As we saw in Chapter One, the various Orang Asli communities 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 particular ecological niches 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.¹ 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 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 control. The Emergency, and the consequent attention paid to them by the government through the agency of the JHEOA,

¹ For example, according to Gianno (1993: 4), both Temoq and Malays featured in the Semelai myths and stories of origin. The Semelai, in fact, looked down on the Temoq because they were not circumcised. And 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, eventhough both groups have similar physical features and linguistic affiliations.
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 due to an encroaching Malaysian state. This is not to suggest that there was no Orang Asli response to perceived injustices, or political action taken to further their interests, in earlier years. It is just that 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 indigenousness.²

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.³ In Kampung Buntu in Raub District in 1985, for example, Indonesian immigrants had settled on the edge of the Semai's nenggirik, while a couple of Malay middlemen servicing the Orang Asli in the area had decided to

² Some of these actions were taken during the colonial period when the Orang Asli expressed their detest 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)).

Again, 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.

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 middlemen cut the price offered from M$2.50 to M$1.00 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).

³ After completing my master's thesis on the Orang Asli in 1985, I maintained my interest in Orang Asli matters by visiting several settlements in various parts of the Peninsular. I kept a journal of all 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, and when these visits became more regular and organised, 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 candidacy for a doctoral degree whereafter the data gathering was more methodical and conceptual.
open dusun of their own even closer to the nearest Orang Asli hamlet. Entry to
the Temuan settlement of Sungai Lui in Ulu Langat, Selangor (1986), was made
difficult by Indonesian settlers who subsequently became permanent residents. 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
per 10-year old rubber tree. However, later alterations show the figure to be
amended to RM2 per tree, and according to the Semai there, even this has not
been settled.

In Pasir Assam, near Kota Tinggi, 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 had accused the Orang Asli of being illegal settlers
there and had asked them to relocate to a new resettlement scheme at Sungai
Sayong Pinang.
Penghulu Yan in Cawang wrote appeal letters in 1990 and met with JHEOA officials (even with Director-General Jimin Idris twice), to get the Perak State Government to stop plans to alienate most of their traditional territories to a corporation owned by Perak SEDC, United Plantations and the Perak royal house. He had got wind of the project in 1987, but the JHEOA denied any such plans. The plantation, however, goes 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 failed in his attempts to find out from the JHEOA, the District Office, the Police and the State Assemblyman 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 kampung 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, is 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, land claiming that it was ‘tanah kosong’ (unoccupied land) but on which the Semai were still residing and had mature fruit trees. And
according to a JHEOA staff person in 1992, a JHEOA officer in Kuantan has cleared a *kebun* in a Jakun settlement with a view to applying 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, he found out that his village is not marked on any District or JHEOA map as an Orang Asli Reserve. As a result, Syarikat Bensen Timber and Trading of Bentong got the licence to log their *nenggirik*, and then destroyed their fruit trees, desecrated graves, and polluted the water supply in the process.

The Temuans of Kampung Sungei Dua Olak in Karak 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 peopleed 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.”

Also in 1990, thirty Temuan families in Kampung Bukit Kemandol, Klang, 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 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 it 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.

When the Johor State Government decided to sell water rights to Singapore, the State JHEOA Director contended that the dam to be built 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 (which worked out to RM2,488 per person). In the meantime, the Singapore Government signed a contract to pay the Johor Government RM320 million for the water. The Orang Asli were dissatisfied with the compensation offered and took the case to court. After three years, the judge ruled in their favour. In 1996, the state government was ordered to pay the Orang Asli total compensation of RM26.5 million for loss of income over the next 25 years.\(^4\)

**POASM: Bringing Orang Asli Together**

The favourable court decision – although a landmark 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.

\(^4\) The judgement was handed down on 21 November 1996, and reported in the *Malayan Law Journal* [1997] 1 MLJ pp 418-436, 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 (*New Straits Times* 20.11.1997). The defendants have, however, taken their appeal to the Federal Court, where it is pending.
The Persatuan Orang Asli Semenanjung Malaysia (Peninsular Malaysia Orang Asli Association, POASM) had a large part to play in this, although not as it was originally constituted. POASM was actually established in 1976, but for a decade, its membership hovered around 220 to 277 members, comprising almost entirely of Orang Asli attached to the JHEOA. Its inception, however, was motivated by a 1973 proposal by then Minister of Home Affairs, Abdul Ghafar Baba, who had expressed the government’s intention to reclassify the Orang Asli as ‘Putra Asli’.\(^5\)

Educated Orang Asli working in the Department of Orang Asli Affairs (JHEOA) objected to this, and held a special meeting on 6 October 1973 specifically to discuss the ‘Putra Asli’ proposal, and voted as follows: none for ‘Putra Asli’, one for ‘Bumiputra Asli’ and 41 for retaining ‘Orang Asli’.\(^6\)

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.\(^7\) Soon after, in 1976, the Persatuan Orang Asli Semenanjung Malaysia was registered. This move had the support of the

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\(^5\) JHEOA letter dated 22.9.1973 addressed to all Heads of JHEOA Divisions and Branches, with the subject heading: Cadangan Menukar Nama Orang Asli ke Putra Asli. 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 – such as ‘saudara lama’ in the Department of Information – which gave cause for worry as to whether Orang Asli identity would be protected. (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 that had resulted in a shortage of youth labour in the villages. These meetings were attended by the Director-General of the JHEOA and his senior colleagues.
JHEOA. The Constitution of the society not only followed that of UMNO very closely 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 meetings held for some years so much so that the Registrar of Societies threatened to de-register it in 1986. A group of educated Orang Asli, led by 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 was formed, with Bah Tony as President. However, it was not until 1989 that an active membership drive was undertaken and an aggressive campaign launched to get Orang Asli issues across to the public, especially through the media. Many meetings – almost every week – were held in Orang Asli communities throughout the Peninsula, and many POASM branches were

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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 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, with myself as coordinator and Bah Tony as co-founder. 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, Pernoi Gah, which carried Orang Asli news and views, and worked with other non-governmental organisations to put the Orang Asli on their agendas e.g. in the Malaysian Human Rights Manifesto of 1990. Networking with other indigenous groups in Sabah and Sarawak and in the Asian region was also sought.
established. By 1991, POASM membership had grown to almost 10,000 members, and continued to increase significantly.\textsuperscript{10}

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 as Bek Gerahoi, a Semai deputy-headman, echoed the sentiment of many Orang Asli when he told me, “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, Majid Suhut, a Temuan and the current POASM President, regularly advocated that the Orang Asli needed an independent organisation such as POASM. He asked: “Are we Orang Asli to squat (\textit{menumpang}) in other people’s houses such as UMNO, MCA, MIC? ... Even if we have a bamboo

\textsuperscript{10} As at April 1998, POASM’s membership stood at 15,673 (10th POASM Annual General Meeting, 9 May 1999).
house, no matter how small, it is better to stay in our own house rather than menumpang in other people's houses."

Generally, response from the Orang Asli to POASM activities was always 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 sixty Orang Asli was anticipated. However, more than 200 turned up. Later in the year, when POASM had its annual general assembly, an audience of 400 was anticipated. A little over a thousand Orang Asli attended, causing logistical problems.

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

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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 To say that the mood at these early meetings was less than euphoric is an understatement. Orang Asli individuals would relish 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 about having a sick relative in the Gombak hospital in order to borrow the fare to attend. 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 only able to garner about 200 Orang Asli for any of their 'national' events.
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.\textsuperscript{14} 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 role, indigenous and environmental issues (and news) were the vogue. The media interest was further fuelled with the declaration of 1993 as the United Nations International Year of Indigenous People. Soon, even 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-

\textsuperscript{14} The nature of the media interest in the Orang Asli then can be seen in two examples. One of the first (COAC-drafted) 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 (The Star 1.8.1989, New Straits Times 4.8.1989). 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 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).
General of the JHEOA, Jimin Idris, and many 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 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 joint 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 basis 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 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”.

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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 what it was before. This would have been so had the general elections not been so imminent.

The 1990 General Elections

In the run-up to the elections 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 Barisan Nasional as, traditionally, Orang Asli have generally been staunch supporters of the ruling coalition – at least vote-wise. There are a number of reasons for this, not least of which is the very heavy dependency of many Orang Asli on the JHEOA. JHEOA officers were also used to coax Orang Asli into voting for the Barisan Nasional.15 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 elections, there were already rumblings among certain groups of Orang Asli who were disappointed with the broken promises of

15 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 increasing 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.
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. 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 Hamzah, the leader of the UMNO splinter group, Parti Melayu Semangat 46, 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 sub-group. 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 were once again 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). A

16 The mainstream media reported 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 Malay party influential in Kelantan, reported that only 300 Orang Asli attended.
new 10-point strategy to develop the Orang Asli community was also announced during the visit (New Straits Times 13.3.1990).

In April, JHEOA Director-General Jimin Idris 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. 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 KSU made an official visit to the JHEOA office and was briefed on voter registration among the Orang Asli.

However, 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

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17 My notes, written after Bah Tony narrated an account of the first meeting with the Prime Minister on 30.3.1990, reads 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 Orang Asli democratic rights had seemingly become an important goal of the JHEOA. The special report (JHEOA 1990b), dated 12 June 1990, revealed that 91.6 per cent of 36,210 eligible Orang Asli voters - that is, those above 21 years of age - had been registered across the Peninsula. However, in Pahang, 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". 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).
Semangat 46 (*Watan* 19.7.1990)\(^{19}\). 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 RPS Kedaik, Pahang, with the Prime Minister and other Barisan Nasional leaders present. Six thousand Orang Asli from throughout the country were said to have attended. Orang Asli headmen were given increased annual allowances (from an average of RM90-RM200 *per annum* to RM200-RM900 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 elections, in September 1990, the Prime Minister visited Gua Musang and had a ‘breakfast meeting’ with some Orang Asli. Plans for a big rally 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 them support candidates from the ruling coalition.

When certain quarters linked POASM to specific political parties in the wake of the general elections, 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

\(^{19}\) The party was later renamed Parti Melayu Semangat 46, or Semangat 46 for short.
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).

On October 22, 1990 the elections were held. 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 to return the Semangat 46 leader to power by an even bigger majority. In a few other constituencies, such as Sungei Siput in Perak, 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 election. The high-level 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 elections, from the Home Ministry
to the Ministry of Rural Development, thereby effectively releasing the Prime
Minister as the Minister responsible for Orang Asli Affairs.

In the political lull before the next general elections 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 Elections*

By the time of the 1995 General Elections, Parti Semangat Melayu 46 was still a
bone in Dr. Mahathir’s throat, especially as it stopped 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 elections, 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 appointed Orang Asli Senator (Itam
Wali) were left out of this meeting. The representative from the Economic
Planning Unit was reported to have claimed that, "they were 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. The Ministry of Information, announced on 27 December 1994 that it was increasing its air time for the Orang Asli Radio Service (Siaran Orang Asli) by two hours, from the original 2-4 p.m. to 12-4 p.m. daily. A staff member informed me that this is to enable more 'political news' to be aired.20

The new Minister in charge of Orang Asli Affairs (Ministry for National Unity and Social Development),21 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 MIC leader Samy Vellu holds the parliamentary seat).

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20 Currently, the air time has been extended a further two hours, with the programme going on the air from 3-9 p.m. daily.

21 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 many Orang Asli, including the JHEOA, by surprise. Many Orang Asli also expressed their displeasure at now being considered as some kind of 'welfare case'.
The then Orang Asli Senator, Itam Wali, was approached by the Ministry of Information in early December to talk about Orang Asli progress and development on television. He was expected to talk about how the Orang Asli had progressed well. He declined the invitation. One local academic also informed me that he too was invited to do the same, but declined the invitation also. However, talk shows and forums on the Orang Asli situation were televised with other panellists, both Orang Asli and non-Orang Asli.

The 1995 general elections 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 an objection was heard by the election court. For the campaign, POASM President Majid Suhut and past president Bah Tony, were roped in by Anthony Ratos (who is known to the Prime Minister) to campaign for the Barisan Nasional with all expenses paid. They went, but did not campaign for any party, instead telling the Orang Asli to “vote for those who think will best serve you.”\(^{22}\) 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 UMNO, as their loyalty has always been to Tengku Razaleigh, the prince, and not to his party.

\(^{22}\) 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.
Augmenting Orang Asli Indigenousness

The political attention given to the Orang Asli, however short-lived or opportunistic,\textsuperscript{23} did help to create greater awareness among the Orang Asli as to their vulnerability and the urgency of uniting in order to more effectively confront developments as a single force. As mentioned earlier, encroachments into their traditional territories were 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 public purposes).\textsuperscript{24} 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 to stop land

\textsuperscript{23} Ilham Bayu, writing in an opposition-backed weekly paper, \textit{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, eventhough the candidate may not be from UMNO.

\textsuperscript{24} The unjust nature of the amendments was finally acknowledged in 1996, when it was admitted that some state governments were mis-applying the Act by allowing acquisition of lands for non-public purposes such as golf courses, commercial estates and condominiums (\textit{New Straits Times} 23.5.1996).
encroachments. Even in the extraction of forest resources, especially timber, local JHEOA officers often 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 has invariably sided with the latter.

The case of Kampung Busut and Kampung Air Hitam in Sepang that were resettled to make way for the new Kuala Lumpur International Airport is an example (Nicholas 1991g). Another is that of Kampung Bukit Tampoi in Dengkil, where a portion of their traditional territories had been 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 para-military forces to bulldoze Orang Asli houses and crops.25 “They may not have driven the bulldozers,” the Orang Asli say, “but they were present and they did not protect our interests.”

In another situation, 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). Invariably, the Orang Asli are becoming increasingly critical of the JHEOA, frequently 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

25 A similar situation had occurred in 1990 when an Orang Asli church was bulldozed to the ground on the instruction of a JHEOA officer (Loh and Nicholas 1990).
seek to revamp its structure and role, particularly with calls for the Department to be managed by Orang Asli.  

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 force the Orang Asli off their traditional territories, 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 office, 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.  

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 importantly, POASM was able to act as a sort of clearing house for the airing of Orang Asli

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26 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).

27 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 had 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.
grouses, which in turn help promote a sense of commonality among the sub-
groups.

As an indication of the mood prevailing among Orang Asli communities, 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. JOA 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 (Malay) 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, therefore, 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 realise that an assertion of their indigenous identity is a prerequisite for their survival. That is to say, an Orang Asli indigenousness has emerged.
Response of the State

The response of the state to the rising Orang Asli indigenousness 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. However, some of these had clear hidden agendas. 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. Partly because of their numbers, the Orang Asli participants nevertheless able to side-step these considerations and address more straightforward ‘development’ issues in the workshops – including that of

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28 Through a series of symposiums and seminars organised by the Department of Anthropology and Sociology at the National University of Malaysia (UKM), under the chair 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.

29 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 Islamize all the Orang Asli” (p.23).
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 were 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’. 30

In the meantime, as discussed above, the mood had been very much for a more visible and separate Orang Asli indigenousness. This was seen by the state as a form of political action and a challenge to the ‘mainstream’. Consequently, the state acted quickly to check the situation. For one, ignoring the previous processes of dialogue and deliberation, the state embarked on a unilateral policy of converting the Orang Asli to Islam as a quick-fix solution to achieve integration (or rather, assimilation). And perhaps knowing that Orang Asli identity will persist as long as its material basis is not destroyed, the state stepped up its efforts to dislodge the Orang Asli from their traditional territories. This also conformed 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.

30 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.
The semantic issue also continued bothered 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 had not been achieved. More importantly, it could threaten the legitimacy of the Malays to their claim to political dominance by virtue of their indigeneity. The state responded to this dilemma by asserting that there was only one indigenous people in Malaysia – it is just that some groups are more modernised while others chose to remain behind. This was spelt out in two statements made at the United Nations by our permanent representatives. However, the former Director-General of the JHEOA, Ikram Jamaluddin, would go 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

31 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).

32 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.”
ago viz. the Malays, the Orang Asli and the Natives of Sabah and Sarawak, all known collectively today as Bumiputera" (Ibrahim 1997: 4-5).\footnote{In a personal communication dated 17 November 1997, in reply to my response to the afore-mentioned press release, 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’."}.

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 sub-group. 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 need to be addressed. Foremost among these is whether 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 indigenousness is also seen as an attempt by the Orang Asli to assert greater political autonomy. After all, as Gray (1995: 40) notes, indigenousness is an assertion by people directed against the power of outsiders, especially that of the state. The state, therefore, is not likely to take kindly to this assertion of Orang Asli indigenous, 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.\footnote{At the COAC premises in Tapah, Perak.}
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."\(^{35}\)

Six months earlier, in March 1996, the POASM President himself had received a 4-page dressing-down letter from the Director-General himself, alleging POASM of instigating 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.\(^{36}\)

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, under then president Long Jidin, 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, in turn passed it on to Prof. Hood Salleh of UKM, who was able to get more balanced representation

\(^{35}\) Letter dated 10 August 1996 from the Deputy Director-General, JHEOA to the President of POASM.

\(^{36}\) Letter dated 9 March 1996 from the Director-General of the JHEOA to the President of POASM.
from both international and Malaysian speakers, much to the chagrin of the original mooters of the conference. Media coverage of the proceedings, in fact, were positive towards the Orang Asli position, and served to further reinforce the emerging Orang Asli consciousness.37

Also, in apparent response to the issue of emerging Orang Asli indigenousness, 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, attended 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 are 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 indigenousness 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 lay claim to. Thus, the JHEOA, an agency that is supposed to organise such control, would understandably be disturbed when the court granted the Orang Asli community in Johor RM26.5 million as compensation for loss of income as a result of the construction of the

37 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.
Sungei Linggiu dam. This is especially so when it was none other than the JHEOA that had deemed that they deserved nothing as “they no longer depend on traditional hunting for a living.” Unlike the JHEOA, the judge in the case had apparently kept himself informed of the political progress and aspirations of the Orang Asli.\textsuperscript{38}

**Orang Asli Political Activism**

Orang Asli political assertion marked a change in direction and content in 1998 and early 1999. Responses and actions moved from the local to the national level, and reflected the frustration at the lack of suitable response to conflict resolution efforts of the past.

The most significant political protest by the Orang Asli thus far took place on 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\textsuperscript{39} they had mobilised themselves in a show of support for two Orang Asli families in Bukit Lanjan, whose houses, four days earlier, had been demolished by municipal workers and contractors to make way for a highway project.

\textsuperscript{38} I agree with Lim Heng Seng, a former Industrial Court judge, who held the view that 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.

\textsuperscript{39} 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).
The heavy-handed manner in which the houses were demolished – without prior warning to the owners and despite the matter 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, although 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 is widely circulated among the communities, and is invariably displayed prominently at POASM functions.

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 has now formalised its participation in the *Jaringan Orang Asal SeMalaysia* (Indigenous Peoples Network of Malaysia, JOAS), an informal network of indigenous peoples organizations and people’s movements comprising indigenous (Orang Asal) groups in Sabah, Sarawak and the Peninsula.40

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40 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.
1998 was also the first year that POASM formally 'celebrated' International Indigenous Peoples Day\(^4\), with a two-day cultural event in Tanjung Sepat, Selangor on 8-9 August 1998. It was a clear message to others that they now identified themselves with the world's indigenous peoples and have begun to establish solidarity links. The practice is set to be an annual affair, with the 1999 celebrations planned for Bidor, Perak.

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, also commenced proceedings in 1998. The matter before the court is a tract of Orang Asli traditional territory that the state government acquired for the construction of the highway to the new international airport. 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. At least three other suits involving Orang Asli land rights are in various stages of being filed in court.

Also, in July 1998, the Orang Asli who traditionally practised rotational or shifting cultivation, had to decide whether to heed a directive from the JHEOA to adhere to ban on open burning or to go ahead and complete their annual agricultural cycle. Because of the problem of haze looming in the country then – a result of forest fires raging in Kalimantan – the authorities had imposed a ban on the practice of open burning. The Director-General of the JHEOA agreed with

\(^4\) The United Nations declared 1994-2003 the International Decade for the World's Indigenous People. August 8 was 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 national annual workshops that rotate among the three regions.
the ban, as he was not convinced that fire was necessary for these groups of Orang Asli. Further, he added, he "did not believe they are subject to any hardship on account of not being allowed to use fire for land-clearing."\textsuperscript{42}

However, Orang Asli interviewed 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 that 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 RM30 – seemed a very reasonable request as compensation. Furthermore, there was already the precedent of the authorities promising to provide monetary compensation to fishermen in Malacca 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 have 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

\textsuperscript{42} This, and the following, quotes are taken from Meng Yew Choong's feature article entitled 'A Burning Issue' (\textit{The Star} 22.7.1998b).
Government's directive, which is intended to prevent the haze. Are you suggesting that they break the law?"

However, the Assistant Director-General of the Fire and Rescue Department, differed from this view. He said that "the law must not be overly rigid in 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 that her department was considering appeals by those affected by the nation-wide '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 Deputy Science, Technology and Environment Minister, who said that the RM500,000 fine for open-burning offenders was "not meant for farmers and smallholders, but those doing it for quick profit." Open burning for certain prescribed activities were allowed only if certain guidelines were adhered to – including that the burning be carried out only 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 are burning for shifting cultivation, religious rites, training and 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 they 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 burnt their fields, and planted their subsistence crops.43

More recently, in May 1999, the biggest circulation Malay daily gave full-page coverage to what is perhaps the most extensive and widely-publicised 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 that for the Malays, especially in that those managed by the JHEOA for the Orang Asli were wanting in many aspects.

Majid also admonished ruling coalition politicians for making their presence only when campaigning for elections. He mentioned that, because of past experiences and betrayals, Orang Asli in the villages are now expressing an element of hatred (‘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 where they are today due, in large part, to the government shirking its responsibility of developing them on the

43 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.
basis of the Orang Asli being one of the most marginalized groups of Malaysians today. The Orang Asli, he asserted, would not be so economically depressed today had the government given the Orang Asli the same development benefits and emphasis it did for 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. There was, however, 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.

On the contrary, the words of Majid Suhut, as with the actions of the Orang Asli described above, do more than just call for a redress of the situation that they face. These are political statements by the Orang Asli that aim to draw attention to the existence of a new Orang Asli politics. This is an Orang Asli politics that continues to aspire for autonomy and self-determination as a separate people, but within the framework of the federation.

**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 had more in common with each other than they did with other non-Orang Asli. Their dealings with public authorities, especially the JHEOA, also led to them to regard the state as an adversary.
Consequently, having the non-Orang Asli and the state as adversaries 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 the Orang Asli sentiment and was able to develop an Orang Asli consciousness, where Orang Asli identity – and indigenousness – became the process for unity and political struggle.

The state, however, saw Orang Asli indigenousness a challenge to it because Orang Asli indigenousness rejects the notion that the state’s goal of ‘integration with the mainstream’ is sufficient reason to take control out of the hands of the Orang Asli.

Therefore, in order to protect its interests, the state seeks to deny, or obstruct, Orang Asli indigenousness. This it does, as the next chapter discusses, by exercising its ability to accord representivity to favoured Orang Asli organisations and institutions, irrespective of their extent of actual Orang Asli representation.