

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 seek to replicate their work; rather, it merely seeks to orientate the reader to the context of Orang Asli development planning since the 1930s. 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 unifying effect of marginalizing the Orang Asli, especially in terms of Orang Asli control of resources. A brief chronological survey of the policies as they were introduced is given below.¹

¹ Part of this review was published as Nicholas and Williams-Hunt (1996), that was originally submitted to the Malaysian Institute of Economic Research, of which I was the principal author.

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.² 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 regarding 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

² In Australia, this policy was introduced through the 'Protection of Aborigines' statutes which were passed in the period 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).

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 "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.³ 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.

³ Personal communication with Iskandar Carey, the first Malaysian Commissioner of the Department of Aborigines, 13 October 1990. Dr. Carey 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 men played down this aspect and concentrated on the 'development' components of the policy.

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 be recognised.... (and that the Orang Asli) will not be moved from their traditional areas without their full consent" (JHEOA, 1961: s.1[d] & [e]).⁴

Sedentism/Regroupment

The early 1970s saw the Communist Party of Malaya revive its armed struggle in what has occasionally been referred to as the Second Emergency.⁵ Again, this

⁴ 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 has become the responsibility of the Federal Government (Jimin 1983: 41).

⁵ 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 the murder of the Inspector General of Police in 1974 and the Perak Chief Police Officer in 1975, attacks on the old airport and 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

was mainly directed from interior forest bases. But the military 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 1979, and at an estimated cost of RM260 million (FDTCP-Betau, 1979).⁶

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.

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.

⁶ To date, however, only 18 regroupment schemes have been established. Of these, 10 have yet to have to their agricultural projects started as of 1997 (see Table 23).

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 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.⁷

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 –

⁷ 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 had 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)

Map 3
SITES OF ORANG ASLI REGROUPMENT SCHEMES, 1997



Source: JHEOA (1992b), Taklimat Bahagian RPS; Lim (1997: 67)

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 come up 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 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.

The expressed goals of the JHEOA remain largely unchanged viz. “to improve the wellbeing and (to) integrate the Orang Asli with the national society” (JHEOA, 1993: 3). 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. 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.”⁸

However, some of the positive assurances in the 1961 *Statement of Policy* – 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.

⁸ For each of the ten general strategies given in the English *Programme Summary*, the JHEOA's *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.”

Islamisation and Assimilation

The Orang Asli have become the target of institutionalised Islamic missionary activity, particularly after 1980 when a seminar on Islamic *dakwah* among the Orang Asli was organised by the Malaysian Islamic Welfare Organisation (Perkim).⁹ 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 *surau*-cum-community halls in Orang Asli settlements, was announced. An initial outlay of RM18 million was allocated for these two projects (*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).

⁹ The Orang Asli are also the targets of Christian missionaries, 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 differ from the project of the Muslims in that they do not have the sanction of policy nor the endorsement of the state. It has also been suggested that, primarily because of the success of the Christian missionaries in the last two decades, the Muslims chose to step up their *dakwah* activities – as if in a race with the Christians to net the last lost souls in the country.

Nevertheless, it is becoming increasingly the case where the development objective of the JHEOA tends to be fused with a programme of Islamisation. For example, the Johor Islamic Religious Department (JAIJ) announced recently that it is to accelerate Muslim missionary (*dakwah*) among the Orang Asli via a multi-agency approach (*Utusan Malaysia* 21.1.1998). The programme, called *Memasyarakatkan Orang Asli* ('socialising the Orang Asli') was to be launched in April 1998 and co-ordinated by the Johor JHEOA.¹⁰

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

¹⁰ 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. "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* 21.1.1998).

Such a statement not only reveals the Islam-with-development strategy but also demonstrates the more spiritually motivated function of the community development officer or *Pemaju Masyarakat*. This, however, is not a well-kept secret. 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 be involved in *dakwah* activities” (JHEOA Kelantan/Terengganu 1996).

Also, on the last day of his tenure as Director-General of the JHEOA, Haji Ikram Jamaluddin conceded that the JHEOA was involved in Islamic missionary activities among the Orang Asli, only in a “supportive role” and that too “only since the previous four years” (Ikram 1997: 7).¹¹ However, according to the Orang Asli Strategic Development Plan for 1997 to 2005, authored during his tenure (JHEOA 1997b), the JHEOA had targeted, for 1997, follow-up projects for 20 villages that had converted to Islam, six *Hari Silaturarahim Keluarga* (Family (Religious) Togetherness Day), religious activities during the fasting month (*majlis-majlis penghayatan Ramadhan*) in 30 villages, and *Aidil Fitri*

¹¹ Perhaps as an example of this ‘supportive role’, the following condition, among eight other standard conditions, is laid down for those wishing to officially visit or do research on the Orang Asli: *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).

celebrations in all districts.¹²

Nevertheless, the issue of the Orang Asli's assimilation 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 categorized under 'Malay' in official reports and censuses.

In any case, it is now accepted that: *domination* (when one community takes control of the other), *paternalism* (which occurs when one society governs the

¹² 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 programmes of Islamising the Orang Asli. 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? 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. I pray as I have always prayed that Allah would open up their hearts to accept this message, for in the final analysis as mentioned in the Quran (to the effect), 'men can make plans, but it is God who decides'" (Ikram 1998).

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 involves an internalisation of the values of the dominant or majority group) (Banton 1967 cited in Armitage 1995: 186). It should become clear therefore that, despite all protestations to the contrary, the policy of Orang Asli integration with the Malay/mainstream society is clearly one of assimilation.

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: 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 of the dominant state structure, one cannot seize these territories if the Orang Asli insist on remaining on it. And that insistence is, in the first instance, based on aspirations of sustaining cultural identity and political autonomy, rather than on 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 deculturalisation. But first, one would have to 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, acceptance of indigenous religions and beliefs, and recognition of rights to traditional territories. Merely providing welfare-oriented programmes is not sufficient to demonstrate recognition of autonomy and 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.