariably, however, the majority of policies pertaining to the Orang Asli are decided *for* them, rather than *by* them, although in recent years there have been sporadic attempts by the state to solicit Orang Asli input in their development strategies.

Several commentators on the Orang Asli have articulated insightful analyses of the government policies towards the Orang Asli. They include Endicott (1979, 1987), McLellan (1983), Means (1985), Hood (1987) and Dentan et al. (1997). This chapter does not aim to replicate their work; rather, it merely seeks to orientate the reader to the context of Orang Asli development planning since the 1960s. This is to facilitate a better appreciation of the discussion in the following chapter, where it will be shown that varying applications of these policies have had the overall effect of marginalizing the Orang Asli, especially in terms of Orang Asli control of resources. These policies are briefly described below, as they were chronologically introduced.

**Protection**

The preceding chapter established that the policy of the British colonisers, as epitomised by the 1936 report of H.D. Noone, was one of 'protection' — given, as it was, that the Orang Asli were regarded as being no better than children. Such a policy, however, was not unique to Malaya at the time. On the contrary, it reflected a rather late application of the general colonial disposition towards the 'aboriginal problem' especially in the British colonies of Australia, Canada and New Zealand.<sup>1</sup> The colonisers in these countries, certain of their racial and cultural superiority, introduced paternalistic policies that were often deemed as being in the 'best interests'

of the aboriginal groups. Such paternalism remained in effect until after the Second World War when each of these countries adopted a major policy shift towards integration (Armitage 1995: 190-1). In this regard, the colonial government in Malaya kept pace with the contemporary thinking — particularly as the events of the Emergency began to force the hand of the government into considering the Orang Asli question in a new light.

### Integration

A policy of 'integration' was officially adopted by the Malaysian government in 1961 — just a year after the end of the Emergency — via its 'Statement of Policy Regarding the Long Term Administration of the Aborigine Peoples in the Federation of Malaya' (JHEOA 1961). The main thrust of the policy was that the Government should, "adopt suitable measures designed for their protection and advancement with a view to their ultimate integration with the Malay section of the community" (JHEOA 1961: 2).

In later official communications, the objective of the policy statement was variously changed to "ultimate integration with the wider Malaysian society" or "integration with more advanced sections of the population," or simply to "integration with the national mainstream." Nevertheless, despite the pressures placed on them, the first two heads of the JHEOA treated the integration objective as secondary to the development objective of the Policy Statement.<sup>2</sup> Integration, it was held, was only possible if the Orang Asli were helped — socially and economically — to achieve their advancement and development. A recent *Programme Summary* of the JHEOA, however, restates the organisational objective as: "To integrate the Orang Asli community with the other communities in the country through the socio-economic development processes" (JHEOA 1993: 4).

Hence, the primacy of 'development' in the earlier policy statements was replaced by integration, with socio-economic development being the *means*, rather than the end, of Orang Asli progress and advancement.

In this regard, the 1961 Policy Statement was perhaps the most important document pertaining to Orang Asli development insofar as it accorded the Orang Asli some recognition of their rights as an indigenous people. It clearly spelt out several affirmative actions that needed to be implemented if the Orang Asli were to be "allowed to benefit on an equal footing from the rights and opportunities which the law grants to the other sections of the community" (JHEOA 1961: 2). For example, the document called for special help to be given to the Orang Asli in fields such as medical treatment, health, and opportunities in educational and income-generation.

But perhaps a more significant 'statement' in the 1961 Policy was that, "the special position of the Orang Asli in respect of land usage and land rights shall





**Plate 34, The regroupment scheme at RPS Terisu (Cameron Highlands, Pahang).** The JHEOA administrative centre and staff quarters are in the center of the picture. Twenty-five such schemes were planned during the resurgence of the communist threat in the mid-1970s. However, to date, only 18 have been implemented with most of these located in the forested interiors where the security threat was greatest. Such regroupment programmes enable the control of the Orang Asli and effectively undermine their autonomy. (CJ-1999)

be recognised.... (and that they) will not be moved from their traditional areas without their full consent" (JHEOA, 1961: s.1[d] & [e]).<sup>3</sup>

### **Sedentism/Regroupment**

The early 1970s saw the Communist Party of Malaya revive its armed struggle in what has been referred to as the Second Emergency.<sup>4</sup> Again, the insurgency was mainly organised from interior forest bases. The government was quick to look upon the forest-dwelling Orang Asli as probable allies of the insurgents and saw the physical removal of the Orang Asli from their traditional environment as a militarily expedient solution. In 1977, they proposed the implementation of a resettlement policy not unlike that executed during the Emergency (Jimin 1983: 48-50). However, instead of resettlement areas, they were now to be called 'regroupment schemes'. While resettlement meant moving the Orang Asli out of their traditional homelands, 'regroupment' referred to the formation of development schemes within, or close to, the traditional homelands of the Orang Asli concerned. A total of 25 regroupment schemes were to be established over an implementation period of 10 to 15 years, beginning in 1979, and at an estimated cost of RM260 million (USD68.4 million) (FDTCP-Betau, 1979).<sup>5</sup>

Besides the provision of medical and educational facilities, the Orang Asli participants were to be allocated permanent use of land for housing and subsistence gardens, as well as to undertake some form of income-generating

activity such as rubber or oil palm cultivation — not unlike the Felda schemes being developed then.

Nevertheless, while it was acknowledged that the development plan for the Orang Asli was to be based on the twin prongs of security and economic development, it was not denied that the security objective received more attention. Hence, it was no coincidence that most, if not all, such schemes were initially in locations on the Central Titiwangsa (Main) Range which were considered 'security areas' (see map 3). Even after the communist insurgency ended in 1989, the policy of regroupment remained in place under the rationale that the perceived nomadism of the Orang Asli made it difficult and uneconomical for the government to bring development to them.<sup>6</sup>

### Modernisation/Multi-Agency Approach

For most of its existence, the JHEOA has been a one-agency department responsible for all aspects of Orang Asli needs. There has been much criticism of this approach, especially since the department had neither the resources nor the trained personnel to carry out its functions effectively. Since the mid-1990s, however, the JHEOA has been soliciting the services of other agencies — including the Ministries of Education and Health as well as federal agencies such as the Federal Land Rehabilitation and Consolidation Authority (Felcra) and the Rubber Industry Smallholders Development Authority (Risda) — to help deliver the goods.

The JHEOA also appears to have abandoned its 1961 *Statement of Policy* and has instead replaced it with a 10-point strategy. The rationale for doing so is to "place the Orang Asli firmly on the path of development in a way that is non-compulsive in nature and allows them to set their own pace" (JHEOA, 1993a: 5). The 10 strategies, as outlined in the English version of the *Programme Summary*, are:

1. Modernising their way of life and living conditions, by introducing modern agricultural methods and other economic activities like commerce and industry.
2. Upgrading medical and health services, including having better-equipped clinics in interior areas, to bring about a healthy and energetic Orang Asli community.
3. Improving educational and skill development facilities, including programmes to provide better hostel facilities for both primary and secondary students.
4. Inculcating the desire among Orang Asli youth to become successful entrepreneurs by showing and sometimes opening doors of opportunity for them.
5. Getting Orang Asli in interior areas to accept Regrouping Schemes

Map 3

Location of existing and planned Orang Asli regroupment schemes, 1997



Source: JHEOA (1992b), Lim H.F. (1997: 67)

(sic) as an effective means of improving their living standards and turning their settlements into economically viable units.

6. Encouraging the development of growth centres through the restructuring of forest-fringe Orang Asli kampungs, including the establishment of institutions such as Area Farmers Organisations and co-operatives.
7. Gearing up Orang Asli culture and arts, not only to preserve their traditions, but also as tourist attractions.
8. Eradicating poverty, or at least reducing the number of hardcore poor among the Orang Asli.
9. Introducing privatisation as a tool in the development of Orang Asli areas.
10. Ascertaining a more effective form of development management in line with the direction in which the Orang Asli community is progressing.

While the expressed overall goals of the JHEOA remain largely unchanged – viz., “to improve the wellbeing and (to) integrate the Orang Asli with the national society” – there were significant changes in the specific means by which these goals were to be achieved. The more obvious changes to the policy strategy include the introduction of privatisation as a tool for the development of Orang Asli areas, participation in tourism and inculcating an entrepreneurial class of Orang Asli youth (JHEOA, 1993: 3). The Malay version of the strategy statement further elaborates the strategies including one “to increase efforts at introducing a value system based on Islam for the integration of the Orang Asli with the wider society in general and the Malays in particular.”<sup>7</sup>

However, some of the positive assurances in the 1961 *Statement of Policy* (e.g. that the land rights of the Orang Asli shall be respected, and that the Orang Asli will not be moved from their traditional areas without their full consent) are glaringly absent in the new development strategy of the JHEOA.

### **Islamisation and Assimilation**

The Orang Asli have become the target of institutionalised Islamic missionary activity (*dakwah*), particularly after 1980 when a seminar on this topic was organised by the Malaysian Islamic Welfare Organisation (PERKIM).<sup>8</sup> The recommendations were largely implemented as strategies to achieve the two-prong objectives of “the Islamisation of the whole Orang Asli community and the integration/assimilation of the Orang Asli with the Malays” (JHEOA 1983: 2).

The *dakwah* programme involved the implementation of a ‘positive discrimination’ policy towards Orang Asli who converted, with material benefits given both individually and via development projects. Towards the end of 1991, the appointment of 250 ‘welfare officers’ (later called

*Pemaju Masyarakat* or community development officers) – to be trained by the Religious Affairs Department and the JHEOA – and a programme of building community halls in Orang Asli settlements was announced. These community halls invariably had a Muslim prayer hall (*surau*) on the first floor of the structure. An initial outlay of RM18 million (USD4.7 million) was allocated for this programme (*Berita Harian* 26.11.1991). The establishment of a special unit called 'Dakwah Orang Asli' in Pusat Islam further suggests that this policy has the sanction of the state (*Berita Harian* 23.6.1995).

Still, it is becoming increasingly the case that the development objective of the JHEOA tends to be fused with a programme of Islamisation. For example, the Johor Islamic Religious Department (JAIJ) announced that it is to accelerate *dakwah* activity among the Orang Asli via a multi-agency approach (*Utusan Malaysia* 22.1.1998). The programme, called *Memasyarakatkan Orang Asli* ('Socialising the Orang Asli'), was launched in April 1998 and co-ordinated by the Johor JHEOA.

According to the Johor JHEOA Director, Abdul Wahid Akmal Omar, his department is always ready to work with any government agency that wishes to "improve the community's social and religious status of the Orang Asli who are Muslim." He added that KEMAS (Department of Community Development), which runs the kindergartens in Orang Asli areas, has been approached to sow the seeds of Islamic living through daily singing of Islamic missionary songs by pre-school Orang Asli children. He added, "Such efforts will ensure the dissemination of Islam at an early age and thus make it easier to propagate Islamic values among the Orang Asli" (*Utusan Malaysia* 22.1.1998).

The Selangor Islamic Religious Council (MAIS) also expressed dissatisfaction that only about 10 per cent of the Orang Asli in Selangor



Plate 35. A community hall-cum-surau (Muslim prayer hall) in Kampung Sungai Serigala (Tanjung Malim, Perak). Despite the Orang Asli not asking for it, a programme to construct these structures in the early 1990s was implemented. The RM18 million (USD4.7 million) programme also included the training for 250 'welfare officers' (by the Religious Affairs Department and the JHEOA) after which they were stationed in Orang Asli settlements. [c. 1992]

have converted to Islam. The State *Ketua Penggerak Masyarakat* (Chief Community Development Officer) complained that the missionaries of other religions were more aggressive and gave out various gifts, like pillows and mattresses. To counter this, he said that, "Religious classes in Orang Asli villages will be stepped up. Apart from that, the development that is brought to the kampungs – such as electricity, water, telephone and roads – will help them to mix with the neighbouring Malays" (*Berita Harian* 11.2.1998).

In 1999, the Majlis Agama Islam Negeri Sembilan (Islamic Religious Council of Negeri Sembilan) set aside RM42,960 (USD11,305) for 292 Orang Asli students in the state, with each primary school student receiving RM240 (USD63) and each secondary school student receiving RM360 (USD95). However, this monetary assistance was to be given only to those Orang Asli students who had recently converted to Islam. The Council also announced that its missionary arm, the Unit Ukhwah, will visit Orang Asli villages and carry out *dakwah* programmes (*Berita Harian* 31.10.1999).

That such statements are openly made is further indication that the programme to Islamise Orang Asli is no longer a closely guarded secret. Clearly, also, there is an attempt to link Islamization with development and material benefits. The function of the *Pemaju Masyarakat* or community development officer is equally not disguised as having to do more with the Orang Asli's spiritual development than with development per se. For example, the JHEOA in Kelantan has acknowledged that "the Prime Minister's Department has placed a *Penggerak Masyarakat* (in RPS Kuala Betis) to guide the Orang Asli and to be involved in *dakwah* activities" (JHEOA Kelantan/Terengganu 1996).

Also, on the last day of his tenure as Director-General of the JHEOA, Ikram Jamaluddin, conceded that the JHEOA was involved in Islamic missionary activities among the Orang Asli, but "only in a supportive role and that too only since the previous four years" (Ikram 1997: 7).<sup>9</sup> However, according to the Orang Asli Strategic Development Plan for 1997 to 2005, authored during his tenure (JHEOA 1997b), the JHEOA itself had targeted, for 1997, follow-up projects for 20 villages that had converted to Islam, six *Hari Silaturarabim Keluarga* (Family (Religious) Togetherness Day), religious activities during the fasting month (*majlis-majlis penghayatan Ramadhan*) in 30 villages, and *Aidil Fitri* celebrations in all districts — activities that clearly go beyond the usual meaning of 'supportive'.<sup>10</sup>

A clear admission on the JHEOA's role in converting Orang Asli to Islam eventually came from the former Director-General himself. In a reply to my response (Nicholas 1998) to his 34-page farewell press release (Ikram 1997), the Director-General replied that, "It is discernible from my statement that no mention was ever made anywhere about my denying any official



**Plate 36. Cement houses for Muslim converts in Kampung Sungai Batu (Gombak, Selangor).** As part of a positive discrimination programme, two recent converts in this village received the concrete houses on the right. Others, like the village headman seen here walking to his house, still live in traditional structures of bamboo, wood and atlap. (2000-2001)

programmes of Islamising the Orang Asli." He added, "Nonetheless, I would like to say now that I am proud to have been involved in various direct and indirect non-compulsion efforts to convey the message of Islam to our Orang Asli cousins" (Ikram 1998).

The issue of the Orang Asli's assimilation, however, is not merely a concern of the ruling government. The opposition Islamic party PAS concurs with the view that Islamisation should be a strategy for lifting the Orang Asli out of their poverty and that they should be assimilated into society as Malays. The PAS Member of Parliament for Kubang Kerian, Mohamed Sabu, even suggested that, "instead of being recognised as Orang Asli, they should be assimilated into the Malay race. Their culture should be integrated so that they will no longer be considered separated from Malays" (*The Star* 26.11.1997).

Also, while the JHEOA goes to great pains to stress that the policy towards the Orang Asli is one of integration, not assimilation (*The Sun* 31.8.1997), it fails to explain why, apart from being the target of a programme of Islamisation, that the Orang Asli are often categorised under 'Malay' in official reports and censuses. The concern of the Orang Asli in this matter is perhaps best captured by Dara Liman of Kuala Rompin, when he wrote (*Berita Harian* 12.2.2000):

I am an indigenous person from Kampung Sungei Mok, Rompin. We are very sad because until today we are not recognised as an ethnic group (*bangsa*). We are the original inhabitants and have been here for centuries, so why, till this day, are we still being classified as 'others' in every official matter? We want the Orang Asli to be listed as for the Malays, Chinese and Indians, and not as

'others'. The Orang Asli community is sad because, despite being the original inhabitants of the country, we are still not recognised as such.

Fung (1995: 17) has also asserted that by imposing a legal definition on the Orang Asli, the government has denied the fact that their identity is constituted by markers such as mythic beliefs, the natural ecology and their cosmology.

In any case, it is evident that, despite all protestations to the contrary, the policy of Orang Asli integration with the Malay/mainstream society is clearly one of assimilation. For, as we have discussed earlier, it is now accepted that: *domination* (when one community takes control of the other), *paternalism* (which occurs when one society governs the other in what it views as being the other's best interest), and *integration* (which occurs when single institutions are developed and ethnic origin ceases to be recognised) — all occur within the general framework of *assimilation* (which in turn involves an internalisation of the values of the dominant or majority group) (Banton 1967 cited in Armitage 1995: 186). These conditions exist with respect to the Orang Asli situation.

### **Piecing the Policies Together**

How, then, do all these policies fit together? I contend that the various policies and programmes for the Orang Asli and their development have a unifying ideological objective: to enable the control of a people and to control their traditional territories.

The assertion is based on the state's realisation that the identity of the Orang Asli is dependent on two very fundamental aspects: their attachment to a particular ecological niche, and a religio-cultural spirituality linked very much to that attachment.

If one's aim is to appropriate the traditional territories, as is the contention here about the dominant state structure, one cannot seize these territories if the Orang Asli insist on remaining on them. And that insistence is, in the first instance, based on aspirations of sustaining cultural identity and political autonomy, rather than on merely meeting the need of economic and physical sustenance. Thus, it is only logical that to appropriate the traditional territories of the Orang Asli, one must reduce or remove their attachment to them. This can be achieved by forcibly removing or resettling them, or by instituting strategies and programmes aimed at their de-culturalisation. But first, to take either course, one must destroy their political independence — their autonomy — and create a dependent community.

To nullify the above contention — that is to say, if the aim of the state is *not* one of control — one would have to show that there *are* elements in



the policies and programmes of the state to effect such objectives as: enhancing Orang Asli autonomy, recognising self-identification, promoting self-management, instituting free and informed consent, accepting indigenous religions and beliefs, and recognising rights to traditional territories. Merely providing welfare-oriented programmes is not sufficient to demonstrate recognition of autonomy or to negate claims of control.

The following chapter will demonstrate that the state policies for the Orang Asli are in fact directed to achieving this singular objective: controlling the Orang Asli with a view to controlling their resources.

### Notes

1. In Australia, this policy was introduced through the 'Protection of Aborigines' statutes enacted between 1869 and 1909; in Canada, they were introduced within the framework of the Indian Act 1876 and its successors; and in New Zealand, they were introduced in legislation establishing the Native Department (1861) and the Native Schools Act 1867 (Armitage 1995: 189-90).
2. Dr. Iskandar Carey, the first Malaysian Commissioner of the Department of Aborigines, also said that there was strong pressure placed on him and his successor, Dr. Baharon Azhar bin Raffie'i, to carry out Islamic *dakwah* among the Orang Asli. However, both played down this aspect and concentrated on the 'development' components of the policy. (Personal communication, 13.10.1990).
3. It is significant to note that in the same year (1961), the Orang Asli were taken off the State List in the Federal Constitution and since then have become the responsibility of the Federal Government (Jimin 1983: 41).
4. According to C.C. Too, the national psychological warfare expert then, the second round of the guerrilla war – Emergency II (1968-78) – was marked by the killing of top police officers (including those of the Inspector General of Police in 1974 and the Perak Chief Police Officer in 1975, and attacks on the Royal Malaysian Air Force base in Sungei Besi and the National Monument in Kuala Lumpur in 1975 (Chiang Siew Lee, *New Straits Times* 26.4.1992). The general euphoria surrounding their counterpart's successes in nearby Vietnam possibly inspired the CPM to revive its armed struggle (Jimin 1983: 48-9). The CPM eventually signed a peace accord with the Malaysian Government in December 1989, marking the formal end of the communist guerrilla struggle that began in the 1940s.
5. To date only 18 regroupment schemes have been established. Of these, 10 have yet to have their agricultural projects started, as of 1997 (see Table 25 on page 113.).
6. Despite the fact that almost all Orang Asli live in settled communities today, national leaders persistently project the illusion that the Orang Asli are still nomadic. For example, the *Menteri Besar* of Pahang, Mohd Khalil Yaakob said that: "The state government wanted to help the Orang Asli but found that it was not easy because of their nomadic life" (*New Straits Times* 4.1.1996). Deputy Prime Minister Anwar Ibrahim: "At present, efforts to help the Orang Asli could not be undertaken effectively in view of the nomadic lifestyle of the community" (*New Straits Times*

14.4.1996). Johor Menteri Besar Abdul Ghani Othman: "The Orang Asli [must] change their nomadic ways and enter the mainstream" (*New Straits Times NST* 27.1.1997). Health Minister Chua Jui Meng: "Orang Asli [must] live in a permanent place so that it is easier for the ministry to build clinics for them" (*Berita Harian* 10.3.1997). Perak Menteri Besar Ramli Ngah Talib: "Perak will issue land titles to the Orang Asli on condition that they give up their nomadic ways and live in a certain area for a continuous period of time" (*The Star* 10.8.1999).

7. For each of the ten general strategies given in the English *Programme Summary*, the JHEOA's Malay version *Ringkasan Program* (1993) gives detailed sub-strategies. Item 5(d), for example, reads: "*Mempergiatkan usaha-usaha penerapan satu sistem nilai yang berteraskan nilai Islam ke dalam masyarakat Orang Asli supaya mereka dapat dibawa untuk berintegrasikan dengan masyarakat umum khususnya masyarakat Melayu*" (as translated in the main body of the text).
8. The Orang Asli are also the targets of Christian missionaries of various sects, each employing varying methods to achieve their goals. Substantial financial and human resources back some of these missions and it is not uncommon for Orang Asli to be attracted to the various socio-economic inducements offered. However, their activities do not have the sanction of policy nor the endorsement of the state, and hence does not enter our scope here. See Loh (1993) and Hasan (1996a) for a discussion on Christian missionary activity among the Orang Asli.

It has also been suggested that the success of the Christian missionaries in the last two decades, prompted the Muslims to step up their *dakwah* activities — as if in a race to net the last lost souls in the peninsula. The presumption is that the Orang Asli are without religion and hence need to have one foisted on them. This condescension is epitomised by a member of PERKIM's 'Women's Dakwah' team, Siti Fatimah Ladda Abdullah (herself a recent Thai convert), who opined that, "In reality, doing missionary work among the Orang Asli is easier because they are empty. The concept is the same as an empty vessel; it is easier to fill. This is the same with them." ("*Sebenarnya mendakwahkan Orang Asli lebih mudah kerana mereka kosong. Konsepnya sama dengan bekas kosong sudah lebih mudah ditisi, begitu juga dengan mereka.*") (*Berita Harian* 15.4.1999).

9. Another example of this 'supportive role' is the following condition, among eight other standard conditions, laid down for those wishing to officially visit or do research in Orang Asli communities: *Setiap penyelidik dilarang sama menyebarkan kepercayaan agama kepada masyarakat Orang Asli kecuali kepercayaan agama Islam sebagai agama resmi di negeri ini.* (Every researcher is prohibited from spreading to the Orang Asli, any religious belief other than Islam, as Islam is the official religion of this country) (JHEOA 1999).
10. Perhaps in defence of his admission of JHEOA's *dakwah* activities, Ikram added: "But then, since when has it become an offence to propagate Islam in a peaceful manner in this country? I would like to know because it seems that these same writers never bother to mention the activities of Christian, Bahai and Buddhist missionaries who "peddle" their religions by offering cash and goods to the simple Orang Asli and by degrading Islam at the same time. Why the double standards?" (Ikram 1998).

# 6



## CONTROLLING A PEOPLE, CONTROLLING RESOURCES

JHEOA: Governing a People • The Act of the State  
Integration and Assimilation: Giving Unto Others  
Regroupment Schemes for Recouping Resources  
Land Policies – for National and Orang Asli Safety  
Land Titles: Going it Alone  
Privatization: State versus Orang Asli Interests  
Social Development Programmes and Control  
Individuals in Control • No Policies for Empowerment?

**Plate 37. Temiar children cooling off in the river at Pos Clong (Temenggor Dam, Grik, Perak).** Plans are afoot to turn the Belum forest, in which this Temiar settlement is located, into a nature reserve. While this is a positive move for the conservation of biodiversity, it has implications for the Temiar's ownership and control of their traditional territories. [21-1996]



## *Chapter 6*

# *Controlling a People, Controlling Resources*

While policies for Orang Asli integration and development sought expressly to allow the Orang Asli to enjoy the same quality of life as the mainstream society, they had a thinly veiled element of control built into them. This control not only extended over the Orang Asli as a people but over their traditional territories and resources as well.

The state unquestionably played a significant role in the programme of control of the Orang Asli – primarily by maintaining a notion that the Orang Asli need to be managed and developed according to its criteria. However other actors, including state agencies and various individuals, played equally important roles insofar as their implementation of state policies and the execution of their own agenda served to realise the control over the Orang Asli and their resources.

This chapter discusses how – by an admixture of administrative intervention, policy implementation, legislative fiat and individual action – control over the Orang Asli and their resources was set in motion and persistently reinforced in subsequent policy programmes. As a consequence, the Orang Asli not only began to lose their political autonomy but much of their traditional territories as well.

### **JHEOA: Governing a People**

The Department of Aborigines, first established in 1950 during the Emergency, is the precursor of the JHEOA. The department was modelled along the lines of the United States Bureau of Indian Affairs and the Australian Department of Aborigines, not just in terms of administrative structure, but also in rationale: to 'protect' a class of people deemed to be 'wards of the state'. The policy of establishing Orang Asli reserves is an example of policy similarities.

That the JHEOA is an agent of the state for the control of the Orang Asli can be easily gleaned from the powers granted to it under the Aboriginal

Peoples Act. Although the Act vests such powers in the Minister in charge of Orang Asli Affairs, in practice it is not uncommon for the Director-General of the JHEOA to be entrusted with the exercise of these powers.<sup>1</sup> This broad range of powers includes the creation and regulation of Orang Asli settlements, control of entry into Orang Asli abodes, appointment and removal of Orang Asli headmen, prohibition of the planting of any specified plant in Orang Asli settlements, permitting and regulating the felling of forest within traditional Orang Asli areas, permitting and regulating the taking of forest produce, birds and animals from Orang Asli areas, and even prescribing the terms upon which Orang Asli may be employed (Aboriginal Peoples Act 1954, revised 1974, s.19(1)(a-k)).<sup>2</sup>

All these provisions work effectively towards destroying the autonomy of the Orang Asli. For example, Section 19(1)(m) of the Act actually allows the Minister to pass regulations prescribing the terminology by which the Orang Asli are referred. Perhaps to justify the inclusion of this section, a team from the Department of Aborigines, led by R.O.D. Noone, the Federal Advisor on Aborigines, went to an Orang Asli village in Terengganu in 1956, did their analysis, and promptly pronounced that the people were not what they had always considered themselves to be. In retrospect, the newspaper headline of the day is quite amusing: Surprise! These 'Jakuns' find that they are really 'Semoq-Beris' (*The Singapore Standard*, 17.10.1956). More recently, the JHEOA dropped the Temoq people from their list of Orang Asli subgroups. Presumably, they are now considered Jakun, although the community still regards itself as Temoq.

Other regulations in the Aboriginal Peoples Act also work towards disassembling Orang Asli autonomy by controlling their access to the 'outside world'. For example, apart from prohibiting the free entry of non-Orang Asli into Orang Asli communities, section 19(1)(l) prohibits the entry or circulation of any written, printed or other material capable of "suggesting words or ideas".

Some observers would argue that the 'control clauses' were included in the Aboriginal Peoples Act primarily in response to the security situation presented by the Emergency. However, the Act was 'revised' in 1974, 14 years after the end of the Emergency but all the control clauses remained intact.<sup>3</sup>

Similarly, the JHEOA has persistently ignored calls by both Orang Asli and non-Orang Asli observers for it to be managed by the Orang Asli themselves, with the usual excuse being that there are no Orang Asli who are qualified or who have applied for the job.<sup>4</sup> Both of these arguments are no longer valid, as there are Orang Asli today who have higher qualifications than those presently holding managerial positions in the



**Plate 38.** Semai headman from Sungkai speaking out a multi-village meeting in Kampung Cluny (Slim River, Perak). At these meetings, the grouses articulated by the Orang Asli invariably revolved around the ineffectiveness, or unwillingness, of the JHEOA to act in their interest, and on the need for the JHEOA to be controlled by Orang Asli themselves. (CU-1990)

JHEOA. Some of these are civil servants, holding or have held senior positions (including Director, District Engineer and Medical Officer) in agencies such as the Perak State Town and Planning Board, Public Works Department, the Ministry of Health, and State Economic Development Corporations. These individuals can be easily seconded from their government departments if required, as has been the practice with all JHEOA senior officers since 1992.<sup>5</sup> Also, there is no programme of working towards the eventual management of the JHEOA by the Orang Asli.<sup>6</sup>

It has also been pointed out that the existence of the JHEOA is contradictory to its goal of integrating the Orang Asli into the wider national society. For, as Wazir (1986: 3) contends, the existence of a separate agency to look into Orang Asli affairs serves as a constant reminder of their minority status.

Also, the current programmes of the JHEOA can be carried out by other existing agencies. In fact, some major development functions – including education, health and agricultural development – have already been transferred, or are in the process of being transferred, to the regular government agencies dealing with such matters. In Sabah and Sarawak, this multi-agency approach has always been the practice. So why does the government not want to do away with the JHEOA?

In 1982, Anwar Ibrahim, then a new Deputy Minister and a rising star in Malaysian politics, met in a closed meeting with a number of Orang Asli leaders at Tapah and promised to respond to some of their grievances, including those pertaining to the JHEOA. By 1984, some Orang Asli leaders were unofficially informed that the government planned to disband the Department by 1990, when Malaysia's New Economic Policy was to be re-

evaluated (Means 1985: 650). This never happened and it can only be supposed that the government was reluctant to disband a unique agency that was useful for the control of the Orang Asli. For, as will be discussed below and in the following chapters, the JHEOA performs a vital function other government agencies can only hope for when dealing with communities: the JHEOA has the power to represent the Orang Asli. This, it frequently does when the contest between the Orang Asli and an appropriator for Orang Asli traditional territories comes to a head.<sup>7</sup>

Invariably, in cases where the appropriator is the state, the JHEOA advances the interests of the former, ignoring the obvious conflict-of-interest situation it is immediately placed in. McLellan (1986: 91) sums it up well when she states that, “the JHEOA has continued the British paternalistic and the Malay feudal patronage role toward the Orang Asli, so it settles claims and decides policy without actively involving or even consulting those concerned.”

As will be discussed in the next chapter, the JHEOA’s assumed authority to act on behalf of the Orang Asli is often the bone of contention between the Department and the Orang Asli themselves, and which invariably causes much distress to the latter.

### **The Act of the State**

However, apart from giving powers to the state to control the Orang Asli as a people, the Aboriginal Peoples Act also provides the legal basis for the appropriation of the Orang Asli’s traditional territories. For example, while the Act states that the Orang Asli may reside in their traditional areas or reserves, this is not a permanent right, but rather one that is no more than that of a tenant-at-will — that is, at the will of the state authority [s.8(2)(c)]. Furthermore, while the state authority – frequently used synonymously with the state government – is required to compensate for loss of fruit or rubber trees on lands that are being acquired or alienated to others, the state authority is not obliged to pay any compensation for the land itself, or to replace it with suitable alternative land [s. 11(1), s.12].

Commentators on the legal rights of the Orang Asli to their traditional territories (including Hooker 1976, 1996; Liow 1980; Rachagan 1990; Chua 1991; Lim Heng Seng 1997, Kanagawi 2000) have acknowledged that while the generality of the law is against the interest of the Orang Asli, one can make out a constitutional argument that the Orang Asli should be accorded rights similar to those enjoyed by the Malays under the Malay Reservations Act. Nevertheless, the point is that this assertion has to be argued, and decided, in the courts; it is not clearly established in the Constitution.

To this end, for example, Hickling (1994: 15-16), a law professor and a



former parliamentary draftsman in Colonial Malaya, has even insinuated that it would be futile for the Orang Asli to assert that he and his ancestors are the true bumiputras and, as such, can stake a claim to their traditional territories, in line with the *Mabo* decision in Australia.<sup>8</sup> He adds, “The hopeful Orang Asli who reads the *Mabo* decision should not, therefore, hope for a battery of Supreme Court activists [meaning progressive judges] to further his case” (Hickling 1994: 16). Given that he was responsible for drafting many of the laws during the colonial period – including the Internal Security Act – it would seem reasonable to interpret Hickling as saying that the Orang Asli were never intended in the first place to enjoy any rights to their traditional territories. And in a thinly-veiled reference to the lack of judicial independence in Malaysia, he seemed confident that, “Under the watchful eye of Dr. Mahathir, Malaysian judges are unlikely to go the way of ‘the Mabo Six’ as they are now known” (Hickling 1994: 15).<sup>9</sup>

Clearly, the apparent intention of the Aboriginal Peoples Act seems to be the refusal to recognise the Orang Asli as the autonomous social units that they were in the past. In fact, as has been the case in several instances, this legal instrument has been effectively used to deny Orang Asli control and ownership over their traditional territories.

### **Integration and Assimilation: Giving Unto Others**

The official policy of integration for the Orang Asli, with its assimilationist tendency, effectively advances a process of de-culturalisation among the Orang Asli. This would be in keeping with the goal of controlling the traditional territories of the Orang Asli. For if Orang Asli are to be willing to give up their traditional territories, their attachment to land must first be eroded. With assimilation, it is hoped that their traditional cultural values and localised identity are replaced by new ones, including a reduced attachment to a particular ecological niche.

Even if the policy were one of integration, its ultimate social policy framework would be to renounce all recognition, including territorial recognition, of the Orang Asli’s status as a distinct category for policy intervention. Ethnic and cultural heritage would be an entirely private matter as there would then be no need for special land tenure, social policy, or political institutions. In fact, as we shall see below, there are already plans to resettle Orang Asli from their traditional communal lands onto individual plots of land, subject to the normal regulations under the National Land Code.<sup>10</sup>

Sometimes, even the policy of assimilation/Islamisation is brought into play to effect the appropriation of the Orang Asli’s traditional territories. A case in point is the ‘Orang Asli-Malay Twinning Villages Programme’ of



**Plate 39. The national launch of the Malay-Orang Asli Village Twinning Programme at Kampung Bawong (Ulu Kinta, Perak).** While the supposed aim is to bring about 'integration and brotherhood' between the Orang Asli and Malays, one clear impact of such a programme is that Orang Asli would have to give up a part of their traditional territory to another community. (CN-1997)

the government launched in August 1997. The aim of this *Program Kampung Berkembar Antara Perkampungan Melayu Dan Orang Asli* is to "bring about integration and brotherhood between the Orang Asli and Malays, and to inculcate a positive culture and positive socio-economic values among the Orang Asli."<sup>11</sup>

The national launch of the programme was held with fanfare and officiated by the then Deputy Prime Minister Anwar Ibrahim in Kampung Bawong, Lasah, Perak on 16 August 1997. Here, the government revealed plans to 'twin' Orang Asli and Malay villages in 26 areas, especially in settlements where the Orang Asli are Muslim or where active *dakwah* activities have been conducted, while the project beneficiaries will only be Muslim Orang Asli.<sup>12</sup>

In the case of Kampung Bawong and the surrounding Temiar settlements, 100 lots of land for 100 families – 50 Orang Asli and 50 Malay – will be developed.<sup>13</sup> Each lot, for which individual title has been promised, will consist of four acres of oil palm, one acre of fruit garden (*dusun*), and a 60-foot by 90-foot wooden house.<sup>14</sup>

However, the catch is that the project is in the existing Orang Asli settlement and, as such, this is tantamount to the Orang Asli giving up a part of their traditional territory to enable Malay settlement.<sup>15</sup> In fact, for the launching ceremony in Lasah, existing Orang Asli *dusuns* were bulldozed in order to make way for the site of the launching ceremony and for the new project. Clearly, therefore, one impact of the policy of integration/assimilation has been to cause the Orang Asli to lose control of their traditional territory.

### Regroupment Schemes for Recouping Resources

The JHEOA's regards the resettling of Orang Asli in regroupment schemes (RPS) as one of its major functions. The expressed objectives of the regroupment schemes are:

- to eradicate poverty or to reduce the number of hardcore poor among the Orang Asli;
- to modernize their way of life through provision of social services and basic facilities such as education, health, housing, water and electricity supply, etc.;
- to regroup and reorganise (*menyusun*) Orang Asli in suitable centres in their traditional areas; and
- to guarantee the security of the Orang Asli from subversive and anti-national elements (JHEOA 1992: Lampiran A).

The former Director-General of the JHEOA, Jimin Idris (1983: 48-9) acknowledges that the initial proposals for a resettlement policy similar to that adopted during the Emergency of 1948-1960 came from the military establishment in early 1977. For this reason, the early regroupment schemes were located along the spine of the central mountain range, areas thought to be the bases of the communist insurgents. With such a rationale, the other objectives of poverty eradication and modernisation appear to be afterthoughts (as borne out by the achievement rates given in Table 25).

Nevertheless, the security motive was not always the primary reason for a policy of resettling Orang Asli in regroupment schemes. Orang Asli have been regrouped or resettled for a host of other reasons — for example, to facilitate projects such as the Kuala Lumpur International Airport (in Sepang), a university campus (as in Bangi), and for dams. In all these schemes, it is clear that the motivation for relocation or resettlement was not the more altruistic objectives of poverty eradication and modernisation. Rather, it was because their traditional territories were required for an externally-imposed development project. This can be easily supported by the observation, reflected in Table 25, that the promised development projects or basic infrastructure facilities in these regroupment schemes were invariably never in place when the Orang Asli were required to move. In several cases, they were not delivered until several years later (20 years in the case of RPS Banun). Some have yet to be delivered. Invariably, in all schemes, the alternative income-generation projects (usually cash-crop agriculture) were not started until several years into the project.

Even when the promised items were delivered, they were often insufficient for all. For example, the JHEOA recognises at least 2,563 households are involved in the regroupment schemes, but only 1,408 houses have been planned. Presumably, the other 45 per cent of households were

expected to construct their own houses, as seems to be the trend in the schemes.

That the regroupment schemes are not achieving their social objectives can be gleaned from the nutritional status of the Orang Asli children living there. Khor (1994: 123) contends that:

Some 15 years after relocation, the nutritional status of Orang Asli children in regroupment schemes can be described as poor with a moderate to high prevalence of underweight, acute, and chronic malnutrition. Their dietary intakes are deficient in calories and several major nutrients.... There exists an over-simplified assumption that introduction to cash-cropping will lead to increased income, which will provide more money for food, and in turn result in improvement in nutritional status.... In reality, relocation entails cultural uprooting and lifestyle changes which may not be overcome by the provision of physical facilities and economic incentives only.

Such lamentable conditions in the regroupment schemes can be attributed to the smaller subsistence base and psychological disenfranchisement caused by uprooting the Orang Asli from their traditional territories. For, while the authorities argue that regroupment does not necessarily entail resettlement or relocation, the reality is that their resource base becomes smaller, invariably to be shared with others who have been relocated from their own traditional territories.

For example, in the Betau Regroupment Scheme in Northwest Pahang, often projected as the model scheme of the JHEOA, a total of 20 settlements within a 14.5 kilometre radius of the confluence of the Betau and Jelai Rivers were 'regrouped' within a 5.6 kilometre radius (Nicholas 1994: 18). In the case of one of the settlements there, Kampung Kuala Tual, I estimated that the traditional territory of the community was close to 7,000 hectares.<sup>16</sup> However, on relocating downriver in the Betau Regroupment Scheme, the total land area allotted to Kampung Kuala Tual was 95.1 hectares – or only 1.4 per cent of their traditional *nenggirik* (Nicholas 1994a: 18, 52).

Another immediate impact of regroupment is a dramatic reduction in control over territory and resources. In fact, in all regroupment schemes, the management and decision-making – as to what crops to grow, where the settlements are to be located, how allocations are to be disbursed, control of entry of visitors and traders – is often in the hands of the local representative of the JHEOA, who is frequently a non-Orang Asli.

Regroupment also brings with it a gamut of other social problems, especially when a community is expected to impinge on another's traditional territory, or if food and other subsistence needs are hard to come by. The

Table 25: Data sheet on regroupment schemes, 1996

No	Project Name	State	Sub-Group	Total Area (ha.)	Total Households	Total Population	Total Agric. Area (ha.)	No. of Participant Households	No. of Staff Households	Implementation Date	Land Status	Year Yield Began	Main Economic Activity
1	RPS Kemar	Perak	Temiar	4,148	397	1,727	1,278	241	29	4MP	Reserve Application (Not Approved)	(Rubber) 1992	Rattan, Fishing
2	RPS Au Baniun	Perak	Jahai Temiar	2,529	176	721	117	6	12	4MP	Reserve Application (Not Approved)	Rubber project cancelled (1992)	Fishing, Rattan, Ganaru
3	RPS Daya	Perak	Temiar	2,226	175	680	50	100	20	4MP	Reserve Land	Rubber project waiting for logging clearance (1992)	Rattan, Fishing
4	RPS Lenggop	Perak	Temiar	1,287	80	1,242	120	8	9	5MP	Reserve Land	Not Started	Rattan, Bamboo
5	RPS Tonggang	Perak	Temiar	469	41	161	0	0	0	6MP	Reserve Land	Not Started	Rattan, Rubber, Wige
6	RPS Jemang	Perak	Semai	2,226	160	679	0	0	0	6MP	Reserve Land	Not Started	Rattan, Pejal
7	RPS Batau	Pahang	Semai	2,835	256	1,125	998	321	36	4MP	Group Settlement Area	(Rubber) 1992	Rattan, Bamboo, Rubber
8	RPS Kctak	Pahang	Jakun	1,616	156	360	737	137	18	4MP	Reserve Land	(Palm Oil) 1991	Oil Palm, Wige, Rattan, Logging
9	RPS Bukit Serok	Pahang	Jakun	798	164	651	639	132	16	4MP	Reserve Land	(Palm Oil) 1991	Oil Palm, Wige
10	RPS Runcang	Pahang	Jakun	1,012	210	1,291	512	192	13	5MP	Reserve Application (Not Approved)	(Palm Oil) 1994	Farming, Wige
11	RPS Terusu	Pahang	Semai	937	70	378	12	12	5	5MP	Reserve Application (Not Approved)	(Vegetables) 1990	Rubber, Wige, Logging
12	RPS Kuala Betis	Kelantan	Temiar	2,955	315	200	655	259	30	4MP	Group settlement Area	(Rubber) 1991	Rattan
13	RPS Iskandar	Pahang	Semelai	2,364	67	594	0	0	0	6MP	Reserve Application (Not Approved)	Not Started	Rubber, Wige, Logging
14	RPS Bukit Nipis	Pahang	Jakun	2,227	63	293	0	0	0	6MP	Reserve Application (Not Approved)	Not Started	Rattan, Wige, Logging
15	RPS P. Jati	Kelantan	Temiar	1,023	12	88	0	0	0	6MP	Under Application	Not Started	-
16	RPS Pasik	Kelantan	Jakun	2,025	80	300	0	0	0	6MP	Under Application	Not Started	Rattan
17	RPS Balat	Kelantan	Temiar	1,738	106	0	0	0	0	6MP	Under Application	Not Started	Rattan, Wige
18	RPS Kutong	Johor	Jakun	1,012	35	190	0	0	0	6MP	Under Application	Not Started	Rubber oil palm
	Total			33,427	2,563	10,700	5,118	1,408	188				

Legend: MP = 5-year Malaysia Pagar; 4MP (1981-85); 5MP (1986-90); 6MP (1991-1995)

Source: JHEOA (1992b); Nicholas &amp; Williams-Hunt (1996: 469); Lum H. F. (1997: 66)

case of RPS Banun in northern Perak illustrates this assertion (Nicholas 1995a: s. 99-113).

The 13 Jahai communities in the Banun area were resettled at the Pulau Tujuh Resettlement Scheme in the mid-1970s — on the recommendation of the National Security Council that saw resettlement of the Orang Asli as a military strategy to isolate the villagers from the communist insurgents. In 1979, when it became obvious that the original Pulau Tujuh site would be inundated by the Temenggor dam being constructed then, the resettlement project was moved to the present site at RPS Banun.

However, just a few months after the Orang Asli were regrouped at RPS Banun, some scheme participants began to withdraw as traditional food resources within the new area were quickly depleted as a result of the much higher population density.

Also, government rations — and, later, the cash subsidies (RM50 or USD13 per family per month) — were insufficient to sustain them, and the Orang Asli had to place greater reliance on fishing in the lake (which was two kilometres away) and on the sale of rattan for cash incomes, to subsist. The death of 18 Jahai within a short span also prompted many groups to leave the scheme.

Withdrawal from the scheme also grew as a result of conflicts over land. Officially, at least 13 distinct communities, each led by its own *pengbulu* or village-head, were technically under the RPS Banun scheme in 1988. However, by 1993 only the group that claimed traditional territorial rights to this part of the Belum area was residing within the 2,529.2 hectares allotted to the Banun scheme.

Furthermore, despite being promised agricultural projects such as rubber and fruit gardens, none were forthcoming, either upon their acceptance of the scheme — not an unusual expectation given that the Jahai's socio-economic system is based on immediate-return activities — or even 20 years after the scheme was established. Apart from unsuitable soils, the JHEOA also recruited incompetent contractors who did not finish their jobs. Another complaint of the Orang Asli of RPS Banun was that as of 1993, only eighteen houses had been built for the 176 households — and of these eighteen, twelve were for the JHEOA administrative staff.

Since regroupment for the Orang Asli does not provide any additional security of tenure to the land, it appears that they would be better off not being regrouped if late or non-delivery of 'development benefits' is the norm. For the state, however, regroupment fulfils its many needs. For one, it is the most effective, socially-acceptable means to appropriate Orang Asli traditional territories for its own use or for use by others. Regroupment



**Plate 40. Water woes at the resettlement site (Kampung Busut Baru, Banting, Selangor).** After being forced to give up their traditional territory for the Kuala Lumpur International Airport, the Temuans were resettled 40 kilometres away in an area that was a freshly-filled peat swamp. Water had to be trucked in for the first three years while the promised oil palm smallholdings were only planted – and even so, only a part of the promised hectareage – four years later, long after the monthly subsistence allowance were discontinued. [CN-1996]



**Plate 41. Unfulfilled promises at RPS Banun (Temenggor Dam, Grik, Perak).** Two decades after the Jahai were resettled here in 1979 (because of the construction of the Temenggor Dam), much of the promises of development infrastructure (potable water, electricity, rubber smallholdings, wooden houses) were still not delivered. In 1998, some wooden houses were built – but these were done so under the PPRT scheme, and not as part of the original compensation package. [CN-1996]

programmes also provide the additional bonus of controlling people, and thereby effectively undermining their autonomy.

### **Land Policies – Justifying the Grab**

In recent years, there have been new efforts at resolving the land rights issue of the Orang Asli. In fact, in 1996 the JHEOA was “confident that it will be able to solve the land woes of the Orang Asli within the next 10 years” (*The Star* 25.3.1996). The Director-General, Ikram Jamaluddin, said that state governments have agreed in principle to give land titles to Orang Asli, and that the JHEOA would apply for the lands “on which others had no claim on, those earmarked for cluster agriculture schemes, and those under planned villages concept approved by the state governments.” The presumption here is that it is not necessary to give out titles for land that the Orang Asli are currently residing on, nor will the land be anywhere near the extent of their traditional territories.<sup>17</sup>

This is the issue at stake. The Orang Asli want the traditional territories on which they are residing to be either gazetted as permanent reserves or for some form of permanent title to it to be issued. The state governments, however, see relocation to another (invariably smaller) site as a precondition for granting land titles – individually, not communally.

The case of the Jakun settlements in Segamat, Johor best illustrates this contention. The state government had in 1996 taken over 1,420 hectares of timber-rich Orang Asli reserve land and assigned the rights to the timber to a private developer. In return, the 187 families affected were offered better housing, improved infrastructure and a higher standard of living. The land in question is spread over Kampung Kudong, Kampung Tamok, Kampung Kemidak, Kampung Selai and Kampung Lenek. However, a condition of the development package was that the Orang Asli had to be relocated in Bekok, where 75 hectares for an Orang Asli settlement and 350 hectares for oil palm plantation were set aside. Upon regroupment, therefore, the Orang Asli stood to lose 995 hectares, or 71 per cent of their traditional territories (*New Straits Times* 12.4.1999). In earlier reports, however, it was stated that 748 hectares of their land would be developed for “agricultural, housing, infrastructure and other purposes” (*New Straits Times* 28.4.1997). Even so, this would mean a loss of 672 hectares, or 47 per cent, of their traditional territories.

The nature of the state interest in Orang Asli traditional territories is also revealed in the recent evolution of land policies for the Orang Asli in Perak.<sup>18</sup> In early 1991, the Perak State Government announced plans to resettle Orang Asli onto permanent sites as, in the words of the Perak Chief Minister, Ramli Ngah Talib, “We cannot afford to convert thousands



of acres of land as Orang Asli reserve, as often requested, due to land shortage." To this, the Peninsular Malaysia Orang Asli Association (POASM) pointed out that the Orang Asli had never asked for new land or reserves. Its president, Bah Tony retorted, "If there was land shortage in Perak for conversion into Orang Asli reserve land, it merely implies that the Orang Asli had been side-stepped when it came to land allocation."

The Perak government then changed its position. The State Land and Rural Development Committee Chairman, Azman Mahalan, said that the state would not grant land titles "in order to protect the interests of the Orang Asli." He expressed fears that, on granting the titles, Orang Asli families would have to pay various land taxes, which would be a burden to most of them. He added that there was also the possibility of them selling the land to others. To this, the (opposition) State Assemblyman for Dermawan, Mohamad Asri Othman, promptly rebutted that as "taxes were decided upon by the state, it could impose minimal or nominal tax on Orang Asli land. Whether it would, or would not, be a burden to Orang Asli will depend on the state."

On the possibility of the Orang Asli selling the land to others, Asri said that it was baseless and speculative to imagine that the Orang Asli alone would be tempted to sell their land. Land was also given to other ethnic groups, so why single out the Orang Asli? He suggested that to prevent the Orang Asli from selling their land, the titles could be entrusted to a trustee or else the same conditions as those governing Malay Reserve land could be imposed.

However, two years later, in March 1993, the Perak State Land and Regional Development Committee announced that a new land policy for Orang Asli was being submitted to the State Executive Council. Its chairman, the same Azman Mahalan, said that "the lack of planning had resulted in many Orang Asli having to live in hilly areas where they found difficulty in setting up their settlements or carrying out farming and hunting." The new policy would therefore seek to "exchange barren reserve land belonging to the Orang Asli with fertile land."

According to Azman, the state government would not gazette any new Orang Asli land until the policy was approved. Nor would it allow Orang Asli to sit on the committee in charge of formulating the policy as the committee already had authorities well-versed in Orang Asli matters — in the person of representatives from the District Office, the JHEOA, and the Department of Lands and Mines, Department of Town and Country Planning, and the Survey Department.

This "fertile land for barren land" policy took many Orang Asli by surprise, especially when they did not expect the seeming generosity of



**Plate 42. The aftermath of the Pos Dipang mudslide tragedy (Kinta, Perak).** The mudslide killed 39 Orang Asli and 6 Chinese, the result of a supposed 'act of God' viz. several days of heavy rain. The fact that old logging stumps had come crushing down with the mud and water was not a factor in ascertaining the cause of the tragedy. Nevertheless, this tragedy gave the state and Federal governments a good pretext to ask Orang Asli to leave their traditional territories in 'high risk areas' and resettle elsewhere to 'safer ground'. [C71-1996]

the state government to give them supposedly better land than what they had then — even without them asking for it. This move particularly baffled the Semaï headman at the 10th mile Cameron Highlands road because he had been informed that his settlement would be a target of the new policy. The government had planned to resettle his community "to more fertile land" elsewhere, and to alienate the existing area to an agribusiness corporation — to grow *durians* on a plantation scale.<sup>19</sup>

Knowing that this supposed rationale for resettling Orang Asli was not going down well with the Orang Asli, the Perak State Government laid low for a while, but continued, in the interim, to make plans for the eventual resettlement of some Orang Asli settlements.<sup>20</sup> Then, when the Pos Dipang mudslide tragedy occurred on 30 August 1996, killing 39 Orang Asli and 6 Chinese ("due to natural causes as a result of several days of heavy rain" was the official explanation),<sup>21</sup> both the Perak State and the Federal Governments saw this as an excellent pretext to ask the Orang Asli to resettle. The government announced plans to resettle Orang Asli in 'high risk areas' to safer sites. A similar tragedy that killed more than a hundred persons in Sabah when Storm Greg lashed Keningau in December that year added more weight to the new policy of resettling Orang Asli to 'safer areas'.<sup>22</sup>

In keeping with this new rationale for resettling Orang Asli, the Perak State Government revealed in April 1997, that it had already identified several villages prone to floods and landslides and was planning a relocation programme. The villages included those in Sungei Korbu and Sungei Lenggong in Kuala Kangsar (involving 300 Orang Asli), Sungei Teruntum

and Sungei Kinta (450 Orang Asli). "But," the Perak Menteri Besar added, "the Orang Asli must change their nomadic lifestyle if they wanted to receive land titles for their land." He said the state government could not issue land titles to people on the move, adding that the community could apply for land just like others in the state (*New Straits Times* 25.4.1997).

Apart from repeating the popular myth of Orang Asli impermanence of residence, his statements suggested that the Orang Asli are to be treated just like others when it comes to the issue of recognising Orang Asli land rights. They are expected to apply for individual land titles on 'state land' or to participate in Felda-type schemes as ordinary participants — although unlike other ordinary Felda settlers, they are not landless peasants, but once an autonomous and landed people.

From the foregoing discussion, it is clear that land policies for the Orang Asli have not been for the genuine development of the Orang Asli; rather, they are there to help the state to appropriate their traditional territories, for itself or others.

### **Land Titles: Going It Alone**

In February 1997, the Director-General of the JHEOA announced that "26 Orang Asli families in Pahang and Perak are expected to receive individual land titles for their ancestral land by the end of the year" (*The Star* 19.2.1997).<sup>23</sup> He added that the policy of the JHEOA was to give Orang Asli land titles under the National Land Code "just like other individuals in Malaysia."

Although there are some Orang Asli who want individual titles, there are also those who do not, as this will undermine their traditional rights to their communal territories. Also, with individual land titles, individual lots would be fixed in size and number, and their total area would invariably be smaller than what they are asserting traditional rights over. The community will also face problems with fixed-sized lots as it will not be able to cope with expanding households, in contrast to the traditional land tenure system that had the advantage of a relatively large traditional territory to fall back on.

Also, given the experience of the JHEOA's dealings with village committees, and given the potential for individuals in the community to abuse the system of distribution of rights and allotments, the practice of granting individual land titles is likely to cause splits in the community. Furthermore, no assurance has been given that the titled lots would be in their traditional territories. On the contrary, there are indications, discussed in the next section, that to enjoy the security afforded by land titles, the Orang Asli would have to be resettled.

However, rather than engage in debate about the issuing of individual land titles, it has been suggested that, as an immediate first step to the resolution of the problem of Orang Asli land claims, the state governments act on gazetting all existing Orang Asli areas and settlements. Once this is secured, the communities can then work out the issuing of individual titles among themselves.

Formalising the gazetting of Orang Asli areas as reserves is not a problematic process as the necessary applications have already been made (some since the early 1960s) for these territories to be gazetted, while others have been approved for gazetting but have yet to be gazetted as of today. Secondly, the majority of Orang Asli still reside in their traditional territories, and as such no non-Orang Asli community would have to be dislodged.

Nevertheless, pursuing a policy of granting individual land titles, without first securing title to the communal ownership of Orang Asli traditional territories, as is now envisioned, reveals the position of the state vis-à-vis the Orang Asli on the question of land. For one, Orang Asli customary rights to their traditional territories are not recognised by the state. So too, their traditional systems of land distribution are similarly not recognised. Furthermore, their existence as a distinct people attached to a particular ecological niche, is also not recognised.<sup>24</sup> All these factors work towards reducing Orang Asli autonomy and threaten the security of their traditional territories and resources.

### **Privatization: State vs. Orang Asli Interests**

As mentioned in the previous chapter, one element of the 10-point development strategy of the JHEOA is “introducing privatization as a tool in the development of Orang Asli areas.” More specifically, the *Ringkasan Program* (JHEOA 1992: 5) lists the methods to achieve this, as:

1. to co-operate with the private sector to develop potential Orang Asli areas, especially in forest-fringe areas with developed surroundings; and
2. to establish suitable organisations to represent the local Orang Asli community in joint-ventures with the private sector.

Basically, such joint-ventures work by having the Orang Asli sign away their rights to their traditional territories – usually either through the JHEOA, an ostensibly Orang Asli cooperative, or a representative committee of the community (such as a *Majlis Adat* or Customary Council) – to a private corporation, which may or may not be an Orang Asli entity. In exchange for the right to mine, log, and own the land in perpetuity or on lease, the

corporation enters into an agreement to provide basic infrastructure facilities and housing for the Orang Asli. In some instances, the promise of titled individual plots is thrown in.

As of June 1997, the JHEOA had received a total of 25 applications from corporations interested in developing Orang Asli areas under the privatization programme (JHEOA 1997b: 15). These applications, of which three had already been approved, involved 1,176 families and 5,996 hectares of Orang Asli traditional territories.

The first of such privatised Orang Asli regroupment plans was launched in May 1997, with the signing of an agreement between the Johor State Government and Taktik Sejati Sdn. Bhd. Some 600 Orang Asli from 149 families in Kampung Lenek, Selai, Kemidak, Kudong and Tamok in Segamat district in Johor were to receive assistance in terms of "economic, social, personal, mental and outlook (*sic*) development." A total of 748 hectares of the land will be developed for agricultural, housing, infrastructure and other purposes. Another 290 hectares will be surrendered to the state to be alienated to the Orang Asli once the agreement lapses in the 92nd month (*Berita Harian* 28.4.1997, *New Straits Times* 28.4.1997, *The Star* 28.4.1997).

However, the Orang Asli involved were not happy with this move. Juki Sungkai, an Orang Asli youth leader, had questioned why forest products valued at RM60 million (USD15.8 million) were to be apportioned by the Koperasi Daya Asli Johor Berhad (mainly set up by JHEOA officers) and not by the local community. For this reason alone, Juki added, "The regroupment project in Bekok should be put on hold because the project was given to a company which is not in accordance with the Orang Asli Act" (*Utusan Malaysia* 10.6.1997).<sup>25</sup>

The older Orang Asli, on the other hand, were not in favour of the project as it would mean that three of the settlements would have to move into the traditional territories of their neighbours, Kampung Kemidak and Kampung Selai — that is, into a smaller area and to only benefit from infrastructure facilities that they were already enjoying in their existing settlements.

One of the elders, Batin Keli Osman of Kampung Lenek, also disputed the reason, given in a JHEOA working paper for a briefing session, that the village was too far in the interior and therefore needed to be relocated. "The actual fact is," he said, "our village is located next to the Malay kampung of Kampung Panca Jaya, about 6 kilometres from the main road. We have easy access to schools, clinics, shops and others, while enjoying the economic stability that comes with cultivating our own land" (*New Straits Times* 12.11.1997). He added that it was puzzling that two other

kampungs located about 64 kilometres in the interior would not be relocated, while his should be relocated.

Earlier in the year, the communities had demonstrated against the company carrying out logging activities on their land. Kampung Tamok headman, Batin Aaer, said that while he was happy with the efforts of the Johor *Menteri Besar* (Chief Minister) to bring development to the Orang Asli, he felt the state government should first consult the Orang Asli before making plans for them. "We are not the same Orang Asli community as thirty years ago, which was then set in its primitive ways and had rejected development," he said, adding that, "The government should not think the Orang Asli were stupid people who did not understand what was good for them" (*New Straits Times* 27.1.1997).

The Johor State Government, however, declared that it "would not succumb to the whims of isolated Orang Asli groups who reject projects aimed at providing greater security for them." State Unity and Social Welfare Committee Chairperson, Halimah Mohd Siddique, said that it was the state government's prerogative to provide the best for the Orang Asli community, and the state would fervently pursue projects to upgrade infrastructure for them, including organising and restructuring their villages. "Our endeavour is to institutionalise them and make them a part of state's development process," she added (*New Straits Times* 24.11.1997).<sup>26</sup>

However, four years after the project was compulsorily implemented, very little of the promises has come to be realised for the affected Orang Asli. Only 15 per cent of the oil palm plantation and 12 per cent of the Orang Asli houses had been completed (*New Straits Times* 4.4.2000). The Johor Chief Minister attributed the delay to the incompetence of a contractor appointed by the new holder of the privatization project, YPJ Corporation Sdn. Bhd. The latter had been given the contract after the original private developer absconded after logging most of the timber concession and before embarking on the promised development project (*New Straits Times* 13.4.1999).

The above case is not the only one where Orang Asli are facing unfair deals with the 'privatization of their development'. Others are emerging in Pulau Carey, Selangor and in Buluh Nipis, Pahang. In two others – Bukit Lanjan, just outside Kuala Lumpur and Peretak and Gerachi in Kuala Kubu Bahru – the conversion and development of the Orang Asli's traditional territories is already underway. However, these two areas differ slightly in scope as the privatization was not aimed at developing the traditional territories for the Orang Asli's own benefit; rather, the privatization involved appropriation of Orang Asli land for a purely commercial venture. Nevertheless, in both instances, deals were brokered where the private



**Plate 43. Demolition of Orang Asli house at Bukit Lanjan (Damansara Perdana, Selangor).** In a deal aided by the JHEOA, the Orang Asli reserve at Bukit Lanjan was transferred to the Emkay Group for well below its market value. Part of this land was then (re)acquired by the government for the construction of the Damansara-Puchong Highway – at market value. Then, in a move designed to demonstrate the might and power of the players in the development vision of the nation, two Orang Asli houses were summarily demolished. No proper notice was given to the occupants. Neither was their plea for a short postponement (to move their belongings to alternative housing) entertained. (CN-1998)

developer stood to gain immensely from the acquisition of the traditional territories.

For example, in Bukit Lanjan, which is being developed into an upmarket housing and commercial township called Bandar Damansara Perdana, the Orang Asli were promised by Saujana Triangle Sdn. Bhd (a subsidiary of the Emkay Group) a compensation programme totalling RM61 million (USD 16 million) in exchange for their 256.4 hectares of gazetted reserve land (*The Sun* 23.6.1999, *The Star* 24.6.1999). This does not translate into a wholly cash compensation for the 147 families affected as intangibles are also computed into the compensation package (*The Sun* 16.6.1999). These include training of youths for construction work, the market value rather than the actual cost of the compensated housing being used, as well as a portion being set aside for an Orang Asli education trust fund.

Nevertheless, even taking the compensation amount at face value, and considering that the total project value is in excess of RM4 billion (USD 1.05 billion) – although a phone call to the developer's office on 7.4.2000 got me a figure of RM12.4 billion (USD3.3 billion)! – the RM61 million compensation represents a tiny fraction (1.5 per cent if the RM4 billion is used or 0.5 per cent if the RM12.4 billion figure is used) of the project's expenditure for a large tract of land in a prime development area.

Similarly, in the case of the Sungei Selangor Dam project in Kuala Kubu Baru, the Orang Asli in Kampung Peretak and Kampung Gerachi stand to lose up to 80 per cent of their traditional territories to Syarikat Pengeluar Air Sungei Selangor (SPLASH), a consortium of private and state



**Plate 44.** The Selangor MB (Chief Minister) viewing a model of the wooden house meant for the Temuans to be resettled for the Sungai Selangor Dam (Glenmarie, Selangor). The consortium building the dam had first promised a brick house for the affected Orang Asli. However, perhaps on the advice of their architect that the Orang Asli would be happy with wood and bamboo houses, the model of a wooden house was instead produced. With zinc roofs and an inadequate number of windows (held open by a piece of wood), these houses are veritable heat traps. [CN-2000]

companies that has been awarded the RM2.1 billion (USD550 million) water supply project, albeit not without some controversy and public indignation. As compensation for their houses that will be inundated by the dam, the affected Orang Asli are being promised a brick house on 0.4 hectare of land. For those in Kampung Gerachi whose orchards would be flooded as well, they are being promised an additional 2 hectares of oil palm grove (to be transferred to them after five years) and a monthly subsidy of RM250 (USD66) until the crops mature (*The Star* 22.2.2000).

The developer and the state government frequently quote this promised compensation package as proof of their genuine concern for the welfare of the Orang Asli affected by the dam project. However, Orang Asli elsewhere have received, or have been promised, equivalent houses under the government's PPRT (Programme for Eradication of Hardcore Poverty) scheme as well as oil palm or rubber smallholdings (with individual land titles) under various state rural development programmes. Even the RM250 monthly allowance to be given only to the Temuans of Kampung Gerachi merely matches the stipend provided by the government for hardcore poor households (*New Straits Times* 22.6.1999). That is to say, other Orang Asli are entitled to enjoy these same benefits from the government *without* having to relocate or give up their traditional territories. As such, the compensation package offered by SPLASH – which does not factor in the cost of the land – is only as good as its public relations people make it out to be.

Clearly, therefore, the use of the policy of privatisation as a tool for developing Orang Asli areas is but another mechanism to effect control of the Orang Asli and to appropriate their traditional territories.



### **Social Development Programmes and Control**

Not all policies and programmes seek to control Orang Asli resources. At times, certain other policies indirectly serve to destroy Orang Asli autonomy and subject them and their resources to the state. In the case of social facilities such as education and health, for example, the control is over the people, not their resources.

#### ***Educating for Integration***

For a long while, education was not considered a particularly important function of the JHEOA. Consequently, teaching standards were very low, and infrastructure and teaching facilities for the Orang Asli were grossly inadequate. All this caused abnormally high dropout rates at both primary and secondary levels of education (Edo 1989; Hasan 1997). Since 1995, however, the responsibility of Orang Asli education has been handed to the Ministry of Education, with all Orang Asli schools to eventually come under the Ministry by the year 2001 (*The Star* 20.1.1996). Arguably, this is a positive move – if we disregard the fact that the mainstream school curriculum is not an autonomy-augmenting activity – since both the human and financial resources of the federal ministry would be available to the Orang Asli.

However, it is now well accepted that in programmes of integration and assimilation of indigenous peoples, there is recognition of the special situation of children who are considered particularly open to change, education, and 'salvation'. Armitage (1995: 41) notes that in the case of Australia, Aboriginal children were a particular focus of attention, as assimilation was expected to take place through the cultural absorption of the next generation of Aboriginal peoples. That this is also the official approach for the Orang Asli can be gleaned from the remarks of the Director-General of the JHEOA, Jimin Idris, in a TV Forum on RTM1, 17 April 1989:

The objective role of the JHEOA is to integrate, and if possible, to assimilate the Orang Asli with the national society. The objective is integration with the national society; but if there is assimilation, then it is considered a bonus. The crucial target groups are those post-Merdeka Orang Asli – the school-going children, and those between 20 and 30 years old. Those 40-50 years old, we need only to provide them with basic needs.

A cursory reading of press reports on the Orang Asli over the past few years reveals that Orang Asli schoolchildren are indeed the target of various 'integration' programmes such as *Titian Mas* ('golden bridges'/foster family programmes) and the *dakwah* (missionary) programmes of a variety of Islamic agencies, organisations and institutions (e.g., *Berita Harian*

13.1.1997, 31.1.1998; *Berita Minggu* 28.12.1997). It is here that the thin line between what constitutes integration and assimilation from an official perspective becomes difficult to see. In any case, there is no doubt that 'education' is now used as a means to achieve assimilation or integration.

### **Controlling Health**

In the field of Orang Asli health, the statistics discussed in Chapter 2 and more extensively in Baer (1999) reveal less-than-commendable attempts on the part of the state at securing better health status for the Orang Asli.

Nevertheless, even in the area of health, the state is able to find ways for controlling the Orang Asli, even though they may not be necessarily designed as such. For example, when the President of the Malaysian Association of Maternal and Neonatal Health, Dr. Raj Abdul Karim, revealed that Orang Asli women comprised 60 per cent of the 42 mothers who died during homebirths in 1994 (*The Star* 28.9.1996), the Minister responsible for Orang Asli Affairs immediately directed that the seven existing Orang Asli health transit centres be turned into Alternative Birthing Centres (*The Sun* 16.11.1997, *New Straits Times* 17.11.1997).

This may come across as being decisive and prompt, but on the ground such a directive had several repercussions. For one, Orang Asli mothers-to-be had to be 'warded' for about a month before their delivery dates to 'wait out' their time. Not only was this psychologically stressful for the mother-to-be, it also placed an undue burden on the rest of the family, especially those living near subsistence levels. Home deliveries were no longer encouraged, and in some cases even forbidden by local health staff, under pain of various forms of castigation (including refusing to register the birth, not entertaining any request for medical assistance in the event of a difficult birth, and charges of criminality in the event of a tragedy). Alternative solutions to the problem of high maternal deaths – training village midwives, better locally available healthcare services, better availability of ambulances and such – were not considered for the Orang Asli.

Control over the Orang Asli's health programme has also led to disastrous consequences in terms of lives lost unnecessarily. For example, in February 1997, a team from the Health Department carried out an anti-malaria campaign in Kampung Sungei Seboi in Kuala Krau, Pahang.<sup>27</sup> Although the community had not complained of any malaria cases, and despite not enquiring about the G6PD<sup>28</sup> status of the Orang Asli, the team set about dispensing a mix of anti-malarials to infants, children and adults. Soon after the dispensation, some children fell violently ill. Two died while being sent to hospital and another eight had to be warded.

Yet, the Pahang Health Director maintained that the deaths were not



**Plate 45.** Families of the Jah Hut children who died due to an overdose of anti-malarials, outside the Magistrate Court in Temerloh, Pahang. Instead of acknowledging the truth and accepting responsibility, the authorities placed the blame for the deaths squarely on the parents' negligence and provided no indication that measures were being taken to prevent a (fourth) recurrence of this tragedy in the state. (CN-1999)

related to the anti-malarial programme (*The Star* 22.2.1997). On the contrary, it was suggested, among other reasons, that their deaths could be due to contaminated water, toxins in the food they ate, or that they could be already suffering from an advanced stage of malaria (*The Sun* 28.2.1997, *The Star* 22.2.1997). More disturbingly, in reply to the summons by the victim's lawyer in their civil suit for negligence,<sup>29</sup> the Federal Counsel suggested that the children's deaths were due to the parents' own negligence viz. that they failed to take the necessary actions to allay the children of their pain, failed to advise the children or ensure that they complied with the officers' instructions regarding the medicine, and failed to inform the officers about the background of the children's health. Furthermore, the Federal Counsel also suggested that the parents were slow in getting prompt medical attention and that they failed to act adequately as parents regarding their children's health.<sup>30</sup> Such statements from the government not only reveal an attempt to cover up the cause of deaths but, more depressingly, they reflect the low commitment it has towards ensuring a better quality of healthcare for the Orang Asli.

Nevertheless, the subsequent inquest hearings revealed that there was clear negligence in the dispensation of the anti-malarial drugs, with no consideration being given to the age of the recipient. Neither did the health team concerned refer, and act upon accordingly, to the G6PD status of the victims despite such records being available to them. Officially, however, the Coroner attributed the cause of death of the two Jah Hut children to an overdose of chloroquine, one of the three anti-malaria drugs dispensed, and held the Health Department negligent and responsible for the deaths (*New Straits Times* 31.3.2000).<sup>31</sup>

The tragic consequences of this particular anti-malarial activity aside, it is however well known among medical circles that malarial control among the Orang Asli is not so much for their own health, but rather for the health of others. For, as Mak et al. (1992: 575) honestly put it: "With improved transportation, and a policy to integrate them with other communities, there is increased risk of malaria being transmitted to others." As revealed during the inquest hearings into the Seboi deaths, this was one of the reasons the health team made the visit that fateful day.

An ironic, but sad, postscript to this incident is that eight months later, I attended the funeral of a two-year-old Semai girl who was believed to have died of malaria. The parents, knowing the symptoms well, and considering that two other children from the same village had been warded in the Tapah Hospital for malaria the same week, had taken the girl to a private clinic twice, but on each occasion they were dispensed medicine for an ordinary fever and told to go home.

On the day of the funeral, a Semai mother asked me to help bring her young son to the hospital as she feared he too was suffering from malaria. However, at the hospital, similar fever medicine was dispensed and the mother told to return in two days if there was no improvement in the boy's condition. Only after an explanation to the doctor that we had just come from a funeral of a child whom we believed had died of malaria, and that two others in the village had been confirmed as having contracted the disease, was a blood test done on the boy. He tested positive for malaria and was warded.

In this particular case, the community affected had informed the JHEOA health personnel in Tapah of the malaria cases and had requested mass screening for malaria. But the official response was rather lethargic. This contrasts with the case of Kampung Seboi where the community there had not complained of any cases of malaria but a mass anti-malarial programme was foisted on them. Both cases, unfortunately, resulted in lives lost unnecessarily.

Clearly, therefore, even in the area of maintenance of health, the Orang Asli have lost autonomy, whether it is in the kind of medical services have access to, or in their ability to determine the medical services that they are being subjected to.

### **Individuals in Control**

It is not always the state governments, the JHEOA, or other federal agencies that exert control over the Orang Asli through their policies or programmes. On occasion, the actions of an individual, or group of individuals – usually by virtue of their perceived official clout (although they may be acting on

their own) – can impact on Orang Asli autonomy. For example, individual JHEOA officers may berate Orang Asli women and insist that they dress properly when they visit the Department's premises. They may even block development projects due to personal grudges. There have also been cases of individuals – JHEOA officers, District Office personnel, and even local politicians – using their positions to gain personal benefit at the expense of the Orang Asli (e.g., by applying for logging concessions in Orang Asli areas, applying for *dusuns* (orchard land) on Orang Asli territory, or by getting subsidies for projects supposedly meant for Orang Asli). A former senior JHEOA officer, Mohd. Tap (1990: 84, 104 fn.) has acknowledged that:

There are instances recorded when officials of government agencies (including officials of the Department of Orang Asli) have taken advantage of Orang Asli's ignorance, vulnerability and powerlessness by turning into 'exploiters' themselves through non-payment of money due to Orang Asli, and at other times by taking goods and services from Orang Asli without any form of payment or paying too low a price for them.... Some unscrupulous officials would delay payment, or at times downright non-payment, usually putting the blame squarely on the paying agencies.

These may be bureaucratic weaknesses but there are also instances when individual JHEOA officers have actually instructed Orang Asli to change aspects of their cultural practice to conform to their personal or social prejudices. For example, in Kampung Busut and Kampung Air Hitam in Banting, Selangor, the Temuan community there traditionally celebrated their *Hari Moyang* (Feast Day for the Ancestral Spirits) on the eve of the Lunar New Year. This is probably due to the close interaction of their ancestors with the early Chinese arrivals in the area.

Disliking the association of the Temuan feast day with the Chinese New Year, the JHEOA officer for the district instructed them to choose another day to celebrate their *Hari Moyang*. Out of a desire to avoid confrontation, but also reflecting their subservient relationship vis-à-vis the JHEOA, the Temuan shaman conceded to this directive, and since 1996, the feast day is now celebrated on the eve of the *solar* new year (viz. 31 December). Majid Suhut, in a personal communication on 29 December 1997, informs me that the same is true for his village in Batu Kikir, Negri Sembilan.

However, individuals who affect Orang Asli lives need not always be people in positions of political power. Ordinary individuals, wittingly or unwittingly, often can affect the material position of the Orang Asli primarily because the marginalised position of these indigenous communities can be exploited by others. This contention can be illustrated with the case of



Plate 46. Temuan shaman, bathed in cow's milk, officiating at the *Hari Moyang* ritual at Kampung Busut Baru (Banting, Selangor). Disliking the association of the Temuan feast day with the (Chinese) lunar new year, a JHEOA officer advocated that they choose another day to celebrate their Feast Day of the Ancestors. (2011:106)

a visitor to the National Park, *Taman Negara*, who got lost and the blame for which was laid on her Batek guide.

In 1996, a group of three men and two women hikers had engaged two Batek guides for the trek to Gunung Tahan, the highest peak in the Peninsular and the popular destination of the more adventurous visitors to the National Park. It is a very strenuous trek involving five to nine days depending on the fitness of the hikers and the weather. On the fifth day, the physical strain of the trek was taking its toll on one of the women, a 33-year-old botanist. Her pace became very slow such that the other members of the group decided to leave her behind with one of the guides while they set off ahead at a faster pace.

According to the Batek guide, the botanist was soaking wet and had complained of uncomfortable shoes. During a snack break, she said she would go ahead first as she wanted to change into dry clothes. After loading up his backpack and relieving himself in the bushes, the guide trekked down the trail but did not catch up with the botanist. Thinking that she had gone on at a faster pace, the guide proceeded all the way until the next base camp at Kuala Teku, a considerable distance away. At the base camp, the guide found her team-mates but no sign of her. He immediately went up the trail again in an attempt to locate her. He found one of her boots and her tracks. But her trail soon disappeared at a stream.

A party comprising park rangers, Batek guides and Orang Asli paramilitary personnel searched a wide area downstream of where she was last known to have been. After ten unsuccessful days they decided to

check upstream. Sure enough, on the twelfth day, the botanist was found. She had ventured upstream instead of taking the logical way out by traveling downriver.<sup>37</sup>

In the meantime, the distressed Batek guide became even more distraught when the blame for her being lost came to be centred on him — although clearly the weak leadership and team spirit of the group, plus the actions of the botanist herself, had a role to play in the incident as well.<sup>38</sup> It is said that the Batek guide was so worried about the repercussions from the woman's family and friends that he hardly ate for a week. On the advice of an elder shaman, he hid in the forest for a month. However, after a month his brother advised him to stay longer and this he did, never to appear near the park headquarters up to the time of writing.

In the meantime, however, the non-Orang Asli guides saw the incident as an opportunity to monopolize the lucrative guiding business to Gunung Tahan. In the past, when trekkers specifically asked for Batek guides, they were given various reasons as to why it was difficult to meet this request — the more common ones being that the Batek are “somewhere in the forest and cannot be located” or that it was not their turn on the roster.

With the case of the missing botanist, the Batek's competitors had an opportunity to deny the Batek any guiding jobs from then on. Thus, the Batek, who were at one time the only ones who guided visitors to the mountain, they are today deprived from enjoying an opportunity of deriving pecuniary benefit from this activity.

To further illustrate the ‘power’ some individuals can have over an Orang Asli community, the case of the Batek in Taman Negara is further elaborated. In 1995, the Batek were unhappy with the private corporation managing the resort over losing their tourism business especially for being increasingly displaced by others as guides for the lucrative Gunung Tahan trail and also over an agreed royalty payment for the use of the image of a Batek boy on the resort's promotional products. The Batek protested and demanded their fair share.

The matter took on the nature of a controversy in the local press after a German anthropologist, Christian Vogt, who was doing his doctoral fieldwork with the group, was accused of “instigating and poisoning the minds of the Batek tribe to demand for their rights over a business deal with a local resort.”<sup>32</sup> Despite positive statements supporting him and his work from his local academic sponsor, the Pahang Menteri Besar, the JHEOA, and even the Minister responsible for Orang Asli Affairs, Vogt was forced to discontinue his studies and to leave the country. The local interests on the ground, it seemed, thus succeeded in keeping the Batek in check. To date, the promised royalty has yet to be paid in full.

Meanwhile, in an October 1997 visit to this Batek community in Kuala Yong my colleague, Francis Cheong, and I were not granted permission by the park management to go to the village, and no boatman would drop us off at the settlement. I was told that the settlement had been closed to all visitors, both local and foreign.<sup>33</sup> Citing a complaint by the newly-appointed Orang Asli senator, the Pahang State Government had become concerned that tour operators in the national park were giving a negative image of Malaysia by allowing tourists to photograph the semi-clothed Orang Asli in the settlement.

The State Culture, Arts and Tourism Committee Chairman, Shahiruddin Moin, said that, "Although it is natural for women of the tribe to live half naked in the village, their photographs may give a wrong impression that Malays here are dressed in that manner" (*The Star* 3.8.1997). The State Rural Development Chairman, Omar Othman, was then assigned to look into the matter (*Berita Harian* 3.8.1997, 4.8.1997, *Utusan Malaysia* 4.8.1997). No official announcement was made about the ban on visits to the Kuala Yong Batek settlement but a sequence of events soon followed that eventually resulted in such a ban.

The Batek were visibly angry at losing an important source of income, estimated at about RM2,000 (USD525) per month for the ten families normally resident there, as a result of the ban. From what they told us, they saw the issue as a dispute between the Department of Wildlife and National Parks (DWNP) and the State Rural Development Chairman. Apparently, some months earlier, the latter had gone to Kuala Yong on an official visit. Several bamboo poles were cut to build an archway and to make the tables for the welcoming reception. The Batek say DWNP officers at Taman Negara were angry over this and wanted to fine the politician RM500 (USD130) for each bamboo pole, with the total fine coming to RM36,000 (USD9,475) in all. In the ensuing tiff between the two parties, the DWNP saw, in Omar's recent statements about the dress norms of the Batek, an opportunity to get back at him. Thus, the village was closed ('*nutup*') and the Batek were to blame their predicament as a result of the closure on Omar's action.<sup>34</sup>

But the Batek also began to see the whole affair as a ploy by the DWNP to remove the Batek's major source of income and to force them to seek alternative sources of income, particularly non-timber forest products such as *gabarau* and rattan.<sup>35</sup> Although it is illegal to harvest both products, some of the DWNP personnel are said to be middlemen for the trade in these items.

Also, with the closure of the nearby Kuala Yong settlement, the tourists are now taken further downriver to the more permanent (and more





**Plate 47.** Batek doing a roaring trade with tourists at their 'protest' settlement just outside the National Park (Sungei Tabung, Taman Negara, Pahang). When their original settlement at Kuala Yong was closed to visitors, the Batek established a new camp here and so affirmed their right to take in visitors (and make money out of them). The Batek, however, are slowly losing the rights and privileges accorded to them when their traditional territory was converted into a national park. (CN 1999)

'presentable') Semoq Beri settlement at Sungei Tiang, also on the Tembeling River. The boatmen now get to collect a return fare of RM90 (USD24) instead of only RM30 (USD8) if they were merely to bring tourists to the nearer Kuala Yong. Thus, as the Batek have analysed, closing Kuala Yong to tourists has served to benefit several others, all at their expense.<sup>36</sup>

Policy-wise, the official position on this issue is contradictory. In 1994, the then Malaysian Permanent Representative to the United Nations Commission on Human Rights, Musa Hitam, said in a speech to the Commission in New York that, "In Malaysia, we do not allow visits to indigenous settlements. This is not because of our fear of critical scrutiny but more because we do not want them to become objects of curiosity or tourist attractions" (Musa Hitam 1994: 4).

However, the seventh strategy in the JHEOA's current *Programme Summary* involves, "Gearing up Orang Asli activities in culture and the arts not only to preserve their traditions but also as a tourist attraction" (JHEOA 1993a: 5).

Thus, in the case of the ban on visits to the Batek at Kuala Yong, ignoring the apparent contradiction in policy, it is quite clear that the episode came about because of individuals who could – and were allowed to – exercise control over an aspect of the Batek's lives.

The above seems to suggest that the Batek are incapable of standing their ground or resolving a situation to their benefit. On the contrary, in June 1999, a section of the Batek community in the Taman Negara area decided to vacate their Kuala Yong settlement (which was closed to tourists

by the park authorities) and establish a new settlement on the opposite bank of the river — and therefore out of the park boundary even though it was just a short distance upriver of the park headquarters. This allowed for greater accessibility to the tourists who wanted to visit their community.

This settlement appears to be a temporary site, established primarily to exploit the cash opportunities afforded by the tourists. During a visit in August 1999, at the height of the tourist season, the Batek's decision seemed to be paying off for as much as RM300 (USD80) were exchanging hands a day. Despite the bamboo still being green and coarsely hewn, the tourists were eagerly buying the hastily-crafted bamboo souvenirs.

Thus, individuals and interested parties can, and do, influence Orang Asli lives, often without having to resort to political or economic power. The marginalised of the Orang Asli, unfortunately, makes them very vulnerable in these instances.

### **No Policies for Empowerment?**

It would seem from the foregoing discussion that there has never been any intention on the part of the state to introduce policies and programmes that seek to recognise the Orang Asli as a separate people or to empower them in the context of equal participation in the Malaysian nation state. On the contrary, the JHEOA's 1961 *Statement of Policy Regarding the Administration of the Orang Asli of Peninsula Malaysia*, had several 'broad principles' that most Orang Asli would support. Among these are:

- The aborigines ... must be allowed to benefit on an equal footing from the rights and opportunities which the law grants to the other sections of community.... special measures should be adopted for the protection of institutions, customs, mode of life, person, property and labour of the aborigine people [1(a)].
- The social, economic, and cultural development of the aborigines should be promoted with the ultimate object of natural integration as opposed to artificial assimilation.... Due account must be taken of the cultural and religious values and of the forms of social control [1(b)].
- The aborigines shall be allowed to retain their own customs, political system, laws and institutions when they are not incompatible with the national legal system [1(c)].
- The special position of aborigines in respect of land usage and land rights shall be recognized.... Aborigines will not be moved from their traditional areas without their full consent [1(d)].
- Measures should be taken to ensure that they have the opportunity

to acquire education at all levels on an equal footing with the other sections of the population. At the same time care must be taken to ensure that their own dialects are preserved and measures should be introduced to enable the teaching of these dialects [1(e)].

- Adequate health services should be provided ... and special facilities should be provided for the training of their own people as health workers and medical personnel [1(g)].
- In all matters concerning the welfare and development of the aboriginal peoples Government will seek the collaboration of the communities concerned or their representatives [1(j)].
- In the implementation of forest conservation requirements the special position of these communities are to be acknowledged provided any relaxation exercised in their favour will not be detrimental to the effective and proper implementation of accepted Forest policy and objectives [2(iii)(a)].
- The basic requirements for settled agriculture are a sufficiency of food crops and a dependable cash crop.... This requires a degree of permanency of occupation, and advance in agricultural technique and the choice of suitable sites [2(iii)(b)].

The Introduction to the JHEOA's current *Ringkasan Program* (Programme Summary) refers to the 1961 *Statement of Policy* only with regard to the *Statement's* main objective (of integrating the Orang Asli with the mainstream). This objective remains the same. There is however no reference to the 1961 'broad principles'. This has apparently been replaced by the new 10-point strategy discussed in the preceding chapter.

In comparing the 1961 *Statement of Policy* with the current development strategy of the JHEOA, it is evident that the latter has clearly ignored the inherent dignity of the Orang Asli as a people and consequently removed several provisions safeguarding Orang Asli autonomy and self-development. For example, the assurance that the Orang Asli will not be moved from their traditional territories without their full consent [s. 1(d)] is no longer a basic principle of current strategies for Orang Asli development. So too the assurance that their institutions, customs and mode of life will be protected [s. 1(a)]. Also, the goal of encouraging the natural integration of the Orang Asli into the mainstream through their social, economic and cultural development [s. 1(b)] appears to have been replaced by a policy of artificial assimilation that clearly does not consider their cultural and religious values — which were also to be protected in the 1961 *Statement of Policy*.

Further, the cases mentioned in this study clearly show that, while the



**Plate 48. Censuring posters meant for the Temiar at Pos Ciong (Temenggong Dam, Grik, Perak).** The President of the Malaysian Nature Society taking upon himself to decide whether posters on indigenous issues should be passed on to the Temiar. Perhaps wanting to protect the interest of his organisation during the Belum Expedition, one batch of a poster was eventually censored — making this possibly the first time since the end of the Emergency that (legal) printed materials were prohibited from being distributed to the Orang Asli. (1960-1962)

10-point strategy aims to “place the Orang Asli firmly on the path of development in a way that is non-compulsive in nature and allows them to set their own pace” (JHEOA 1993b: 5), much of this is mere rhetoric. In any case, as the goal of the current development strategy is an orderly, modernised and managed Orang Asli society, this can only be achieved if there is at least some element of implicit control over the communities being ‘developed’.

In fact, the fundamental principle influencing current development policies and programmes for the Orang Asli is not one that treats the Orang Asli as self-identifying, autonomous communities; rather, it assumes the Orang Asli to be homogenous, discrete aggregates that can be moved about, or rearranged, to meet economically-determined or politically-designed objectives. With such a perception of the Orang Asli, it is inconceivable that these policies, for example, will recognise the need for Orang Asli communities to maintain organic links with their specific ecological niches or traditional territories. This is especially evident when resettlement schemes are planned on the assumption that the Orang Asli will willingly sacrifice their traditional territories in exchange for the benefits of modernisation — to be achieved by their incorporation into the national economy and their assimilation into the dominant culture.

Thus, while the current development strategies of the JHEOA do promise

the Orang Asli an improvement in living conditions, they do not however reiterate the protections and assurances of the 1961 *Statement of Policy*. This is especially true with regard to protecting the continuity of Orang Asli society and culture, and ensuring their control of their traditional territories.

### Summary

Policies are often concealing as well as revealing. When set against the facts of what has eventually happened, or has not happened, state policies on the Orang Asli can reveal their true motive.

In part because Orang Asli lay claim to vast natural resources, because Orang Asli insist on retaining their traditional cultures, and because Orang Asli social structures call for integral elements of autonomy, the state is not sympathetic to recognising discrete Orang Asli political entities. And with the essential resource of the state being power, its principal mode of operation is the use of that power to constrain the options of people and organisations within its jurisdiction. In the case of the Orang Asli, this has been done to some effect, such that a process of de-culturalisation has set in, producing a controlled Orang Asli community, forced to be dependent on it.

Consequently, one of the first-felt impacts of government policy on the Orang Asli is the threat to the ownership of their traditional territories. As we shall see in the following chapter, this has provided the basis for a pan-Orang Asli identity and a reassertion of Orang Asli political activity.

### Notes

1. There is no Ministry for Orang Asli Affairs as such, The Minister referred to in the Aboriginal Peoples Act is usually the Minister heading the Ministry which has jurisdiction over the JHEOA. Currently, this is the Ministry of National Unity and Social Development. In the past the JHEOA came under the following ministries: Ministry of Home Affairs (1955-1956), Ministry of Education (1956-1959), Ministry of Home Affairs (1959-1964), Ministry of Land and Mines (1964-1970), Ministry of Agriculture and Land (1970-1971), Ministry of National and Rural Development (1971-1974), Ministry of Home Affairs (1974-1990), Ministry of Rural Development (1990-1993), and Ministry of National Unity and Social Development (1994-present).
2. While doing fieldwork in the Betau Regroupment Scheme in 1983-84 for my master's dissertation, I had to agree to a list of conditions imposed by the JHEOA. Most of them related to security considerations (since the resettlement scheme was then categorised as a 'black area'). One condition, however, stood out as being rather unusual: if I were to employ any Orang Asli, I was *not* to pay a wage more than RM9 (USD2.40) per day. I was told by a JHEOA officer at the

scheme that this 'maximum wage rate' was imposed in order to ensure that the Orang Asli would still want to work for the JHEOA, and not opt for other employers (such as loggers and resettlement contractors then in the area) who were able and willing to pay better wages.

3. The revision was in keeping with the prevailing practice of revising laws every two decades or so, to 'bring them up to date'. However, the changes in the Aboriginal Peoples Act were so minimal that even the terminology used in it remain outdated. Thus, for example, the Orang Asli are still referred to as Aborigines, and the Director-General of the JHEOA is referred to as the Commissioner for Aboriginal Affairs.
4. The now-classic tale of two Orang Asli personalities is perhaps worth repeating here. In the mid-1980s, when Anthony (Bah Tony) Williams-Hunt graduated from the University of Malaya with an economics degree, he promptly approached the JHEOA for a job. He was turned down by the Director-General on the grounds that the Department needed anthropologists, not economists. In any case, in 1989, when Juli Edo graduated from Universiti Kebangsaan Malaysia with a masters degree in anthropology and promptly applied for a job with the JHEOA, he was told that the Department needed economists, not anthropologists!
5. The first two Malaysian Director-Generals of the JHEOA were promoted from their positions in the JHEOA. After the term of Jimin Idris, the position of Director-General, as well as other senior positions has been filled by transfers from other government departments. One former senior JHEOA officer has contended that, "The Department is represented by disgruntled officers, at most times suffering from the problems of the 3Ps, being there because either he is being punished, on probation, or has just been promoted" (Mohd Tap 1990: 506).
6. Ilham Bayu, a pen name, writing in the weekly newspaper linked to the opposition (*Eksklusif* 14-20 June 1999), asked why no Orang Asli, who had completed tertiary education, were given senior positions in the JHEOA. Such opportunities should be provided, the writer added, if only to allow these individuals to serve their community. Instead, they are forced to seek employment in other agencies. He also suggested that the reason for the poor media coverage of the Orang Asli situation was the refusal of the JHEOA to grant the (assumed) necessary permission to the media, for fear of the 'truth' being exposed.
7. This function of the JHEOA as legal representative of the Orang Asli was most evident in the case of the 11 families who contested the conversion of their land in the Bukit Lanjan Orang Asli Reserve for a private development. The Orang Asli families had engaged a lawyer of their own, preferring not to accept the compensation package brokered by the village committee and the JHEOA. However, as clearly stated in a letter from the General Manager of the development firm to the heads of two households whose houses were subsequently forcibly demolished, it was clear that this right to legal representation was not recognised by the private corporation. The developer went on to say, "... as is normally done under the Aboriginal Peoples Act 1954 we will therefore only liaise with the Ketua Pengarah, Jabatan Hal Ehwal Orang Asli and your headman." (Letter from Abdullah bin Abdullah Latiff, General Manager, Corporate Affairs, Saujana Triangle Sdn. Bhd., to Elan a/p San Pok and Mustaffa bin Hamid, dated 4 April 1998.)

8. In the landmark Mabo Decision of 2 June 1992, the Australian High Court held that the common law of Australia recognises native title to land and rejected the doctrine that Australia was *terra nullius* (land belonging to no one) at the time of European settlement and said that native title can continue to exist: 1) where Aboriginal and Torres Straits Islander people have maintained their connection with the land through the years of European settlement, and 2) where their title has not been extinguished by valid acts of Imperial, Colonial, State, Territory or Commonwealth Governments. Further, the Court found that the content of native title – the rights that it contains – is to be determined according to the traditional laws and customs of the Aboriginal and Torres Strait Islander people involved (Commonwealth of Australia 1993: 1).
9. The ‘Mabo six’ referred here are the six Australian judges who sat on the bench during the landmark Mabo case.
10. The former Director-General of the JHEOA, Ikram Jamaluddin, recently alluded to this state of affairs as follows: “When the community is fully integrated ... there is no reason for special laws anymore. Orang Asli, as they want to be ethnically identified, will only need the current civil laws, and the Syariah if they were Muslim” (*The Sun* 9.10.1997).
11. Programme booklet, *Majlis Pelancaran Program Kampung Berkembar Antara Perkampungan Melayu Dan Orang Asli, Kampung Bawong, Lasah*, 16 August 1997. Incidentally, the integration efforts of the JHEOA have so far only been directed at the Malay community. There is yet to be a programme of integration with the other ethnic communities, suggesting again that perhaps assimilation, and not just mere integration, is the goal.
12. That there is a strong Islamisation content to the project is also evident from the fact that one of the organising committee members for the launch was the Director of the Perak State Islamic Religious Council (JAIP) whose assigned role, as listed in the programme booklet, was “*Pengistaman Orang Asli*” (Islamization of Orang Asli).
13. The Malay participants would be those eligible for the scheme for the hardcore poor (*Projek Pembasmian Rakyat Termiskin*, PPRT) and therefore poor Malays themselves. This prompted a senior POASM leader to question the genuine goal of the project: “Only those Malays who are eligible for PPRT are involved in the village twinning programme. What sort of integration do you expect to get?”
14. In metric terms, this is equivalent to 1.62 hectares for the oil palm grove, 0.41 hectares for the home garden, and an 18 metre by 27 metre house.
15. The Temiar headman at Kampung Bawong was reportedly unhappy with this arrangement, and complained to the Perak *Menteri Besar*, Ramli Ngah Talib. I am reliably told that the MB’s response was, “Don’t worry, we will begin with only the 50 Orang Asli lots first, and take it from there....” Whether the reverse – allowing Orang Asli to apply for, or reside in, Malay Reserve lands – will be allowed is still an issue unlikely to see resolution in the near future.
16. This was done by determining the boundaries of their traditional territories (*nenggrik* in Semai) by connecting the physical features identified by the villagers

- onto a topographical map, and working out the area covered by the boundary so determined.
17. One of the problems facing the JHEOA, according to Ikram Jamaluddin, is Orang Asli staking claim to huge tracts of land. "Some of them seek up to 16.6ha of land while the state governments give no more than 4.04ha per person with the average being 2.02ha to 2.42ha," he added (*The Star* 25.3.1996). In a seminar organised by POASM in 1992, Ikram's predecessor in the JHEOA, Hassan Ishak, had questioned the need for so much land for the Orang Asli. He added, "If we give half an acre of land to a Chinese, he will grow vegetables and make lots of profits. Why can't the Orang Asli do the same?" No one gave him a direct answer then but an Orang Asli leader sitting next to me, said: "What about Kelantan? Almost all of it is Malay Reserve Land. Why do *they* want so much land?"
  18. The earlier quotes are from my article in the occasional newsletter of COAC, *Pernloi Gab*, June 1991, pp. 8-13. More recent references are from *Berita Perak*, March/April 1991; *New Straits Times* 20.2.1997, 25.4.1997, *New Sunday Times* 24.1.1998; *The Star* 18.3.1993, 25.3.1996, 25.1.1998.
  19. "If the land is not fertile, and we ask for it, why not just let us have it?" said the elder. "Why move us away from our *nenggirik* only to give it to someone else to grow *durians*? Can't they see that we too have been growing *durians* here?" (Personal conversation, 14 April 1993).
  20. For example, word was leaked out from the District Office that there was a plan to turn an area around Bidor, involving four Orang Asli settlements, into an industrial and commercial area. And in Behrang, near Tanjung Malim, plans were already underway to transform the area into a new Proton City, where the national car industry would have its second manufacturing plant.
  21. Within a week – certainly another record for the country – an investigation team was put together, and the findings on the cause of the tragedy announced: it was due to natural causes and not to logging. This was despite the forestry officials themselves remaining puzzled over the obvious presence of old logging stumps. That Mother Nature was unleashing her wrath for past logging activities was never even considered (Nicholas 1997c: 34).
  22. The Minister for National Unity and Social Development, Zaleha Ismail, announced that the government would spend RM52 million (USD13.7 million) to relocate 76 Orang Asli settlements that are unfit for occupancy and located in danger-prone areas over the next three years. This would affect 3,500 families. The allocation was part of the approved RM119.2 million (USD31.4 million) for the JHEOA to improve the livelihood of the Orang Asli. Another RM21.4 million (USD5.6 million) was for economic growth activities and RM45.4 million (USD11.9 million) was for social activities. Zaleha also said that small settlements of between 15 and 20 houses would be regrouped into larger settlements, so that the necessary amenities could be provided. "We have set up a committee ... to identify and relocate them to safer and higher locations," she said (*The Star* 23.4.1997). However, by January 1998, the number of Orang Asli settlements that were in high-risk areas had risen to 93 (*New Sunday Times* 24.1.1998), prompting allegations that this new rationale for resettling Orang Asli was being exploited fully to secure their removal from their traditional territories.



23. As of December 1999, however, this has not occurred.
24. In contrast, for example, the Malay Reservation Act allows for both gazetted Malay Reserves as well as individual titles within the reserves. In March 1998, a coalition of lawyers, academics, POASM and COAC endorsed in principle the Draft Orang Asli Reservations Act drafted by Lim Heng Seng, currently the Chairman of the Industrial Court in Sarawak, which takes into account individual titles as well as trusteeships within Orang Asli reserves, plus other safeguards, to ensure the rights of the Orang Asli to their traditional territories. POASM submitted the draft to the government on 30 April 2000.
25. A few months earlier, the Johor *Menteri Besar*, Abdul Ghani Othman, had accused the state JHEOA of carrying out illegal activities and wanted the federal government to help investigate the matter. He said the Department had been giving out logging concessions without consulting the state government. In one case, he added, the Department gave out a 10-year logging contract to one Goh Ah Seng without referring the matter to the state (*New Straits Times* 12.9.1996, *The Star* 12.9.1996, *The Sun* 12.9.1996).
26. In a sad epilogue to this first attempt at the privatization of Orang Asli development, the Orang Asli at Bekok have complained that while more than 1,000 hectares of timber has been logged, there are no signs of the promised infrastructure projects and oil palm plantations being delivered. The Johor State Government is said to be investigating why the Orang Asli privatization programme has been delayed for 18 months with no sign of development (*New Straits Times* 12.4.1999).
27. A fuller account of this tragic incident can be obtained from the COAC Memorandum to the Health Minister (1997), Nicholas (1997b), and Baer (1999: 123-32).
28. This is short for glucose-6-phosphate dehydrogenase, a genetic condition of the blood that can cause life-threatening situations if the G6PD-negative individual is administered primaquine (a common anti-malarial in Malaysia) or a few other compounds. This is a fairly common blood condition among the Jah Huts, and there have been cases of violent reactions to some anti-malaria drugs in the past.
29. M. Ramachelvam, an activist lawyer appointed by the Legal Aid Centre of the Bar Council, represented the victims' parents. Their originating summons (Ref.: 51-2-1998) was filed in the Temerloh Sessions Court on 17 February 1998.
30. The Federal Counsel, acting on behalf of the Pahang Health Director, the Health Minister and the Government of Malaysia, recorded these five counter-claims in his Statement of Defence dated 13 July 1998. See also *New Straits Times* 31.3.2000.
31. In the closing paragraph of his brief judgement dated 30 March 2000 (Inquest No. 881-98), Magistrate Aedi Tajuddin, acting as Coroner, recorded his sympathies to the relatives of the deceased children and hoped that a similar incident would not recur in the future. This statement was significant for, apart from it not being generally called for in such a decision, it appeared to respond to the conduct of the health personnel involved when they gave their testimony. They displayed a disappointing lack of remorse over the deaths and it was also evident that they had not learned from their errors for, despite more than a year having passed

- since the tragedy, they were not able to adequately answer questions pertaining to dosages of medicines for different age groups or about the correct method of converting dosages given in tablet form to that for the liquid form, as was the case needed in this incident. With such an attitude, it is not surprising that the Seboi case is the fourth such incident in the state of Pahang involving deaths of Orang Asli following an anti-malarial programme.
32. Material on this controversy has been culled from Hood (1995: 32-36); Vogt (1995); *The Star* 2.6.1995, 3.6.1995, 4.6.1995, 6.6.1995, 8.6.1995, 23.6.1995; and the *New Sunday Times* 25.6.1995.
  33. Nevertheless, we found a way to spend two nights there in order to be able to investigate the matter.
  34. However, a senior officer of the Department of Wildlife and National Parks headquarters in Kuala Lumpur maintained in March 1999 that the Department had no role in the ban on visits to Kuala Yong.
  35. In fact, at the time of my visit, one Batek had just sold RM300 (USD79) worth of *gabaru* and another was seen processing two large splinters of Grade C *gabaru* for which he expected to be paid RM16 (USD4.20).
  36. The headman and two others followed us back to Jerantut to lodge a formal complain with the JHEOA director there. The Director absolved the JHEOA from having anything to do with the ban and promised to contact the Wildlife Department within the week to try to resolve the matter. However, as of August 1999, i.e. two years later, the matter had yet to be resolved amicably and the ban on the Kuala Yong settlement was still imposed.
  37. She was alleged to have told a reporter that she went upstream as she did not know which way the river was flowing! While she later retracted this statement, others have questioned how anybody could lose one's way on this trek for, as one park ranger remarked, "I do not understand how anyone can go missing there. The trails are properly marked and signposts are erected everywhere on such a well-marked trail" (*New Straits Times* 7.6.1996).
  38. The secretary of the Malaysian Nature Society, Yap Son Kheong, said that it was a golden rule of trekkers never to venture out alone. "There should have been better co-ordination, like carrying out regular head counts, among Santiago's group of trekkers," he said, adding that as a precaution, "it was always better for a seasoned trekker to lead the group and never to allow any member of the team to venture alone" (*New Straits Times* 5.6.1996). "If the trekkers had followed the basic rules of trekking this would most likely not have happened, especially for such a small group," Yap said.


7



## ORANG ASLI IDENTITY AND EMPOWERMENT

Encroachments and Contests  
POASM: Bringing Orang Asli Together  
Pawns in the Political Game  
Augmenting Orang Asli Indigeness  
Response of the State

**Plate 49. Temuan girl with bamboo destined to be split into slivers for the joss-stick industry (Kampung Peretak, Kuala Kubu Baru, Selangor).** Orang Asli are increasingly finding that their forest areas or the resources therein are increasingly being coveted by others. The social stress resulting from this contest help pit Orang Asli against the others and so help forge a common Orang Asli identity. [CV-1995]



Chapter 7

## *The Contest for Resources: Orang Asli Identity and Empowerment*

The Orang Asli communities never always saw themselves as a homogenous group, nor did they consciously adopt common ethnic markers to differentiate themselves from the dominant population. Instead, they derived their micro-identity spatially, identifying with the particular ecological niches they lived in. Their cultural distinctiveness was relative only to other Orang Asli communities (and other non-Orang Asli), and these perceived differences were great enough for each group to regard itself as distinct and different from the other.<sup>1</sup> That is to say, although they were collectively labelled as Aborigines and, since 1960, as Orang Asli, this semantic ascription did not evolve a distinct Orang Asli consciousness or identity.

This is not to suggest that early Orang Asli societies developed in isolation. On the contrary, far from remaining static, they have had to continually change and adapt themselves and their social organisation to their environment, their neighbours, and to new centres of power. However, the Emergency, and the consequent attention paid to them by the government through the agency of the JHEOA, were to further expose Orang Asli groups to one another. Some have attributed this increased awareness (of other Orang Asli groups) to the mixing at the Orang Asli hospital in Gombak, at the annual JHEOA social events, or in district or state-level official events organised for the Orang Asli. However, these opportunities for interacting with other Orang Asli groups were not sufficient conditions for creating an Orang Asli identity. They can be a means to creating identity but they are not sufficient in themselves for identity formation.

Ethnic groups, says Maybury-Lewis (1997: 61), do not form because people are of the same race, share the same language, or the same culture, or even because they are lumped together and treated by outsiders as members of a distinct group. They form because people who share such characteristics *decide* they are members of a distinct group. To be able,

and to want, to make such a decision is essentially a political phenomenon. Such actions are mainly articulated in the sphere of political action, with the state and the nation being the major determinants.

I argue here that events in the recent social history of the Orang Asli have had a profound impact in creating an Orang Asli identity. The events pertain, in part, to the increased threat to their traditional territories and natural resources brought about by an increasingly encroaching Malaysian state.

Some of these events occurred during the colonial period as when the Orang Asli expressed their opposition for some British policies and actions. Noone (1936: 61), for example, reported how members of a Trigonometrical Survey party were chased away from the area of Gunong Noring by Orang Asli who rained poisoned darts on them.

In 1937, a *kongsi* (workers' quarters for a logging operation) in the Korbu area was attacked by Temiar opposed to the logging. All the saws and working implements were taken and the Chinese peremptorily ordered to leave (Fed. Sec. 328/1937(8)). In 1954, in a major military operation during the Emergency (Operation Termite), British SAS soldiers were attacked with poisoned blow-darts by Temiar who had been told that the troops were hunting them (*Straits Times* 1.8.1954).

But what is perhaps not widely known among ordinary Malaysians is the fact that an Orang Asli – Sipuntum, a henchman of Maharaja Lela – dealt the first blow that killed British Resident James Birch in 1875 (*New Straits Times* 7.9.1993).

And in 1957, when *petai*<sup>2</sup> middlemen cut the price offered from M\$2.50 to one Malayan dollar per 100 pods, the Orang Asli in Cameron Highlands went on 'strike' – and the 'Reds' were promptly accused of being behind it (*Straits Times* 20.8.1957). More recently, even before the Penan blockades in Sarawak gained wide public attention, the Jakun in Bukit Serok, Pahang Tenggara had blocked logs from being removed from their traditional territory, demanding fair compensation (*New Straits Times* 18.10.1982).

However, these responses and actions were taken in isolation of one another and were not utilised to forge a pan-Orang Asli sense of belonging, let alone develop an Orang Asli indigenoussness.

### **Encroachments and Contests**

Intrusions into Orang Asli areas, by individuals as well as corporations and the state, seem to have been on the increase since the mid-1980s, and especially in the 1990s. Some of these are described below:<sup>3</sup>

In Kampung Buntu in Raub District in 1985, for example, Indonesian immigrants had settled on the edge of the Semai's *nenggirik* (country or traditional territory), while a couple of Malay middlemen servicing the



**Plate 50. Logs being removed from the traditional territories of the Temuans at Kampung Ulu Lui (Ulu Langat, Selangor).** Encroachments into Orang Asli traditional territories increased in the 1980s and 1990s. Sometimes these were by individuals, at other times by private corporations. But in almost every case, they had the tacit acquiescence of the state, if it was not the state itself that was the cause of the distress. (Chai, 1991)

Orang Asli in the area had decided to open *dusuns* (orchards) of their own even closer to the nearest Orang Asli hamlet.

Also, in 1986, entry to the Temuan settlement of Sungei Lui in Ulu Langat, Selangor was made difficult by Indonesian settlers who subsequently became citizens. In order to avoid a confrontation, a section of the community relocated to a site on the Semenyih-Jelebu road, only to have their front yards cleared by loggers the following year.

Meanwhile, the Semai at Kampung Korner, on the Cameron Highlands road, were still trying to get just compensation for deals, forced on them by the District Office in Tapah, to turn their rubber plantations and orchards over to the neighbouring Malay community, leaving only 0.6 hectare for the 20 Orang Asli families. The documents, dating back to 1968, indicate an agreed price of RM42 (USD11) per 10-year-old rubber tree. However, later alterations show the figure to be amended to RM2 (50 cents) per tree, and according to the Semai there, even this has not been settled to this day.

In Pasir Assam, near Kota Tinggi in Johor, Penghulu Hawa Jendang lodged a police report after 70 men in two trucks from the District Land and Village Security Unit (UKK) cut their cocoa and oil palm trees in 1987. The State Director of Lands and Mines accused the Orang Asli of being illegal settlers there and had asked them to relocate to a new resettlement scheme at Sungei Sayong Pinang.

Penghulu Yan in Cawang wrote appeal letters in 1990 and met with JHEOA officials (even with its Director-General, Jimin Idris, twice), to get the Perak State Government to stop plans to alienate most of their traditional



**Plate 51. Remaining island of forest for the Semai at Cawang (Sungkai, Perak).** Although the state authorities and the JHEOA are usually aware of plans to appropriate Orang Asli traditional lands, the Orang Asli are often the last to know of them. Only when the survey markers are put in place or when the bulldozers enter, do they get a sense of what is going on. Invariably, by this time, it is frequently too late to reverse the process, giving rise to the contention that this is probably the intention in the first place. (CH 1992)

territories to a corporation owned by Perak SEDC, United Plantations and the Perak royalty. He had got wind of the project in 1987 but the JHEOA denied any such plans. The plantation project, however, went ahead with the Orang Asli settled on 100 acres (40 hectares) of remaining forest, after losing 1,500 acres (607 hectares) to the new corporation.

Meanwhile in Kampung Kenor, Bidor in 1990, Penghulu Bah Rihoi protested, unsuccessfully as it turned out, against Felcra's attempts to alienate part of his *nenggirik*. In nearby Kampung Sandin, Penghulu Yok Baba also failed in his attempts to find out from the JHEOA, the District Office, the Police and the State Assemblyman as to why survey markers had been planted on his people's traditional territory. Shortly after, their fruit trees were cut down, and they were told to resettle further inland — because their old settlement was to be converted to Malay Reserve Land for a Felcra project.

In Kampung Kolam Air, Negeri Sembilan, also in 1990, the headman, Batin Ujang, who is illiterate, was perplexed how his 'signature' had been placed on an application for a licence to log their traditional territory. At Kampung Rengsak, Tapah, the Orang Asli learnt that the former State Assemblyman for the area had applied for, and obtained, their land claiming that it was *'tanah kosong'* (unoccupied land) but on which the Semai were still residing and had mature fruit trees. And near Kuantan in 1992, a JHEOA officer in Kuantan has cleared a *kebun* (garden) in a Jakun settlement with a view to applying for the land for himself.

In Tanah Rata, Cameron Highlands, Bah Ramli of Kampung Lemoi



finally learnt in 1991 why there had been no response from the JHEOA office to his enquiries about the status of his people's land. On his own initiative, he found out that his village was not marked on any District or JHEOA map as an Orang Asli Reserve. As a result, Syarikat Bensen Timber and Trading of Bentong, Pahang was able to get the licence to log their *nenggirik* (country or customary land). They then destroyed their fruit trees, desecrated graves, and polluted the water supply in the process.

The Temuans of Kampung Sungei Dua Olak in Karak, Selangor learnt in August 1990 that 60 acres (27 hectares) of their land had been given to the Muslim Welfare Association (PERKIM) and the Scout Movement. At a dialogue with their State Assemblyman, K.K. Look, the latter revealed that he had allowed the application as he "did not know that the land was already peopled by Orang Asli." To the Orang Asli's relief, he promised to cancel the application. However, several months later, the Orang Asli realised that it was just an empty promise. Encroachments by the authorities and others onto their lands were instead stepped up — like "fire burning through the rice chaff," to quote an elder.

Also in 1990, thirty Temuan families in Kampung Bukit Kemandol, Kelang were angry with the outsiders who had been given permits by the District Office to mine their 20-hectare reserve for earth. This has been going on despite protests by the villagers to the authorities. Tons of earth had been removed from the area, forcing four families to relocate their houses when the excavators came too close. The Selangor *Menteri Besar* (Chief Minister) eventually stepped in and ordered a stop to the excavations. This, however, led to the issue being politicised, with some groups demanding that the Orang Asli reserve be made into a Malay reserve. The Selangor State Government subsequently promised to honour its 1960 decision to gazette 600 hectares (not the original 1,000 hectares earmarked earlier) as an Orang Asli reserve. But this was not done. On the contrary, the JHEOA's records show that in 1997, Kampung Bukit Kemandol is now a 544-hectare Malay reserve land (JHEOA 1997d).

In 1993, the Orang Asli community at Stulang Laut, on the Johor Bahru waterfront, held a peaceful demonstration outside the central police station to protest the actions of Municipal Council workers who had destroyed their orchard while excavating their settlement for a new office-cum-shopping complex. Their fears that they would have to vacate their settlement to make way for the complex became a reality despite earlier assurances from the *Menteri Besar* and the Sultan that their rights would be protected.

Then, when the Johor State Government decided to sell water rights to Singapore, the State JHEOA Director contended that the dam to be built



**Plate 52.** Fruit trees of the Semai at Kampung Sandin cut down by the ‘authorities’ (Bidor, Perak). Ironically, sometimes the traditional territories of the Orang Asli are taken from them, only to be given to settlers from outside the area as part of the programme to eradicate rural poverty. As a consequence, the Orang Asli get further entrenched into the very poverty that the government is trying to eradicate. [C14-1991]

would not affect the livelihood of the Orang Asli since “they no longer depend on traditional hunting for a living.” And according to the Environmental Impact Assessment (EIA) for the project (Binnie and Partners 1990), the Sungei Linggiu catchment was totally uninhabited.

Nevertheless, the 225 Jakun stood their ground and threatened to take legal action. Finally acknowledging their presence, the JHEOA proposed a total one-sum compensation of RM560,000 (USD147,300) (which worked out to RM2,488 (USD655) per person). In the meantime, the Singapore Government signed a contract to pay the Johor Government RM320 million (USD84.2 million) for the water. The Orang Asli were dissatisfied with the compensation offered and took the case to court. Three years later, in 1996, the judge ruled in their favour and the state government was ordered to pay the Orang Asli compensation totalling RM26.5 million (USD7 million) for loss of income over the next 25 years.<sup>4</sup>

### **POASM: Bringing Orang Asli Together**

The favourable court decision in Johor – although an important precedent in Orang Asli legal history, but still a far cry from what the Orang Asli are seeking – did not come about by merely letting justice take its course. On the contrary, a whole series of events over the last decade – some engineered, others developing as a consequence – were, in many ways, responsible for the decision. The first was the mobilisation of various Orang Asli communities into a more visible entity nationally.

The *Persatuan Orang Asli Semenanjung Malaysia* (Peninsular Malaysia

Orang Asli Association) – POASM for short – had a large part to play in this, although not as it was originally constituted. POASM was established in 1976 but for a decade its membership hovered around 220 to 277 members, almost all being Orang Asli attached to the JHEOA. Its inception, however, was motivated by a 1973 proposal by the then Minister of Home Affairs, Abdul Ghafar Baba, who had expressed the government's intention to reclassify the Orang Asli as '*Putra Asli*'.<sup>5</sup> Educated Orang Asli working in the JHEOA objected to this and held a special meeting on 6 October 1973 specifically to discuss the '*Putra Asli*' proposal. They voted as follows: none for '*Putra Asli*', one for '*Bumiputra Asli*' and 41 for retaining '*Orang Asli*'.<sup>6</sup>

Subsequently, a *Jawatankuasa Hal Ehwal Orang Asli* (Committee for Orang Asli Affairs) was established and met regularly, and held joint meetings with senior JHEOA officers in 1974-75.<sup>7</sup> Soon after, in 1976, the *Persatuan Orang Asli Semenanjung Malaysia* was registered, a move that had the support of the JHEOA. The Constitution of the society not only closely followed that of UMNO (the dominant party in the ruling coalition) in its structure but also specified that membership to the society was open to all Orang Asli and "other bumiputras who are fully-interested in developing the Orang Asli."

Nevertheless, POASM was relatively inactive after it was established, with no annual general meeting held for some years, so much so that the Registrar of Societies threatened to de-register it in 1986.<sup>8</sup> A group of educated Orang Asli individuals, led by Anthony (Bah Tony) Williams-Hunt, then took up the challenge and worked towards reviving POASM. An annual general meeting was held in 1987 and a new committee came into office, with Bah Tony as President. However, it was not until 1989 that an active membership drive was undertaken. At the same time, an aggressive campaign was launched to get Orang Asli issues across to the public, especially through the media.<sup>9</sup> Many meetings – almost weekly – were held in Orang Asli communities throughout the Peninsula and many POASM branches were established. By 1991, POASM membership had grown to almost 10,000 and continued to increase significantly.<sup>10</sup>

The complaints at all these meetings seemed to have a common tenor: the community was unhappy with the JHEOA for a variety of reasons, encroachments into their traditional lands were on the increase, the Orang Asli wanted more secure rights to their traditional territories, they wanted development projects, they wanted better education opportunities for their children, and they wanted more say in policy decisions. But more significantly, it was clearly expressed that they wanted their own political organisation. Although registered as an ordinary society, many Orang Asli had aspirations for POASM to become a political party. The late Bah

Gerindam, a Semai deputy headman, echoed the sentiment of many Orang Asli when he said, "The Malays have their UMNO, the Chinese have their MCA, and the Indians have their MIC. We too need our own political party."

In the same vein, the fourth POASM President, Majid Suhut, regularly advocated that the Orang Asli needed an independent organisation such as POASM. He asked,

"Are we Orang Asli to squat (*menumpang*) in other people's houses such as UMNO, MCA, MIC? ... Even if we have a bamboo house, no matter how small, it is better to stay in our own house rather than *menumpang* in other people's houses."<sup>11</sup>

Generally, response from the Orang Asli to POASM activities was both overwhelming and encouraging. For example, when POASM decided to have a seminar on Orang Asli development (with papers presented by the Orang Asli themselves, and aimed at providing inputs for the on-going deliberations by the National Economic Consultative Council for the post-New Economic Policy era), an audience of 60 Orang Asli was anticipated. However, more than 200 turned up.<sup>12</sup> Later in the year, when POASM had its annual general assembly, an audience of 400 was anticipated but over a thousand Orang Asli attended, causing some logistical problems.

To say that the mood at these early meetings was less than euphoric is an understatement. Orang Asli individuals relished in relating to the audience how they trekked over the main range to come to the meeting, or how one individual in Pahang had to lie to his *towkay* (Chinese middleman) about having a sick relative in the Gombak hospital in order to borrow the fare to attend the meeting. It should also be stressed that the Orang Asli met all the expenses on their own for all these meetings. This was to be an eye-opener for some senior JHEOA officers as, even with board, lodging and transport provided, the JHEOA was then only able to garner about 200 Orang Asli for many of their 'national' events.

POASM soon began to take a higher public profile. Press statements were released that touched on a variety of topics, including calling for a moratorium on proselytising among the Orang Asli and correcting falsehoods about the Orang Asli. A greater than usual number of feature articles and news items were written on the Orang Asli in the English, Malay and Chinese print media, with greater frequency and volume.<sup>13</sup> TV forums on the Orang Asli were not uncommon, often with representatives from the JHEOA sitting at the same table as Orang Asli leaders.

It should be added that at about this time (1990-1993), there was also growing interest in indigenous issues in Sabah and Sarawak. And with the Earth Summit in Rio de Janeiro in 1992, at which Malaysia played an active



Plate 53. POASM village meeting at Kampung Cluny (Slim River, Perak). The group in the foreground had trekked from their settlement on the Pahang side of the Main Range just to participate in the discussions. (CN-1990)



Plate 54. POASM dialogue with the Director-General of the JHEOA (Kampung Odak, Tapah, Perak). The emerging strength of POASM as a representative body of the Orang Asli was quickly noticed and acknowledged. (CN-1999)



Plate 55. POASM annual general meeting at Km. 24, Gombak (Selangor). By the end of the decade, POASM had emerged as the major representative organisation of the Orang Asli. With a membership exceeding 17,000 and having cultivated a high public profile, leadership of the organisation was sought and contested. (CN-1997)

role, indigenous and environmental issues (and news) were *en vogue*. The media interest was further fuelled with the declaration of 1993 as the United Nations International Year of Indigenous People. Soon, even local environmental events began to have an 'Orang Asli component' and organisations planning seminars and conferences also saw to it to invite speakers on Orang Asli issues.

At the same time, local POASM branches organised dialogues with the JHEOA and other government agencies and politicians. For example, the Director-General of the JHEOA, Jimin Idris, and several of his senior officers made a special trip to Kampung Sungei Odak on 11 July 1989 for a dialogue session with Tapah POASM branch members. Perak POASM also met the state assemblyman in charge of Orang Asli matters in the Perak state government on 25 March 1991. In other states, POASM branches similarly made it a point to either invite political dignitaries to open their branch or state-level meetings, or else to engage in dialogue sessions with them. For this reason, for example, the Negri Sembilan Menteri Besar, Mohd. Isa Samad, was invited to launch the POASM State Liaison Division inaugural meeting at Kampung Senibai on 12 March 1991.

To make its demands felt, POASM or working committees, such as the POASM/Orang Asli Senator Working Committee, submitted several memoranda to the government. These included the 1991 *Pembangunan Orang Asli Dalam Konteks Wawasan 2020* and the 1994 *Orientasi dan Perspektif Pembangunan Masyarakat Orang Asli Perak Darul Ridzuan Dalam Menghadapi Cabaran Wawasan 2020*. At the village level, especially in those where threats to their traditional territories were imminent, memoranda containing their specific demands were also prepared and forwarded to the relevant authorities. Some of these memoranda were very extensive, detailing the bases for their claims to their traditional territories.

Nevertheless, as we shall see below, the political climate of the country in the years preceding the 1990 general election also played a role in bringing the Orang Asli issue to the forefront.

### **Pawns in the Political Game**

The 1987 UMNO crisis, and events following it, were to accord the Orang Asli some renewed political importance. The new UMNO, which emerged after the original party was de-registered, needed to get at least 600,000 members in order to have legal control over the assets of the original UMNO party. With the party split into two opposing factions, it was initially not certain that this membership requirement would be met. Thus, it was not surprising that in March 1989 the new UMNO officially opened its

doors to the Orang Asli community. An UMNO leader in Perak, where there were already several Orang Asli UMNO members even before the ruling was made, rationalised that such a move was in keeping with the government policy towards the Orang Asli and that it would “help bring the Orang Asli closer to the mainstream of social development and politics” (*Sabah Times* 23.2.1989).

In a further move to encourage Orang Asli to join UMNO – and so help the party achieve its 600,000 membership – UMNO Secretary-General, Mohamed Rahmat, remarked that the Orang Asli, “should be given the chance to be actively involved in the country’s politics.... They also had the right to decide on the position of the country’s leadership” (*The Star* 21.2.1989). Clearly, then, the real motive for opening the party’s doors to the Orang Asli was to help secure the position of the “country’s leadership”.

As it turned out, a few Orang Asli did join the new UMNO, but their numbers did not materially affect the structure of the party. The fate of the Orang Asli thus seemed destined to revert to the political insignificance they had in UMNO as a community. This would have occurred had the general election not been so imminent.

### ***The 1990 General Election***

In the run-up to the general election in October 1990, the Orang Asli were once again made to feel as if they mattered in Malaysian politics. Not only did the Orang Asli count as voters, their votes in certain key constituencies could tip the balance and decide the outcome of the voting.

Normally, however, this would not worry the ruling Barisan Nasional government as, traditionally, Orang Asli have generally been staunch supporters of the coalition party – at least vote-wise. There are a number of reasons for this, not least of which is the dependency of many Orang Asli then on the JHEOA. JHEOA officers were also used to coax Orang Asli into voting for the Barisan Nasional.<sup>14</sup> Also, Orang Asli polling stations are in JHEOA-run premises and manned by JHEOA staff. Furthermore, when campaigning, opposition candidates tended to give less priority to Orang Asli areas in the past.

However, for the 1990 general election, there were already rumblings among certain groups of Orang Asli who were disappointed with the broken promises of the ruling politicians. Many of their grievances were voiced in the local media and there were even reports of whole Orang Asli communities aligning themselves with the opposition parties. Nevertheless, for the ruling party – and Prime Minister Mahathir Mohammad in particular – the parliamentary constituency of Gua Musang in the state of Kelantan was a key seat in the elections. The incumbent was Tengku Razaleigh



Plate 56. Wooing Orang Asli voters at every general election (RPS Terisu, Cameron Highlands, Pahang). Although not in the majority, Orang Asli votes in certain constituencies can swing the results. In these constituencies, the Orang Asli voters are invariably swarmed with much political largesse – and promises. (CA-1998)

Hamzah, the leader of the UMNO splinter group, Parti Semangat 46,<sup>15</sup> and the person touted as the next prime minister of Malaysia should the opposition win.

The parliamentary constituency of Gua Musang includes a very large number of Orang Asli voters, mainly from the Temiar subgroup. From past election results, a swing of Orang Asli voters to either side could determine the winner. Thus, for Mahathir Mohammad, a sure way to rid himself of his then arch political foe was to ensure that the Orang Asli votes were with the ruling coalition. Hence, the Orang Asli once again were of political interest to others.

The campaign to woo the Orang Asli began in November 1989, with a JHEOA-organised conference on the future of the Orang Asli and their development. However, more direct and concerted efforts began in early 1990. In March, Deputy Prime Minister Ghafar Baba visited Pos Brook and Gua Musang, promising land titles for the Orang Asli in the state (*Berita Harian* 13.3.1990).<sup>16</sup> A new 10-point strategy to develop the Orang Asli community was also announced during the visit (*New Straits Times* 13.3.1990).

In April, the JHEOA Director-General announced that headmen's annual allowances (or bonuses) would be increased. In March and June, the Prime Minister called for, and met, POASM President Bah Tony *twice*.<sup>17</sup> The Prime Minister also agreed to set up a high-level, multi-agency Orang Asli Coordinating and Implementation Committee headed by the Secretary-General (KSU) of the Home Ministry. The special committee met twice



and acted decisively on complaints put forward by POASM representatives.

In June, the Secretary-General made an official visit to the JHEOA office and was briefed on voter registration among the Orang Asli. Seemingly, the democratic rights of the Orang Asli had become an important goal of the JHEOA. The special report (JHEOA 1990b) revealed that 91.6 per cent of 36,210 eligible Orang Asli voters had been registered across the Peninsula. However, in Pahang, then POASM Vice-President and the Kuala Rompin UMNO Youth Treasurer, Long Jidin, claimed that "more than 50 percent of the 70,000-strong Orang Asli who are eligible voters and potential supporters of Barisan Nasional have not registered as voters."<sup>18</sup> He feared that certain opposition groups would exploit them if immediate steps were not taken to register them, as in the past "the Orang Asli were wooed by good wages to work in the forest by the opposition groups and told to return only after polling day" (*Daily Express*, 30.3.1990).

In July 1990, the Orang Asli in Gua Musang and various parts of Pahang announced that they were pledging their support for the opposition Parti Semangat '46 (*Watan* 19.7.1990). The pace was then stepped up to woo the Orang Asli to the side of the ruling coalition. In the same month, the Prime Minister hosted a luncheon for 200 Orang Asli headmen and POASM representatives at his residence. In September, the JHEOA organised a huge Orang Asli 'jamboree' in the Kedaik Regroupment Scheme in Pahang, with the Prime Minister and other Barisan Nasional leaders present. Press reports suggest that 6,000 Orang Asli from throughout the country attended. Orang Asli village-heads were given increased annual allowances (from an average of RM90-RM200 *per annum* to RM200-RM900 *per annum*, or from USD24-USD 53 to USD 53-USD237 *per annum*). There was also talk of an annual Orang Asli public holiday, and the inclusion of blowpiping as a national sport.

One month before the general election, in September 1990, the Prime Minister visited Gua Musang and had a 'breakfast meeting' with some Orang Asli. Plans for a big rally there however had to be scrapped as apparently, 'word from the ground' advised against it. The Prime Minister subsequently 'adopted' Gua Musang and commented that the Orang Asli had always been "close to his heart" (*New Straits Times* 30.9.1990). In the interim JHEOA officers conducted *ceramah* (talks/lectures) in Orang Asli areas or helped support candidates from the ruling coalition.

When certain quarters linked POASM to specific political parties in the wake of the general election, POASM was forced to issue a statement stressing its independent status and to ask Orang Asli to vote for candidates whom they felt could best serve Orang Asli interests. The statement, distributed widely as a flyer, went on to state that it was confident the

Orang Asli would know who to vote for:

as most Orang Asli had experienced for themselves the forgotten promises, the blatant disregard for their interests, and even the not uncommon reality where the elected representatives were themselves the cause of much of the misery and suffering of the Orang Asli. It is thus most condescending to think that the Orang Asli can be easily influenced, coerced or bribed to vote for a particular candidate (POASM statement, 9.10.1990).

Polling was on 22 October 1990. The Orang Asli generally continued to vote for the ruling coalition, as could be ascertained by the newly-introduced procedure of counting the votes at each polling station. However, in Gua Musang, where it mattered most, the Orang Asli were evidently in favour of the incumbent and were instrumental in helping the Semangat '46 leader retain his seat by an even bigger majority. In a few other constituencies, some of the Orang Asli votes were also for the opposition, although they were not sufficient to displace the Barisan Nasional candidates. In some other areas, as in Jelebu in Negri Sembilan, the Barisan Nasional won because of the Orang Asli 'deciding factor'.

With the elections over, and the Barisan Nasional firmly in control of Parliament, the Orang Asli no longer constituted the potentially-useful pawns they had been in the months preceding the general election. The high-level Orang Asli Coordinating and Implementation Committee did not meet again, despite repeated requests from POASM leaders to do so. Also, in a move that took many Orang Asli by surprise, the JHEOA was moved, soon after the general election, from the Home Ministry to the Ministry of Rural Development, thereby effectively relieving the Prime Minister as the Minister responsible for Orang Asli Affairs.

In the political lull before the next general election in 1995, Orang Asli issues increased in number but did not get the same attention from the politicians as they did during the few months in 1990 described above. This, however, was a period when an Orang Asli identity continued to develop as a result of increasing threats to their traditional territories.

### *The 1995 General Election*

By the time of the 1995 General Election, Parti Melayu Semangat '46 was still a fish bone in Dr. Mahathir's throat, especially as it prevented the Barisan Nasional from capturing the state of Kelantan. And Tengku Razaleigh was still firmly entrenched in Gua Musang, enjoying the loyalty of the Orang Asli constituents there. So in the prelude to the 1995 general election, there was again renewed interest in the Orang Asli.

The Economic Planning Unit (EPU) called for a closed-door meeting

on 12 December 1994 with some academics and the past and current POASM Presidents (Long Jidin and Majid Suhut, respectively). The agenda was 'Poverty among the Orang Asli' — with a view to the Seventh Malaysia Plan for 1996-2000. Interestingly, the JHEOA and the Orang Asli Senator (Itam Wali) were left out of this meeting. The representative from the Economic Planning Unit was reported to have claimed that, "We are serious in solving the problem of poverty among the Orang Asli."

Shortly after, on 22 December 1994, the Perak Branch of POASM was invited to sit down with the Perak State Economic Development Corporation (SEDC) to discuss Orang Asli problems and to find solutions to overcome them. On 27 December 1994, the Ministry of Information announced that it was increasing its airtime for the Orang Asli Radio Service (*Siaran Orang Asli*, RTM Radio Seven) by two hours, from the original 2-4 p.m. to 12-4 p.m. daily. I was informed that this is to enable more 'political news' to be aired.<sup>19</sup>

The new Minister in charge of Orang Asli Affairs (Ministry for National Unity and Social Development),<sup>20</sup> Napsiah Omar, made two visits to Gua Musang in 1994 (*Berita Harian* 4.8.1994).

Not to be outdone, the opposition Democratic Action Party (DAP) announced that they too wanted to woo Orang Asli votes in Perak (especially in Sungei Siput, where Malaysian Indian Congress (MIC) leader Samy Vellu held the parliamentary seat).

In early December, the Orang Asli Senator, Itam Wali, was approached by the Ministry of Information to speak, positively, about Orang Asli progress and development on television. He declined the invitation. One local academic also informed me that he too was invited to do the same but declined the invitation as well. Nevertheless, talk shows and forums on the Orang Asli situation were eventually televised with other panellists, both Orang Asli and non-Orang Asli.

The 1995 general election saw the Barisan Nasional winning an overwhelming majority of the seats, although Gua Musang remained in the hands of the opposition. A by-election was however held the same year in the Gua Musang parliamentary seat as the election results were declared null and void after the election court heard an objection. For the campaign, POASM President Majid Suhut and past President Bah Tony were roped in by an intermediary of the Prime Minister to campaign for the Barisan Nasional, with all expenses paid. They went, but did not campaign for any particular party. Instead, they told the Orang Asli to "vote for those who think will best serve you."<sup>21</sup>

As widely predicted, Tengku Razaleigh won the by-election. However, Parti Melayu Semangat '46 was dissolved soon after and most of the members

(re)joined UMNO. Tengku Razaleigh himself remained head of the Gua Musang UMNO division and the Orang Asli are now expected to support the ruling coalition, as their loyalty has always been to Tengku Razaleigh, the prince, and not to his party.

### *The 1999 General Election*

The 1999 general election was conducted amidst a period of political flux in the country; at least as far as Malay support for the ruling coalition and for Prime Minister Mahathir Mohamed was concerned. The September 1998 sacking of his Deputy Prime Minister, Anwar Ibrahim, led to a chain of events that was to change the structure of Malaysian – and in particular, Malay – politics.<sup>22</sup>

The political turbulence that unfurled caused many UMNO members to leave the party to join the opposition. It also saw the establishment of a new Malay-dominated multi-ethnic party, Parti Keadilan Negara (Keadilan), the National Justice Party. More importantly, it saw the opposition parties closing ranks and uniting under a coalition called the *Barisan Alternatif* or Alternative Front. For UMNO and its President (who is also the Prime Minister), this meant that they could no longer rely on the votes of a large segment of the Malay community who were traditionally steadfast behind UMNO and the ruling coalition. As such, the votes of the non-Malays were crucial to the political survival of UMNO and the Barisan Nasional. This meant that the Orang Asli voters were again to be fussed over, their support vital once more in their role as pawns in the Malaysian political chess.

The general election was not due until April 2000. However, ever since the sacking of the former Deputy Prime Minister and the resultant political crisis within UMNO, speculation was rife that the general election would be held early — as it was felt that the Prime Minister would want to hedge off the impacts of the strengthening political opposition and any further decline in the economy. The elections were eventually held on 29 November 1999.

However, as early as January 1999, the Orang Asli began to be the focus of attention as when the National Unity and Social Welfare Ministry, the ministry responsible for Orang Asli affairs, revealed that there were plans to implement several income-generating activities for the Orang Asli that year (*New Straits Times* 11.1.1999). And, given that the issue of Orang Asli land rights and ownership were still the main concern of many Orang Asli, government leaders once again began to reiterate their commitment to resolving the issue. Citing figures that have seen little change over the past three decades, the Minister in charge of Orang Asli Affairs, Zaleha Ismail, urged state governments to speed up the gazetting of Orang Asli land (*The Sun* 8.4.1999).



**Plate 57. Finance Minister Daim Zainuddin at the 10th POASM annual general meeting (Gombak, Selangor).** Although the land ownership figures quoted by him were nothing new – and worse, showed a deterioration in the situation of Orang Asli land rights – the media projected the ‘announcement’ as a major step forward for the Orang Asli. Several state leaders then felt obliged to repeat promises, made years earlier, of plans to gazette and title Orang Asli lands – despite the reverse having occurred in some states. (CNA 1999)

Citing the same figures, but interpreting them mistakenly for something new, the First Finance Minister, Daim Zainuddin, announced that “large areas of Orang Asli land are to be gazetted” (*New Straits Times* 10.5.1999, *Berita Harian* 10.5.1999).<sup>23</sup> Given the high profile of the maker of such a call, several state leaders saw it necessary to respond, and they did by further disguising the true land situation of the Orang Asli by merely stating they had already gazetted Orang Asli reserves (even though this was done in the 1960s and 1970s, or much earlier) or by hiding the fact that, as in the case of Selangor, the Orang Asli actually experienced a loss in gazetted reserves (*Berita Harian* 11.5.1999, *New Straits Times* 17.5.1999).

Nevertheless, the news coverage of this announcement by the First Finance Minister was very favourable to the government such that for the general public, and for most Orang Asli, it did seem that the question of Orang Asli land rights was being finally addressed. However, Orang Asli leaders were wary, but diplomatic, and asked that the process be speeded up (*New Straits Times* 12.5.1999).

On 22 June 1999, in keeping with tradition in an election year, the Prime Minister officiated at a big Orang Asli ‘jamboree’ in Bukit Lanjan, on the outskirts of Kuala Lumpur. About 600 Orang Asli village-heads were bussed in from throughout the Peninsular, ostentatiously to witness a function of a private developer viz. the award of certificates in building competency to 17 Orang Asli youths who had completed training in skills such as bricklaying, plastering and backhoe operations. The establishment of the training institute (at the construction site) was part of the



**Plate 58. Orang Asli village-heads being bussed in from all over the peninsula for a 'private function' (Bukit Lanjan, Damansara, Kuala Lumpur).** The JHEOA was enlisted to ensure that the Prime Minister's presence at a private developer's activity, albeit involving Orang Asli, was well-attended. It was no coincidence that this was an 'election year' and the Prime Minister's speech was very much in that vein. To ensure their attendance, each of the Orang Asli representatives received a batik shirt, a pair of shoes and given a cash allowance and full board and lodging. (CPA 1999)

compensation package for the Orang Asli when their land was acquired by the state and later sold to the private developer, Saujana Triangle Sdn. Bhd., for development into a multi-billion residential and commercial scheme.

Ironically, although it was a function of a private developer, the JHEOA was involved in more ways than would be expected for such an activity.<sup>24</sup> Each of the village-heads who were bussed in was given a new batik shirt, a pair of leather shoes, a cash allowance of up to RM50 (USD13) plus lodging in a 3-star hotel with full board for the two or three days they were away from their settlements — all provided for from the JHEOA coffers.<sup>25</sup> More ironically, the cost of organising this assembly of Orang Asli representatives, according to a JHEOA official at the function, was said to be in excess of RM300,000 (USD78,950) — more than the initial allocation of RM200,000 (USD52,630) set aside for establishing the year-long Orang Asli youth construction skills training programme that was launched that day (*The Star* 24.6.1999). Clearly, the occasion was a thinly-veiled opportunity for the Prime Minister to campaign with a view to the approaching general election.

The Prime Minister's speech, in fact, went down well with the Orang Asli guests especially when he assured them that the government wanted to upgrade their standard of living "without changing their culture and tradition ... as in having a *Tok batin* as their leader" (*New Straits Times* 23.6.1999, *The Star* 23.6.1999). He also stressed how the Orang Asli were being well taken care of by the government, citing the case of Bukit Lanjan

where it was claimed the relocation exercise of the 158 Temuan families would soon turn them into millionaires (*The Sun* 23.6.1999).<sup>26</sup>

"There is no other country where their Aboriginal people become millionaires," the Prime Minister declared, adding that, "In the west, they are herded into reserves and taught to become drunks" (*The Star* 23.6.1999).

Apart from receiving wide coverage in the local print and electronic media, a documentary featuring the Prime Minister's speech and government's development programmes for the Orang Asli was screened as a documentary in November that year, in the midst of the election campaign.

However, as far as the print media was concerned prior to the general election, the state of Kelantan, in particular, became a focus for Orang Asli attention. This was not unusual as the Barisan Nasional wanted to dislodge the PAS government from its control of the state. Thus, as early as February 1999, the Rural Development Ministry announced that it had approved RM20 million (USD5.3 million) worth of projects "to improve the living conditions of the Orang Asli" in two settlements in Gua Musang (*New Straits Times* 19.2.1999, 22.2.1999). The projects included widening the existing cement road, improving the water and electricity supply, the construction of a bridge and the purchase of a boat to transport children to school.

In August, at a special function for the Orang Asli community in Kelantan, Tengku Razaleigh, now the State UMNO liaison committee chairman, told the Orang Asli that their living condition and livelihood would be better under a Barisan Nasional state government which would also take measures to overcome problems concerning the Orang Asli community including matters pertaining to the gazetting of the Orang Asli reserves (*New Straits Times* 4.8.1999). At the same function, Tengku Razaleigh, in his call to the Orang Asli to help the Barisan Nasional win in the coming general election, also claimed that several areas of Orang Asli reserve land had been encroached upon by some quarters, including state government agencies, for logging and other activities.

"The Orang Asli have to face a difficult life now. They are robbed of their source of income when other people encroach their land and steal the rattan. Even their water supply is no longer clean due to the excessive logging being allowed by the state government in the Kelantan forest," added the prince-cum-Member of Parliament for Gua Musang, obviously attempting to win the favour of the Orang Asli by putting all the blame for the Orang Asli's woes in Kelantan to his one time ally, and now political opponent, the PAS government. He later gave out allowances – the annual *bonus batin* – amounting to RM300 (USD79) to each of the 55 *batins*

(village-heads), even though such payments were usually made upon conclusion of the year, four months away.

By September, the Rural Development Minister, Annuar Musa, was revealing that there were plans to introduce programmes to absorb the Orang Asli community into the mainstream, making it seem as if this was a new policy, and as though there were no such plans for Orang Asli development prior to this (*New Straits Times* 19.9.1999).

Then in October 1999 – and as it turned out just one month before the general election was called – the First Finance Minister, Daim Zainuddin, in presenting the budget for the year 2000, announced that RM30.9 million (USD8.13 million) had been allocated for the Orang Asli community (*The Sun* 30.10.1999).<sup>27</sup> This included a sum of RM7 million (USD1.84 million) allocated for educational assistance, including scholarships for 120 Orang Asli students at institutions of higher learning. A total of RM396,000 (USD104,210) was also set aside to increase the annual allowance of village-heads (*batins*). This works out to an increase of about RM500 (USD132) per year – or about RM40 (USD10.50) per month – for each of the 774 village-heads, depending on their community's size. As will be seen later, these revised *bonus batins* were effectively used as vote-pullers when their disbursement coincided with an election campaign activity loosely disguised as an official function.

However, when the general election was eventually called for on 29 November 1999, more announcements of development aid or promises of development projects for the Orang Asli were made during the actual campaign period (beginning 20 November 1999). For example, the incumbent Barisan Nasional Member of Parliament for Gopeng, Ting Chew Peh, who was also the Local Government and Housing Minister, announced a RM800,000 (USD210,500) grant to upgrade a rural road to enable the Orang Asli villagers to “have a smooth journey when they travel to Gopeng town” (*The Star* 23.11.1999). He also announced that Orang Asli villages in his constituency would soon enjoy electricity supply following an allocation of RM1 million (USD263,000) from the government (*The Star* 27.11.1999).

Meanwhile, Bata Wahid, the *batin* of Kampung Bukit Payung in Melaka, pledged his community's full support for the Barisan Nasional citing happiness with the various development projects implemented by the government. He added that, “As the leader, I will make sure that none of the opposition parties' flags, buntings or banners, are hoisted within our resettlement scheme. The opposition knows this and they do not dare to come here for their campaigns” (*Malay Mail* 27.11.1999). He announced his support alongside the Barisan Nasional parliamentary candidate for the area, Abu Seman Yusuf, who assured the community that, “The



government would not leave any community behind as it believed in fair and balanced development for all, regardless of race, age and background" (*Malay Mail* 27.11.1999). He then announced that a children's playground would soon be built within the settlement.

Also, just two days before the general election, the Pahang Menteri Besar (Chief Minister), Adnan Yaakob, gave a glowing account of the progress of the Orang Asli in his state in a major article in the wide-circulation Malay daily, *Berita Harian* (27.11.1999). Among others, he announced that the poverty rate among the Orang Asli had been reduced to less than 10 per cent and that plans were afoot to resettle the Orang Asli in Grouped Land Schemes (*Rancangan Tanah Berkelompok*) where they would be given individual land titles (*Berita Harian* 27.11.1999).

In Kelantan, where wresting back political control of the state from the opposition PAS government was politically vital for the Prime Minister, the pace to entice the Orang Asli vote was further stepped up just a few days before the general election. Some 170 Orang Asli in the Pos Brooke resettlement scheme were given a RM900,000 (USD237,000) cash windfall, averaging RM5,294 (USD1,394) per Orang Asli (*Berita Harian* 26.11.1999). This was the second instalment of their RM1.7 million (USD440,000) compensation for the houses and fruit trees that were destroyed when the federal government acquired their traditional territories for the construction of the Gua Musang-Lojing highway. At the presentation ceremony, the Barisan Nasional candidate for the state seat there, Mohamad Saufi, urged the Orang Asli to be "smart enough to trust the Barisan Nasional to rule Kelantan after this election so that the Orang Asli would continue to be taken care of" (*Berita Harian* 26.11.1999).

Clearly, Orang Asli votes were again essential in certain constituencies, especially in this general election. For this reason, development projects for the Orang Asli were being announced right up to polling day itself. The *Utusan Malaysia* carried a report on the morning of the general election that the JHEOA had announced that RM100,000 (USD 26,315) had been allocated for a water supply project in Pos Kemar in Upper Perak.<sup>28</sup>

In the same issue of the newspaper, the Public Works Minister, Samy Vellu, who was also the incumbent vying for a sixth term as the Member of Parliament for Sungei Siput, announced that RM4 million (USD1.05 million) had been allocated for infrastructure facilities (including houses, electricity and water supply, a community hall, a *surau*, and an administrative centre) for the 4,000 Orang Asli, of whom 1,400 are voters, in the constituency (*Utusan Malaysia* 29.11.1999).<sup>29</sup> He also announced plans to open up 3,000 to 4,000 hectares of land for oil palm cultivation for the Orang Asli there.

As it turned out the Barisan Nasional won the Sungei Siput parliamentary

seat and the Orang Asli vote did not seem that crucial to the win. Of the 47,520 voters in the constituency, only about 5 per cent (2,400) were Orang Asli. And going by the statistics from the three main Orang Asli polling centres,<sup>30</sup> only 768 Orang Asli of the 1,850 registered to vote (41.5 per cent) actually did so. More importantly, the Barisan Nasional candidate won with a majority of 5,259 votes. Thus, even if all Orang Asli had participated in the election exercise and voted for the incumbent, this would not have made a difference.<sup>31</sup>

But the Orang Asli votes did make a difference in the parliamentary seat of Pekan in Pahang where the Barisan Nasional's incumbent, Najib Tun Razak, who was also the Education Minister, won by a slim 241 votes. Clearly here, although the Orang Asli voters were only 6.5 per cent (2,429) of the 35,832 voters registered in the constituency, their vote was instrumental in securing a victory for the ruling party. Perhaps in testimony to this fact, despite its disparaging undertone, the word that went around after the general election was that the Minister won only because of the '*undi Sakai*' (undi=vote, *sakai*=a derogatory term used to refer to the Orang Asli, and which means slave or dependent).

Similarly, in the state seat of Bebar in Pahang, there is no doubt that the Orang Asli vote was critical in ensuring a win for the Barisan Nasional incumbent. Here, of the 11,202 registered voters, 14.1 per cent (1,580) were Orang Asli and the margin of victory was a mere 827 votes.

For a variety of reasons – not the least of which is the perception that only the ruling Barisan Nasional had the capacity to deliver the development goods – the majority of the Orang Asli voters continued to support the National Front government.<sup>32</sup> Some, however, voted for the opposition. For example, in the state seat of Jelai in Pahang, 18.5 per cent of Orang Asli who voted cast their votes for the opposition. In the parliamentary seat of Sungei Siput in Perak, 12.3 per cent of the Orang Asli who voted, did so for the opposition.

However, Orang Asli votes for the opposition had a devastating impact for the Barisan Nasional in at least one constituency. This was in the state seat of Chini, in Pahang, where the majority (Malay) vote was split. Here, the Barisan Nasional incumbent lost by a mere 5 (yes, five) votes. Although the Orang Asli voters here comprised just 5 per cent of the 11,168 registered voters, their 558 votes, though small in absolute terms, were nevertheless crucial. As it turned out, the Barisan Nasional's defeat in this state seat was attributed to its party workers' failure to provide adequate means of transport to the polling station for 80 Orang Asli voters from one settlement. A pick-up truck was sent which the Orang Asli voters objected to. Their request for other vehicles was turned down and, as a result, the Orang Asli decided

not to cast their vote. This was to cost the Barisan Nasional the seat.

In fact, a month after the general election, an Orang Asli from Tasik Chini going by the pen-name of *'Ingin Pembangunan'* (Hoping for Development), urged the Barisan Nasional government to learn from the lessons of the last election, especially in his constituency (*Utusan Malaysia* 5.1.2000). Despite having voted for the Barisan Nasional in past elections, he wrote, there was nothing to show in terms of development for the community — no electricity, no piped water and no agricultural development project. He said that although the Orang Asli were not a majority here, each and every one of their votes still counted.

This reminder seems to have gone down well with the ruling party for, in March 2000, when a by-election was called in the Sanggang state seat in Mentakab, Pahang, no effort was spared in getting the Orang Asli vote. Although, the Orang Asli voters numbered just 1.4 per cent of the 15,276 voters in the constituency, each of their 217 votes was not taken for granted.

Thus, during the campaign, the usual announcements of development projects and aid were made. The state's Orang Asli Affairs Community chairman, Omar Othman, announced at a ceremony to hand over house keys to 61 Orang Asli families in the constituency under the PPRT scheme, that some 40,000 Orang Asli in Pahang would be enjoying basic infrastructure facilities that year. This would be made possible through a RM10 million (USD2.63 million) allocation from the state and another RM50 million (USD13.2 million) that was being sought from the Federal Government (*New Straits Times* 17.3.2000, *Berita Harian* 17.3.2000). He



**Plate 59. The ruling party making its presence felt in the Sanggang by-election (Kampung Paya Sendayan, Mentakab, Pahang).** Clearly aware that every vote counted in this by-election, and despite being confident that the Orang Asli here were staunch supporters of the Barisan Nasional, the party took no chances to ensure the votes stayed with them, even to the extent of boarding the settlement throughout the campaign. (CIV-2000)

also announced that the Rural Development Ministry had chosen Pahang as one of the states where the *Projek Bersepadu Desa Terpencil (Porsdet)*<sup>33</sup> would be implemented. Under this project, the Orang Asli could expect to enjoy “various facilities including schools, kindergartens, police beat base and other amenities ... as well as each family being given a house each costing about RM10,000 (USD2,630)” (*New Straits Times* 17.3.2000).

The day following Omar’s visit, the Barisan Nasional candidate himself made a pre-election visit to the same Orang Asli community (*New Straits Times* 18.3.2000). In fact, Omar and his team had literally camped in the two Orang Asli villages on a rotation basis during the campaign period and conducted a “mind-boggling, packed itinerary of daily events for the amused villagers” (*New Straits Times* 25.3.2000). These ranged from *gotong-royongs* (community self-help cleaning-up programmes) and telematches to nightly open-air screenings of Hindi films and karaoke events, interspersed with political speeches.<sup>34</sup> In this by-election, the Barisan Nasional candidate won by a 1,963 majority, bettering the margin obtained by the party in the last general election.

Clearly, therefore, due in part to the changed political scenario as far as Malay politics is concerned, the Orang Asli vote has become important once again — important enough to make those desiring their votes to realise that the Orang Asli have been left behind in the development path of the country and that it is time for redress.

The 1999 general election also saw a new phase in Orang Asli political activism — direct Orang Asli participation in electoral politics. This is discussed in greater detail in the next chapter.

### **Augmenting Orang Asli Indigeneness**

The political attention given to the Orang Asli, however short-lived or opportunistic,<sup>35</sup> did help to create greater awareness among the Orang Asli as to their vulnerability and to the urgency of uniting in order to effectively confront developments as a single force. As mentioned earlier, encroachments into their traditional territories had been on the increase, especially with the 1990 amendments to the Land Acquisition Act making it easier for state governments to acquire land for any economic purpose (rather than for solely public purposes).<sup>36</sup> POASM meetings and other gatherings provided ample opportunities for Orang Asli communities to exchange notes on experiences and to learn about developments in other areas.

Having a common government agency — the JHEOA — as the sole intermediary for all dealings concerning the Orang Asli had also helped to focus Orang Asli grievances on a clearly identifiable target. Individual JHEOA officers have been accused of obtaining pecuniary benefit from their

positions and some have been charged in court. The JHEOA has also been slow to act to resolve Orang Asli issues, especially those pertaining to the gazetting of their land, or against land encroachments. Even in the extraction of forest resources, especially timber, local JHEOA officers were alleged to have stakes in the activity. But perhaps most telling for the Orang Asli has been the realisation that in disputes with state authorities, especially over land matters, the JHEOA had invariably sided with the latter.

The case of Kampung Busut and Kampung Air Hitam in Sepang which were resettled to make way for the new Kuala Lumpur International Airport is an example (Nicholas 1991g). Another is Kampung Bukit Tampoi in Dengkil, where a portion of their traditional territories was acquired for the construction of the highway leading to the new airport. Here, the JHEOA acted in collusion with the police, the district office and paramilitary forces to bulldoze Orang Asli houses and crops. "They (the JHEOA) may not have driven the bulldozers," the Orang Asli say, "but they were present and they did not protect our interests."<sup>37</sup>

In Pulau Carey, the Selangor POASM Chairman, Arif Embing, had to lodge police reports to stem moves by a group of people, including two officials from the Selangor JHEOA, who tried to get the Orang Asli to sell their land to private developers (*New Straits Times* 25.3.1997). Consistently, the Orang Asli are becoming increasingly critical of the JHEOA, frequently, and cynically, punning its earlier, more commonly used, acronym JOA (for *Jabatan Orang Asli*) to mean "*Jual Orang Asli*" (Selling out the Orang Asli). Individual Orang Asli have even gone to the extent of calling for the abolition of the Department, while others have sought to revamp its structure and role, particularly with calls for the Department to be managed by Orang Asli.<sup>38</sup>

The 'Jeli Incident', where three Malays were killed in a fight with the Jahai in Kampung Manok, Kelantan, after they and their friends had tried to violently force the Orang Asli off their traditional territory, was another important turning point in Orang Asli identity formation. The case captured media headlines, especially when seven prominent lawyers went to the defence of the Orang Asli (Nicholas 1993e). The JHEOA offices – at both the state and national levels – were rather unsupportive of the Jahai's case, and this further strengthened the perception of the JHEOA as being incapable or unwilling to side with the Orang Asli.<sup>39</sup> The Jeli case is often cited by Orang Asli as to what can happen if peaceful channels do not succeed.

The early 1990s was also a period when POASM became more active, and increasingly visible, as an Orang Asli organisation that responded to, and articulated, the myriad of problems the Orang Asli faced. More



**Plate 60. Jahai accused and their lawyers outside the Magistrate Court on the last day of their trial (Kota Bahru, Kelantan).** In the defence of their self and of the right to their traditional territories, the generally peaceful Jahai were involved in a fight with six encroachers in 1993 that ended with tragic consequences for three of the latter. The Jahai were charged for the deaths but eventually acquitted in 1996 without their defence being called. The case remains a reminder to all of what can happen if the land rights problem of the Orang Asli is not resolved amicably and quickly. (CIS-1996)

importantly, POASM was able to act as a sort of clearing house for the airing of Orang Asli complaints, which in turn helped promote a sense of cohesion among the subgroups.

As an indication of the mood prevailing among Orang Asli communities, here is a transcript of the various statements made by those who attended a village meeting in Tapah, Perak on 7 May 1993:

We Orang Asli are often taken for granted; not taken seriously. We are left without many rights although we have given much service, that is, through JOA, *Polis Hutan*, *Senoi Praaq*. But we are never acknowledged. JHEOA, which is supposed to take care of our welfare is, in fact, a department which *Jual Orang Asli*.

We, through our *penghulu*, ask for land, but *Polis Hutan*, the D.O. brush us aside. In fact, we were all asked to move when they wanted to make this a water catchment area, but our *penghulu* came together to discuss and persuade the officials, the sultan, to change their minds.

We ought to find out new ways and ideas to deal with our situation now that we know how bad it is. We should co-operate and work together to have our problems solved. We won't get anywhere if we are divided. How is it that we don't have land when we are *Orang Asal*, but others have it. All I know is we can act as a group. We should protect our land and our rights. The government has

the land ... but the government has given others the land. So that's why we have no land and nothing is gazetted.

Let's bring forward our ideas so that we can forward these at the meeting in Kuala Lumpur. We must speak out as one. To protect our land, we have to first uphold our identity, our culture and our way of life. Everyone in this country and people abroad should know who we are, so that no one can say we are not the *Orang Asal* of this land, that we don't have our own culture and identity.

We must seek rights not only for ourselves, but also for all Orang Asli, all *suku-kaum*, all *kampungs*. Or else, we will have no land later. We are being pushed here and there when the government wants to have a certain project ... Felda, Felcra. We must have laws to protect our land from government schemes. How can we have these laws? We can ask POASM to help us. They are our *persatuan*. We are not alone. There are other groups and other countries that support our struggle and want to protect our rights.

If we don't have our own identity, the government will say we don't exist. That we are *Gob* and our land will come under Malay Reserves. Before, the land belonged to all of us, not one particular person. But the government made laws that said that this department, that office, is in charge of land and we can't argue about it. Yet, we do want development. It is our right.

The *Gob* are not the *Orang Asal*, yet they want to take our land. They don't even know the origins of the thunder spirit, the trees. They are not *Orang Asal*. If they can prove they know these, then they can say they have the rights to the land.

(Someone asked if they would be afraid if the police caused trouble.)

We are not afraid because we are doing nothing criminal. We are not bullying anyone. We don't have a king. The *Gob* took over our king and thus our land. But it is originally ours. What do we have to fear? It is our right.

It is clear therefore that the Orang Asli are asserting claims to an identity, or at least claims to a distinct ethnic grouping. This has coincided with the emergence of political awareness, brought about, in part, by increased experiences of social stress accompanied by improvements in inter-community communication. These claims that are being made in the name of cultural identity or land rights are nevertheless inherently political in that they seek to regain control over both their cultural symbols and their physical space.

Increasingly, Orang Asli have recognised the need to assert both their personal and collective identity in order to counter the power of the 'outsiders', particularly that of the state. The Orang Asli, as such, have looked at themselves from the outside, recognised the commonality of the problems that face them, and realised that an assertion of their indigenous identity is a prerequisite for their survival. That is to say, an Orang Asli indigenesness has emerged.

### **Response of the State**

The response of the state to the rising Orang Asli indigenesness has been fairly diverse, but always consistent in that it did not want to lose control over the Orang Asli.

In keeping with the demands for more Orang Asli participation in decision-making, the JHEOA began to involve Orang Asli leaders in planning workshops and conferences — although with a hidden agenda in some cases.<sup>40</sup> For example, the Conference on Orang Asli Development held in Petaling Jaya from 9-11 November 1989, brought together participants from the various government departments, academicians, politicians, as well as a contingent of 72 POASM/Orang Asli representatives. However, the paper presenters summoned by the JHEOA seemed to have had a common underlying proposition in their presentations: that it was time to re-think the name 'Orang Asli' with a view towards achieving integration.<sup>41</sup>

Partly because of their numbers, the Orang Asli participants nevertheless were able to side-step these considerations and address more straightforward 'development' issues in the workshops — including that of whether an Orang Asli who was a Muslim would be eligible for titled land in Malay Reserve Lands; an issue not resolved then, nor at present.

Workshop deliberations and policy pronouncements from the JHEOA in 1989 and the early 1990s also indicated that the policy-makers have been bent on achieving Orang Asli (socio-economic) development by exploiting Orang Asli traditional resources, especially their land. The new vehicle for accomplishing this was privatisation.<sup>42</sup>

In the meantime, as discussed above, the Orang Asli mood has been very much for a more visible and separate indigenesness. This was seen by the state as a form of political action and a challenge to the 'mainstream'. The state has acted quickly to check the situation by ignoring the previous processes of dialogue and deliberation, and instead, the state embarked on a unilateral policy of de-culturalising the Orang Asli (via stepped-up efforts aimed at integration and assimilation with the mainstream society). And perhaps knowing that Orang Asli identity will persist as long as its material basis is not destroyed, the state has also stepped up efforts to



dislodge the Orang Asli from their traditional territories, a move that also conforms to the needs of capital. Increasingly, as discussed earlier, Orang Asli land policies were proposed and implemented, not with Orang Asli development in mind, but with a view to gaining access to, or appropriating, their traditional territories.

The semantic issue also continued to bother the state. Are the Orang Asli to be regarded as Malays or are they different? To allow a separate Orang Asli identity would be to concede that the objective of integration/assimilation has not been achieved. More importantly, it could threaten the legitimacy of the Malays to their claim to political dominance by virtue of their indigeneity.<sup>43</sup>

The state responded to this dilemma by asserting that there is only one indigenous people in Malaysia; it is just that some groups are more modernised while others choose to remain behind. This was spelt out in two statements made at the United Nations by Malaysia's permanent representatives.<sup>44</sup>

However, a former Director-General of the JHEOA went so far as to say that the category Orang Asli (as 'original or first people') is no longer applicable "since what we have now are only descendants of those who arrived here 5,000 years ago viz. the Malays, the Orang Asli and the Natives of Sabah and Sarawak, all known collectively today as Bumiputera" (Ikram 1997: 4-5).<sup>45</sup>

The JHEOA is also aware that it will be quite difficult to resolve the semantic problem as long as it insists on maintaining a special department for a special ethnic subgroup. Furthermore, there seems to be sufficient political objections from various quarters to the Orang Asli being categorised as Malay. For as soon as the Orang Asli are considered as Malays, several related issues will have to be addressed, foremost of which being whether the Orang Asli should be allowed to own Malay Reserve land. Despite suggestions from some high-level civil servants to this effect, there has been no decision on the matter as yet.

The increasing Orang Asli indigeneity is also seen as an attempt by the Orang Asli to assert greater political autonomy. After all, as Gray (1995: 40) notes, indigeneity is an assertion by people directed against the power of outsiders, especially that of the state. The state, therefore, is not likely to be kindly to this assertion of Orang Asli indigeneity, and has, in fact, acted to keep the political organisation of the Orang Asli in check. For example, POASM, which has since expanded its range of contacts and has embarked on programmes with other non-governmental organisations, is perceived as being too independent. Thus, when the Joint POASM-Bar Council Legal Aid Centre was launched in August 1996,<sup>46</sup>



**Plate 61. Launch of the Bar Council's Legal Aid Centre in Tapah, Perak.** The POASM President got some flak from the JHEOA for not informing it of the function, insisting that POASM should inform the JHEOA of its activities as, citing section 4 of the Aboriginal Peoples Act, "the Commissioner is responsible for everything about the Orang Asli". (1993-1994)

POASM President Majid Suhut was reprimanded by the JHEOA Deputy Director-General for not informing the JHEOA of the function. He cited section 4 of the Aboriginal Peoples Act as justification for ensuring that the JHEOA be informed of all such activities — as "the Commissioner is responsible for everything about the Orang Asli."<sup>47</sup>

Six months earlier, in March 1996, the POASM President had received a 4-page dressing-down letter from the Director-General himself, alleging that POASM instigated the Orang Asli of Kampung Bukit Tampoi to proceed with legal action for just compensation of their traditional territories acquired by the state. According to the Director-General, POASM leaders are expected to help the government get Orang Asli support for its projects, not to work against it.<sup>48</sup>

Earlier in 1993, in order to try to correct the increasing negative perceptions of the state's programmes for the Orang Asli and the native peoples of Sabah and Sarawak, the government decided to hold an International Conference on Indigenous Peoples. The task of organising the conference was originally given to POASM, then under Long Jidin as President, but was passed back to the JHEOA due to POASM's lack of experience in organising such a major event. The JHEOA, partly due to its own lack of international contacts, passed it on to Prof. Hood Salleh of UKM, who was able to get a more balanced representation from both international and Malaysian speakers, much to the chagrin of those who mooted the conference. Media coverage of the proceedings, in fact, was positive towards the Orang Asli position, and served to further reinforce the emerging Orang Asli consciousness.<sup>49</sup>

Also, in apparent response to the issue of emerging Orang Asli indigenosity, and to avoid any confusion as to who constitutes 'indigenous people', the Malaysian government, through the person of the Director-General and Deputy Director-General of the JHEOA, have been attending the United Nations Working Group on Indigenous People (UNWGIP) meetings since 1995. Their statements at these meetings were basically aimed at reminding the world that the Orang Asli and the Malays, as well as the Natives of Sabah and Sarawak, are the same indigenous population in Malaysia.

Such responses from the state, varied and seemingly insignificant as they are, suggest that the abstraction of an Orang Asli identity and the assertion of an Orang Asli indigenosity are now tangible matters to address. They represent a threat to the state in that they have the potential of effecting a loss of control over a people and the traditional territories they claim.

Thus, the JHEOA, an agency that is supposed to organise such control, would be expected to be disturbed when the court granted the Orang Asli community in Johor RM26.5 million (USD6.97 million) as compensation for loss of income as a result of the construction of the Sungei Linggiu dam. This is so because the JHEOA had given little weight to the Orang Asli's claims to their traditional territories and the resources therein and had instead implied that that these areas were no longer important to the Orang Asli as "they no longer depend on traditional hunting for a living" (*The Star* 27.11.1990). However, fortunately for the Orang Asli, the judge in the case had apparently kept himself informed of the political progress and aspirations of the Orang Asli.<sup>50</sup>

### Summary

Increased encroachments into Orang Asli traditional territories, their forced participation in new development paradigms, and their weak political status resulted in a deep sense of grievance and injustice among the Orang Asli. As a result, Orang Asli recognised that they have more in common with each other than they did with non-Orang Asli. Their dealings with public authorities, especially the JHEOA, have also led to them to regard the state as an adversary. Consequently, having the non-Orang Asli and the state as adversaries has helped the Orang Asli forge a common identity.

The increased levels of social stress experienced by the Orang Asli also provided the impetus for mobilising the Orang Asli beyond the local level. POASM successfully garnered Orang Asli sentiment and was able to develop an Orang Asli consciousness, where Orang Asli identity and indigenosity became the touchstone for unity and political struggle. Orang Asli individuals

and communities also carried out various actions that displayed an assertion of their difference and a call for redress. Some of these actions are discussed in the following chapter.

### Notes

1. For example, according to Gianni (1993: 4), both Temoq and Malays featured in the Semelai myths and stories of origin as 'the other'. The Semelai, in fact, looked down on the Temoq (because they were not circumcised). Also, when I met with Jahai in Perak and Kelantan in 1993, the Jahai of Banun (Perak) emphatically denied that those in Jeli (Kelantan) were also Jahai. Similarly, the Jeli Jahai strongly insisted that they were the *real* Jahai, even though both groups had similar physical features and spoke the same language.
2. *Parkia spectiosa* — a specie of bean that is much sought-after by both Orang Asli and non-Orang Asli, and represents a major source of cash income for the Orang Asli during the time the bean is in season.
3. After completing my master's thesis in 1985 (on the theme of Orang Asli development), I maintained my interest in Orang Asli matters by continuing to visit several settlements in various parts of the Peninsula. I kept a journal of my visits and started filing communications (letters, reports, memoranda, etc.) from the communities, especially after the Center for Orang Asli Concerns was established in 1989. These visits became more regular and organised when I travelled with my COAC colleague, Bah Tony, then also the President of POASM. Much of the reporting here comes from these sources. This period also coincided with my doctoral candidacy, whereafter the data gathering was more methodical and conceptual. Some of the information were also gleaned from newspaper reports or have been published in early issues of the COAC's occasional newsletter, *Pernloi Gab*.
4. The judgement was handed down on 21 November 1996 and reported in the *Malayan Law Journal* [1997] 1 MLJ pp 418-436, as *Adong bin Kurau & Ors v Kerajaan Negeri Johor & Anor*. In the first round of appeal by the Johor State Government, the Court of Appeal upheld the High Court's decision (2MJ [1998], pp. 158-166). The defendants appealed to the Federal Court which, in March 2000, upheld the earlier court's decision, thus making this case an important precedent in the Orang Asli struggle for land rights.
5. JHEOA letter dated 22.9.1973 addressed to all Heads of JHEOA Divisions and Branches, with the subject heading: *Cadangan Memukar Nama Orang Asli ke Putra Asli* (Proposal to change the name of Orang Asli to Putra Asli). Literally, *Putra Asli* means 'original (or natural) prince'. The JHEOA was under the Ministry of Home Affairs during this period (1971-1990).
6. The meeting also noted that several other names were being used to refer to the Orang Asli. One in particular was '*saudara lama*' which gave cause for worry as to whether Orang Asli identity would be protected as the term, which means 'old kinsfolk or brethren', is usually used in relation with Islam and conversion (*Minit Perjumpaan Mengkaji Usul Purasli* (sic), dated 12.10.1973).

7. The minutes of the 27.10.1974 meeting, for example, discussed the issue of parcels of Orang Asli land in Selangor being leased to others, Special Branch officers stationed in the interior marrying Orang Asli girls, Muslim and Christian missionary activities in Perak, and the aggressive recruitment strategies of the Police Field Force to get Orang Asli to join the *Senoi Praaq* ('Fighting Aborigines', a unit of the Police Field Force) that had resulted in a shortage of youth labour in the villages. The Director-General of the JHEOA and his senior colleagues attended these meetings.
8. There was, however, a spurt of activity in 1982, just before the government appointed a new senator for the Orang Asli community. POASM conducted elections for the nomination of candidates, and also prepared a Working Paper to the government on Orang Asli progress (*Kertas Kerja POASM* 1982).
9. The Center for Orang Asli Concerns was also established in 1989. COAC's role, however, was supportive in nature — helping to draft the earlier press statements of POASM, providing technical support, and acting as a resource centre for information on Orang Asli research. COAC also published its own newsletter, *Pertoloi Gab*, which carried Orang Asli news and views, and worked with other non-governmental organisations to put the Orang Asli on their agenda e.g., in the Malaysian Human Rights Manifesto of 1990 and the Malaysian Human Rights Charter of 1993. Networking with other indigenous groups in Sabah and Sarawak and in the Asian region was also sought, with the first exchange visit to Sabah organised in 1992.
10. As at April 1998, POASM's membership stood at 15,673 (10th POASM Annual General Meeting Report, 9.5.1999). It crossed the 17,000 mark at the 11th POASM Annual General Meeting held on 30 April 2000.
11. President's speech, POASM's 7th Annual General Meeting, Gombak, 19 November 1995.
12. The seminar was held in Gombak, Selangor, on 4 November 1990, and was jointly organised by the Malaysian Social Science Association (PSSM) which provided financial support. The theme was: *Pembangunan Sosial Dan Ekonomi Orang Asli: Pencapaian Yang Lalu dan Prioriti Untuk 1990an* (Orang Asli Social and Economic Development: Past Achievements and Priorities for the 1990s).
13. The nature of the media interest in the Orang Asli then can be seen in two examples. One of the first POASM statements (challenging the allegation that the Orang Asli were forest destroyers) was actually sent to the press as a 'Letter to the Editor'. The *Star* newspaper published it in full on 1 August 1989. Its competitor, The *New Straits Times*, got it later, or was slow for some reason to see it. Nevertheless, they called up the POASM President and chastised him ("If it is a letter for the editor, then you should not send it to any other paper") but still carried the letter in full on 4 August 1989. Then in November, the *Malaysian Business* magazine found it important enough to place a quote from the POASM President together with other quotable quotes from government ministers and top businessmen, certainly not for its originality, but possibly because it came from an Orang Asli: "Give a man a fish, and he eats for a day; teach him how to fish and you feed him for a lifetime" (*Malaysian Business* 1-15 November 1989).

14. An Orang Asli JHEOA officer once told me that it not uncommon for JHEOA field staff to simply mark the ballot papers *for* the Orang Asli, sometimes in their absence, but often as polling clerks assigned to assist the illiterate Orang Asli. However, with electoral seats becoming increasingly coveted and contested, election agents of the candidates are now being sent to even the remotest polling stations to ensure everything is followed according to the book.
15. The party was later renamed Parti Melayu Semangat 46, or Semangat 46 for short.
16. The mainstream media reported a crowd of 3,000 Orang Asli being present at the function in Gua Musang. However, *Harakah* (13.7.1990), the official organ of PAS, the opposition Islamic Party influential in Kelantan, reported that only 300 Orang Asli attended.
17. My notes, written after Bah Tony narrated an account of the first meeting with the Prime Minister on 30.3.1990, read as follows: "It was on a one-to-one basis. Thought Tony was a Temiar (no coincidence since Gua Musang is Temiar country). His eyes opened bigger when told that POASM had 5,000 members. Wanted to know what was the stand of the Orang Asli towards the government. Offered government assistance to support handicraft development and marketing. Discussed position of Orang Asli senator."
18. These figures were obviously plucked out of the air but they do reflect the attention the Orang Asli voters were getting and how certain individuals were apt to maximise such attention.
19. Currently, the air time has been extended a further two hours, with the programme going on the air from 3-9 p.m. daily.
20. After a short spell under the Ministry of Rural Development (1991-92), which the Orang Asli were comfortable with as they saw this Ministry as being the most suitable to cater to their development needs, the government announced that the JHEOA would be under the Ministry of National Unity and Social Development (with effect from 1 January 1993). This new move took Orang Asli, including the JHEOA, by surprise. Many Orang Asli also expressed their displeasure at being considered as some kind of 'welfare case'.
21. This was to later strain POASM President Majid Suhut's relationship with the Minister for Orang Asli Affairs, Zaleha Ismail, and cause accusations that POASM was pro-opposition and anti-Barisan Nasional.
22. After being groomed as the protégé of Prime Minister Mahathir Mohamed, severe political differences got in between them especially when the economic crisis of mid-1997 set in. To justify the politically-motivated sacking of Anwar, Mahathir cited corruption and gross sexual misconduct as reasons for his dismissal. This was not acceptable to a significant section of the population, particularly the Malay public. Eventually, one group was being pitted against another, each accusing the other of being composed of political cronies and their followers. In the ensuing months, there were many street demonstrations and other forms of dissent that were often met by harsh police action.
23. See the discussion on page 34 to understand why these figures are worrisome rather than something to laud about.

24. That it was a 'private' function was clear as no JHEOA senior officer, despite being present, was given any place of honour at the function. The JHEOA's role, apparently, was reduced to merely that of providing logistical support for the Orang Asli guests.
25. According to same JHEOA official, a non-Orang Asli, there were fears that the political turbulence in the country had influenced the Orang Asli village-heads and that they would not want to participate in the function. Hence, he added, it was necessary to provide 'incentives' to make them want to attend the function.
26. No one however questioned as to how a RM61 million compensation programme (that included compensation in kind) for 158 families could make them millionaires individually or as a family. It takes very little mathematics to realise that the compensation sum should be at least RM158 million to turn 158 heads of households into millionaires.
27. Because Parliament was dissolved soon after, the budget had to be re-tabled in February 2000 when the new Parliament was installed. However, despite the Finance Minister reporting an increase in growth and improved financial fundamentals, the allocation for the Orang Asli community in the revised budget was reduced by RM400,000 (USD105,250) i.e. from RM30.9 million (USD 8.13 million) to RM30.5 million (USD 8.03 million) (*New Straits Times* 26.2.2000).
28. This is a regroupment scheme for about 2,000 Temiar that was created when the Temenggor dam was built in 1977. The announcement of this project suggests that such a basic amenity for a planned development scheme was only being introduced more than two decades after the project!
29. Jumper (1999: 166) claims that "some 30,000 Orang Asli voters inhabit the environs of Sungei Siput, Tapah and Gopeng in Perak state." This is an uninformed attempt to try to argue that the importance of the Orang Asli in electoral politics is due to their numbers and not to other factors — especially since the *total* Orang Asli population (i.e. including more than half of whom were not of voting age) in the state of Perak in 1997 was 30,841. Furthermore, in his map of 'Orang Asli political demographics' (1999: vi), he lists the state of Perlis as one of the states "in which the Orang Asli have been confirmed to have made a difference in Malaysian elections." Those familiar with Orang Asli matters would point out that Perlis is one of the only two states in the peninsular — the other is Penang — that *do not* have a traditional Orang Asli presence. According to the 1997 Census report, 63 Orang Asli were living in Perlis in 1991 and they were there more likely because of work or educational pursuits.
30. These are Chenein, Pos Legap and Pos Piah. Other polling stations had a mixture of Orang Asli and non-Orang Asli voters, and this makes it difficult to ascertain how many Orang Asli actually voted, and how. I am grateful to Dr. Kumar Devaraj, the opposition candidate from DAP-PSM who stood against Samy Vellu of the BN, for the voter statistics presented here.
31. On the contrary, it is being alleged that the participation of about 6,000 'phantom voters' brought in from other constituencies played a major role in giving the incumbent his win (Kumar Devaraj, 'Notes from P059', 20 January 2000). If this was so, it clearly means that even the ruling party was not confident that the

Orang Asli vote in this constituency was sufficient to ensure a win.

32. How Orang Asli voted in the last elections is quite a complex matter. Certainly, the Barisan Nasional propaganda media blitz – along the lines that only the BN can ensure stability and hence bring development – had an impact, as did the attempt to link a vote for the opposition with a vote for chaos and ethnic strife. For the Orang Asli, their aversion to Islamisation was also effectively manipulated as when the opposition front was identified as a PAS-led coalition that was bent on setting up an Islamic state, and thus the conversion of all Orang Asli to Islam. Another important consideration for the Orang Asli's general support of the ruling coalition was that the opposition had weak bases in the constituencies they were contesting in and often could not match the BN in terms of election machinery and resources at their disposal. The BN also had several experienced local Orang Asli canvassers on their side.
33. This translates literally to: Project for the Integration of Isolated Rural Communities.
34. Somehow, the largesse provided by the candidate of the ruling coalition during these political campaigns always tend to emphasise the more material aspects of 'development'. The more long-term debilitating problems of the Orang Asli's health, for example, do not take place of priority in their scheme. It was thus very disappointing to see a young lad covered with flaking skin – a result of easily-treatable scabies – in Kampung Paya Sendayan during the Sanggang by-election. No one seem to be concerned about his condition, perhaps because he was not of voting age. Also, during the campaign for the 1999 general election in the Betau Regroupment Scheme, the elderly wife of an influential Semai chieftain in the area, was quite ill. In the heat of the campaign, much material benefits were distributed or promised to sway the votes but no one offered the sick woman some medicine or to take her to the clinic.



**Plate 62. Semoq Beri lad with scabies (Kampung Paya Sendayan, Mentakab, Pahang).** Health concerns of the constituents are often overlooked in the largesse offered by political parties during election campaigns. Ironically, many of the health conditions the Orang Asli face are easily and cheaply treatable. (04/2000)



35. Ilham Bayu, writing in an opposition-backed weekly paper, *Eksklusif* (14-20 June 1999), lamented the attitude of elected representatives who only made an appearance during election campaigns. In particular, he singled out elected representatives from UMNO who have shirked their responsibilities. He then called upon all Orang Asli to unite and vote for candidates who were genuinely concerned for the Orang Asli's wellbeing, even though the candidate may not be from UMNO.
36. The unjust nature of the amendments was finally acknowledged in 1996 when it was admitted by the government that some states were mis-applying the Act by allowing acquisition of lands for non-public purposes such as golf courses, commercial estates and condominiums (*New Straits Times* 23.5.1996).
37. A similar situation had occurred in 1990 when an Orang Asli church in Kampung Serigala (Tanjung Malim, Selangor) was bulldozed to the ground on the instruction of a JHEOA officer (Loh and Nicholas 1990).
38. Arif Embing, for example, called for the dissolution of the JHEOA because "I feel that we can live better lives without their presence" (*Harian Metro*, 18.10.1996).
39. The JHEOA officer in charge of Jeli district, Buding Abdullah, was an exception. Not only did he give his full support to the defence team during the court process, but he consistently sided with the Jahai in making their complaints heard at the state level. Had his superiors acted on his submissions, the tragedy could have been averted. In contrast, when the Director-General of the JHEOA was asked by a journalist on 13.5.1993, as to whether the Department would engage lawyers for the Jahai then in police remand, he answered, "They are criminals. Why should we help them?"

However, on finding out that the Jahai accused were being represented by volunteer lawyers from the Bar Council and the human rights society (HAKAM), the JHEOA Director for Kelantan appeared in court with the JHEOA's own lawyers for the Jahais. However, the Jahais rejected the services of these lawyers as the latter were bent on asking the Jahais to plead guilty. The case went on over the next three years, whereupon the Jahais defence was not called and the case thrown out in 1996.

40. Through a series of symposiums and seminars organised by the Department of Anthropology and Sociology at the National University of Malaysia (UKM), under the chairmanship of Prof. Hood Salleh, the general public and the JHEOA became increasingly aware that there were Orang Asli who were now educated, vocal, and had ideas for their community.
41. Some examples: Abdul Samad Idris (1989: 1): "To me, Orang Asli have the same roots as the Malays...."; Nik Abdul Rashid (1989: 23-24): "Orang Asli can be integrated with the Malays through mix-marriages where the Orang Asli can embrace Islam. Islamisation alone is not enough...."; "If Brook (sic) could Christianise almost all of Sarawak, and the British North Borneo Company through their pastors could Christianise almost half of Sabah, then I see no logic why Malaysia cannot Islamise all the Orang Asli" (p.23).
42. For example, at the in-house *Seminar Rancangan Malaysia Ke-6* (Seminar on the Sixth Malaysia Plan) held on 21-23 August 1989, working papers on the privatisation of regroupment schemes as well as the Orang Asli settlement of

Bukit Lanjan near Kuala Lumpur were tabled.

43. One writer, for example, contends that, "the rhetorical question 'Who was here first?' is still employed in order to deprive ethnic minorities of their political rights.... It is, of course, an attempt to present the history of the people in terms of origin.... Consequently, it is claimed the non-Malay immigrants are not entitled to an equal share of the national cake because they are not the *bumiputra*... If this argument is developed to its logical conclusion, the supreme political status should be accorded to the aborigines of the peninsula, the Orang Asli" (Hua 1983: 9-10).
44. Razali Ismail (1993): "Malaysia is a land of indigenous people though there are important immigrant races living in harmony with indigenous groups. There are over 30 groups of indigenous people in Malaysia. Most of them left the forests a few hundred years ago to settle in the valleys and plains to grow rice and set up villages which in turn became towns. My indigenous group, the Melayu, too left the forests and though our roots go back to our beginnings, we have made our choice towards modernisation."
 

Musa Hitam (1994: 5): "The Malaysian situation is unique in that the indigenous majority is politically dominant and economically vibrant and, if I may add a personal touch, I am a proud member of that community. My indigenous group chose to leave its natural setting and integrate with the global village,... We believe that the remaining indigenous minorities could similarly on their own volition reach out to the mainstream society."
45. In a personal communication dated 17 November 1997, in reply to my response to his press release of 31 October 1997, the former Director-General wrote: 'Asli' also means 'natural'. Term was used because of lack of other words to replace the 'bad' words like 'Sakai' and 'orang darat'. It was never intended to mean 'original or first people'.
46. At the COAC premises in Tapah, Perak.
47. Letter dated 10 August 1996 from the Deputy Director-General, JHEOA to the President of POASM.
48. Letter dated 9 March 1996 from the Director-General of the JHEOA to the President of POASM.
49. A set of resolutions, deemed very positive for Orang Asli and indigenous interests, was passed and submitted to the government. However, it was not widely publicised. See Hood (1995: 47) for the text of the resolutions.
50. I agree with Lim Heng Seng, Chairman of the Industrial Court in Sarawak, who holds the view that dissemination of issues and awareness-raising through the media are crucial as judges read newspapers and are themselves influenced by what they read. My own experience with the Jeli case involved two incidents in open court when the judge made mention of two separate articles I had written about the case and cautioned that these articles could be deemed to be *sub judice*. Irrespective of whether they were or were not, what was certain was that the judge had read them.


8



## POLITICAL ACTIVISM AT THE CLOSE OF THE MILLENIUM

Protest at the Prime Minister's Department  
Going to Court • Defying the JHEOA  
Speaking Out • National Networking through JOAS  
Celebrating with the World • Entering the Political Fray

**Plate 63. Semai traditional performers at the World Indigenous Peoples' Day celebrations in Kampung Chang (Bidor, Perak).** In the 1990s, Orang Asli communities established cultural troupes in a proud assertion of their cultural specificity. Several of these involved the young people in the community. (CA-1999)



Chapter 8

## *Political Activism at the Close of the Millenium*

Orang Asli political assertion underwent a significant change in direction and content in 1998 and 1999. Responses and actions moved from the local to the national level and reflected the frustration of the Orang Asli over the lack of adequate response to conflict resolution efforts of the past.

### **Protest at Prime Minister's Department**

One can arguably situate the watershed in Orang Asli political responses to 13 May 1998 when about 80 POASM members from various communities in Selangor staged a first-ever peaceful demonstration in front of the Prime Minister's Department in Kuala Lumpur.

Wearing traditional *mengkuang* (pandanus) headgear and carrying banners and posters,<sup>1</sup> they mobilised themselves in a show of support for two Orang Asli families in Bukit Lanjan whose houses had been demolished four days earlier by local government workers and private contractors to make way for a highway project.<sup>2</sup>

The heavy-handed manner in which the houses were demolished – without prior warning to the owners and despite the matter still being handled by their lawyers – infuriated POASM leaders enough to want to make their displeasure visible and loud. The demonstration was to inform the authorities that the memorandum submitted on that day to the Deputy Prime Minister had the support of the Orang Asli. There was good media coverage of the event but the action did not solicit any positive response from the authorities involved.

Pleased with the action, and wanting to gain more mileage out of it (especially among the Orang Asli), POASM brought out a poster on the demolition of the houses and the protest action, under the bold title in red: *POASM – Pembela Hak Bangsa* (POASM: Protector of the Community's Rights). This poster was widely circulated among the communities and invariably displayed prominently at POASM functions.



Plate 64. POASM demonstration at the Prime Minister's office (Kuala Lumpur). Orang Asli protests thus far were organised at the local level and usually involved only the community affected. However, the heavy-handed manner in which two Orang Asli houses were demolished (by the Petaling Jaya Municipal Council and private contractors) in Bukit Lanjan angered POASM members enough for them to stage a first-ever, multi-community demonstration at the Prime Minister's Department in the federal capital. (CN, 1998)

### Going to Court

Also, having exhausted all the usual avenues of dialogue, lobbying and negotiation, the Orang Asli have begun to resort to the courts to settle disputes, especially over rights to their traditional territories. The case of the Orang Asli in Bukit Tampoi, Dengkil, against the state government of Selangor and two others, commenced proceedings in 1998. The matter before the court concerns a tract of Orang Asli traditional territory that the state government acquired for the construction of the highway to the Kuala Lumpur International Airport (KLIA). The government maintains that it is state land and as such the Orang Asli are not entitled to any compensation. The community is challenging this assertion in what is to be an important precedent-setting case for Orang Asli land rights.

This case differs significantly from the Sungei Linggui case in Johor (*Adong Kuwau & Ors v Kerajaan Negeri Johor and Anor*) in that the declaration being sought is for the recognition of Orang Asli rights to their traditional territories and not just for the use of the traditional resources (as was the decision in the Johor case). At least two other suits involving Orang Asli land rights are in various stages of being filed in court.

Another case that is being brought to court is the civil suit by the parents of two Jah Hut children who died shortly after consuming anti-malarial medicines during an anti-malaria campaign. This is the Seboi case of February 1997 discussed in Chapter 6. Angry that the authorities had tried to absolve themselves of any blame for the tragedy and upset that Orang Asli lives were being treated lightly, the parents, with the help of the Legal Aid Centre of the Bar Council, instituted civil proceedings against

the government for negligence. However, given that the Coroner's Court had already ruled that the cause of death had been due to an overdose of anti-malarial medicine dispensed that fateful day, and that the Health Department personnel involved have been held responsible, the government is likely to settle out of court, with the quantum of the compensation only to be negotiated.

### **Defying the JHEOA**

In July 1998, a group of Orang Asli who traditionally practised rotational or shifting cultivation, had to decide whether to heed a directive from the JHEOA to adhere to a ban on open-burning or to go ahead and complete their annual agricultural cycle. The Ministry of Environment, Science and Technology had imposed a ban on open-burning because forest fires raging in Kalimantan, Indonesia, had caused haze to develop over the peninsula. The Director-General of the JHEOA agreed with the ban as he was reported as being not convinced that burning was necessary for those Orang Asli who practised swiddening. He added that he "did not believe they (the Orang Asli) are subject to any hardship on account of not being allowed to use fire for land-clearing."<sup>3</sup>

However, the Orang Asli in Tapah, Perak, who had already cleared their fields and were waiting for the dry season the following month to carry out the burning, were adamant because they needed the rice crop for their survival. Their response to the ban was: "If we are not allowed to burn, can someone provide us with rice? Maybe one sack per family should be enough to see us through. If that can be done, perhaps we can forego tilling our fields for this season."

One sack of rice per family – that is 25 kilogrammes of rice costing about RM35 (USD9.50) – seemed a very reasonable request as compensation. Furthermore, there was already a precedent where the authorities provided monetary compensation to fishermen in Melaka who could not go out to sea because of the same haze. However, the JHEOA Director-General dismissed the possibility of this happening ("We will not give anything like that. Anyway, their children are already receiving food subsidies when they go to school").

Further, when asked whether the special needs of the Orang Asli had been overlooked in the haste to ensure clear skies, the JHEOA Director-General replied, "There is no question about it, the Orang Asli must follow the Government's directive, which is intended to prevent the haze. Are you suggesting that they break the law?"

But the Assistant Director-General of the Fire and Rescue Department held a different view. He said that, "The law must not be overly rigid in



**Plate 65. Setting fire to a cleared field in preparation for hill-rice cultivation (Ulu Woh, Tapah, Perak).** When the Orang Asli practise their age-old system of agriculture for their own survival, they are accused of degrading the environment. When plantation companies clear huge tracts of forests permanently (using fire, heavy machinery and chemicals), they are praised and given financial subsidies and tax breaks. (CH-1994)

this matter ... you must provide them with some alternative if they are not allowed to use fires."

Similarly, the Director-General of the Department of Environment said her department was considering appeals by those affected by the nationwide 'no-burn' directive, adding that, "We recognise that there are some specific situations where the use of fire is needed."

Further words of assurance came from the Deputy Science, Technology and Environment Minister, who said the RM500,000 (USD131,600) fine for open-burning offenders was "not meant for farmers and smallholders, but those doing it for quick profit." In fact, open burning for certain prescribed activities was allowed if certain guidelines were adhered to, e.g. supervised burning could be carried out between 2 p.m. and 4 p.m. during the hottest part of the day and that it must be supervised at all times. Among the permitted activities were burning for shifting cultivation, religious rites, training, disease control, and the burning of padi husks and sugar cane leaves (*The Star* 22.7.1998a).

However, the Orang Asli in Tapah were not aware of all these exchanges. For them, there was a directive from the JHEOA not to burn their fields that year. At the same time there was no attempt by the JHEOA to consider their welfare or to secure their livelihood. In an assertion of their autonomy, they went ahead and burned their fields and planted their subsistence crops.

This incident also clearly exposed the function of the JHEOA. Although the Department is mandated by the Aboriginal Peoples Act to provide for the "protection, well-being and advancement" of the Orang Asli, the position taken by the Department in this issue was clearly inconsistent with this



objective. On the contrary, other government agencies were more understanding and supportive of the Orang Asli predicament.

### Speaking Out

In May 1999, the biggest circulation Malay daily gave full-page coverage to what is perhaps the most extensive, widely-publicised and scathing review by an Orang Asli of the current state of Orang Asli affairs (*Mingguan Malaysia* 30.5.1999). In a no-holds-barred interview, POASM President Majid Suhut reminded the government of the Orang Asli's role in helping to bring the Emergency to an end, dispelled the myth that the Orang Asli were against development, and compared development projects for the Orang Asli with those for the Malays, pointing out that those managed by the JHEOA for the Orang Asli were frequently wanting in many aspects.

Majid also admonished politicians of the ruling coalition for showing their presence only when campaigning for elections. He mentioned that, because of past experience and betrayal, Orang Asli in the villages were now expressing an element of detest ('*kebencian*') for the government. Many Orang Asli, he said, have also expressed support for opposition parties such as PAS and the newly-formed National Justice Party (Keadilan).

The general flow of Majid's litany was that the Orang Asli are still one of the most marginalised groups of Malaysians today largely because the government had not been responsible in developing them. The Orang Asli, he asserted, would not be so economically depressed had the government given them the same development benefits and priority it gave to the Malays.

It is also clear from the POASM President's remarks that there is a politics of difference between the Orang Asli and others, especially the Malays. He however, made no mention of the Orang Asli having to agree to any prerequisite for development — as in conceding to programmes of assimilation and integration, or accepting conditions such as village-twinning, or relinquishing rights to traditional resources.

That the Orang Asli have sought to use various media, particularly the newspapers, to voice their dissatisfactions and aspirations can be seen from the sampling of the English news reports in 1999 given below:

Orang Asli: Pay us reasonably (*The Star* 22.3.99)

Orang Asli holds Johor to promise (*New Straits Times* 9.4.99)

Orang Asli body sounds warning on poverty woes (*The Star* 10.5.99)

Allow us to run JOA (*New Straits Times* 12.5.99)

The Orang Asli speak (*The Star* 21.9.99)

And when accessibility to state and national political leaders was not forthcoming, they used whatever means at their disposal to make themselves



**Plate 66. Greeting the Prime Minister with memoranda and letters of sorts (Bukit Lanjan, Damansara, Selangor).** Taking the (all-expense paid) opportunity to meet the national leader at a private function, several Orang Asli leaders thrust letters of appeal, protest and application into his hands. (CNA-1999)

heard. For example, on 22 June 1999, during the Prime Minister's visit to Bukit Lanjan – partly to campaign for the approaching general election to the Orang Asli village-heads assembled there – several Orang Asli took the opportunity to thrust memoranda and various letters (of protest, application and appeal) into the Prime Minister's hands as he walked the red carpet to the dais.

The Prime Minister was visibly displeased with having to shake hands with Orang Asli leaders and having envelopes stuffed into his hand at the same time. Standing behind me, one representative of the private developer organising the event was overheard to have commented that the Orang Asli were being very rude and disrespectful to the Prime Minister. However, to many who were present, it clearly reflected that the Orang Asli had much to voice to the national leader and that existing channels for doing so were not there or that they did not have any impact.

### **National Networking through JOAS**

POASM and other Orang Asli community leaders had also begun attending meetings and training workshops organised by various foreign indigenous and non-indigenous organisations. After having participated in network activities for several years prior to 1998, POASM formalised its participation in the *Jaringan Orang Asal SeMalaysia* (Indigenous Peoples Network of Malaysia, JOAS), an informal network of indigenous peoples organisations and peoples' movements comprising indigenous (*Orang Asal*) groups in Sabah, Sarawak and the Peninsula.<sup>4</sup>

Several Orang Asli communities have also become direct members of JOAS, while an Orang Asli woman leader, Tijah Yok Chopil from Kampung



**Plate 67. Meeting of the Indigenous Peoples Network of Malaysia (JOAS) in Tambunan, Sabah.** Frequent exchanges between Orang Asli communities and the indigenous groups of Sabah and Sarawak have impressed upon them that their situations are similar and that they need to network and unite for common objectives. [CN-1998]

Chang, Bidor held the presidency of the network for the 1999-2000 term.

The network also organises national level conferences on various issues pertaining to indigenous peoples rights and concerns. Here, government officials and politicians are invited to engage in dialogue with the Orang Asli on an equal footing. The first conference, held in Kuala Lumpur in 1996, touched on the theme of indigenous land rights and identity.

### **Celebrating with the World**

The United Nations declared 1994-2003 as the International Decade for the World's Indigenous People. Each subsequent August 8th was also to be the International Day for the World's Indigenous People. Since 1995, the Indigenous Peoples Network of Malaysia (JOAS) has been organising national level Indigenous Peoples Day events, usually following the annual national workshops that rotate among the three regions.

It was not until 1998, however, that POASM formally celebrated World Indigenous Peoples Day with a two-day cultural fair in Tanjung Sepat, Selangor. It was a clear message to others that they had begun to identify with the world's indigenous peoples and to establish solidarity links.

The practice is now set to be an annual affair. The 1999 celebrations were held in Bidor, Perak, on a much larger scale, albeit with some logistical and financial support from the JHEOA and the Orang Asli Radio network (*Siaran Orang Asli*) of Radio Television Malaysia (RTM). The *Menteri Besar* (Chief Minister) of Perak officiated at the opening although top JHEOA officials from Kuala Lumpur were conspicuously absent.

And given that the celebrations did not have (or excluded) any direct Malay component, the presence of this senior politician, as well as the

extension of much government resources, may be interpreted as state endorsement of the Orang Asli's indigeneity and an acknowledgement of their right to celebrate their indigeneity together with the rest of the world's indigenous peoples.

However, noting that the general election was being hotly predicted to be around the corner then – it was eventually held less than three months later, on 29 November – it was clear that Chief Minister's presence was to avail himself of an opportunity to campaign for the ruling party. Consequently his speech did not touch on any aspect of the celebration of World's Indigenous Peoples' Day nor on the rights of indigenous peoples such as the Orang Asli. He did, however, in true campaign style, announce the allocation of RM130,000 (USD34,200) for the supply of electricity in Kampung Gedong, Bidor and another RM50,000 (USD13,200) for the Orang Asli of Kampung Tisong, Sungkai.

Furthermore, displaying either real or feigned ignorance of the settled existence of the Orang Asli in Perak, the Chief Minister admonished them for their nomadic existence and said in no uncertain terms that the state would not grant land titles to the Orang Asli if they did not stay put in one place (*The Star* 10.8.1999). He definitely did not endear himself to the Orang Asli. The 300 Orang Asli who turned up to hear him speak were a far cry from the more than 3,000 who had gathered to participate in the cultural activities the night before. Apart from the traditional dance performances, popular Orang Asli rock bands – Jelmol, Sarinan and Seniroi – were the crowd pullers.

The need to reassert Orang Asli identity was highlighted throughout the event. One of the criteria for judging the traditional dance competition, for example, was whether the performance portrayed 'Orang Asli identity'. Even the rock bands, who had a repertoire of Malay and Orang Asli (especially Temiar) songs, took pains to precede their indigenous songs with the well-received qualifier: "We are an Orang Asli band. If we don't sing Orang Asli songs, people will say we are not Orang Asli."

While the celebration of the World Indigenous Peoples Day was not given much prominence in the local media, it has nevertheless galvanised sufficient interest among Orang Asli leaders to make this an annual event. The site of the celebrations is to rotate among the states so that more Orang Asli from the communities would be able to participate in the events.

Already, plans are afoot for the 2000 celebration to be held in the state of Negeri Sembilan. There has also been calls for the World Indigenous Peoples Day to be given further recognition by way of declaring it a national holiday, "... so that other ethnic groups in Malaysia would be able to better appreciate and understand our culture and traditions," wrote *Anak*



Plate 68. Orang Asli rock band, Sinaran, playing to the audience at the World Indigenous Peoples' Day celebrations in Kampung Chang (Bidor, Perak). The celebration of this international day is a clear signal that the Orang Asli are asserting their identity as a distinct ethnic group, in solidarity with other indigenous groups in the world. [c.1999]

*Bangsa Setia* ('The Loyal Child of the Race') in a letter to the local Malay daily (*Berita Harian* 22.10.1999). This call was followed by a resolution tabled at the 11th POASM Annual General Meeting on 30 April 2000 giving the Supreme Council the mandate to determine the name, and date, of the *Hari Keraian Orang Asli* (Orang Asli Festival Day).

### Entering the Political Fray

Over the years, Orang Asli leaders, especially those in POASM, have advocated that they needed to participate in the political arena if they wanted to make themselves heard and recognised. There have been frequent calls for POASM itself to be turned into a political party.

However, in mid-1999, moves began to register a separate Orang Asli political party called *Parti Orang Asli* (POA). By September 1999, the formal application was submitted to the Registrar of Societies and it was no secret that several key leaders of POASM were behind this initiative.

According to Majid Suhut, "The establishment of an Orang Asli party is now most appropriate in order to safeguard the interests of the Orang Asli ... just as how other minority groups in Malaysia have done" (*Berita Harian* 31.8.1999). He added that it was time for the Orang Asli to depend on their own party and not that of another community. The pragmatic side of him quickly added that Parti Orang Asli was not being established to be an opposition party; rather it would seek admission as a component party of the ruling *Barisan Nasional* (National Front) (*Berita Harian* 31.8.1999, 19.11.1999).

However, the party's application had yet to be approved when the general election was eventually set for 29 November 1999. It was then that

a small group of POASM leaders decided to have Orang Asli Independent candidates contest in the Pahang state seat of N2 Jelai (where 38.8 per cent of the 8,995 voters were Orang Asli) and the parliamentary seat of P75 Lipis (where 0.7 per cent of the 42,585 voters were Orang Asli). These seats, especially the state seat, afforded the Orang Asli candidates a fair chance of winning (provided they could garner all the Orang Asli votes) as the political scenario in the country then was such that the Barisan Nasional incumbents were being assured of strong challenges from the candidates of the opposition Barisan Alternatif (Alternative Front).

The direct participation of Orang Asli in the 1999 general election was a closely guarded secret until just before nomination day. In fact, the Special Branch of the Royal Malaysian Police Force was reported to be unaware of the Orang Asli's plan to place candidates in these constituencies and had reported to the political leaders that the seats in question were to be straight fights between the Barisan Nasional and the Barisan Alternatif. Those behind the Orang Asli candidacy had feared – perhaps justifiably, in retrospect, given what they were to experience during the campaign – that an early revelation of their intention would allow some powers-that-be to thwart their plans. This meant they were unable to mobilise more people and resources especially in light of the short campaign period of eight days.

However, on nomination day (20 November 1999), the parliamentary candidate, POASM Deputy President Arif Embing, was disqualified on a technical ground — his proposer, although a registered voter, was not a gazetted registered voter.<sup>5</sup> Still the candidacy of Norya Abas, a Semelai plantation manager from Tasek Bera, was accepted for the state seat and this was enough to make the incumbent state assemblyman from BN-UMNO, Omar Othman, visibly anxious.

The Jelai state seat covered the Semai communities in the Betau Regroupment Scheme, the lowland Semai in Koyan and Tanjung Gahai, as well as the more remote highland settlements of Lenjang, Sinderut, Lanai and Titom in Ulu Jelai and Ulu Betau, and those of Terisu, Telanok, Lemoi and Mensun that were only accessible from Cameron Highlands area. The vast constituency often required a good day's journey by a 4-wheel drive vehicle to reach settlements at the other end. Campaigning was therefore an uphill task for the Orang Asli candidate.

Norya's campaign was run on the argument that there was a need for the Orang Asli to have their own elected representative in government. Despite being volunteered with enough information to discredit the reputation of the incumbent, the team chose to campaign purely on their ability to persuade the Orang Asli voters to accept the call for Orang Asli political representation. Some of the arguments they used include:



**Plate 69.** Orang Asli independent candidates on nomination day at the Kuala Lipis District Office, Pahang. The candidate for the state seat, Norya Abas (with glasses), and Arif Embing (foreground), the candidate for the parliamentary seat, as well as their proposers and seconders wore traditional Orang Asli symbols to remove any doubt others might have of their indigenous platform. Arif's candidacy was subsequently disqualified on technical grounds. (CN-1995)



**Plate 70.** The slow process of getting village leaders to accept the Orang Asli bid for a political seat (Kampung Semoi, RPS Betau, Pahang). The short campaign period, the lack of previous exposure to the local communities, and a cash and resource-starved campaign proved disadvantageous for the Orang Asli independent candidate. The candidacy did however have a positive effect: the ruling party was rocked into realising how important the Orang Asli vote can be in some constituencies. (CN-1999)

After 42 years of *Merdeka* (Independence), why is there no Orang Asli member of parliament or state assemblyman? We are not against the government; we just want to have our own representative. We have asked for a seat before, but they did not want to give us any. So we are forced to get it ourselves.

We do not want to badmouth any party. We Orang Asli do not join other parties. Many of us are in UMNO. Norya himself has been the Youth Leader of his division for many years. In Chinese majority areas, they give the seats to the Chinese. In Indian areas, they give it to the Indians. But why, in this constituency where Orang Asli are many, we are not given the seat to contest.

We now have our own department, our own doctor, lawyer, engineer, even our own rock band — Jelmol. What we don't have now is our own elected representative in government.

We have nothing to lose. Whether we win or we lose, everything will still be the same — the same type of house, the same conditions in the village.

The century will end in a month's time. We don't want our grandchildren to say that we didn't do anything for the Orang Asli in the last millennium.

Such straightforward appeal to Orang Asli sentiments succeeded in swinging support to the Orang Asli candidate, although the process was very slow and energy-consuming. No promises were made about bringing development to the area. Neither did the constituents ask this of the candidate. The inroads made by Norya's campaign caused much concern to the incumbent. A major counter campaign was then put into action by the incumbent's team.

The display of 'instant development' — as in the upgrading of the laterite road to Kampung Dusun Pak Senam in Kuala Koyan, where the Orang Asli independent candidate had its campaign headquarters — and the usual distribution of freebies associated with campaigns of the ruling party (viz. free party T-shirts, caps, badges) as well as the ad hoc campaign-related employment (as in putting up party posters and banners) were expected by the Orang Asli voters. So too was the desperate speed at which the JHEOA officers were processing and having simple handover ceremonies for the *bonus batin*, the annual payment made to village-heads as token acknowledgement for their services.

These 'bonuses' (ranging from RM200 to RM1,000 i.e. from USD50 to USD260 per year) are usually paid in January or February following



completion of the 'year of service'. However, it has not been uncommon for the government to bring forward these occasions as means to seek the favour of the Orang Asli village-heads at times when such help was needed. Nevertheless, the Orang Asli took all these usual vote-pulling tactics in their stride and were complacent to take whatever goodies were offered but were not revealing their choice of candidate.

The incumbent's campaign then took on a different strategy, employing Orang Asli canvassers from the area as well as a prominent Orang Asli radio personality (himself a local) and the Orang Asli senator. The Orang Asli voters were told not to vote for the Orang Asli independent candidate as he was not of the same ethnic subgroup and did not reside in the area. There were even suggestions that the Orang Asli candidate, going by his name, was a Muslim and so suspect in his motive for participating in the elections.

The incumbent's strategy was perhaps best epitomised in the words of Ahmad Selalu, the chairman of the village security and development committee (JKKK) at Betau and also a JHEOA officer, when he said,

We Orang Asli in Jelai are of the Semai subgroup whereas the independent candidate is a Semelai. Because of this, we cannot understand each other's language and so cannot communicate with each other. As such, we give full support to the Barisan Nasional candidate in this election (*Berita Harian* 29.11.99).

The fact that the Barisan Nasional/UMNO incumbent was not an Orang Asli in the first place, nor was he also from the area, makes this reasoning all the more perplexing. Further, it was suggested that, "Since the independent candidate does not have any funds, how is he to help the Orang Asli, to bring development to the community?"

While some Orang Asli observers contend that these two 'arguments' were enough to cause many Orang Asli voters to switch camps, it is however clear that several other factors were working against the Orang Asli independent candidate.

For one, the Orang Asli vote was clearly a major target of the incumbent, knowing full well that an Orang Asli candidate can easily draw away this block of votes that had traditionally been for the Barisan Nasional. (The other opposition candidate from the Islamic Party, PAS, had very little chance of getting the Orang Asli vote because of the Orang Asli's aversion to PAS's stated goal of an Islamic state if they came to power.) Two, given the erosion of support for the ruling party among the Malays, the Orang Asli vote was crucial to the incumbent. As such, more than the usual financial and human resources were channelled to work on this group of voters, including hiring private and military helicopters for their campaign.<sup>6</sup>

Finally, the incumbent's campaign was clever enough not to rely on Malay canvassers, knowing full well the local Orang Asli's relations with them. Instead, local Orang Asli leaders, including those working for the JHEOA, were effectively used to campaign for the incumbent.

Not surprisingly therefore, the inroads made by the Orang Asli independent candidate began to quickly erode in the final 48 hours of the campaign when last-minute visits were made by the incumbent's team. This was especially so in Betau, Sinderut, Lenjang and Hulu Jelai where the number of Orang Asli voters were significant. Orang Asli canvassers for the incumbent were despatched to these areas to try to swing the vote.

The incumbent's campaign also got some help from an unexpected source — non-Orang Asli Christian missionaries. In one settlement in Ulu Betau, when the Orang Asli independent candidate's team was received warmly on the first visit, their reception was the opposite on their second visit — to the extent that the posters of the independent candidate were pulled down and discarded in front of them.

The about-turn in support for the Orang Asli independent candidate came about primarily after the Christian missionaries had suggested to the villagers that voting for an independent candidate meant voting for the Alternative Front. And with the Islamic party, PAS (with its stated objective of setting up an Islamic state) being a major member of the opposition coalition, there was nothing to prevent them, if the Alternative Front came to power, to embark on a programme to convert the Orang Asli to Islam.

The personal involvement of the Sultan of Pahang in displaying his endorsement for the BN-UMNO incumbent was also instrumental in swaying the votes back to the incumbent. His decision to '*turun padang*' (lit. 'come down to the field') in the Betau Regroupment Scheme during the closing hours of the campaign period undoubtedly swayed the Orang Asli voters there, especially since the Orang Asli there have a special place in their hearts for the Sultan.

Nevertheless, Orang Asli voter turnout for the general election was very low, averaging 42.2 per cent, with the interior settlements registering about 30 per cent voter turnout.<sup>7</sup> In comparison, voter turnout among the non-Orang Asli voters for the constituency was 77.4 per cent.

Clearly also, as Table 26 shows, in areas where there was no follow-up by the incumbent's canvassers, more votes went for the Orang Asli independent candidate, as in Terisu and Titom. However, in the bigger regroupment schemes of Betau and Sinderut, the incumbent benefited from the last-minute swing by the voters as a result of factors mentioned above. Also, the general feeling is that the high number of spoil votes indicated either protest votes, or votes meant for the Orang Asli independent candidate.

Table 26  
Analysis of votes cast in the Jelai state constituency, 29 November 1999

Election Centre	Total Registered Voters	Votes Cast				Voter turnout	Percentage voter turnout
		Orang Asli Independent	Barisan Nasional (UMNO)	Barisan Alternatif (PAS)	Spoilt votes		
Pos Terisu	323	25	21	7	20	73	22.6
Pos Telanuk	311	5	78	13	26	122	39.2
Pos Mensun	280	7	124	5	14	150	53.6
Pos Lemoi	124	4	32	2	na	38	30.6
Hulu Jelai	284	27	97	24	28	149	52.5
Titom	228	31	20	13	14	78	34.2
Lenjang	490	19	114	13	35	181	36.9
Sinderut	612	4	136	28	16	184	30.1
Betau	652	8	362	23	na	393	60.3
All Orang Asli	3,304	130	984	128	153	1,395	42.2
All others*	5,691	11	2,211	2,046	134	4,402	77.4
Total	8,995	141	3,195	2,174	287	5,797	64.4

\* Includes the polling centre of Tanjung Gahai which has 652 registered voters, of whom about 40 are Orang Asli. However, it is difficult to ascertain the voting pattern of the Orang Asli here as the figures are lumped with the other voters, mainly Malay. Nevertheless, for this centre, the Orang Asli candidate received 3 votes, Barisan Nasional (132) and Barisan Alternatif (162).

Nevertheless, the number of votes garnered by the Orang Asli independent candidate was a mere 141, causing him to lose his deposit. While this seems to suggest that the Orang Asli are divided on the need, and timing, to seek political representation through the electoral process, it should be pointed out that this particular foray into electoral politics was not without its built-in handicaps. Leaving aside the fact that the Orang Asli independent candidate was up against an incumbent who had a well-oiled election machinery as well as access to much financial and human resources, it was perhaps imprudent to have assumed, in the first place, that the Orang Asli would naturally vote for an Orang Asli candidate purely on account of his ethnic origin.

Furthermore, the short campaign period did not allow a cash-strapped and resource-deprived team to effectively campaign in all Orang Asli areas. Several settlements were not visited directly by the candidate or his campaign team but instead they relied heavily on young, hastily-recruited canvassers (or rather 'messengers') who were not able to articulate the issues adequately.

There was also no prior groundwork to familiarise the voters with the candidate and the candidacy. Time and energy had also to be expended to familiarise the symbol – a tiger's head – chosen by the Orang Asli independent candidate from the set prescribed by the Elections Commission. That the candidate was a '*calun terjun*' (parachute-candidate) worked to his disadvantage, especially since he was neither from the area nor of the same language group. The 'secrecy' surrounding the candidacy until just a few days before nominations were called, also contributed to dissension among POASM leaders about the whole process, including the choice of candidate (who incidentally was neither active in POASM nor widely known to other Orang Asli leaders).

Nonetheless, all things considered, the Orang Asli candidacy was an important learning experience for the community. And if we are to identify one good that has come out of it, it has to be the impact it has made on the political players in the country. For sure, the Orang Asli vote will no longer be taken for granted. For example, clearly in response to the scare the Orang Asli independent candidacy gave the ruling Barisan Nasional, the Chief Minister of Pahang announced soon after the general election that four special officers were to be appointed to report directly to him on issues involving Islam, and the Chinese, Indian and Orang Asli communities (*New Sunday Times* 12.12.1999, *Sunday Star* 12.12.1999).

But perhaps more importantly for the Orang Asli themselves, this foray into electoral politics has been an education in itself. For one, while it is evident that Orang Asli individuals at the local level are more receptive to

the idea of direct political involvement, this idea does not seem to go down well with some of the more educated Orang Asli.<sup>8</sup> Strong attachment to the status quo and personal vested interests have variously been suggested as possible reasons why these Orang Asli are not willing to stand behind an overtly Orang Asli cause. As such, it may be necessary for the Orang Asli to reassess the nature and extent of their political aspirations or objectives.

Nevertheless, the direct participation of the Orang Asli in electoral politics was a clear statement to the state that the Orang Asli are no longer dependent on state generosity to enjoy representational rights, as in the case of the appointed Orang Asli senator. The time has come for the Orang Asli to achieve political representation on their own right. This is most aptly captured in the words of one of the Orang Asli independent candidate's campaigners:

*Senator itu dilantik kerajaan. Bila buat suara lebih, kena buang. Ini Wakil Rakyat/DUN lain. Cara pangkab, cara politik. Sengoi yang pilih wakil. Kuasa ada di tangan hiik.*

(The Senator is appointed by the government. When he speaks out too much (for the Orang Asli), he is removed. But it is different for the Member of Parliament or the State Assemblyman. The selection is by voting, by politics. We pick our representative. The power is in our hands.)

Furthermore, because the contest for political representation through the electoral process is in the open, it has the potential of uniting the Orang Asli especially since it pits the Orang Asli against the others. On the contrary, because the position of the Orang Asli senator is an appointed one, it often leads to unhealthy competition between Orang Asli themselves.

### Summary

The political actions of the Orang Asli, from mere lobbying to direct political participation, do more than just call for a redress of the current Orang Asli situation. These are political statements by the Orang Asli that aim to draw attention to the existence of a new Orang Asli political culture. This in itself is a reflection of the Orang Asli's political goal of aspiring for autonomy and self-determination within the framework of the federation.

The process has begun; but clearly, the political cohesiveness in using and defining Orang Asli indigenoussness is still not fully developed. Nor are the Orang Asli sufficiently organised as a political movement to enable the attainment of unified objectives.

The state, however, sees Orang Asli indigenoussness as a challenge to it because Orang Asli indigenoussness rejects the notion that the state's goal

of 'integration with the mainstream' is sufficient reason for it to take control of the Orang Asli.

Therefore, in order to protect its interests, the state seeks to deny, or obstruct, Orang Asli indigenoussness. This it does, as the next chapter discusses, by exercising its ability to accord representivity to favoured Orang Asli organisations, institutions, or even individuals, irrespective of their actual Orang Asli representation.

### Notes

1. The main banner read: *POASM Bantah Tindakan Ceroboh dan Meroboh Rumah Orang Asli oleh Kerajaan Malaysia* (POASM protests the encroachment and demolition of Orang Asli houses by the Malaysian government).
2. This is the Damansara-Puchong Highway (LDP) that was constructed by Gamuda Berhad under a privatization project. Gamuda Berhad, incidentally, is also a major share-holder of SPLASH, the consortium that is constructing the Sungei Selangor Dam on Orang Asli traditional territory in Kuala Kubu Bahru.
3. This quote and those that follow are taken from *The Star* (22.7.1998a and 22.7.1998b).
4. The term 'Orang Asal' is now being used by the NGOs and indigenous communities to refer to the indigenous peoples of the whole of Malaysia, as opposed to 'Orang Asli', which refers only to the indigenous minority peoples of Peninsular Malaysia.
5. This was one of the major issues in this general election. About 680,000 new voters had been registered prior to the elections. However, because the new electoral roll had yet to be gazetted, these 680,000 individuals were denied the right to vote in the election. Several of the young Orang Asli voters in the Jelai state constituency faced the same fate.
6. This prompted one local Orang Asli leader to comment, "*Dulu tak pernah macam ini masa pilihanraya. Sekarang buru-buru semua nak masuk*" ('It was not like this in previous elections. Now there is so much activity with everybody wanting to enter).
7. A civil servant who was an election officer in one of the interior settlements attributed the low voter turnout in the outlying areas to the dire economic condition of the Orang Asli. "They just don't have enough to eat," he said, explaining why the Orang Asli voters were not willing to forego a day's subsistence work just to vote in a polling centre a few hours' walk away.
8. Perhaps an indirect indication of the approval of the 'ordinary' Orang Asli towards the Orang Asli independent candidacy is the fact that, during the April 2000 Annual General Meeting, Norya Abas, on his first attempt, garnered the most number of votes among five contenders for the three positions of POASM Vice-President.

9




## ORANG ASLI REPRESENTIVITY: A RESOURCE FOR THE STATE

The State and Orang Asli Representatives  
The President and the Senator  
Profile of a Representative  
Differing Views  
The Contest for Resources - Again

**Plate 71. Jahai with logs outside their settlement in Kampung Manok (Jeli, Kelantan).** The state and others interested in the Orang Asli's traditional territories and resources assume that it is sufficient to get the endorsement of one representative of the community in order to circumscribe legal requirements protecting Orang Asli rights to natural resources. Often also, it is not difficult to find a willing and amenable 'representative' as in this case where one member of the community – not the *batin* (village-head) – acted as the community's representative and was duly accorded representivity by the loggers (for a small monetary reward notwithstanding). [CN-1996]





Chapter 9

## *Orang Asli Representivity: A Resource for the State*

What constitutes the essential elements of Orang Asli identity may vary from one individual to the next, and from one community to another. But, as Roosens (1989: 13, 151) notes, ethnic self-affirmation is always related, in one way or other, to the defence of social or economic interests. That is to say, people are more willing to assert an ethnic identity when they can gain by doing so. This can give rise to problems as ethnic claims and slogans are frequently formulated and proclaimed by those who seem markedly removed from their own culture of origin. Sowell (1994: 28) submits that this is a natural social phenomenon — for often, the most ardent apostles of a culture are those who have lost it. They now identify with their group and do so in a highly vocal and exaggerated form. In the pursuit of Orang Asli political and economic development, therefore, several representative organisations or institutions are likely to emerge, each claiming Orang Asli representation.

To the state, bestowing recognition to this claim of Orang Asli representation — i.e., assigning political representivity<sup>1</sup> — can be a resource that it can ascribe or withdraw. Clearly, in this sense, political representivity is an assigned political status rather than an empirically demonstrable condition (Weaver 1989: 144). For example, when the state is pressured by Orang Asli demands that it dislikes or disagrees with, it can use representivity, or the lack of it, as a weapon to discredit the demands, or even the organisation making those demands. Alternatively, when the state decides to pursue a particular policy regardless of Orang Asli opinion, it may choose to overlook representivity altogether or, alternatively, assign representivity to an organisation, or even to an individual, irrespective of their representational status.

Assigning, or denying, Orang Asli political representivity can also impact on Orang Asli traditional territories and resources. For example, if the aim is to satiate narrow, self-serving needs — such as exploiting the timber

resources in an Orang Asli area – it becomes more pertinent to seek political representivity rather than mere Orang Asli representation. In such situations, the state, by its own interpretation of legislation governing this, can, and often does, accord political representivity to purported ‘representative’ Orang Asli institutions or individuals, irrespective of their actual representation. Invariably, as discussed below, the ability of the state to use political representivity as a resource is always linked to its control over the Orang Asli and their traditional territories.

### **The State and Orang Asli Representatives**

In 1953, 28-year-old Abdul Hamid bin Ngah Kandan became the first Orang Asli in Perak to be elected to a Local Council. He was one of nine members – eight being Chinese – to be elected by the people of Sungei Durian New Village to their Council. This is a notable achievement especially when one considers that Abdul Hamid was the headman of about 40 Orang Asli families who lived in the Sungei Durian Village, a few miles from Batu Gajah, and that the Orang Asli voters numbered 51 out of the total of 1,200 who were eligible to vote. Twenty-six candidates contested the eight seats (*Malay Mail* 21.7.1953).

However, the norm for Orang Asli representation vis-à-vis the state has generally been by appointment. Thus, when it was decided that an Orang Asli should hold the position of Nominated Representative for the Aborigines in the Federal Legislative Council to replace a Malay, Dato Panglima Kinta Eusof, the Colonial Government appointed Tok Pangku Pandak Hamid, a hereditary headman from the Sungei Korbu area, to the post (*Singapore Standard* 7.8.1957).

Today, the equivalent position is that of Senator for the Orang Asli in the Upper House of Parliament. This is a nominated position, and thus far, all the seat-holders have been appointees nominated by the JHEOA and (usually) confirmed by the Minister responsible for Orang Asli Affairs. This is also the highest political position an Orang Asli can realistically hope for, and as such, it has become a coveted political prize. As discussed in the next section, the selection and appointment of the Orang Asli Senator, as he is commonly referred to, is cause for much politicking and lobbying.

The state, through the agency of the JHEOA, is also directly involved in choosing the village headmen. Armed by provisions provided for in the Aboriginal Peoples Act [sections 16(1) and 19(1)(c)], the Minister has the authority to appoint and dismiss Orang Asli headmen, whether they are customarily elected or not. This provision, enacted during the Emergency for obvious ‘control’ purposes, is still applicable today and is a bone of contention in some situations. For example, in Kampung Sungei Kenang



**Plate 72.** Orang Asli headmen in JHEOA-issued *baju Melayu* waiting to receive Deputy Prime Minister Ghafar Baba in Raub, Pahang. Who gets to be a village-head is often left to the community itself to decide. On occasion, the JHEOA exercises its (debatable) right to appoint village-heads, especially in cases where it would be in its, and the state's, interest to do so. For the state, the village-head is synonymous with 'the community'. [CN-1990]

in Lasah, Perak in 1995, the Temiar headman was removed by the JHEOA and replaced by another. The villagers were very unhappy with this ("they don't respect our elders") and a 'big fight' developed.<sup>2</sup>

Hence, it is not uncommon to have two headmen in a particular settlement: one hereditary or elected by the community, the other appointed by the JHEOA. The tendency is for the JHEOA to appoint someone who is at least a little literate in Malay, and preferably someone who is amenable to its dictates. This usually implies a younger person, and therefore usually someone less experienced in the traditions and customs of the community. For example, this was the case in Kampung Sungei Buntu, Raub, with the hereditary headman being called *Batin Besar* ('Big' headman) by the villagers so as to distinguish him from the JHEOA-preferred headman. Both however received the JHEOA-issued black *baju Melayu* that was at one time the attire of Orang Asli headmen at official functions, and received an identification tag and a wooden walking stick as a '*tongkat* of office'.

More recently, the issue of JHEOA interference in the appointment of headmen was exposed in a letter in the press (*Berita Harian* 24.6.1997). Writing under the pen name 'Endang', an Orang Asli leader complained that the institution of the *batin* (village-head) in Pahang was being taken lightly by the JHEOA. He cited the example of Permatang Siput, Pekan, where the replacement for the *batin* was rejected by the JHEOA despite his appointment being agreed upon by the community and having taken into account the "opinion, consent and approval" of the old Tok Batin. It

was said that the village-nominated *batin* was not recognised by the JHEOA as there had not been any contest. An election was then held, with much dirty campaigning.

According to Endang,<sup>3</sup> a similar incident (viz., a contest for power) happened in Permatang Keledang a few years earlier. This split the community and the headman is still unable to unite the community. Says Endang, "Is it the aim of a few JHEOA officers to split Orang Asli and to cause them to quarrel ('bertelagab') among themselves?". His own reply:

There is no record in Orang Asli history that says the position of headman must be contested. The JHEOA should not interfere in this matter. This is a question of *adat* (local custom), and as such the JHEOA should respect the decision of the community. This is not the role of the JHEOA. JHEOA-sanctioned headmen do not get the support of the community, and consequently JHEOA programmes fail because of this. The JHEOA must understand and accept the tradition and culture of the Orang Asli.... The traditional and cultural institutions must be protected by the JHEOA (*Berita Harian* 24.6.1997).

It should be pointed out that Endang is one of the group of 'Orang Asli Intellectuals of Pahang' who sent a memorandum to the Pahang State Government complaining about the role of the JHEOA in the appointment of *batins* which, in the case referred to above, involved the appointment of a young Orang Asli intellectual to the post. Normally, this would please the JHEOA, but in this case it objected and insisted on the 'contest', and even, according to Endang, campaigned for its preferred candidate on the day of voting.

In 1993, the JHEOA in fact drafted a set of guidelines for the appointment of Orang Asli village-heads (*Garis-panduan Prosedur Perlantikan Batin dan Penghulu Kategori B dan C*) which has come under much fire by some *batins* and their subjects as these guidelines ignore the customs and traditions of the communities and instead assign authority to the JHEOA in the matter of deciding who gets to be the village-head. One senior Temuan *batin* recently tabled a resolution at the 11th POASM AGM for these guidelines to be withdrawn, adding that the JHEOA has a tendency to appoint headmen who are "*kaki engkem*" (alcoholics).

Nevertheless, while the foregoing indicates that the JHEOA is still active in trying to control leadership positions in Orang Asli communities, it now has to contend with a new Orang Asli phenomenon: an emergent crop of young educated Orang Asli seeking positions of leadership and political representivity, for varying reasons.



**Plate 73. Orang Asli leaders at a wedding function (Sungel Galah, Parit, Perak).** From left: Arif Embing (Deputy President, POASM), Ibrahim (Supreme Council member), Itam Wali (former Senator and first POASM President), Majid Suhut (fourth POASM President) at the wedding of Itam's daughter to a Semai lecturer (both Orang Asli leaders in their own right as well). Generally, Orang Asli leaders get along well with each other but as the contest for Orang Asli representivity intensifies, these relationships are becoming increasingly fluid. [c.1987]

### The President and the Senator

POASM and the institution of the Orang Asli Senator seem to have been interconnected, both in the past and at present. As discussed earlier, POASM was largely constituted as a natural outcome of the *Jawatankuasa Hal Ehwal Orang Asli* (Committee on Orang Asli Affairs) established in oppositional response to moves to change the term 'Orang Asli' to 'Putra Asli' in 1973.

However, when the issue died down, it remained largely inactive until the government decided that the post of Orang Asli Senator be reintroduced in 1982 and a candidate for the position needed to be identified. A series of meetings were held and a set of POASM Working Papers (*Kertaskerja POASM*) was put together covering education, regroupment schemes, Orang Asli areas, Orang Asli marriages, coordination of JHEOA projects, Orang Asli senatorship, land development projects, Orang Asli areas leased out to others, and Orang Asli identity.<sup>4</sup>

Soon after, on 17 August 1982, a vote was taken among the members, mainly based in Gombak, as to their choice of Orang Asli senator for the 1982-1985 term. Six nominations were received: Itam Wali Nawan (then the POASM President), Akim Buntat, Mohd. Udin Bah Pek, Hassan Nam, Awis Pedik and Elam Nangin.

The POASM Council members then shortlisted the nominations to: Itam Wali Nawan, first choice, and Akim Buntat, second choice. Both were well-educated and capable. However, when the appointment was eventually made, the fourth choice of the Orang Asli, Hassan Nam, was appointed

the senator.<sup>5</sup> This was to be the first clear indication to the Orang Asli as to who was in actual control when it came to such matters.

In contrast, no Orang Asli was keen on holding the POASM President's post or even in making POASM an active organisation. As related in the preceding chapter, matters came to a head such that the Registrar of Societies sent a warning letter to POASM advising the organisation that it faced de-registration if no annual general meeting was held and no annual accounts submitted.

The challenge was taken up by a group of educated Orang Asli led by Anthony (Bah Tony) Williams-Hunt,<sup>6</sup> not all of whom were attached to the JHEOA at Gombak. And as narrated in Chapter 7, POASM became a body to reckon with, such that even the JHEOA acknowledged its representative status with the Orang Asli. By 1991, membership had reached the 10,000 mark and was steadily increasing. POASM was also a high profile organisation and was able to garner wide media coverage and the attention of top politicians. There is no doubt that the charisma of Bah Tony as President was a major contributory factor.

As POASM grew, the President's position became a coveted trophy as it afforded political representivity to the incumbent in the eyes of the government. The rationale was that there was no one more eligible for the senator's post than one who had a sizeable support of the Orang Asli. They argued that even other (non-Orang Asli) senators could not claim such representation.

It then became commonplace for resolutions passed at POASM annual general meetings to include one that called on the government to automatically appoint the President of POASM as the Orang Asli Senator.<sup>7</sup> As the tenure of Senator Hassan Nam came close to expiry in 1991, moves were under way by aspiring Orang Asli leaders for more visible positions, in the hope of enjoying the coveted position.

POASM, whose constitution followed closely that of UMNO, nevertheless did not have the resources nor the machinery to organise itself, including its annual general meetings, 'according to the book'. Participation at such meetings were open to all members (hence, the presence of more than 1,000 members at the 1990 annual general meeting),<sup>8</sup> whereas the constitution dictated that representation be decided by a tedious and protracted process of verified delegates and divisional representations. This constitutional (procedural) oversight was exploited by certain individuals who had the matter reported to the Registrar of Societies, who in turn promptly ordered fresh elections.

An extraordinary general election was then held in December 1990, in which most of the incumbent council members did not seek re-election.<sup>9</sup>



**Plate 74. Bah Tony listening to problems of the Temuans at Kampung Air Sialing (Batang Melaka, Melaka).** The second President of POASM was responsible for bringing POASM into the public eye and for boosting its membership figures from 277 in 1989 to more than 5,000 within two years. The subsequent high profile of POASM also attracted a variety of new leaders, each with differing motivations and visions. (c.1990)

In the ensuing contest for the president's post, Long Jidin was elected the new president.

The senatorship of Itam Wali was nevertheless renewed for another three years, with the next appointment due in 1994. The ensuing three years were eventful years for the Orang Asli in general, and POASM in particular, especially in the extent to which certain individuals saw securing Orang Asli representation as an important first hurdle to attaining the coveted position of Orang Asli Senator, or for securing fiduciary advantages. Towards this end, by the 11th annual general meeting in May 2000, various factions in POASM were vying against others to place their candidate in the President's seat.

However, as discussed in the next section, merely enjoying Orang Asli representation, without political representivity, is not a sufficient condition to attain the post of the Orang Asli Senator. Representivity, that is, the political *recognition* of being the Orang Asli representative rather than mere Orang Asli representation, was therefore coveted since only the former could provide opportunities for material advancement.

Thus, currently, while the post of POASM President reflects Orang Asli representation, that of the Orang Asli Senator enjoys political representivity. The case of Long Jidin is a good illustration of the difference between the two positions, and to demonstrate the inconsequence of the need for actual Orang Asli representation for political representivity. He was chosen because he had been diligent in getting many of his words and deeds documented in one way or another.

### Profile of a Representative

A former officer with the Veterinary Department in Kuantan, Pahang, Long Jidin had been active in UMNO, holding the post of Kuala Rompin Youth Treasurer. When POASM was facing the threat of de-registration, Long was not involved in its revival. However, at the POASM Annual General Meeting (AGM) on 23 December 1990, at a time when POASM was enjoying a very high public profile, and with an audience of more than a 1,000 Orang Asli at the AGM, Long made very vocal comments on a variety of topics. Perhaps the most memorable, to me at least, at that 1990 meeting was his grilling of the Supreme Council members over expenses of RM100 (USD26.30) spent for refreshments at a POASM introductory meeting at Karak, Pahang the year before. His high profile presence at that meeting was clearly aimed at making him visible and this succeeded in him being voted in as a Vice-President.

Earlier that year, however, at the general meeting of the POASM Pahang State Liaison Committee, of which Long was Chairman, one of the resolutions tabled by him was:

That the Pahang State Government allocate a seat in the State Legislative Assembly for an Orang Asli as only an Orang Asli would be in the best position to know the problems of the Orang Asli.<sup>10</sup>

The meeting also carried a special resolution to the following effect:

That the meeting unanimously nominate two Orang Asli from Pahang to fill the seat of Orang Asli Senator to be vacated by YB Senator Hassan bin Nam who will end his term at the end of this February. The candidates are:

1. En. Long b Jidin;
2. En. Akim b Buntat.<sup>11</sup>

However, the senate vacancy was not filled even at the time of the POASM AGM in December 1990 for, as discussed in chapter 7, this was an election year for the nation, and Prime Minister Mahathir Mohamad, the Minister responsible for Orang Asli Affairs, was rather preoccupied with the parliamentary seat of Gua Musang in particular.

The 1990 POASM Annual General Meeting unanimously returned Bah Tony as President. However, as mentioned earlier, dissatisfaction among some members as to the results of the voting prompted them to report constitutional irregularities on the conduct of the AGM to the Registrar of Societies, who subsequently ordered a fresh AGM. This was done on 22 December 1991. By this time, the government had appointed Itam Wali bin Nawan as the new Orang Asli Senator.

Also, the majority of the incumbent Supreme Council members, including the President, Bah Tony, did not wish to be part of the emerging, unhealthy



politicking in POASM and hence did not seek re-election. Long then challenged Majid Suhut, a comparatively quiet Temuan businessman from Negeri Sembilan, for the President's post and won.<sup>12</sup> During deliberations at the AGM, Long tabled the resolutions from Pahang. One of these was:

That the position of Orang Asli Senator be appointed from the post of 'POASM President' whereby he has been acknowledged as the democratically-elected leader of a majority of the Orang Asli [Political Resolutions 3.2].

Also, one of the first policy statements made during his acceptance speech was that POASM would encourage Malays to become members.<sup>13</sup> The suggestion provoked much debate, but no vote was taken on the matter. Subsequently, in February 1992, it was learned that the JHEOA Director-General became a member and was reportedly appointed an Advisor. Several Malays, mainly those working with the JHEOA, were also said to have applied to become members. A local academic and his research assistant, then doing research in Long's home territory of RPS Kedaik, however were the first to sign up as members.

Later, it was learnt that the Deputy Minister for Orang Asli Affairs, the late Yassin Kamari, had also become a member and was made an Advisor (*Berita Harian* 23.1.1993). This angered many Orang Asli. In the words of a more vocal Semai: "This is ridiculous. First we say that Orang Asli are capable enough to take over the JHEOA. Now we take in non-Orang Asli as members of our association and appoint some of them to be advisors."<sup>14</sup>

In 1993, Long lashed out at the Center for Orang Asli Concerns (COAC) and accused it, among other things, of being set up by foreign 'green' NGOs as a new strategy to use the Orang Asli for certain interests. Long also said COAC was established as a means by which foreign funds were to be channelled to POASM and the Orang Asli. He sustained this attack over a few months, and one newspaper stood by him, refusing to allow any reply from COAC (*Berita Harian* 14.1.1993, 15.1.1993, 19.1.1993, 23.1.1993, 11.9.1993).

COAC sued Long, as well as the newspaper concerned, for libel. On advice from his lawyer, Long agreed to settle out of court and paid COAC a cash compensation. However, the solicitors for the newspaper, originally convinced of Long's strong case, pursued the matter for four days in court before finally agreeing to settle out of court as well.

Later, in a seemingly unrelated and unsolicited development, Long declared, in September 1993, that he, "represents the voice of the Orang Asli in this country and wish to clearly assert our stand that we support the leadership of Prime Minister Datuk Seri Dr. Mahathir Mohamed and the Islamic religion" (*Berita Harian* 11.9.1993).

Many saw this as a clearly personal political statement, especially in light of his weakened position in the local UMNO chapter as a result of him supporting the losing camp in the internal party feud. Several Orang Asli leaders spoken to then also remarked that such a statement did not reflect Orang Asli sentiments or aspirations.

In the meantime, Itam Wali's position as senator was due for renewal in early 1994. And although the precedent was to renew the tenure of the senator for his second and final term, a few Orang Asli leaders became hopeful of achieving the (perceived) pinnacle of Orang Asli political achievement.

POASM elections were also due in October 1994, although the obligatory annual general meetings were not held in 1992 and 1993, in clear violation of POASM's constitution. However, no POASM member saw it necessary to insist on the annual general meetings, nor did any complain to the Registrar of Societies unlike the time prior to Long taking office.

Just two weeks before the 1994 Annual General Meeting, POASM organised a leadership course in collaboration with the Institute for Policy Research (IKD). Funding for this event came from the Konrad Adenauer Foundation, an entity of the Christian Democratic Party of Germany. This put Long in a difficult position as in his offensives against COAC he had declared that "POASM will never accept any money from any foreign source so as to prevent the possibility of Orang Asli being used." This was because, he added, POASM had been granted an annual grant of RM33,000 (USD8,685) by the government and this was sufficient for its needs (*Berita Harian* 14.1.1993).

At the start of the leadership course, Long passed round a blank sheet of paper asking Orang Asli leaders present to put their signatures to it, saying that he wanted to enclose it with the thank you note for the guest of honour. At the end of the event the following day, Long presented the following resolutions, directed at the Prime Minister, to those present:

That we leaders of Orang Asli and leaders of POASM, respectfully request the Prime Minister:

1. To set aside parliamentary seats for Orang Asli;
2. To set aside seats in the State Legislative Assemblies for Orang Asli; and
3. The number of Orang Asli senators be increased and chosen by us as follows:

Selangor	-	Ismail Embong
Negri Sembilan	-	Majid Suhut
Johor	-	Juki Sungkai
Kelantan	-	Awin Pedik
Perak	-	Bah Tony
Pahang	-	Long Jidin



**Plate 75. Long Jidin delivering his final speech as POASM President (Gombak, Selangor).** He admitted that POASM had become a 'glamorous organisation' where 'hatred and low morals' abound in the contest for the leadership of the organisation. At this meeting, he announced that he was withdrawing from the contest for the presidency and informed the audience that he was establishing DPOASM, the Orang Asli Chamber of Commerce, which he would lead. DPOASM was eventually registered as PASLIM, the Orang Asli Entrepreneurs' Association of Malaysia. The media was also stopped from covering this particular AGM. [c14-1997]

Those present were however most surprised when he announced that he was going to use the blank form the participants had signed the night before to endorse these resolutions to the Prime Minister.<sup>15</sup>

More surprisingly, at the Annual General Meeting on 13 November 1994, Long dropped a bombshell announcing that he would not be standing for re-election. The reason, he said, was because "the conduct of the AGM does not follow the constitution."

Such an allegation had no basis since it was he, as the President, who was responsible for ensuring the constitutionality of the annual general meeting. Nevertheless, the real reason can be gleaned from his other remarks made during his presidential-cum-farewell speech:

When I became President, I had my own vision (*wawasan*) — to make POASM legal constitutionally, and to make POASM a glamorous organisation. I did not expect POASM to achieve so much glamour that there is now competition for the top posts. Everyone wants to become a leader — from the President of POASM, to a Member of Parliament, to a Minister. Many hope to achieve these positions quickly. As such, behaviour displaying hatred and low morals abound. They are not patient. We must be responsible for our future generations.... But it doesn't mean that I am afraid of the contest.<sup>16</sup>

No mention was made of the insignificant number of nominations he had received from the divisions, or that even the reigning Senator, Itam Wali,

was contesting against him, or that a former business partner whom he had reportedly out manoeuvred in a logging deal, had even indicated his willingness to challenge him for the post.

Long further added that POASM is not the only '*jalan*' (path) in the 'Orang Asli struggle'. He then announced that he had set up DPOASM, the Orang Asli Chamber of Commerce (*Dewan Perniagaan Orang Asli Semenanjung Malaysia*) and invited applications from Orang Asli entrepreneurs from the 410 Orang Asli businesses that, according to Long, have been registered in Peninsular Malaysia.<sup>17</sup>

In the ensuing election, Majid Suhut became the fourth President of POASM. An on-the-ground leader, he soon became a respected leader among the Orang Asli and a thorn in the flesh for the JHEOA. As mentioned earlier, because of his activities, he got a dressing-down from the JHEOA Director-General for his involvement in the Kampung Bukit Tampoi case, and was accused of being anti-Barisan Nasional for his (non-supportive) role during the 1995 Gua Musang by-election. Majid also failed to warm up to the Minister in charge of Orang Asli affairs in the Ministry of National Unity and Social Welfare, who made no secret of her displeasure with him and POASM. The government subsequently withdrew the annual grant – made during Long's tenure – to POASM.

Meanwhile, Long continued to make the rounds to the JHEOA. Then, in a move that took some by surprise – and not just because the announcement was sudden – Long Jidin was sworn in as the new Orang Asli Senator on 26 May 1997. There had been no consultation with the Orang Asli prior to the appointment.<sup>18</sup>

Clearly, therefore, contrary to Long's earlier perception, Orang Asli representation is not a necessary condition for the state to assign political representivity. On the contrary, the assignment of such recognition of Orang Asli representation is clearly politically-motivated and remains a resource for the state, at least for the moment.

### **Differing Views**

Certainly not all Orang Asli perceive their indigeneity, and the basis for it, in the same way. Neither do they have the same needs and wants, or aspire for the same goals. This diversity in perception and expectation is perhaps most clearly reflected in the regard different groups of Orang Asli have for their traditional territories.<sup>19</sup>

For 'traditional' Orang Asli, land is more than a resource base; it is also the spiritual and material basis of their identity. Thus, a 'traditionalist' like Batin Hun-ho, the Semai headman of Kampung Sat, Perak, would have no reservations telling off a JHEOA officer:

Each time you come here, you tell us that we have to move. That this is *Tanah Melayu* (Land of the Malays). But we are from here. Like that *durian* tree. It grows tall. It flowers. It bears fruit. The fruits fall, and new seedlings emerge. Then new trees grow. We are like the *durian* trees here. We are the *Sengot Asal* (original people) here."<sup>20</sup>

The 'move' the headman was referring to was to a regroupment scheme a few kilometres downriver of their present site. The promise of wooden houses, potable water, electricity, agricultural projects – and even the possibility of permanent land titles – were not enough to entice the Semai elder to give up his community's link with its specific ecological niche. Furthermore, he did not want to impose himself or his community on what he saw was another community's traditional land.

Younger Orang Asli leaders are likely to view things differently. They see nothing wrong, for example, in exchanging their vast customary tracts for household lots of 2.4 to 3.2 hectares, individually titled, and in a completely different location. They have even chastised their elders for refusing to move, arguing that with titled lots, they would be able to get bank mortgages that could be used for investments or to improve their livelihoods.

This view is largely supported by POASM leaders for, as POASM President Majid Suhut acknowledges,

Individual land titles would benefit those Orang Asli living near towns, ... or in areas which are likely to be developed. This would enable the Orang Asli concerned to get loans for developing their lands or improving commercial output from it. (*New Straits Times*, 1 April 1997).

However, Jali Yusuf of Kampung Tamok in Segamat, Johor differed in opinion. On the state government's proposal to grant individual land titles to the Orang Asli in five settlements provided they move to Bekok, Jali was mystified that relocation should be a condition, especially since their present settlement already had facilities like telephones and proper roads. "Wouldn't it be easier to give titles to the lands we are occupying now?" he asked, adding that, "These are lands that have remained in the same families for many generations."<sup>21</sup>

There is also a difference in the way Orang Asli symbols are being used by both the young intellectuals and the traditionalists. For example, Batin Asoi, the Jakun headman of Kampung Kudong, Johor, described the demonstration they organised to stop logging in their area, as follows:

*Pisau, sumpitan, raga, kita bawa sebab lambang Orang Asli. Kalau tidak bawa, orang lain anggap kami Orang Melayu.*

(We brought the machete, blowpipe, back-basket because these are Orang Asli symbols. If we did not, others will think we are Malay.)<sup>22</sup>

Similarly, at the 1994 POASM Annual General Meeting, the incumbent president, Long Jidin, himself a Jakun, wore a traditional Temiar plaited *mengkuang* (pandanus) headband and sash. "We must continue (*kekalkan*) the culture," he told me, partly to justify the western lounge suit he was wearing, the only one to do so at the meeting (see plate 75 on page 217).

However, because of personal motivations or apprehension about their livelihood, Orang Asli intellectuals-cum-leaders, especially those in the civil service, are likely to tread a cautious line vis-à-vis the dominant population. Thus, while leaders in the communities mince no words about the manner in which their lives are being affected by government policies and programmes, some Orang Asli leaders openly acknowledge and accept the state's hold over Orang Asli affairs. In doing so, they reinforce the perception of the apparent impotence of the Orang Asli in matters affecting their autonomy and self-determination.

The issue of 'assimilation through Islamization' best illustrates this contradiction in asserting Orang Asli identity. For example, at the 1994 POASM Annual General Meeting, the membership was very vocal about the government's programme to have live-in community development officers (*penggerak masyarakat*) in their settlements. The true role of these officers, who were invariably Muslim-Malay, was no secret — namely, to convert the Orang Asli to Islam. During the debate on the tabling of a resolution to call for an end to this programme, a POASM supreme council leader, who was also a senior employee of the JHEOA, warned against any protest to the programme. His advice to the assembled POASM members was:

This is a sensitive issue, a policy of the government. The *Penggerak Masyarakat* comes under the Islamic Department of the Prime Minister's office. Yes, the aim is to Islamise Orang Asli. POASM can protest about the behaviour of the *Penggerak Masyarakat*. But POASM cannot object to them being there because this is a government policy.

However, POASM is not the only body organised on the basis of Orang Asli representation. A myriad of organisations now competes for political representivity, each asserting Orang Asli identity and claiming Orang Asli representation. These include the Muslim Orang Asli Welfare Body (BAKOAIS), the Perak Orang Asli Foundation (YOAP), the Orang Asli 4B Youth Movement (4B), the Orang Asli Women's Corps (KWOA), Friends of the Orang Asli Community (SMOA), the Orang Asli Graduates Club (KSOA), the peninsular-wide Orang Asli cooperative (Koperasi Kijang Mas Berhad,



**Plate 76. Semai elder with the blowpipe (Kampung Sungai Buntu, Raub, Pahang).** For some communities, such as those of this Semai elder and the Chewong man from Kampung Baik in the Krau Game Reserve, Pahang (*back cover, top*), the blowpipe is an important hunting implement. For all Orang Asli, however, the blowpipe has become an important identity marker to differentiate them from the non-Orang Asli groups. (CN-1992)

KKMB), a host of smaller state-level Orang Asli cooperatives, local (Orang Asli) branches of UMNO, village-level Orang Asli community organisations, and the Orang Asli entrepreneurs' grouping, PASLIM.

With numerous Orang Asli organisations claiming to represent Orang Asli and seeking political representivity, the state is further able to treat such representivity as a political resource that it can ascribe, or deny, to serve its own interests. Thus, at any one time, the recognised representative of the Orang Asli may be POASM, the state-appointed Orang Asli senator, or any of the other 'Orang Asli' organisations depending on the objective of the state. Again, depending on which representative body the state accords political representivity, and its reason for doing so, Orang Asli traditional territories or resources can be affected, as illustrated below.

### **The Contest for Resources — Again**

It is evident that there exists growing differences among Orang Asli as to what constitutes Orang Asli identity. Yet, despite the actual content of this identity being vague or un-articulated, some Orang Asli individuals and organisations appreciate the obvious advantage of promoting such an ethnic label.

The 1990s have seen an increasing number of Orang Asli companies and businesses being established to exploit natural resources in Orang Asli areas. Some of these entities are 'Orang Asli' only by virtue of having a 'representative name' in their management or membership. Others are



**Plate 77. No sign of oil palm plantation after two years of clear-cut logging (Kampung Peta, Endau, Johor).** On the basis that it was an Orang Asli cooperative, and in keeping with the policy of privatising the development of Orang Asli areas, KDAJ was given the rights to extract the timber in Kampung Peta and Bekok (Segamat) in exchange for oil palm smallholdings and development infrastructure. The latter part of the deal was not kept. (Ch-1999)

incorporated by a few Orang Asli. Invariably, none represent whole communities, even though they purport to, as in the case of various Orang Asli 'cooperatives'. While there are other types of businesses, the most sought after is logging.<sup>23</sup> Two cases are illustrated here.

### *Koperasi Daya Asli Johor*

Visitors entering the Endau-Rompin National Park (Johor) from Kahang would not fail to see an unattractive expanse of desolate shrubs and saplings, just before entering the Park boundaries. The area was clear-cut in 1997 with a view to establishing oil palm smallholdings for the Jakun of Kampung Peta. But it is now a tale of betrayal and disappointment for the people involved.

Prior to this event, a Chinese businessman from Kluang had proposed to the Jakun of Kampung Peta that oil palm be grown on their 350 acres (141.6 hectares) on a joint-venture basis with him. He offered RM3000 (USD790) upfront for each family plus 37 per cent of the proceeds from the yield. The Jakun agreed to this arrangement.

However, the Johor Bahru-based Koperasi Daya Asli Johor (KDAJ), whose directors included JHEOA officers and some educated Orang Asli from other parts of Johor, intervened and offered to take on the project. In exchange for the rights to the timber, which was valued at RM3 million (USD800,000), the cooperative promised each family a house, as well as developing their lots into fruit orchards and oil palm smallholdings, the total cost of which was



estimated at RM2 million (USD526,000) (Nicholas 1999: 8-9).

As it turned out, when the logs were removed, the cooperative was not to be heard from again. Neither were the houses, orchards or oil palm smallholdings delivered. Thus far, all they received were shares in the cooperative worth RM700 (USD184) for each eligible Orang Asli (Jorgenson 1997: 9).

The cooperative also established Chalet Sri Peta, which consists of six bamboo-and-atap chalets and a hall, to cater for visitors intending to stay in Kampung Peta while visiting the park. It opted not to manage the chalets directly, nor hand them over to the Jakun of Kampung Peta. Instead, it leased the facilities to a non-Orang Asli. The village headman (personal conversation, 27 April 1999), however, has indicated that he wants the Village Security and Development Committee (JKKK) to take over ownership and management of the facilities — as partial compensation for the 350 acres of timber taken from their traditional territory.

The case of Koperasi Daya Asli Johor in Kampung Peta has made the Jakun there wary of any future promise of development aid for the community, even if it were to come from an Orang Asli organisation. As one Jakun elder said, "*Nama Asli tetapi dia makan Asli juga*" (The name is Orang Asli, but they exploit the Orang Asli as well).<sup>24</sup>

Curiously, although the Aboriginal Peoples Act provides that Orang Asli should have first rights to the forest products in Orang Asli reserves,<sup>25</sup> the state authority is able to circumvent this issue, and still assert the right to control the natural resources in the state. This it does by assigning representivity to an entity of its choosing to exploit those resources. And this entity need only have marginal Orang Asli representation for it to be accorded the status of an Orang Asli representative organisation.

### ***Koperasi Kijang Mas Berhad***

The case of Kampung Buluh Nipis in Rompin, Pahang, is another illustration of how representative bodies can exploit Orang Asli resources by being accorded representivity.

Early in 1997, the Pahang Government allocated a 185.6 hectare logging concession to the Pahang branch of the Koperasi Kijang Mas Berhad (KKMB).<sup>26</sup> Of the RM351,000 (USD92,370) revenue expected from the concession, 40 per cent would go to the Orang Asli in the communities affected, 40 per cent to the State Orang Asli Education and Welfare Fund, and 20 per cent to the Pahang branch of Koperasi Kijang Mas Berhad, which is headed by an Orang Asli civil servant and who was also a senior POASM leader.

According to the compensation offer, the Orang Asli from Kampung Buluh Nipis and nearby Kampung Mikang were to share the RM140,000

(USD36,840) compensation, with each family receiving RM698 (USD184). However, the headman of Kampung Buluh Nipis, Tok Batin Mat Tengek, claimed they were never given the money, which instead went to the neighbouring village. They were also unhappy that a list of recipients was not furnished. Furthermore, the villagers argued that the RM351,000 (USD93,370) revenue for the 185.6 hectares was well below the market value – estimated to be at least 10 times more – and sought a re-negotiation of the compensation amount (*New Straits Times* 30.12.1997, *The Star* 30.12.1997, *Utusan Malaysia* 30.12.1997).

However, discussions on the matter came to a head when the Orang Asli representatives from the cooperative refused to entertain any requests for re-negotiation of their share of the logging concession. In all probability, the cooperative could not have conceded to this request, even if it wanted to, as it was not in control of the deal.

Following the breakdown in the discussions, 70 villagers in Kampung Buluh Nipis staged a human blockade on 27 December 1997 to prevent logging trucks from removing logs from their traditional territory. The police intervened and subsequently arrested 26 Jakuns (including four women) for not ending the blockade and for failing to disperse. They were brought to the police lock-up in Bandar Muadzam Shah and had to spend the night there.<sup>27</sup> However, they were all released on RM1,000 (USD263) police bail the following evening, pending formal charges being brought against them.

One of the Orang Asli protesters, Hassan Maidin, said he could not understand why the police arrested them as they were not violent and were not carrying any weapons. "What we did was merely to sit on the road as a sign of protest to stop the lorries from getting out of our village," he said, adding that the protesters only wanted what was due to them from the logging concession in a deal brokered by Koperasi Kijang Mas Berhad (*The Star* 30.12.1997).

As the case came into the open, it was revealed by the Pahang *Timbalan Menteri Besar* (Deputy Chief Minister) that the state had "planned to turn the logged out area into a resettlement scheme for the community as it was near the existing Orang Asli settlement" (*New Straits Times* 30.12.1997). However, the Orang Asli here were, as yet, unaware that there were plans to relocate them to the logged-out area. Thus, not only were they given a poor deal on the disposal of their traditional resources, the Orang Asli discovered that they were also to lose control over their traditional territories.

There are several common elements in the cases of Koperasi Daya Asli Johor and the Koperasi Kijang Mas, Pahang, discussed above: both involved Orang Asli representative organisations ('cooperatives'), both organisations sought Orang Asli traditional territories for their timber, and both were

accorded the rights to this resource on the basis of the political representivity accorded to them by the state.

That none of the affected Orang Asli held any leadership roles in these representative organisations further attests that representivity is a resource that the state can assign without any need to justify actual or sufficient representation. Invariably, the ability of the state to accord such representivity impacts on Orang Asli traditional territories and resources.

**Ironically, therefore, if not sadly,** the plight of the Orang Asli over the contest for their resources appears to have reached its feared conclusion — the community itself becoming its own source of social stress.

Ironic, because it was social stress experienced by the community in the first instance that gave rise to an Orang Asli political entity that was able to demand recognition and representivity from the state.

And sad too, because this was a social stress that was manifested in Orang Asli competing with each other for state-assigned representivity — only so as that they are able to appropriate and exploit Orang Asli traditional territories and resources themselves.

### **Summary**

Although a strong sense of belonging has emerged among the Orang Asli, this does not mean that all Orang Asli are alike in perception and ambition. While some used the new Orang Asli identity to assert their political autonomy, others used it to travel the development path they mapped out for themselves. Hence, in the pursuit of a variety of goals, different Orang Asli representative organisations were established, each claiming Orang Asli representation, and with different motives.

Further, in response to Orang Asli demands for greater self-representation, the state was, to an extent, able to concede to it without losing control over the Orang Asli and their resources. This it did by selectively assigning, or denying, representivity to Orang Asli organisations and institutions (or individuals), irrespective of whether they could claim actual Orang Asli representation.

Frequently, however, those Orang Asli organisations and institutions that enjoyed political representivity were motivated by economic gain, and were not accountable to the community they claimed to represent.

Consequently, in pursuit of their own objectives, the immutable impact on Orang Asli has been the further appropriation and exploitation of their traditional territories and resources.

### Notes

1. Kornberg et al. (1980, cited in Weaver 1989: 114) attributes three meanings to political representivity. In the first meaning, an indigenous organisation is considered to be representative if it is seen to represent the views, needs and aspirations of its constituency to the government and the public. That is, it is both authorised to be a reliable vehicle of communication and is held accountable to its constituents for its conveyance. In the second meaning, an indigenous organisation is seen to be politically representative if it is representative of its constituency. In other words, the members of the organisation are expected to be a social microcosm of its constituency. The third meaning stresses representativeness by responsiveness: whether the organisation actually responds to the needs and demands of its constituency by providing services needed or expected by the constituency.
2. Bah Tony, personal conversation, 30.10.1995.
3. Although a pen name was used in the letter, the identity of the writer is known to many who follow Orang Asli matters. I have, in fact, discussed with 'Endang' this letter and sought more information on it.
4. These working papers (POASM 1982) were prepared by Itam Wali Nawan, Akim Buntat, Hassan Nam and Uda Hassan Itam — an indication of the more active members of POASM then and also the main contenders for the position of Orang Asli Senator.
5. The story that is constantly related in Orang Asli circles, especially when the next Orang Asli Senator is due to be appointed, is that the Director-General of the JHEOA, when presenting the nominations to the Minister of Home Affairs, was asked for his recommendation. The Director-General is said to have replied, "Itam is the Orang Asli choice, but he may be quite independent." To this, the Home Minister replied, "So whom do you want? Someone you can control, or someone who will control you?" As the two POASM nominees were reputed to be 'independent-minded', the Director-General proposed the more amiable Hassan Nam, and the Minister formalised the appointment. It is, however, difficult to verify the accuracy of this encounter. But it is repeated here to indicate how Orang Asli perceived the whole matter then, irrespective of whether the incident happened or not. Hassan Nam served two terms, and was 'succeeded' in 1991 by Itam Wali, who had by then distinguished himself as the general manager of the Koperasi Kijang Mas Berhad, the Orang Asli cooperative, and had acquired the mantle of a wizened elder.
6. Although he has now changed his name to Amani, he will be referred here by the Semai name (Bah Tony) he was known by when the events described here occurred.
7. At the same time there were calls for the government to create more senatorships for the Orang Asli. At least three were proposed, one each for the northern, central and southern regions.
8. The number of members who registered their attendance at the 1990 annual general meeting was 888 (*POASM Lapuran Mesyuarat Agung Tahunan 1990*, p. 18). Many others had attended as observers, and did not sign the attendance register.

9. From conversations with most of them, they were angry that they had been accused of manipulating the annual general meetings to stay in power. As one senior leader said, "When POASM was about to be closed down, no one was interested; now that it is a big organisation, everybody wants to serve the Orang Asli."
10. Minutes dated 6 March 1990, item 4.13. *Mesyuarat Agung Badan Perhubungan POASM Negeri Pahang Darul Makmur* (Annual General Meeting of the POASM-Pahang Liaison Body), 8 February 1990. RPS Kedaik, Rompin.
11. *Ibid.*, item 5.1.
12. At this general meeting, Long played the role of the quiet intellectual. Despite relatively huge expense items totalling RM3,200 (USD842) in the accounts for which no details were given, Long chose to keep quiet, in contrast to his vociferous query about the RM100 (USD26) expense item the previous year.
13. While POASM's constitution provided for this, POASM was careful not to make it known. As such, no other bumiputera became members prior to 1991.
14. The unpopularity of this move was clearly evident as one of the first measures taken by Long's successor, in 1997, was to amend the constitution to make it an exclusively Orang Asli association by restricting membership only to those of Orang Asli descent.
15. The training course had been extensively used by Long and his 'Team A' leaders, supported by a local academic, to campaign for their re-election at the POASM AGM due in a fortnight's time. The presence of the many Orang Asli leaders in the federal capital was maximised when a *Bicara Orang Asli* (Orang Asli in Council) was organised at the University of Malaya the next day. Given that this was a POASM 'election year', the deliberations and pronouncements at this gathering, subsequently published as Zawawi (1996b), were particularly eloquent.
16. Incidentally, the JHEOA Director-General, who was the guest of honour at the AGM, and who was unaware of the groundswell against the incumbent President, praised Long for being selfless and displaying great leadership qualities by his willingness to give up the post of POASM President. Interestingly, also, no one made any comment about the RM15,283 (USD4,020) expense item in the accounts, which was mainly used for making a full suit for each of the Supreme Council members. "Surely you cannot expect us to wear T-shirts when we meet with ministers and other politicians," Long said at the meeting.
17. However this was not approved by the Registrar of Societies as the name alluded to something "very big". The grouping was then registered as a society in 1996 — *Persatuan Perniagaan Orang Asli Malaysia* (PASLIM), the Orang Asli Entrepreneurs' Association of Malaysia. However, in April 2000, disappointed committee members informed me that no committee or annual general meetings were held since its formal registration, despite calls for them from some members. A check with the Registrar of Societies also confirmed that Long had relinquished his post as President, in apparent compliance with the code of ethics governing his senatorial position, and a new President and several other key committee positions were filled. Their appointments appear to be unconstitutional as their membership in PASLIM were were not endorsed by the (existing legal)


- committee. Also, at least one of the 'new' office-bearers was not of Orang Asli origin as required by the society's constitution. Long apparently remains in PASLIM in an advisory capacity. The members also complained that, using the assumed Orang Asli representation afforded by PASLIM, and seemingly backed by political representivity, Long had been active in bidding for the projects in Orang Asli settlements — without the committee's endorsement.
18. During the 1999 general election, Long campaigned actively for Barisan Nasional candidates. This was especially so in the Jelai state seat where much time was spent neutralising the threat brought upon by the Orang Asli independent candidate. In a thinly-veiled link to his role in helping some Barisan Nasional candidates retain their seats, Long was bestowed a *datukship* by the Sultan of Pahang (*Mingguan Malaysia* 16.1.2000). This is an honorary title much sought after by some individuals for the influence and status it can bring, especially in securing business deals from the state.
  19. Part of this section was presented at the "Conference on Tribal Communities in the Malay World: Historical, Cultural and Social Perspectives", 24-27 March, ISEAS, Singapore (Nicholas 1997a).
  20. Personal conversation. 12 May 1995.
  21. Personal conversation, in lawyer's office, Kuala Lumpur. 18 September 1996.
  22. *Ibid.*
  23. More accurately, however, the business activity that is involved is applying for logging concessions in Orang Asli areas and farming out the actual timber extraction to sub-contractors on a commission basis.
  24. Incidentally, the same cooperative was implicated in the 'logs-for-development' privatization project in Segamat, Johor, discussed in Chapter 6. After extracting timber from more than 1,000 hectares of Orang Asli traditional territory, the developers absconded and none of the promised infrastructure projects and oil palm plantation was ever started by them (*New Straits Times* 13.4.1999).
  25. In *Koperasi Kijang Mas Bhd. & 3 Ors. v. Kerajaan Negeri Perak & 2 Ors*, the Ipoh High Court held that only Orang Asli, as defined in the Aboriginal Peoples Act, had the right to the forest produce in Orang Asli reserves, or in Aboriginal areas approved for gazetting as reserves (Abdul Malek 1991, 1 CLJ, 486-8).
  26. This is one of the earliest Orang Asli cooperatives to be established. Although its ordinary members are largely Orang Asli, the management is controlled by non-Orang Asli JHEOA staff, with headquarters and state JHEOA directors habitually heading the respective committees in the past. Currently, it is not uncommon to have Orang Asli holding leadership positions in branches of KKMB.
  27. COAC was informed of this by the POASM President and informed the press. After entertaining the first few callers, the police imposed a news blackout. However, all the mainstream media carried the news the next day (*The Star* 29.12.1997, 30.12.1997, *New Straits Times* 30.12.1997, *Utusan Malaysia* 29.12.1997, 30.12.1997), which helped to secure the early release of the detained Orang Asli.

10




## A CONCLUSION FOR A BEGINNING

The Nation State and the Orang Asli  
Undermining Autonomy  
Indigenes and the New Orang Asli Polity  
Orang Asli Organisations and Representivity  
The 'New' Development  
Achieving the New Development



**Plate 78. Jahai mother and child at Kampung Manok (Jeli, Kelantan).** The Orang Asli do not reject development. On the contrary, many demand that they be given the same priority that others get in the delivery of the more basic development goods. However, they insist that any development initiative directed at them should be on their own terms and without detriment to their wider concerns. [C. 1988]





Chapter 10

## *A Conclusion For a Beginning*

In tracing their history, it is evident that the Orang Asli have never lived in isolation, nor have they always been a marginal group divorced from an imagined mainstream.<sup>1</sup> On the contrary, Orang Asli communities, especially in Southern Peninsular Malaysia, were well established before the reign of the Malay sultans — with Orang Laut groups even providing critical military and economic support during the formation of the Johore and Malacca Sultanates.

That the Orang Asli were part of the emerging Malay states can also be gleaned from the customary practices in some states, e.g., in Negri Sembilan and Pahang, where it was necessary to assert genealogical links with Orang Asli ancestry to legitimise rule.

Today, however, the once politically autonomous and independent people — “an extremely proud people who would not submit to control” (Newbold 1839: 397) — are but a faint likeness of their ancestors. The Orang Asli, in fact, rank among the most marginalised of Malaysians today.

This work traced the Orang Asli’s marginalisation through an analysis of how, and why, others came to control the Orang Asli. Clearly, Orang Asli history has been a history of justifications. Depending on how others perceived the Orang Asli, or coveted Orang Asli traditional territories and resources, they dealt with the Orang Asli accordingly. Thus, when their skills and knowledge of the forest and sea made the Orang Asli the best people to extract natural resources (such as rattan, resins, camphor, *tripang*), their labour was exploited as independent producers and traders. But when their physical labour *per se* was required, and not their skills or knowledge, they were enslaved.

Similarly, when it was expedient to enter into political alliances with Orang Asli for control over their territories, Malay chieftains did so, often claiming Orang Asli ancestry or entering into power-sharing alliances (e.g., by bestowing nobility titles on the Orang Asli). The British colonialists

also sought control over Orang Asli traditional territories and initially did so by simply ignoring their existence not only as a people but often as human beings as well. The Orang Asli were thus regarded as non-humans or primitives, requiring paternalistic guardianship as dependents or wards of the state. Hence, colonial policy towards the Orang Asli, especially during the Emergency, was one of paternalistic protection of the Orang Asli from external influence — quite the opposite of the current policy of integration/assimilation into the mainstream.

However, it is contended that the policies and programmes of the Malaysian nation state produce the greatest impact on the Orang Asli situation today.

### **The Nation State and the Orang Asli**

The Malaysian nation state does not recognise the Orang Asli as a 'people' (as the term is defined by the United Nations). To do so, would mean allowing the Orang Asli to exercise autonomy in their traditional territories. And allowing Orang Asli such autonomy, however limited, has both political and economic implications for the state.

Politically, this would be tantamount to the state conceding to the Orang Asli the right to self-determination. That is to say, the state acknowledges the right of the Orang Asli to own and manage their own territories and to lead separate lives from the dominant society, if they should choose to do so. Hence, to remove any suggestion that the state is conceding to Orang Asli calls for autonomy, it advanced the notion of 'mainstream'. More specifically for the Orang Asli, this translates into a policy of integration/assimilation into the mainstream. Maintaining the concept of a mainstream has been politically important insofar as the state has been able to assert its logic of a single nationality and hence its legitimacy to exercise control over its citizens.

Economically, since Orang Asli traditional territories are no longer considered a 'frontier' resource; such territories are now much sought-after factors-of-production, especially if they can be obtained cheaply. Thus, the ability to appropriate Orang Asli traditional territories and resources became an important project of the state for economic reasons as well. Consequently, Orang Asli claims to their traditional territories have been rejected by the state.

Thus, given that the claims to Orang Asli autonomy challenge the state's own political and economic authority over a people and a territory, the state's objective would therefore be to reduce, if not eliminate altogether, any semblance of Orang Asli local autonomy.

### **Undermining Autonomy**

A reduction in local autonomy was, in fact, the key instrument for the state to effect control over the Orang Asli and their traditional territories. Accordingly, policies and programmes for Orang Asli development were markedly devoid of autonomy-augmenting objectives. On the contrary, in pursuit of the goal of reducing Orang Asli autonomy, the state instituted actions that hinted of internal colonialism — including administrative control, dispossession (of land and other resources), and forced or induced assimilation.

However, because the Orang Asli have insisted on remaining in their traditional territories, the state could not easily appropriate these territories. Further, because this insistence was, in the first case, based on aspirations of sustaining cultural identity and political autonomy, rather than on meeting the need for economic and physical sustenance, the state had to remove Orang Asli attachment to the land so that it could appropriate these territories. This could only be achieved by forcibly removing or relocating Orang Asli, or by instituting strategies and programmes aimed at their deculturalisation. Invariably, both objectives were achieved under the guise of integration/assimilation with the mainstream *society* (as opposed to integration with the mainstream *economy*).

Ironically, in reinforcing the concept of the state and its imagined mainstream among the Orang Asli, a 'politics of difference' evolved. The Orang Asli then became locked in a dynamic struggle with the wider society — over the control of their lives and over the control of their traditional territories and resources.

### **Indigenism and the New Orang Asli Polity**

It was the contest for their traditional territories and resources that first caused the Orang Asli to become aware of the threat to their future. Their initial response had been to initiate various forms of indirect and symbolic opposition that appealed only to the affected communities. Eventually, as the stakes against them increased, the responses have involved a new and broader pan-Orang Asli consciousness. The main vehicle for this was POASM, the broad-based Orang Asli Association of Peninsular Malaysia.

Orang Asli then began to look at themselves from the outside, identified the problems that faced them, and understood why an assertion of their identity was a prerequisite for their survival. The collective identity that emerged soon gave rise to a sense of Orang Asli indigenism. This was an assertion by the Orang Asli of their unity, and difference, directed against the power of outsiders, and focused primarily on the nation-state.

The state was nevertheless aware that Orang Asli indigenism was

more a basis for political action than of mere semantic or historical accuracy. It was also aware that an Orang Asli indigenous movement was immediately a challenge to the state because it argued that the notion of a mainstream society was not sufficient reason to take control out of the hands of a people. Consequently, in order to protect its interests, the state actively sought to impede the development of Orang Asli indigenism. Towards this end, the objective of integration/assimilation with the mainstream society was further reinforced, with emphasis on rejecting Orang Asli identity and politics.

Ensuing state actions – which have included appropriation of traditional territories by administrative fiat, exploitation of natural resources through privatization deals, or programmes aimed at converting Orang Asli to the official religion, have all been aimed at crushing Orang Asli autonomy. Inadvertently, the Orang Asli experienced further social stress as various policies and programmes were implemented. This, however, galvanised them to use their new sense of ethnic difference to assert their position. Hence, the very attempt at bringing the Orang Asli into the mainstream caused them to distance themselves from that mainstream and create their own politics.

Yet, in order for the Orang Asli to escape being categorised as ‘just another ethnic minority’ by the state, and in order to promote and protect their claims for special status and rights within the national society, the Orang Asli had to simultaneously make themselves both like, and unlike, the mainstream they dealt with. On one level, they had to constantly demonstrate the fundamental cultural differences between themselves and the majority population. On another, they wanted to be treated as equals with the state on one side and themselves, as a people, on the other.

The need to negotiate with the state, however, raised problems of Orang Asli representation — both in the content of that representation and in deciding who should be accorded the right to such representation.

### **Orang Asli Organisations and Representivity**

The Orang Asli were initially a collection of diffused local communities, each with their own locus of cultural identity, ethnic sanctuary, and economic opportunity. As mentioned earlier, shared experiences and common causes vis-à-vis the nation state have helped promote a collective awareness among the Orang Asli.

However, to achieve some degree of mobilisation, Orang Asli leaders, mainly in POASM, had to overcome apathy – or the reluctance to be activist – by creating a vision around which Orang Asli could identify or organise politically. This vision, however, has not been informed by



**Plate 79. Jah Hut preparing wildboar meat to feed kinfolk who helped in planting hill-rice (Kampung Penderas, Kuala Krau, Pahang).** There is much in their traditional concepts of organisation and leadership that the Orang Asli can draw upon, or emulate, in their pursuit of self-determination and political recognition. [O'Leary, 1999]

ideological argument, but rather by ethnic self-affirmation in the defence of economic interests. This gave rise to problems of representation because Orang Asli aspirations and wants were frequently as varied as the number of Orang Asli individuals and organisations vying for the same resources for economic gain. Some Orang Asli, for example, were willing to forsake communally-held ancestral territories in exchange for promises of individual land titles in new, often smaller, locations merely because these titled lots afforded greater opportunities for material advancement (such as the possibility of using the land to secure bank loans).

As a result of the pursuit of Orang Asli political and economic development, several Orang Asli representative organisations and institutions have emerged. Apart from POASM, there have been the institution of the Orang Asli Senator and various social organisations, as well as business enterprises and cooperatives, each claiming to represent Orang Asli interests and constituents.

However, to be truly representative, an Orang Asli organisation has to be seen as representing the views, needs and aspirations of the Orang Asli to the government and the public. To be able to do this, it has to be *authorised* as a reliable vehicle of communication and has to be held *accountable* to its constituents. It also has to be *representative* of the Orang Asli in its social composition, as well as *responsive*, by providing services needed or expected by the constituency.

No single organisation or institution has met all these criteria. On the contrary, the variety of claims to Orang Asli representation has provided the state with a new resource for their control: the state was now able to assign, or deny, recognition to the claim of Orang Asli representation. That is, the state was now able to assign, or deny, political representivity to an Orang Asli entity of its own choosing, such that its own interests are served. Thus, for example, although POASM was more representative than, say, the JHEOA or the various Orang Asli business-cooperatives, it was accorded less political representivity by the state.

In fact, as has been frequently shown, Orang Asli organisations and institutions – or even individuals – that enjoyed political representivity were those mainly motivated by economic gain and were not fully accountable to the community they claimed to represent. Invariably, in pursuit of such objectives, their impact on the Orang Asli has been the further appropriation and exploitation of their traditional territories and resources.

Moreover, the need for Orang Asli representation and the use of representivity as a political resource by the state attest to the gaps between the two entities — to the politics of difference that has surfaced in Orang Asli-state relations.

Further, while it is commonly held that without representivity, indigenous organisations would not be able to persuade governments to adopt the policies they prefer, it is a fallacy to assume, in the first place, that only the state should wield the power to assign, or deny, representivity.

Thus, if the Orang Asli are to reassert their autonomy, if they are to aspire towards genuine development, they must reclaim for themselves the right to assign representivity, and not relegate that power to an external entity. But first, Orang Asli must define, and agree, on what they aspire to. That is to say, there is a need to go beyond demands for mere economic distributive justice.

### **The 'New' Development**

Rist (1999: 243-4) contends all the 'development' measures of the last few decades have resulted in material and cultural expropriation. The failure has been so complete that it would be futile to want to go on as before as this would only lead to an increase in poverty and inequality. Hence, the main task is to restore the political, economic and social autonomy of marginalised societies. No more can be expected of the state, except that it should refrain from stifling the initiatives of grassroots groups.

This is true in the case of the Orang Asli. The single strength that their traditional societies had was the integration of social, political and economic

aspects of their societies. Rapid change in any one area was avoided as it could adversely affect the whole and weaken the links that bound their society together. On the contrary, under the current model of development, economic growth was seen as an end in itself, divorced from, and often impacting upon, Orang Asli politics and culture.

Nevertheless, development has indeed become a problem of inequitable distribution for the Orang Asli. It has also sown the seeds of ethnic discontent and difference. Thus, for Orang Asli societies to become culturally and materially healthy again, a corrective to development is needed. However, the modern state has been so successful in limiting access to plausible alternatives to the way we live, that we seem to have lost all imaginative capacity to entertain serious alternatives to the less-than-satisfactory models we have now.<sup>2</sup>

In any case, an important first step for genuine Orang Asli development is for them to regain control over their lives — that is, to regain autonomy and self-determination. For the purpose of immediacy and strategy, this should logically translate into first regaining ownership and control over their traditional territories. This is not to deny that other issues — such as the threat of assimilation or the erosion of political autonomy — are less significant. On the contrary, the issue of Orang Asli land rights is the most visible and deeply-felt manifestation of the principal problem facing the Orang Asli — the inability or, worse, the refusal of the state to recognise the Orang Asli as a distinct people. For only when such recognition is denied can policies of assimilation, and appropriation of their traditional territories, for example, be justified.

Using the 'land rights' problem as a strategy for Orang Asli political mobilisation is also sensible because the issue is deeply felt among the communities, is easily identifiable, and is the source of much social stress for the Orang Asli. However, Orang Asli political representation is vital if Orang Asli are to effectively plan, implement and control their own future. As many Orang Asli now realise, without political representation, they will find themselves in a weak position, vulnerable to social, economic and legal abuse. Nevertheless, political representation can only be effective if such representation is sustained by broad-based support from the community and a willingness to endure temporary setbacks initially.

### **Achieving the New Development**

Orang Asli have applied all manner of non-confrontational methods — including dialogue, lobbying, workshops, and use of the media — to persuade the state to recognise them as a people and, accordingly, recognise their right to manage their traditional territories and their lives. However,

at least in the current context, it is inconceivable that the state will concede any level of autonomy or self-determination to the Orang Asli as it would mean having the state relinquish control over some of its territory and bequeathing to the Orang Asli an aspect of its sovereignty.

The challenge, therefore, is for Orang Asli to find ways to separate their relations with external systems of expansion and domination. To do so, they must first alter the status quo and the way the state perceives them. Some of the measures that need to be taken are discussed below.

### *Negotiate from a Position of Strength*

Without doubt, Orang Asli have to negotiate from a position of strength in order to assert their aspirations for autonomy and self-determination. Their relatively small and diverse population, however, dictates that this should come from political, rather than numeric, strength.

Towards this end, a united and visible Orang Asli polity is a prerequisite. This, however, does not mean that the Orang Asli should have a single representative organisation. A variety of representative Orang Asli organisations and institutions should be allowed but there should be a commitment to a unified goal or vision.

At the same time, the Orang Asli should strive towards getting support and empathy from a wide spectrum of individuals and organisations, as well as seek solidarity with other groups, both local and international, through coalitions and networking. The aim is to assign greater political strength through affiliation and association with others.

### *Arrest Erosion of Orang Asli Autonomy*

Thus far, Orang Asli activism has largely been in response to threats to their traditional territories and resources. The Orang Asli should recognise that other policies and programmes of the state also act to erode, or reject, Orang Asli autonomy. These include policies of integration through regroupment and village-twinning programmes, assimilation through religious conversion, privatization of Orang Asli development, and submission to a mainstream education system.

The scope of Orang Asli activism should therefore be widened to embrace all activities, programmes, and policies that seek to erode Orang Asli autonomy and self-determination, no matter how remote and inconsequential they appear to be.

### *Procure Favourable State Policies*

While taking measures to check the erosion of Orang Asli autonomy, political representation should also be made to procure favourable state



policies or actions that will promote self-management of Orang Asli communities and traditional territories.

First, the state should be persistently reminded that it is multi-ethnic and that priorities vary accordingly — the Orang Asli, for example, may want to seek quite different futures from the national society.

Second, statutory and constitutional guarantees should be provided for the rights of Orang Asli to legal recognition of their lands and resources, to their communal forms of landholding, to their socio-political and economic organisation, and to their religions and languages. The Orang Asli, as such, should never be over-administered or overwhelmed with a multiplicity of schemes and policies, all determined from outside the community.

Persistent political representation in pursuing the above goals not only serves to (very slowly, but surely) persuade the state to consider such contentions and demands, but more importantly, debates and mobilisation on these matters in themselves help to galvanise broad-based Orang Asli support and solidarity.

#### *Develop an Orang Asli Ideology of Struggle*

Orang Asli activism thus far, political or otherwise, has been largely motivated by ethnic self-affirmation in the defence of economic interests. An ideological conception of the Orang Asli 'struggle' is yet to develop.

In order to avoid potential disagreement over fundamental issues, and to further develop solidarity among various Orang Asli groupings and individuals, an integrated assertion of what constitutes their socio-political programme and vision is needed. The process of developing such an ideology is, in itself, expected to further evolve an informed and united Orang Asli polity.

#### *Reclaim Representivity*

It is commonly held that without representivity, Orang Asli organisations would not be able to persuade the state to adopt the policies they prefer. This is because Orang Asli representivity is currently a political resource for the state. It can assign, or deny, representivity to Orang Asli or non-Orang Asli organisations, irrespective of whether such organisations actually represent the Orang Asli. For example, because representivity was a state-assigned resource, the JHEOA was accorded the representivity that it enjoys, and exploits, to the great disadvantage and distress of the Orang Asli.

Nevertheless, it is a fallacy to assume that representivity is the sole prerogative of the state. In reality, political representivity of Orang Asli organisations is as much a right for Orang Asli organisations as it is for the state, if not more. It remains, therefore, for the Orang Asli to regain the

right to use representivity as a resource for themselves. That is, the challenge remains for Orang Asli to turn representivity from a state-assigned status into an Orang Asli-achieved status.

In conclusion, therefore, it should be evident that in the pursuit of a new development, it does not mean that the Orang Asli are rejecting development *per se*. On the contrary, Orang Asli have persistently complained that they have long been deprived of enjoying the fruits of development, although they have not been spared the effects of it. The 'new' development that is advocated is to be different in that the Orang Asli figure prominently in it, and they have a say in it.

The idea, then, as Rist (1999: 244) suggests, is that in spite of 'development', we need to organise and invent new ways of life — between modernisation (with its sufferings but also some advantages) and a tradition from which people may draw inspiration while knowing that it can never be fully revived. More importantly, he adds, all that matters is that each society should regain the right to organise its existence — as it sees fit — outside the system now in place by limiting the role of economics, giving up the accumulation of material goods, encouraging creativity and ensuring that decisions are taken by those directly concerned.

Thus, for Orang Asli to become culturally and materially healthy again, they have to work towards the important first step of regaining control over their own lives and over their traditional territories. This requires recognition from the state that they are a separate people. The task at hand for the Orang Asli, therefore, is to recover that recognition.

#### Note

1. Much of this chapter has appeared as Nicholas (1999c).
2. Nevertheless, several writers (e.g. Beauclerk, Narby and Townsend (1988), Kothari (1989), Pandit Nehru (cited in Pachauri, 1984), Barnaby (1992) and Coleman (1995)), whose ideas are incorporated here, have suggested that for an alternative model of development, a few basic elements must feature. For one, the development should take into account both the interests and the expertise of those in the areas to be developed, ensuring at the same time that people develop along lines of their own genius without any imposition from outside. Also, the results of development programmes should be judged by the quality of human life that is evolved, not by economic statistics. Steps must also be taken to arouse awareness, form local organisations, and meet social and economic needs — without the creation of dependence. The leadership and participation of women must also be ensured.



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**Plate 80. Temiar couple hauling bamboo leaves to be sold to a trader for use as a food wrapper (Lasah, Ulu Kinta, Perak).** The traditional territories of the Orang Asli contain a vast bank of subsistence and commercial uses for the Orang Asli, not the least of which is the pharmaceutical potential of many medicinal plants and products that the Orang Asli know of. [CIVIL 1992]



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 26.11.1991 200 dewan serbaguna di kampung Orang Asli  
 14.1.1993 Cara baru peralat Orang Asli  
 15.1.1993 Ada pihak terima royalti  
 19.1.1993 POASM mahu rujuk masalah  
 23.1.1993 Masalah Orang Asli  
 11.9.1993 Persatuan dakwa majalah jatuhkan imej Orang Asli  
 4.8.1994 Orang Asli Kelantan sudah maju  
 23.6.1995 Seminar metodologi dakwah Orang Asli: Usaha tarik orang asli peluk Islam  
 10.3.1997 Orang Asli diminta tinggal tetap  
 28.4.1997 RPS Orang Asli mula bulan depan  
 24.6.1997 JHEOA campur tangan dalam perlantikan tok batin  
 3.8.1997 Tidak salah Orang Asli dedah tubuh  
 4.8.1997 Usah perdaya Orang Asli untuk cari keuntungan  
 13.9.1997 Murid Orang Asli masih lemah fardhu Ain  
 25.12.1997 26 Orang Asli pertikai pembatalan status tanah  
 31.1.1998 Anak Orang Asli diraitkan  
 11.2.1998 Hanya 1,100 Orang Asli peluk Islam  
 15.4.1999 Siti Fatimah Gigih Islamkan Orang Asli  
 10.5.1999 Wartakan tanah untuk kemajuan Orang Asli  
 11.5.1999 Negeri sudah warta tanah Orang Asli  
 12.5.1999 Langkah wartakan tanah jamin kehidupan Orang Asli  
 31.8.1999 Orang Asli tubuh parti politik  
 22.10.1999 Cuti umum sambut hari Orang Asli  
 31.10.1999 Kebajikan anak Orang Asli dijaga  
 19.11.1999 Parti Orang Asli bertanding  
 26.11.1999 Orang Asli dapat durian runtuh  
 27.11.1999 Orang Asli dapat pembelaan  
 29.11.1999 Orang Asli Jelai tolak calon pembangkang  
 5.1.2000 Penduduk Orang Asli Hulu Gumum dahagakan pembangunan  
 12.2.2000 Orang Asli wajar diiktiraf  
 17.3.2000 RM60j untuk majukan Orang Asli

*Berita Minggu*

- 28.12.1997 76 murid Orang Asli sertai khemah ibadah  
 23.5.1999 Satu! Satu! Satu! ... berdakwa di belantara

*Daily Express (Sabah)*

- 30.3.1990 50pc Orang Asli have not registered as voters

*Eksklusif*

- 14-20 June 1999 Orang Asli masih tersisih

*Harakab*

13.7.1990 Orang Asli Gua Musang Malukan Ghafar

*Harian Metro*

18.4.1996 5 Keluarga Serba Kekurangan

*Malay Mail*

21.7.1953 Aborigine elected to new village council

27.11.1999 Orang Asli pledge support for BN

*Malaysian Business*

1-15 November 1989 Quoting you

*Mingguan Malaysia*

30.5.1999 Memodenkan Orang Asli ("Kami juga mahu menyumbang kepada pembangunan negara.")

16.1.2000 Siti Nurhaliza antara penerima darjah kebesaran Pahang

*New Straits Times*

18.10.1982 Logging land wrangle: Orang Asli's demand bog down timber men

4.8.1989 Not fair to blame the Orang Asli

13.3.1990 10-point plan to help Orang Asli

1.4.1990 Land title poser for Orang Asli

1.4.1990 Keeping land within the community

30.9.1990 PM to 'adopt' Gua Musang

26.11.1991 Ghafar hails Aussie move for better ties

26.4.1992 Mastermind in War against the Communists

7.9.1993 Recounting history at Pasir Salak

8.2.1995 Chamber of Commerce for Orang Asli formed

25.6.1995 We must do more for the Orang Asli

4.1.1996 Move to check exploitation of the Orang Asli

14.4.1996 RM100m more for ASB loan scheme

23.5.1996 Acquiring land for economic purposes forbidden

5.6.1996 Trekkers advised not to venture out alone

7.6.1996 Missing Lina: Three previous cases in same area

12.9.1996 Johor Government to manage forest resources

27.1.1997 Dilemma for the Orang Asli

20.2.1997 Change lifestyles to get land titles

25.3.1997 Group tried to influence Orang Aslis to sell their land

8.4.1997 Regrouping plan will help Orang Asli

25.4.1997 Perak to relocate 'high risk' villages

12.11.1997 Orang Asli fight 'move to progress'

17.11.1997 Birthing centres for Orang Asli mums

24.11.1997 Johor to relocate Orang Asli despite protest

- 20.11.1997 Court upholds RM26.5mil compensation to Orang Asli  
 30.12.1997 26 Orang Asli held for illegal assembly freed  
 24.1.1998 Orang Asli villages are 'high risk' areas  
 20.2.1998 Steps taken to improve education of Orang Asli children  
 11.1.1999 Projects to boost Orang Asli income  
 19.2.1999 RM20m help for Orang Asli settlement  
 22.2.1999 Annuar brings cheer to Orang Asli  
 9.4.1999 Orang Asli holds Johor to promise  
 12.4.1999 State to probe delay in resettling Orang Asli  
 13.4.1999 Department instructed to explain delay to Orang Asli  
 15.4.1999 Architect of dam group seeks Orang Asli input  
 10.5.1999 Large areas of Orang Asli land to be gazetted  
 12.5.1999 Orang Asli banking on pledge: Leaders confident  
 long-standing quest for land ownership will finally end  
 12.5.1999 Allow us to run JOA  
 17.5.1999 More land for Orang Asli in Selangor  
 11.5.1999 Ensuring Orang Asli's Future  
 19.5.1999 124 Treatment Centres to be built for Orang Asli  
 22.6.1999 17 Orang Asli to get certificates from PM  
 22.6.1999 RM250 stipend for the hardcore poor  
 23.6.1999 PM: Orang Asli can have a better life while retaining culture, tradition  
 4.8.1999 Orang Asli assured of a better life under BN  
 19.9.1999 Economic development plan for Orang Asli  
 26.2.2000 RM30.5 allocation for Orang Asli  
 17.3.2000 40,000 Orang Asli to benefit from infrastructure facilities  
 18.3.2000 BN confident Chinese, Indian voters in Sanggang  
 will not go for PAS  
 25.3.2000 Campaigning in virtually unchartered land: BN, PAS battle to  
 win over Sanggang voters  
 31.3.2000 Orang Asli deaths due to negligence: Children given  
 excessive medicine  
 31.3.2000 Overdose victims' fathers claim in suit: Health director  
 failed to act promptly.  
 4.4.2000 Probe into delay in Orang Asli resettlement project

#### *New Sunday Times*

- 12.12.1999 Adnan to appoint four special officers: They will be  
 responsible for the main communities in the state

#### *Sabah Times*

- 2.3.1989 Move for UMNO to admit Orang Asli hailed

#### *Singapore Standard*

- 17.10.1956 "Surprise! These 'Jakuns' find that they are really 'Semoq-Beris'"  
 7.8.1957 Aborigine Named a Federal Councillor

*Straits Times*

- 1.8.1954 Skymen beat off blowgun attacks by Sakai  
 20.8.1957 Aborigines Strike: It's the work of Reds!

*Sunday Star*

- 25.1.1998 Govt: Six settlements must be relocated  
 12.12.1999 Deliver or you're out. Adnan tells excos

*The Rocket*

- Dec. 1986 UMNO Propaganda Laundry Set Up in History Department,  
 University of Malaya

*The Star*

- 6.11.1986 Tunku: No reason to doubt position of Malays  
 21.2.1989 Move to admit Orang Asli into Umno for next council meeting  
 1.8.1989 Once again Orang Asli is a scapegoat  
 27.11.1990 Dam won't affect Orang Asli  
 18.3.1993 Land swap for the Orang Asli planned  
 2.6.1995 Keeping tabs on Taman Negara's 'Manser'  
 3.6.1995 Anthropologist denies allegations  
 3.6.1995 Don: German researcher a good student  
 4.6.1995 Batek tribe unhappy over pressure  
 6.6.1995 Cops query Batek folk on Vogt  
 8.6.1995 No evidence that Vogt instigated Bateks, says MB  
 23.6.1995 Anthropologist Vogt 'not a villain'  
 20.1.1996 Takeover by year 2001  
 25.3.1996 End to Orang Asli woes in sight  
 12.9.1996 Only state government can issue logging permits, says MB  
 28.9.1996 Temporary housing sought for Orang Asli husbands  
 19.2.1997 Orang Asli likely to get land titles  
 22.2.1997 Malaria may be cause of death, says dept head  
 12.3.1997 NGO: Orang Asli may lose out with land titles  
 23.4.1997 RM52mil budget for relocation of Orang Asli villages  
 28.4.1997 Bulk of RM30m profit to benefit resettled Orang Asli  
 3.8.1997 'Dress code' causes concern  
 1.11.1997 West's research on Orang Asli 'biased'  
 26.11.1997 Poor status of Orang Asli focus of debate  
 29.12.1997 26 Orang Asli held over blockade bid  
 30.12.1997 Detained Orang Asli freed on bail  
 31.1.1998 Report: Malaysia's population nearing 21 million  
 22.7.1998a A Burning Issue  
 22.7.1998b Open Burning Allowed Under Stringent Conditions  
 22.3.1999 Orang Asli: Pay us reasonably  
 27.4.1999 CAP statement on Orang Asli land 'not correct'  
 10.5.1999 Orang Asli body sounds warning on poverty woes

- 7.6.1999 A Displaced People  
 23.6.1999 Change will be good, Dr. Mahathir tells Orang Asli  
 24.6.1999 Orang Asli land pact offers new deal  
 10.8.1999 Ramli: Orang Asli to get land titles if they stay put  
 21.9.1999 The Orang Asli speak  
 23.11.1999 Smooth trip to Gopeng for villagers  
 27.11.1999 Power supply for Orang Asli villages  
 24.12.1999 22.7 million Malaysians now  
 22.2.2000 The dam story

### *The Sun*

- 12.9.1996 Ghani orders probe into logging activity  
 28.9.1996 Orang Asli have highest maternal death rate: Chua  
 28.2.1997 Chua: 3 likely causes for Orang Asli children's death  
 31.8.1997 Who are we?  
 9.10.1997 Sitting on the sidelines; Looking after ethnic needs;  
 The Act 134 factor; Official views  
 16.11.1997 Transit house for pregnant Orang Asli women  
 8.4.1999 Speed up gazetting of Orang Asli land: Zaleha  
 10.5.1999 Help for the lot of Orang Asli  
 16.6.1999 16 Orang Asli complete job training  
 23.6.1999 Take up the challenge Orang Asli told  
 30.10.1999 RM30 million for Orang Asli community

### *Utusan Malaysia*

- 10.6.1997 Johor diminta tangguh projek RPS Orang Asli  
 4.8.1997 Orang Asli bukan barang dagangan  
 21.12.1997 Orang Asli diintegrasikan  
 29.12.1997 26 Orang Asli cuba halang laluan lori ditahan  
 30.12.1997 26 Orang Asli dibebaskan dengan jaminan  
 22.1.1998 JAIJ tumpu dakwah terhadap Orang Asli  
 29.11.1999 Projek bekalan air terbesar di Pos Kemar  
 29.11.1999 RM4j untuk kemudahan Orang Asli  
 5.1.2000 Penduduk Orang Asli Hulu Gumum dahagakan pembangunan

### *Watan*

- 17.9.1990 Orang Asli tolak UMNO



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**Plate 81. Temuan Shaman from Kampung Bukit Bangkung officiating at the commencement of the 11th POASM Annual General Meeting (Gombak, Selangor).** In a clear assertion of Orang Asli identity and indigenesness, the Orang Asli shaman was invited to invoke blessings in conjunction with the opening of the POASM AGM on 30 April 2000. While it is not uncommon to have cultural performances during such functions, the affirmation of Orang Asli spirituality is something very recent. [CN-2000]





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