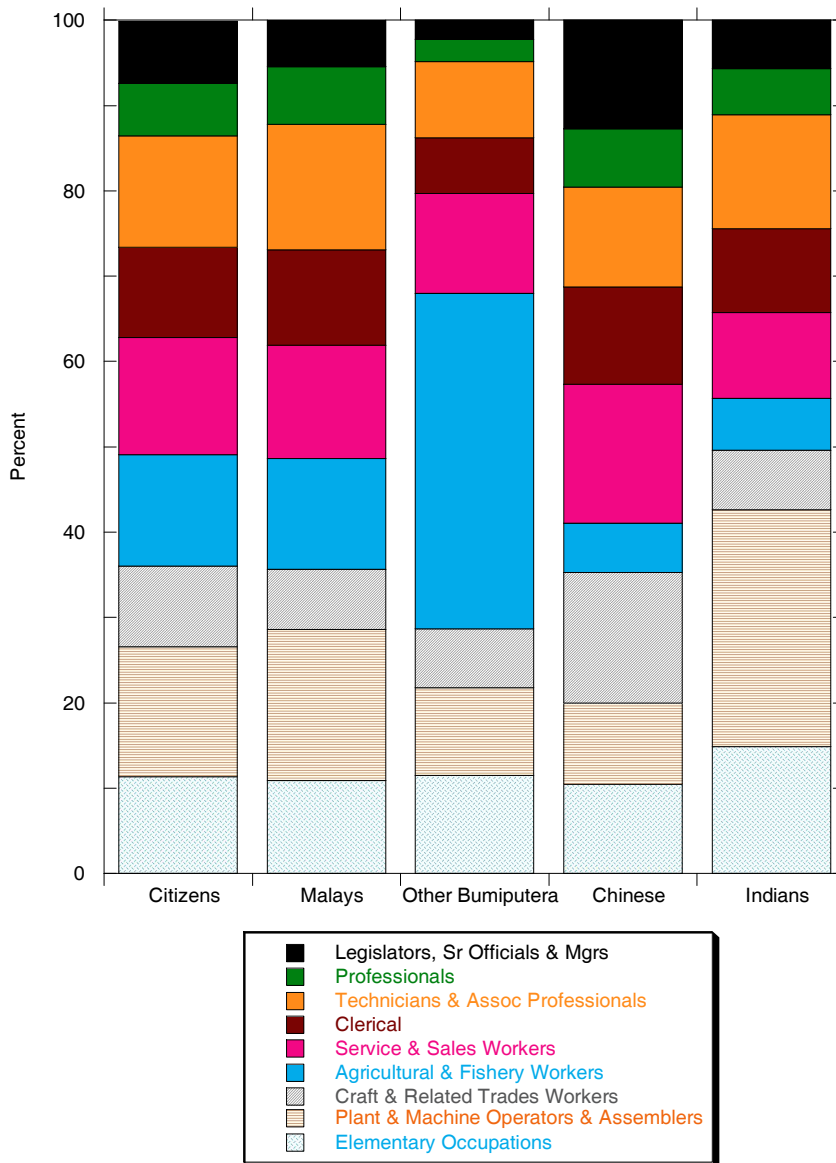


**TOWARDS EQUITY FOR BUMIPUTERA MINORITIES:
THE CASE OF THE PENAN**

I. INTRODUCTION

The NEP has achieved considerable social mobility for Malay bumiputera, significantly raised their standard and quality of life and ensured their full participation in Malaysia’s social, cultural and economic life. However, it has been significantly less successful for the bumiputera minorities, as can be seen in Figure 1 comparing the occupational distribution of the various ethnic groups in the country

Figure 1: Occupation Structure by Ethnic Group, 2000



Source: Dept of Statistics, Census 2000

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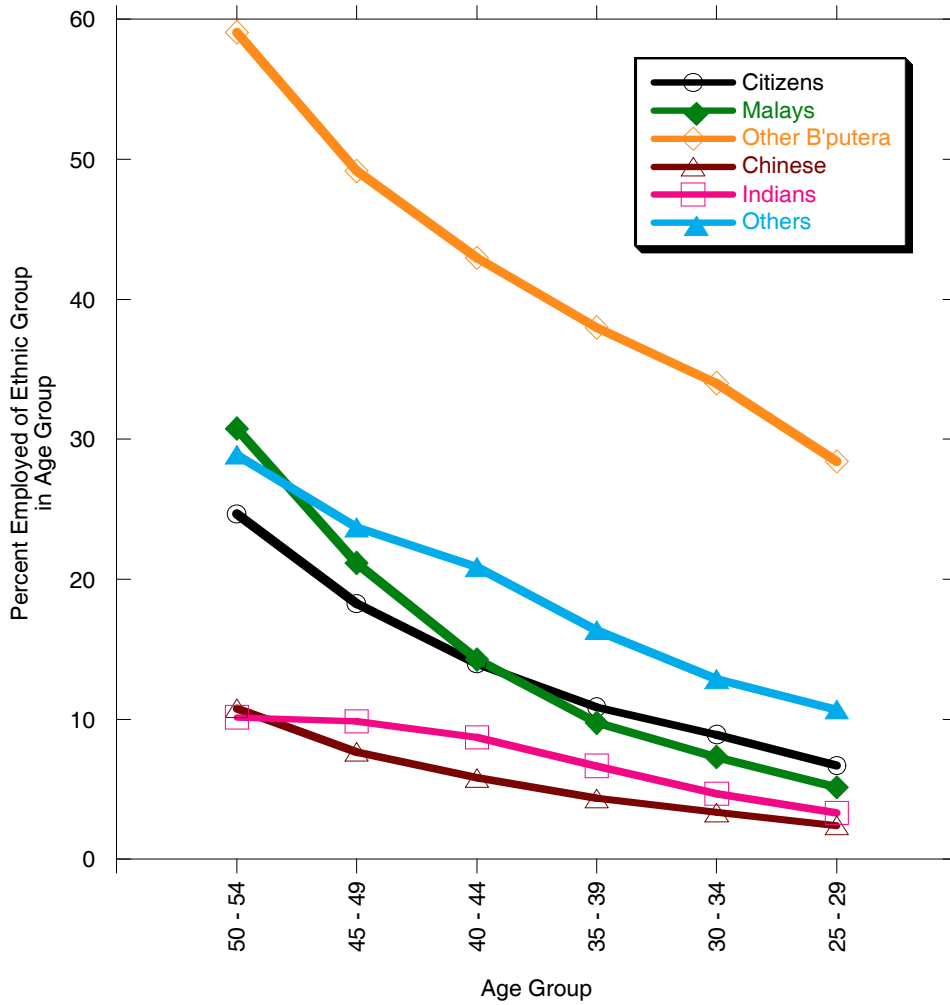
The great advantage of the occupation classification used for Census 2000, namely MASCO 98, is its broad correspondence to status and income. Thus, the first two categories broadly correspond to high status and high income occupations, the next three to middle status and middle income occupations but with “service and sales workers” being a bit of a catch-all covering low to upper middle income occupations. The last four categories generally correspond to lower status and lower income occupations, most clearly in the case of the last two categories, and with agricultural occupations, and somewhat more mixed with “craft and related trade workers”.

The great difference between the occupational distribution of Other Bumiputera, that is the bumiputera minority comprising the Orang Asli of the Peninsula, the various Dayak communities of Sarawak, and the various non-Malay bumiputera communities of Sabah, is clear from Figure 1, with about two-thirds of them falling within the lower status, lower income categories, compared to an average of less than half for all citizens.

This becomes even clearer when occupational distribution is plotted against age group, showing the pattern of social mobility over time. For all groups, the proportion in agricultural occupations has dropped significantly, as the younger generation in each period seeks an exit into what is considered the ‘modern economy’. However, they have moved differentially into other occupations, with Other Bumiputera generally moving into the lower status, lower income occupations. This is summarised through Figures 2a-e for selected occupations for the 25-54 age groups as occupational status, other than for the first category, is pretty much settled by 25, while the cut-off age of 54 avoids the problems with retirement.

To establish the base, Figure 2a below plots the proportion in agricultural occupations by age group and ethnicity, with age group functioning as a proxy for time. Thus, all groups have experienced a steep decline with over the past twenty to twenty-five years and, correspondingly, moved into other occupations. This movement into other occupations is evidence of some socio-economic mobility and indicates their relative standing in the nation’s occupational hierarchy.

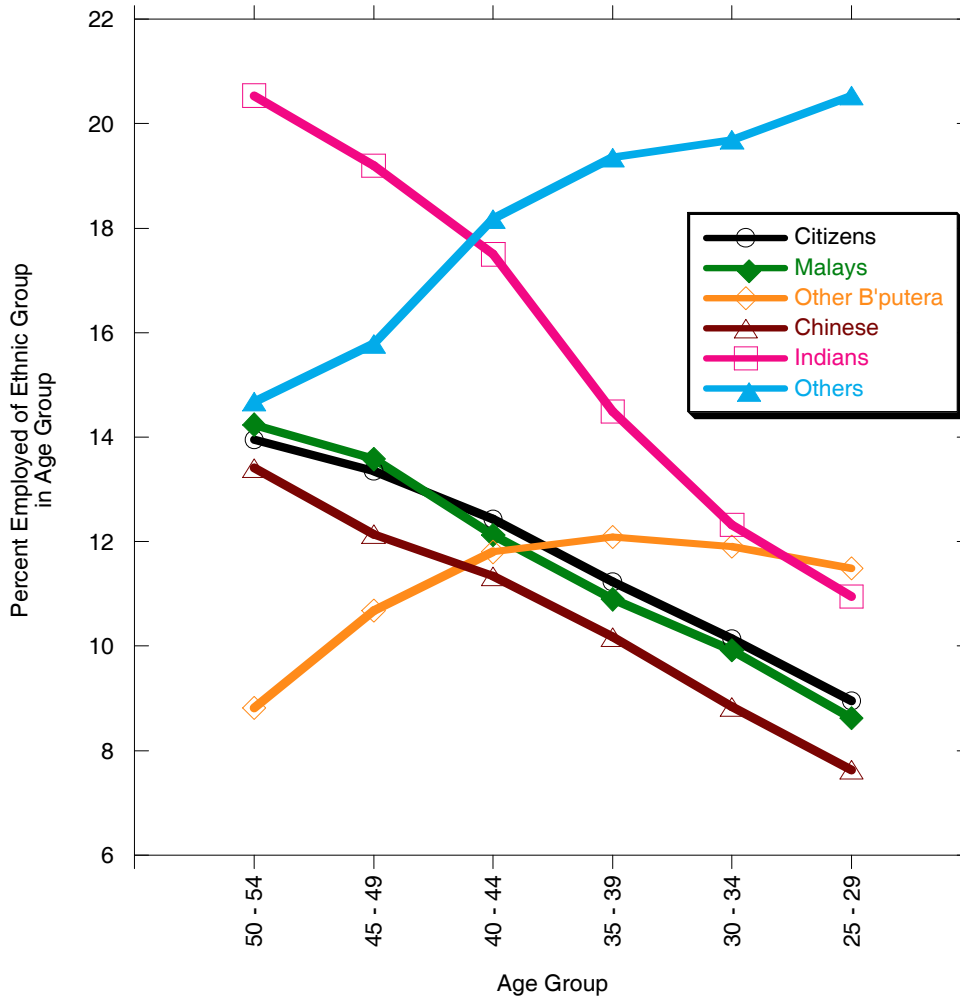
Figure 2a: Percentage in Agricultural Occupations by Age Group and Ethnicity, 2000



Source: Dept of Statistics, Census 2000

Figure 2b below plots the proportion in elementary occupations by age group and ethnicity. It clearly shows that Other Bumiputera have been moving into this lowest status and lowest income category even as all other citizens, with the exception of “Others”, have been moving out of them. However, the situation of “Others” may be an outcome of the considerable emigration of “Others, leaving behind a rump of the significantly poorer and lower status.

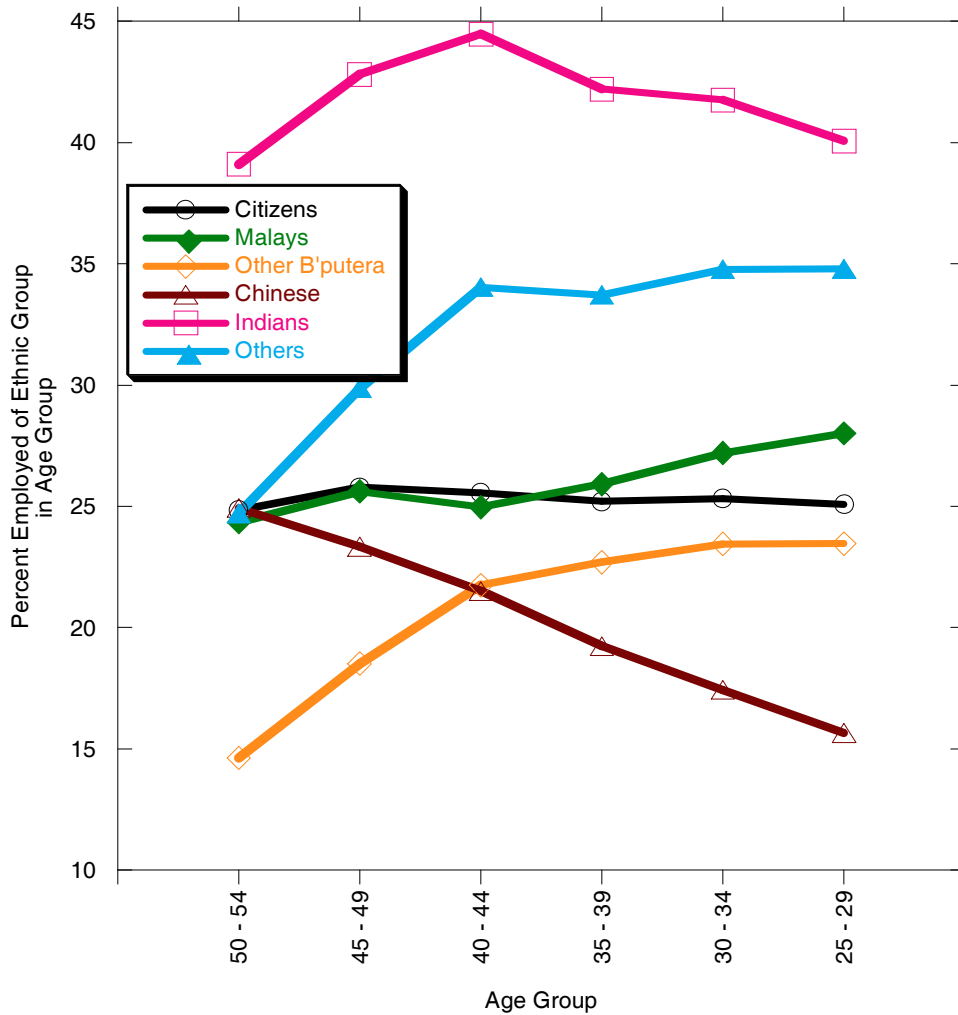
Figure 2b: Percentage in Elementary Occupations by Age Group and Ethnicity, 2000



Source: Dept of Statistics, Census 2000

Figure 2c below plots the percentage in plant and machine operator and assembler occupations and in elementary occupations by age group and ethnicity. This shows the proportion of an age group within an ethnic group falling in the bottom two categories of the occupational hierarchy, and the change over time. Bracketing off “Others” for reasons mentioned above, it is clear that Other Bumiputera have seen a steep increase in the proportion falling into the bottom two categories. In other words, their movement out of agriculture has been into the lowest levels of the industrial and service economy, corresponding to their disadvantaged educational status, shown in the accompanying briefing paper on education. Nevertheless, the disadvantaged position of Indians in the ‘modern economy’ is also very clearly evident, as is the upward mobility of Chinese.

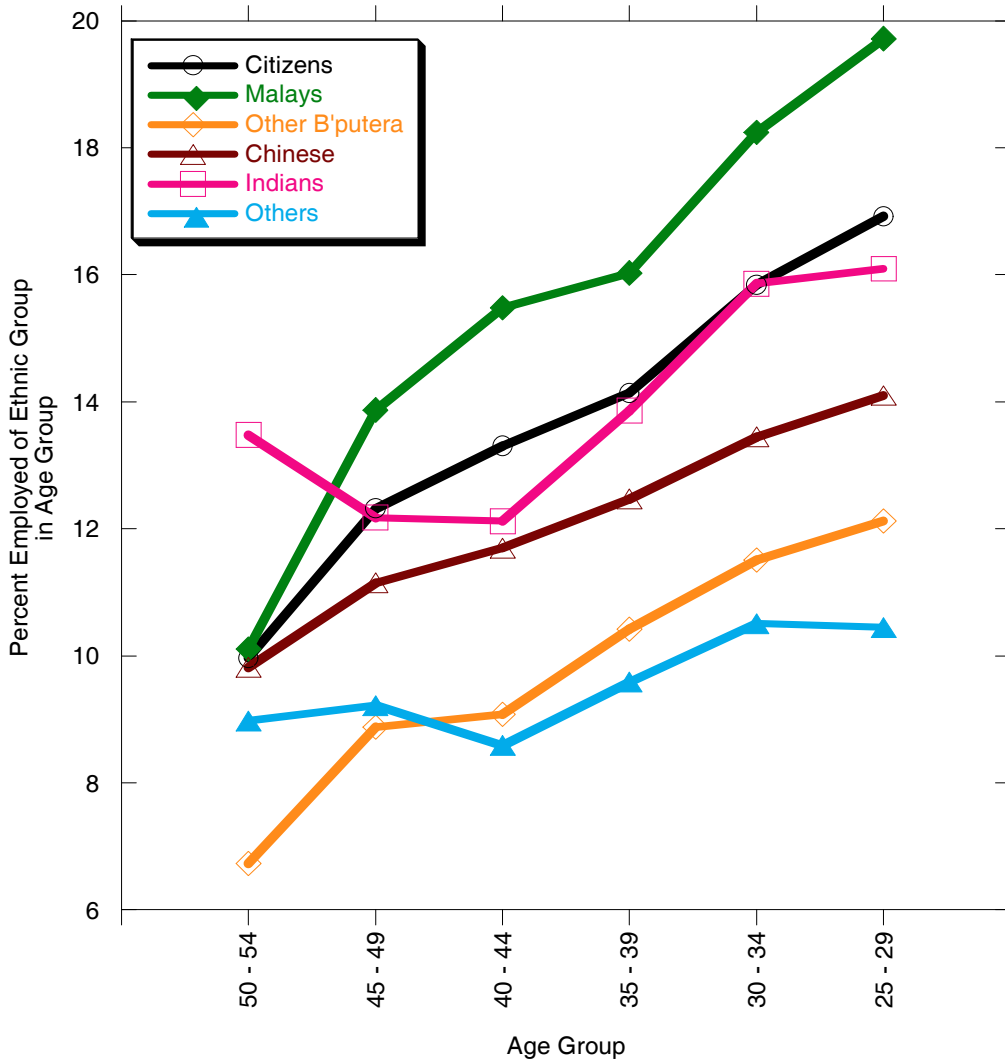
Figure 2c: Percentage in Plant and Machine Operators and Assemblers and Elementary Occupations by Age Group and Ethnicity, 2000



Source: Dept of Statistics, Census 2000

Figure 2d, showing the percentage of technicians and associate professionals by age group and ethnicity, paints a somewhat more hopeful picture. There are clearly a significant percentage of the bumiputera minorities who have managed to achieve entry into such middle status and middle-income occupations, although on the whole they very much lag behind the others.

Figure 2d: Percentage in Technicians and Associate Professionals by Age Group and Ethnicity, 2000

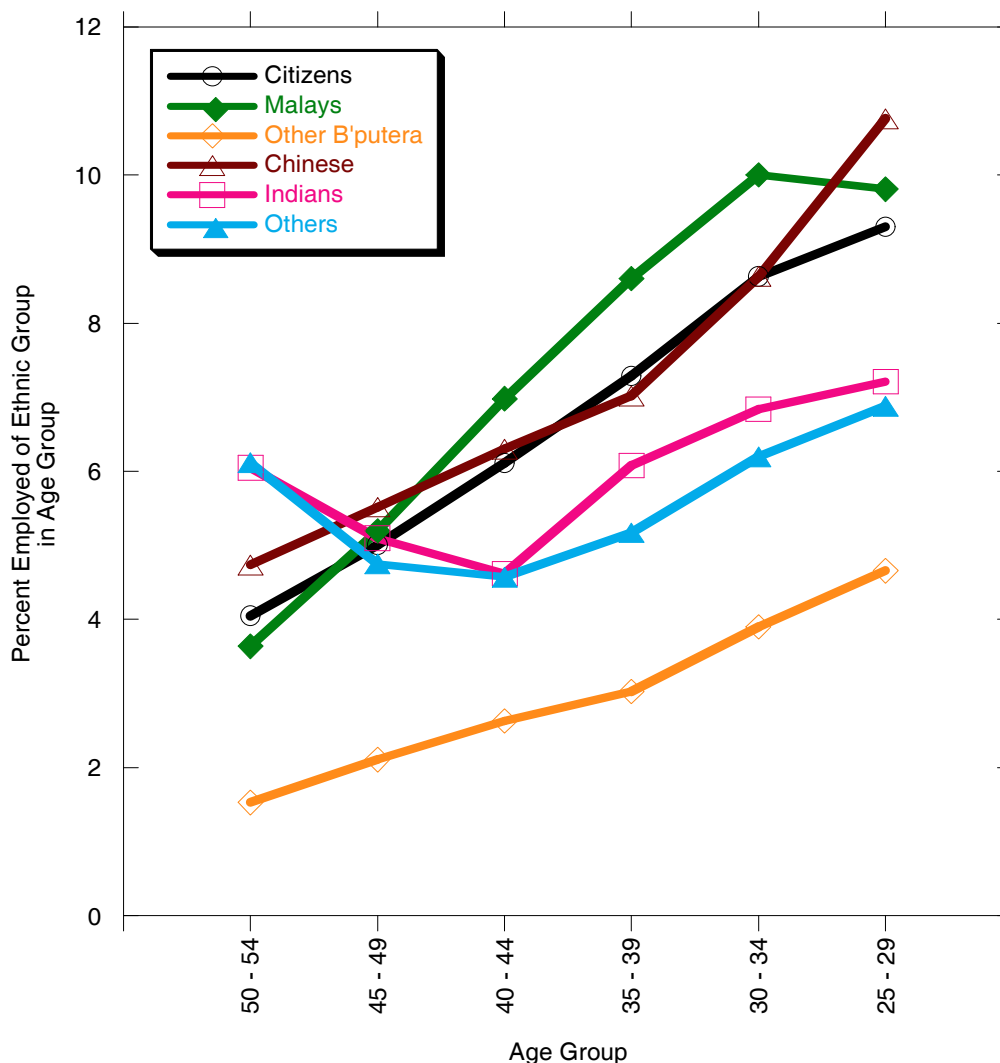


Source: Dept of Statistics, Census 2000

Finally, Figure 2e plots the corresponding data for Professionals. The plot for the top category of “legislators, senior officials and managers” has been omitted because entry into this category is at least partly a function of experience and age. Hence, it is a poor indicator of change over time.

Figure 2e again indicates the extent to which the bumiputera minorities lag the others. But it also indicates the relatively smaller benefit they have received from NEP measures, as is clear from a comparison with the increase in proportion of Malays by age group in the occupational category of professionals. This is of course partly a function of the much lower level of education of the bumiputera minorities.

Figure 2e: Percentage in Professionals by Age Group and Ethnicity, 2000



Source: Dept of Statistics, Census 2000

The above exercise can be replicated for employment by industry, and has been replicated for education in the briefing paper for education. It is sufficient to establish the marginalised situation of the bumiputera minorities, although the heavily disadvantaged position of the Indians, and the plight of “Others”, should not be ignored.

This report, however, focuses on one particular bumiputera minority, the Penan of Sarawak. Nevertheless, their situation has its counterpart amongst other bumiputera minorities.

II. THE PENAN

If minority bumiputera are disadvantaged, the Penan of Sarawak are especially so. Numbering over 12,000 in the year 2000, they are amongst the poorest groups in the country in income terms. Judging from the *median* and *mean* household

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income of under RM450 p.m. and RM515 p.m. respectively in 2002, the great majority of Penan households fall well below the 2002 Sarawak poverty line income of RM600 p.m.

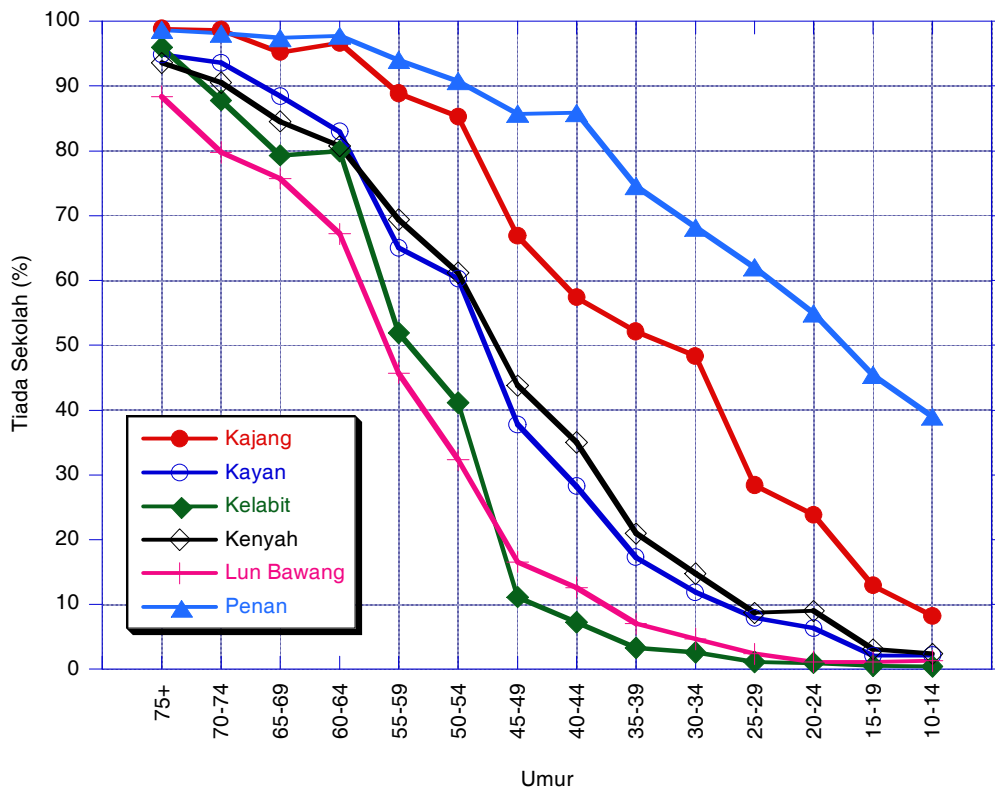
Usually grouped with other communities under the collective label of Orang Ulu, the Penan mainly live in the most remote interior of the state of Sarawak. Following a nomadic hunting-and-gathering mode of life until recently, as recently as thirty years ago – about 500 persons continue to be nomadic – they have few assets, irregular cash income flows, and lag behind the other groups in a number of indicators.

Of these indicators, educational attainment serves as a convenient summary of overall social well-being and social mobility. It also has the convenient feature that educational attainment by age group, from oldest to youngest, at any one point in time also serves to measure change over time.

The overall situation with regards to minority bumiputera has been shown in the accompanying report on education. Here, the focus is only on the sub-category, the Orang Ulu, that includes the Penan.

Figure 3 below shows that school attendance amongst Orang Ulu generally has improved over the past three decades, However, the Penan continue to lag very badly, and even for the youngest age group of 10-14 in the year 2000, some 40 per cent of the Penan had never attended school.

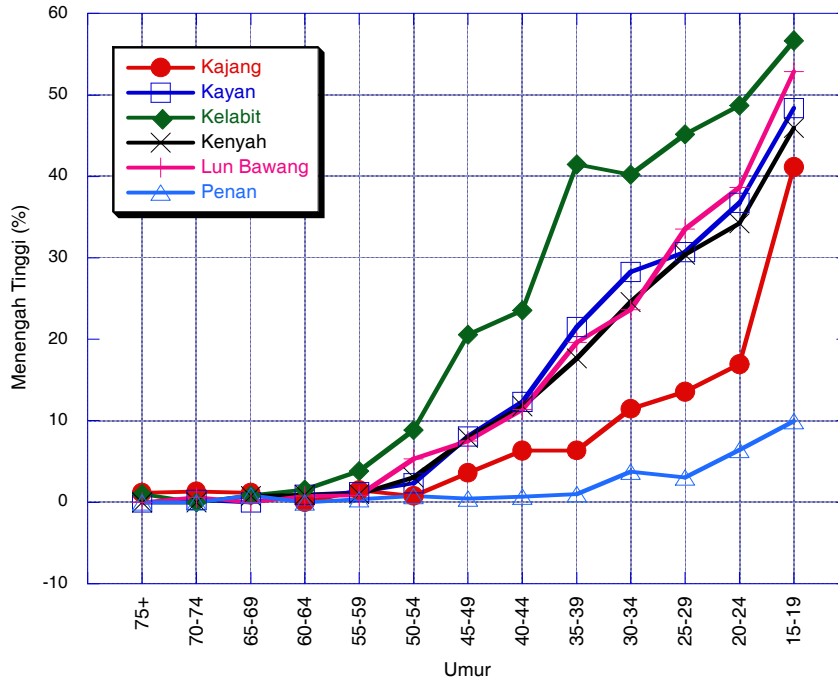
Figure 3: Never Attended School, Orang Ulu groups, by age, 2000



Source: Dept of Statistics, Census 2000

The situation is even more dire for upper secondary educational achievement as can be seen in the almost stagnant situation of the Penan over the past three decades. Figure 4 shows the percentage of Penan that had attained upper secondary in 2000, by age group. While other Orang Ulu groups have risen quite rapidly, the Penan have not, and amongst 15-19 year-olds in 2000, only 10 per cent have upper secondary education.

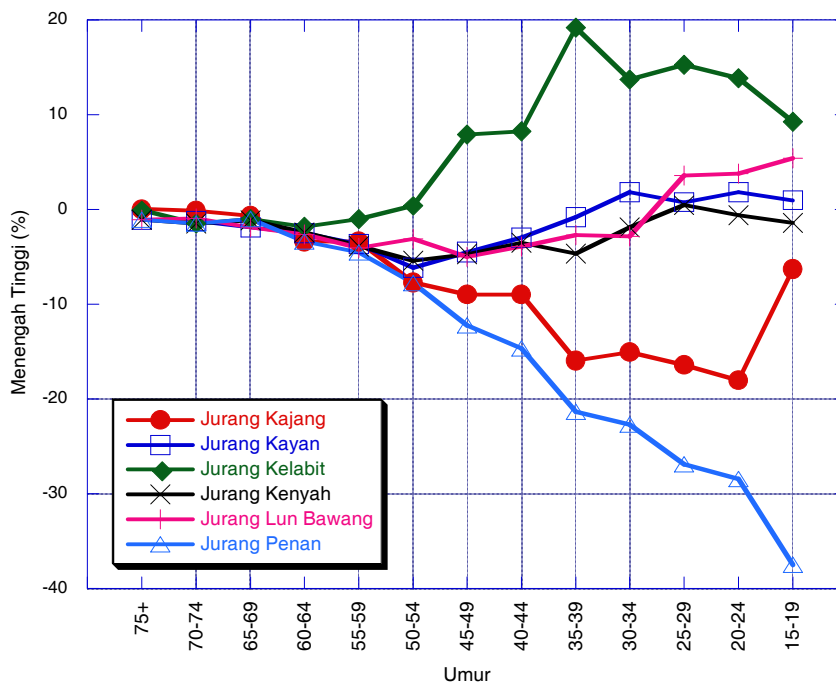
Figure 4: Upper Secondary Attainment of Orang Ulu groups by age, 2000



Source: Dept of Statistics, Population Census 2000

In brief, the Penan are falling further behind in educational terms, a basic qualification for social mobility today and a general measure of social well-being. Figure 5, plotting the gap between the various Orang Ulu groups and the Sarawak average, shows this very clearly. The gap is defined as the difference between the percentage of an age group in upper secondary for that ethnic group and the average percentage of the age group in upper secondary for Sarawak. Thus, a positive number means the ethnic group in question exceeds the Sarawak average, and conversely for a negative number.

Figure 5: Upper Secondary Attainment Gap between Orang Ulu groups and the Sarawak average, 2000



Source: Dept of Statistics, Census 2000

However, it is not only in education that the Penan experience marginalisation, or a greater degree of marginalisation than other minority bumiputera groups. The same is true in a number of other areas including, not least, their rights with respect to land and natural resources as such rights became codified in the Sarawak Land Code - at a time when the majority of Penan were still nomadic hunter-gatherers – which did not take their special circumstances into account.

The 2000 figures on malaria show that the Penan have an incidence rate of almost 3,000 per 100,000 population. Not only do they have the highest incidence in the country, but in the region. Unfortunately, we do not have extended time-series data on this to indicate whether there has been an increase in incidence in tandem with the growth of the logging industry as has been shown for South American forest dwellers.

Moreover, in many areas, it is clear that there is substantial under-5 under-nutrition, defined as two standard deviations or more below the mean weight for age. This was driven home in January 2005 when some 15 per cent of under-15's of the Penan villages in the Long Urun area of Belaga died as a result of measles. Measles kills only if the infected person is already immuno-compromised; in the case of the Penan, the immuno-compromised status is a consequence of income poverty. The Penan in question are living in an area whose forests have been converted into oil palm plantations, and it is believed that this has significantly reduced the forest resources on which they depend, compounding an already unsatisfactory situation resulting from logging activities in their area since the

early 1980s. In addition, despite the generally excellent outreach of the Sarawak Health Department, the Penan, at least in this area, had been overlooked in the vaccination programme.

The factors accounting for this dismal situation of the Penan largely come down to income poverty, livelihood insecurity, and even food insecurity. There are other factors such as the Penan being at the bottom of the social ladder, scorned by most other groups, as well as their relatively recent transition from nomadic to settled residence, and from hunting-gathering to agriculture. One such local factor helps explain their constant demand for primary, and even lower secondary, schools of their own: in mixed schools, the Penan children apparently feel intimidated and, sometimes, are actually intimidated. However, such local factors pale into insignificance within the larger context, a context essentially of general neglect or of concern only to ensure that they do not cause any problems for the interests of other more powerful actors.

While cash-flow poverty is a long-standing issue, livelihood insecurity and, more so, food insecurity is a result of social and economic changes, principally, the arrival of the logging industry which, while partially alleviating cash-flow problems, has impacted considerably on their livelihood and food resources, effected life-style changes, and negatively affected their leadership, social organisation, and values (social and cultural capital). This need not have been the case if there had been better socio-economic and cultural policies and appropriate action.

The situation is getting worse, largely due to conversion of logged-over forest into plantation. No one seems to have given much thought to the social impact of these conversions, despite the Prime Minister's call, on numerous occasions, for social impact assessments to be conducted on all projects.

To give a clearer sense of what is happening, take a couple of current examples: (i) a massive 500,000-hectare forest conversion, and (ii) a small 35,000-hectare forest conversion.

The 500,000 hectare forest conversion to forest and oil palm plantation is in an area of Belaga district that was, until ten years ago, almost completely primary forest. This conversion is happening as the result of the grant of the area to a timber company apparently in payment for its construction of the Lanang Bridge in Sibuan. Penan, and only Penan inhabit the area. In this conversion, the Penan families are left with 3 acres, or 1.2 hectares, each.

This is a recipe for impoverishment for several reasons:

- a. These Penan first settled down and adopted agriculture only about thirty-five years ago, in the early 1970s;
- b. Their system of agriculture, swidden cultivation, requires much more than 3 acres to be sustainable, and in the location and terrain, there are few viable options – without major investment – other than swidden agriculture;
- c. Given their location, even if it were possible for them to practice intensive commercial cultivation, marketing would be a massive obstacle. Moreover, the practice of intensive commercial cultivation requires such substantial cultural and other changes as have not been

attained even by significant segments of the long settled Malay agricultural population of the Peninsula;

- d. Even if they were to adopt oil palm cultivation, 3 acres/1.2 hectares, would not produce a reasonable income: assuming a yield of 20 tonnes ffb per hectare per year, and an average price of RM250 per tonne ffb, 1.2 hectares would result in a *gross* income of RM6,000 per year, which is below the official poverty-line income for Sarawak. The assumed yield of 20 tonnes ffb per hectare is significantly higher than the current average yield in Sarawak. There was a very good reason why FELDA settlers were allocated 4 hectares per family, and even then, they are affected by income insecurity when palm oil prices fall to around RM800 per tonne.
- e. At the same time, given the forest conversion, these Penan cannot fall back on the non-timber forest resources, which have been their mainstay, and there is no provision for any transitional programme. Employment in the plantation development and the plantation is not a viable option for various reasons, not least, the generally low wages.
- f. Last, but not least, despite having been in occupation of this area for generations, the Penan have not been given any share in the forest and oil palm plantation which might at least ensure them a partial safety net, nor any other form of adequate compensation.

It is important to note that the Penan in this area have no educational qualifications to speak of: most have not attended school. Although there was a proposal in 1987 to establish a service centre in the area, comprising a school, an agricultural extension station and a clinic, nothing came of it.

The 35,000-hectare forest conversion – to *acacia mangium* plantation – is in the district of Marudi, in an area which was at the heart of the Penan blockades of the 1980s. The timber company in question is apparently open to possible arrangements for the Penan, about 600 families, to have a small stake in the forest plantation. However, as matters now stand, the Penan are only assured that their land will not be absorbed into the plantation. This assurance does not amount to much as the Penan here, also being relatively recently settled agriculturalists, do not have much land and their legal entitlement to land is not secure within the law, despite the general practice of recognition of cultivated areas. It is also apparent that they will suffer a loss of even the degraded forest resources which have been a mainstay of their lives, and lastly, there is no provision for any transitional programme, even in the event that the company does provide a small stake in the forest plantation to the Penan.

In this instance, it is possible to conceive of a programme in which each Penan family is allotted, say, 2 hectares of forest plantation. This would amount to 1,200 hectares, or less than 5 per cent of the total forest plantation area. It is estimated that the 2 hectares can yield about 600 cubic metres of timber over 15 years and, at a reportedly conservative projected price of RM150 per cubic metre, would yield RM90,000 gross, or about RM70,000 net. On its own, this too would be inadequate and, moreover, does not address the livelihood issue in the period to harvest.

From the above, it is obvious that we are not only looking at a poor community, but one that is actually becoming poorer, when looked at in holistic multi-dimensional terms of income, livelihood, education and health. It is crucial that the Ninth Plan fully addresses the fundamental issue of security of livelihoods for the Penan and other forest-based ethnic minorities in a changing environment; conventional welfare approaches focusing on education and other measures take too long to generate positive impacts and in any case too can bring about community (in contrast to individual) impact only within a context of secure livelihoods and societies.

III. KEY ISSUES

There are two major issues which need to be settled: (a) land and resource rights, especially to forest and forest resources, and (b) appropriate community development plans to deal with the changed and changing environment in which Penan have to secure their livelihood.

Regarding land and resource rights, the Sarawak Land Code recognises native customary rights to land cleared before 1 January 1958. Statute also provides for usufruct rights to forest resources and, where granted, ownership rights to communal forest. However, there has been virtually no creation of communal forest in the past few decades; indeed, the area under communal forest has shrunk. In the case of the Penan, while there were some discussions at the height of the blockades and protests regarding the creation of communal forests or forest reserves for their habitation and use, indeed a biosphere, nothing has resulted from them.

Thus, the Penan, most of whom settled down after 1958, have no legal claim to land *under statute*, other than the ‘largesse’ of government in recognising the areas they have cleared for cultivation. While government may practice such largesse, this cannot be assumed of the private sector under conditions of forest plantation development. Moreover, their relatively recent settlement means that most Penan have actually little land that would fall under such an arrangement, unlike their long-settled Orang Ulu neighbours who hold substantial tracts of land. For instance, in several instances, the longhouse communities resettled to make way for the Bakun Hydro-Electric Project, were recognised as having legal claims to individually and communally held lands in the thousands of hectares. An example would be the relatively small community of Uma Balui Liko, of around 60 households, recognised as about 5,000 hectares eligible for compensation. In comparison, the Penan community within the project area had only a tiny amount of land recognised as eligible for compensation.

With regard to forest land, there is no recognition of ownership rights under the Forests Ordinance, only some circumscribed rights to livelihood. Even then, recognition of such usufruct rights amounts more to ‘largesse’ rather than a recognition of legal claims; in practice, in the context of the timber industry, such ‘largesse’ is exercised as a means to secure the peace rather than an explicit recognition of rights. The usual practice has been to make annual “good-will” payments, apparently based upon some estimate of the timber harvest in the area in question, plus other “good-will” payments for Christmas – the majority of Penan are Christian – or other festive occasions. The reason they are termed “good-will” payments rather than compensation, for example, is to avoid formal

recognition of claims to the forest and forest resources. These payments are made while the area is logged; when the exploitable timber is exhausted, the payments stop. Such payments, when divided among the community, amount to very little for each family. Unaccompanied by programmes for social and economic development, they not only have no development impact, but instead actually have a negative social impact, at both individual and social levels.

There are no payments when forest is converted to plantation development, nor a requirement to provide a reasonable share in the resulting plantation created out of forest that used to be part of the resource base of the Penan as partial compensation for the loss of livelihood resources.

It should be noted that recent court decisions suggest that Penan have ownership rights to the areas they have inhabited and utilised for generations, long pre-dating current legislation.¹ This has not yet been tested in court in the specific case of the Penan. But suffice to note that, in nomadic times, Penan communities ranged within specific territories. For some, these were exclusive territories; for others, these territories might overlap with those of other Penan communities. As such, it can be argued that, even under statute, Penan have ownership rights under 5(2)(f) of the Sarawak Land Code of 1958, as the recent amendment cannot be retroactive.

Besides the above, there are a number of other issues that have thwarted the dreams and desires of, particularly, younger Penan, which are not included in this report. Amongst them, there is one issue that can be easily handled within existing provisions. There have been a number of instances where Penan admitted to university have almost not made it except for the assistance of friends and other individuals. For example, a year ago a Penan girl was admitted to Universiti Malaya but did not have the financial means to make the journey to Kuala Lumpur. She turned down the acceptance, and it was purely fortuitous that someone found out about it and made the necessary arrangements for her. It should be the simplest of procedures, in this electronic age, for all such admissions to be brought to the attention of the relevant agencies, and for them to make the necessary arrangements and provide the necessary financial assistance to such marginalized students.

IV. RECOMMENDATIONS

1. Formal recognition of land ownership rights. This cannot be premised solely on the provisions of the Sarawak Land Code, but has to take into account the recent court decisions as well as currently accepted international practice as adumbrated in, for example, the World Bank's original operational directive

¹ The most significant of these decisions is the 19 September 2005 decision of the Court of Appeal in *Kerajaan Negeri Selangor &ors. v Sagong Tasi &ors.* The 12 May 2001 decision of Justice Ian Chin in *Nor Nyawai &ors. v Borneo Pulp Plantation Sdn Bhd &ors.* is also relevant. Although the 8 July 2005 decision of the Court of Appeal overturned Justice Ian Chin's decision on matters of fact, the Court of Appeal affirmed his judgment on matters of principle. This includes his decision recognising the rightful claims of "pemakai menoa", or the claim to a territory beyond actually cultivated land.

OD 4.20 on Indigenous Peoples, and its revised formulation in OP and BP 4.10. At the very least, recognition of land rights should be on the basis of an assessment of the land needs of the Penan to ensure livelihood, minimally food, security and sustainability. This assessment must take into account their relatively recent transition to agriculture and their culture and practices, and should be carried out in a participatory manner. Such an assessment of land needs will also depend upon the resources that government is prepared to commit to the Penan. For instance, if government is prepared to invest in the development of wet rice cultivation where the terrain is suitable and the people in question are amenable, then land needs will be different from the situation in which Penan are expected or desire to continue to practice swidden cultivation.

2. Creation of communal forest reserves. Where it is still feasible, that is, where forests in an adequate condition are still available, communal forest reserves should be created. These reserves have to be of a size and linked in a way as to be sustainable living biospheres. Where this is no longer feasible, for instance in degraded forests or in forest islands, forest reserves should still be created, with rehabilitation where necessary, to ensure a supply of timber materials for domestic use, but combined with a programme of animal husbandry.
3. Provision of a reasonable share in forest and other plantations. This is the minimum provision in line with accepted good practice, summarised in the revised World Bank directives on indigenous peoples, OP and BP 4.10.² Where forest has been or is being converted to forest and other plantations, a reasonable share in such plantations should be allocated to the Penan, preferably combined with a programme for them to eventually assume operations of their share so that they are not only dividend recipients. Such allocations are separate from the provision specified in (1) above, the provision of sufficient land to ensure food and livelihood security, not in place of it, for it is not feasible for Penan to depend upon plantation-type activities as their main source of livelihood. Nevertheless, the allocation should be sufficient as to permit such a transition to owner-operation. For instance, in the case of oil palm, an allocation of, say, two hectares per family would be inadequate as such an area would never provide an adequate income. The world-acclaimed practice of FELDA should be the model.
4. It should be noted that the above recommendations omit consideration of the legal issues, including the implications of recent court decisions, but are based solely on considerations of equity and the right of every citizen to equal concern from the government and to a share in the development of the country. However, it may well turn out that the Penan do indeed have ownership rights not only of cleared land but of high forest, given their

² Those directives impose a stringent condition of “free, prior, and informed consultation” with regards to projects of this nature. In the examples cited above, there was no such “free, prior and informed consultation”. The recommendation here does not pre-suppose such prior consultations, but simply seeks to address the notion of adequate compensation for loss of livelihood, a principle affirmed by the Malaysian Courts in the world-renowned ‘Adong case’, *Adong bin Kuwau v Kerajaan Negri Johor* (1997).

customary practice, particularly in nomadic times which pre-date current legislation. Regardless of the outcome of at least one pending court case, the proposed recommendations can be instituted without prejudice.

5. Penan service centres, some of which have been on the books since 1987, should be implemented as quickly as possible. At the very least, primary schools should be implemented where they are now absent.
6. Simultaneously, the Penan Volunteer Scheme, instituted after the blockades of the 1980s, should be revitalised. It has become moribund with little direction being provided to the volunteers, the majority of who have less than LCE/PMR qualifications and cannot be expected to operate on their own without regular supervision and contact.
7. The above recommendations seek to ensure livelihood security in the existing conditions of the Penan today. However, as with others, Penan, too, are experiencing tremendous social change, and younger Penan, in particular, have higher aspirations. As a broad general measure, the preparation of community development plans, in the full sense, that is, with full community participation and not as a top-down exercise, should be initiated.

V. INSTITUTIONAL ISSUES

Many of the recommendations proposed here touch on the sensitive matter of state rights with regards to land and forests and can only be put into effect by the state in question. Recommendations (1)-(3) above fall within this category. However, the Federal Government can exercise its influence by private consultations with the state government.

Recommendations (5) can be adopted by the EPU, which can allocate the resources for them. The standard concept of a service centre includes a clinic, a school and an agricultural extension service. Health and education come under the purview of the Federal Government, while agriculture falls under the purview of the state. There is room here for some form of public-private partnership as has happened in the Silat area where a timber company constructed the facilities for an amount less than its actual cost, the timber company covering the deficit. Personnel resources will, however, have to come from government, whether federal or state, as the case may be.

Implementation of Recommendation (6) lies with the state administration, in particular, the divisional and district administration. However, Penan Volunteers are paid an allowance but are not employees of the state. It is therefore possible for the Federal Government to fund the scheme. Evidently, divisional and district administrations do not have adequate personnel and time, given their broad responsibilities and duties. While the government may be understandably reticent, there is an opportunity here for a partnership with NGOs prepared to devote personnel and time to the scheme in a programme to establish it on a self-sustaining basis, other than funding.

Recommendation (7) can be adopted by the EPU in partnership with the State Planning Unit (SPU) and made a component of the 9th Malaysia Plan, with at least a couple of pilot projects to be established within the time-frame of the Plan. In the late 1990s, the SPU had commissioned an assessment of the condition of

Penan and an evaluation of programmes carried out since the late 1980s. However, there has apparently been no follow-up on that study. It is now urgent that action be taken in the Ninth Plan if we are to avoid further deterioration of the condition of the vast majority of Penan.

VI. CONCLUSION

Thirty-five years ago the country adopted the New Economic Policy based on the principle that every citizen and every community in the country had a right to a fair share in the economic wealth and growth of the country, and that every citizen and every community had a right to the equal concern of government. The idea was that no citizen and no community should be left behind. Whatever the subsequent problems and the viability of the policy today, the principle animating it remains valid.

The policy has largely achieved its most fundamental goals of eliminating the identification of economic function with race and of eradicating poverty, with the notable exception of the bumiputera minorities (and Indians).

Of these bumiputera minorities, the situation of the Penan (and of the Orang Asli in the Peninsula) is especially dire. Not only do they have higher rates of poverty, poorer health status and much lower levels of educational attainment than others, including other bumiputera minorities, they are in fact falling further behind as the country advances.

Given their numbers – they are truly tiny minorities – the resources required to redress their condition is well within the means of the country. Indeed, even an outright subsidy to double the average income of Penan families would require a modest RM2 million a year!

Equal consideration and equal concern for the bumiputera minorities would not only benefit them, but the country as a whole and, particularly, the states where they are resident. These minorities inhabit area and regions where they can raise the cost of development through non-cooperation or resistance. Assuring them a proper share in development would also enlist their cooperation and be a good example to other countries of the world where similar marginalized communities exist.

Note on Data Sources and Citations

Except otherwise noted, all data in this brief has been derived from the Population Census of 2000 conducted by the Department of Statistics.

All the court decisions cited are available in the MLJ, and a number have been published on the Internet, as they are landmark decisions not only for Malaysia, but internationally.