
ENHANCING ORANG ASLI AWARENESS AND EMPOWERMENT THROUGH AN INTERVENTION PROGRAM

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ABSTRACT: This paper discusses the initiative of a group of students and lecturers at the Faculty of Law, UKM in enhancing awareness and empowerment of the indigenous peoples of Malaysia, the Orang Asli through an Intervention Programme. The main objective of the Intervention Programme is to identify the problem and difficulties that the Temuans at Rancangan Penempatan Semula (RPS) Sungai Bilut have encountered due to their relocation after their ancestral land is reclaimed by the government for the Kelau Dam project. Firstly, the programme looks at negative impact of the relocation and seeks a viable area of improvement for Orang Asli to have a decent social and economic opportunities and a standard of living that will be at par with other citizen of the country. Secondly, it carries out Intervention Programme based on transfer of knowledge method in order to strengthen awareness and empowerment amongst the said Orang Asli. The ultimate objective of the programme is to generate human resource among the said Orang Asli that help the community to solve their problem and difficulties with special focus to the rights of livelihood and decent work, protection of women and child, and relationship between the Orang Asli and NGOs and Human Rights Commission. The Intervention Programme at RPS Sungai Bilut is only the beginning of an effort in enhancing awareness and empowerment of the Orang Asli. There will still be a need for special initiatives and programme to implement the suggestions made at national level for the realisation of the rights of Orang Asli's in general.

KEYWORDS: *Indigenous peoples, Orang Asli, empowerment, awareness, human rights*

INTRODUCTION

Participation in the Intervention Programme on Awareness and Leadership among Indigenous People (Intervention Programme) is part of the teaching scope for the LLM students taking the Advanced International Law and Indigenous People subject (UUUK 6325) at Universiti Kebangsaan Malaysia. The two day programme was held on 17 and 18 May 2014 involving the Orang Asli Temuan community of RPS Sungai Bilut, Raub, Pahang who are affected by the proposed Kelau Dam construction project. Kelau Dam project is a controversial plan by Ministry of Energy, Green Technology and Water involving the transfer of raw water from Pahang to Selangor (Kementerian Tenaga Teknologi Hijau dan Air, 2009). According to a former Batin, Orang Asli lose their bid for a judicial review to strike out the decision by the Director-General (DG) of the Department of Environment (DOE) to approve the Environmental Impact Assessment (EIA) report for the Kelau Dam project in Pahang. ("Pendor bin Anger & Ors v Ketua Pengarah Jabatan Alam Sekitar," 2010). Because of the project, they were relocated from Kampung Sungai Temir to RPS Sungai Bilut in Raub, Pahang. This relocation caused various problems to the community especially in economic and social aspects.

Although development and well-being of Orang Asli is "guaranteed" in the Aboriginal Peoples Act 1954, many literatures argue that this piece of legislation is unable to address issues face by the Orang Asli and it is considered as consisting of element of paternalism. (Nicholas & Baer, 2007; Robert Knox Dentan, 1996) Jabatan Kemajuan Orang Asli (JAKOA) is the government agency established to administer the development of Orang Asli. Nordin opined that the 'Act' as open the opportunity for JAKOA to 'control' the Orang Asli. (Rohaida & Witbrot, 2012) Besides, JAKOA has been criticized for failing to protect the rights of Orang Asli. (Dannison, 2007; Rohaida & Witbrot, 2012)

The Intervention Programme is conducted under the abovesaid legal backdrop. Its main objective is to assist the community to adapt with the changes after the relocation. Prior to the actual event, researchers and representatives of the student committees have visited the community on 3 and 27 April 2014 to understand their problems and make proper arrangement to ensure the smooth running of the programme. Apart from UKM, among the organizations involved in the programme are the Human Rights Commission of Malaysia (SUHAKAM) and Jabatan Tenaga Kerja, Raub District. The Organizer also had the honour of cooperating with Cikgu Johari, motivator of Orang Asli origin and four UKM Orang Asli students.

TRANSFER OF KNOWLEDGE ACTIVITIES

The Intervention Programme divided into four major slots namely; (i) session with a representative from SUHAKAM, (ii) session with a representative from the Labour Department, (iii) motivation and sharing session with Orang Asli icons; and (iv) indoor and outdoor activities involving the student committees and the Temuan community. Since one of the objectives of the programme is the transfer of knowledge, all activities were planned and conducted in an informal and relaxed way so that the knowledge can be well accepted by the community.

SESSION WITH SUHAKAM'S REPRESENTATIVE

Since SUHAKAM's establishment in 1999, the Commission has been dealing with numerous issues involving the Indigenous People including the allegation of violation of the Orang Asli's customary land rights. SUHAKAM has been diligently working on the issue and one of the major effort is by conducting a National Inquiry into the Land Rights of Indigenous People in Malaysia aiming at examining the root causes of the issue.(SUHAKAM, 2013) Besides that, SUHAKAM has been conducting visits to 93 schools located in the settlement of the Orang Asli to assess the education received by the Orang Asli children. According to SUHAKAM's report, in between 2010 to 2012, 7000 of Indigenous People Children aged 6 to 12 do not receive education.(Bernama, 2014a) Meetings and discussions with relevant stakeholders namely the community, the school authorities and relevant government agencies were conducted from time to time to discuss the Orang Asli's access to public education service.

On 17 May 2014, Puan Hasmah Abdul Manaf, an Officer of Education and Public Relations Group of SUHAKAM emphasised on the right to land and education issues among the Orang Asli. The speaker explained the rights of Orang Asli to land which they have traditionally owned or occupied as enshrined Article 26 (1) of the United Nations' Declaration on the Rights of the Indigenous People (UNDRIP) 2007. The UNDRIP recognizes their right to own, use, develop and control the lands that they possess by reason of traditional ownership or other traditional occupation or use.(Article 26(2) "UNDRIP," 2007) They also have the right to the conservation and protection of the environment and the productive capacity of their lands (Article 21 "UNDRIP," 2007). Article 8(2)(b) requires State to provide effective mechanisms for prevention of and redress for any action which has caused the Indigenous Peoples the dispossession of their lands. In addition, Article 10 protects the Indigenous Peoples from forcible removal from their lands. Puan Hasmah also stressed on the obligations of the Government to recognize the indigenous peoples' laws, traditions, customs and land tenure systems.(Article 26(3) and 27"UNDRIP," 2007)

Another concern elaborated by the speaker was on the rights of Orang Asli to education. Education is an important mechanism to empower their rights and self-determination. In the UNDRIP, Orang Asli are entitled to all levels and forms of education of the State without discrimination. (Article 14 (2) "UNDRIP," 2007) Article 21 (1) of UNDRIP urges the government to make available the vocational and technical education to the Orang Asli.

The knowledge transfer session by SUHAKAM seems to be effective as the participants enjoyed the talk. The attendees are mostly the youths. It serves as evidence on how the education received by the young generation of the Orang Asli has benefited the community. Participation of the older generation is considerably poor probably due to their low self-esteem and lack of interest in such programme. This observation supports the remark by Dato Mohd. Sani Mistam, the Director-General of JAKOA who opines that indigenous elders may have difficulties in adopting to changes unlike the younger generation who are more open.(Bernama, 2014b) Participation from SUHAKAM in the programme is crucial as it denotes the Commission's commitment and assurance to honour its obligations under UNDRIP 2007.

In this Intervention Programme several questions were asked to the participants to evaluate their understanding on the knowledge shared. The positive response to the questions reflects that the programme has able to achieve the objective of knowledge transfer. This is possibly due to the vast experience of the speaker dealing with Orang Asli's issues.

SESSION WITH THE LABOUR DEPARTMENT'S REPRESENTATIVE

The relocation has affected traditional lifestyle and livelihood of the Temuan community in RPS Sungai Bilut. Orang Asli is strongly dependent on their ancestral land as an economic resources as well as a symbol of identity and security. (Anaya, 2000; Henriksen, 2011; Special Rapporteur Mrs. Erica-Irene A. Daes, 2001) According to Omar, even after the relocation, Orang Asli still dependent on their traditional economic resources such as collecting forest produce, hunting and fishing. (Mustaffa Omar, 2008) The same reality happens in RPS Sungai Bilut whereby majority of the man still pursue their traditional economic activities. In an interview with one male respondent, he informed that he still looks for rattan as source sustenance while another male respondent is confined to doing '*kerja kampung*'. The female Orang Asli on the other hand are merely looking after home and taking care of the children. Thus, this Intervention Programme invited a representative from the Labour Department to assist the community to adapt with changes resulted from the relocation particularly on economic aspect vis a vis employment.

Under the relocation programme, each Temuan family is given between one to three acres of land planted with palm oil tree. A brief look at the area however shows minimal agricultural activities took place. Most trees not growing well and some are dying. Besides these activities, there were some shops selling groceries run by the some Temuan family and a workshop. Other than those mentioned above, there are no substantial economic activities observed within the community.

Involvement of Orang Asli in public and private sectors is less significant. It is consistent with JAKOA report as quoted by Bernama whereby there are only about 1577 Orang Asli employed in the Government sector while another 722 are working in the private sector as of 11 April 2014. (Bernama, 2014b) The data shows that the once hunter-gatherer community is now having a new vocation but the number is still insignificant comparing with the Orang Asli population in the country.¹ The Manager of JobMalaysia disclosed during an interview that one of the reasons for low involvement of Orang Asli in employment is their ignorance of the existence of such job opportunities. The strict office hour is a constraint to the Orang Asli who always enjoys a free and simple lifestyle. Therefore, the effort of the Intervention Programme is relevant to address the issue of unemployment amongst the Orang Asli. During the Intervention Programme, Puan Yusnani, a representative from the Labour Department, Raub promotes employment opportunities within public sector to Orang Asli. Further, the Labour Department is collaborating with JobMalaysia² to provide job opportunities to Orang Asli. JAKOA supports this

¹ Pursuant to statistic by JAKOA, as at December 2010, the total population of Orang Asli in Peninsular Malaysia is 178, 197.

² JobMalaysia is an online portal established in 2002 whereby anyone looking for job may register themselves and their qualification in the portal. Employers also may register to find suitable candidates fulfilling their needs and criteria, and also advertising the job they offer.

effort and collaborating with JobMalaysia in conducting the Orang Asli Labour Information Survey in public and private sector as well as self-employed. The finding of the survey is critical to identify and review the Orang Asli career progress and achievement of Orang Asli.³

The Ministry of Human Resources established 1Malaysia Support for Housewife Job or 1MS4HW, offering opportunities for housewife to earn income to ease the burden of their husband and at the same time improve their status of living. (Ministry of Human Resource, 2014) Among the initiative under 1MS4HW, the housewives including the Orang Asli community are assigned with craftworks, packaging product and other elementary job that does not require high end skills. Everything will be provided to them to be done at their own home. Once the work is done, the end products will be collected by the relevant companies and payment will be made immediately. (MyMetro, 2013)

All these efforts able to improve their economic status however these approaches need to be tailored to the interest of the Orang Asli. JAKOA and Orang Asli must cooperate to find ways for such harmonization. The cooperation can be materialized as evidence by a number of Orang Asli registered themselves for job at the booth operated by the representatives of Labour Department during the Intervention Programme. Although the number is relatively small, but the transfer of knowledge is arguably achieved.

MOTIVATIONAL TALK AND SHARING SESSION WITH ORANG ASLI ICONS

Motivational element is equally important aspect in knowledge transfer. The role played by Cikgu Johari as a motivator has inspired the participants to strive for better future. The motivator who is an Orang Asli himself has cleverly manipulated his knowledge about the Orang Asli community in his presentation. He highlighted the common problems face by the Orang Asli school children and suggested solutions to overcome those challenges.

The motivator advocates the significance of education for brighter future Orang Asli. By this motivational talk, the community is empowered with the knowledge on the importance of education as a tool of change of the economic and socio political condition of the Orang Asli community. With the attendance of number of parents, Cikgu Johari encouraged parents to support their children to pursue their education.

Inline with the awareness promoted by the motivational talk, four Orang Asli students at UKM whom we called Orang Asli icons played their role in inspiring the children. They have shared their experience in facing reality and prove that even the Orang Asli community has fair chances of success. Each enthusiastic icon had conducted separate session with the Orang Asli children. The positive response and encouraging feedbacks from the participants indicates that this approach is similarly effective. The effectiveness of knowledge transfer is further supported with the fact that some parents have consulted the icons to know more about education and opportunities for their children.

³ http://static.jobsmalaysia.gov.my/html/jcs-resources/jakoa_BI.pdf>accessed (8 August 2014)

INDOORS AND OUTDOORS GAMES

Of all the programmes conducted, one that attract the most participants is the indoor and outdoor games which include fun activities such as tug of war, 'think out of the box', futsal, musical chairs, and 'poisoned ball'. It is interesting that all generation, children, youngsters and adults participated in the activities mixing and interacting with the student committees. Through this kind of activities, the transfer of theory of knowledge is maybe minimal and informal. However, it has effectively brought out the creativities, encourage teamwork and developing leadership qualities among the Temuan community especially children. At the end of the event, all the winners were given prizes such as stationeries, flour, sugar, onions and garlic for their contribution and participation.

ASSESSMENT ON TRANSFER OF KNOWLEDGE

The main aspect of this article is on the assessment of the knowledge transfer through activities conducted in the Intervention Programme. The effectiveness of knowledge transfer can be valued in a few aspects namely; (i) knowledge and awareness; (ii) positive values and attitudes; and (iii) leadership.

The transfer of knowledge element has been emphasized throughout all activities in the Intervention Programme as it will create awareness among the Orang Asli on their rights, importance of education and opportunities for economic development. The outcome of the session with SUHAKAM and Labour Department, respectively has enlightened the community on their rights under the laws. The motivational talk and the sharing session imparted the importance of education that would enable the community to live a more meaningful life and earn better. The knowledge, education and awareness will gear the community towards economic development and achieve self-determination.

The Intervention Programme also instilled positive values and attitudes among the participants. Throughout the programme, cooperation given by the participants showed the effectiveness of the knowledge transfer for example two-way communication in talks and involvement in indoor and outdoor activities. The indoor and outdoor activities proved that the intervention enhanced the creativities and promoted competitiveness amongst the Orang Asli. All these components are conditions for the Orang Asli empowerment.

Lack of knowledge and leadership qualities amongst Orang Asli is another grave obstacle to addressing problems within the community. The intervention is arguably successful in inculcating leadership qualities. The activities foster communication skills, cooperation, respect, courage and commitment. The participants were encouraged to speak and express their opinion during the sharing session, talks. These qualities ultimately boost their confidence that is an essential element of Orang Asli leader.

However, the above assessment could not be assumed to cover the whole community because not all of them participated in the programme. According to registration record, around 100 children, 50 teenagers and 60 adults participated in the Intervention Programme.

This could be due to lack of promotion of the programme, unfavorable weather and time factor as it clashes with their daily personal schedules.

CONCLUSION

With limited time and manpower, the Intervention Programme has considerably successful in meeting its objectives of strengthening the awareness and empowerment amongst Orang Asli, thus to overcome their problems resulted from the relocation. It is suggested that programme of similar nature to be conducted in future and to have more comprehensive assessment of the intervention. The future programme should improve on the contents with various activities and involvement of more relevant stakeholders. The contents should be broadened to cover the aspects of politics, social, economic and cultural development in line with the Orang Asli rights to self-determination under Article 3 of the UNDRIP. The activities should be revised to attract the interest of the whole community, the Orang Asli elders, adults, youth, women and children. The proposed activities should be tailored to their culture and interest. The involvement of relevant stakeholders such as the relevant ministries, private sectors and non-governmental organisations (NGOs) will make the Intervention Programme more effective.

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