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CHAPTER 4

The intersection between Indigenous Peoples' rights and conservation – A personal reflection

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Abstract: Are upholding Indigenous Peoples' rights and conservation of nature inherently incompatible or is it a false dichotomy? What is conservation? Who can protect the forest better? Who does the forest belong to? In this chapter, I reflect on my experience as a conservation practitioner working with and learning from conservation biologists, wildlife managers, as well as Orang Asli colleagues and friends, to explore potential answers to these questions. What I discovered was the importance of learning to walk in another's footsteps (and planning for the time needed) and that we are more similar than different. Indigenous People and conservationists ultimately share similar goals as environmental and social justice are inextricably linked, and we can achieve more together.

INTRODUCTION

In 2016, as a post-graduate student, I found myself in a room with 19 other early-career conservationists from 19 countries, discussing the definition of "conservation". Coming from years of working on Malayan tiger conservation, I thought conservation was about protecting wildlife. Imagine my surprise when everyone else mentioned people in their definitions.

There has been some debate over traditional (biology, wildlife-focused) and new (market-based approaches, etc.) conservation (Soulé 2013; Marvier 2014; Sandbrook 2015), but the definition of conservation for each person is inadvertently influenced by their values. Conservationists, while generally having similar ideals, do not possess the same values (Sandbrook *et al.* 2011). This impacts how they think about Indigenous rights.

Leader-Williams *et al.* (2010) proposed that conservation comprises "actions that directly enhance the chances of habitats and species persisting in the wild". Sandbrook (2015) later proposed a broader, inclusive definition which considers the varying values held by conservationists – "actions that are intended to establish, improve or maintain good relations with nature". Sinclair-Brown (2003) cites Bill Adams, former Moran Professor of Conservation and Development at the University of Cambridge, who succinctly stated that conservation is about negotiating human impact on nature, not so much about stopping it or resisting change.

Many conservationists/biologists I know would prefer to work in a remote area far away from people. Perhaps that is one reason why it took conservation so long to engage with Indigenous rights in Peninsular Malaysia. By nature of their work, conservation biologists will inadvertently interact with rural people, including some who have very little material wealth. It is impossible not to feel for the local community when times are hard.

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This chapter is intended to be a case study. The following records my experiences and perspectives as a conservation practitioner who has been learning from Orang Asli since 2018, specifically Batek people in Kelantan and to a lesser extent, Semaq Beri in Terengganu. Between 2018 and 2023, I was working on a conservation project in Kenyir, Terengganu related to protected area management. As a relative rookie, do excuse any deficiencies.

There are two Orang Asli villages close to the protected area, and we wanted to explore ways to collaborate towards a common goal of safeguarding the forest and wildlife in perpetuity. But first, we needed to get to know people, especially since the communities were known to be wary of outsiders. Fortunately, a friend trusted by the villagers was willing to make an introduction. There was no blueprint for this work, so I turned to books, published literature, news articles and reached out to anthropologists and anyone with relevant experience.

It was shocking to read a (highly misguided) quote in a news article saying that Orang Asli children were running around with nothing in their heads, just because they were not in formal education. That was a big contrast from anthropologists, who wrote about Orang Asli as people with a unique culture, deep knowledge of nature and curious yet analytical views on outsiders. We decided to adopt an anthropological approach to get to know the communities slowly. Coincidentally, in 2022, a toolkit on using ethnography in conservation was published following research on human-orangutan-conservation interactions in Borneo (Chua *et al.* 2022). Turns out we weren't too far off the mark.

Getting to know you

John Slimming, who was appointed Assistant Protector of Aborigines around the mid-1950s, wrote *Temiar Jungle: A Malayan Journey* (1958). It was his account of the time he conducted a survey of Temiar swidden farms west of Gua Musang, near the Kelantan-Perak border. Sadly, the land has changed so drastically that it would be unrecognisable to him.

This paragraph below made me laugh out loud because it mirrored the challenges I sometimes faced speaking with Batek friends. I could hardly believe that the experiences of a British officer over 60 years ago would resonate with me. A big part of getting to know a community is to get used to their figures of speech, or how they could mean something different despite using a common language.

> *Since some of Tengah's people were still with us I traced some more genealogical tables before going to sleep but no question ever received a direct answer and even the most simple facts had to be extracted slowly and laboriously.*
>
> *"Where was your father born, Aluid?"*
> *"Tuan, I don't know. He was born before I was born."*
> *"Of course," said Chabok, wisely.*
> *"Well, have you always lived in the Betis valley, Aluid?"*
> *"Yes, Tuan. And so did my father. My father's father lived here also but I don't know where he was born, nor where my father was born."*
> *"Well, did your father have his own family saka (traditional family area), Aluid?"*
> *"Oh, yes, Tuan. The Sungei Rumpai belonged to him but now it belongs to Tengah!"*
> *"Why the Rumpai?"*
> *"Because the kuala of the Rumpai was his birthplace, Tuan."*
> *"But, Aluid, you… Your father was born at the mouth of the Rumpai?"*
> *"Yes, Tuan!"*

Same park, different approaches

I was told this story years ago by a long-time staff of the Department of Wildlife and National Parks Peninsular Malaysia (PERHILITAN). In the 1990s, the northern entrance (Kuala Koh, Kelantan) of Taman Negara was remote and uncontactable. The only means of communication they had was via radio to the then Department of Orang Asli Affairs (JHEOA) office in Gua Musang. Now it takes only 90 minutes to drive from Gua Musang to Taman Negara Kuala Koh, on a tarred road which cuts through rolling hills of oil palm.

Whenever there were emergencies, the PERHILITAN staff had to radio JHEOA and request that they pass the message to the PERHILITAN office in Gua Musang. Therefore, the closest people who could help during emergencies were the Batek who lived there. Perhaps because of necessity, the relationship between park authorities and locals were convivial. He recounted a funny story about how he was watching television one day and noticed a Batek person peering in from his doorway. He pretended to shoo the man away and proceeded to move the television set to the doorway. Within a short time, a sizable group had gathered outside to watch television.

In the 2010s, the initiative I was working on then was focused on the forests outside the western entrance (Merapoh, Pahang) to Taman Negara. An incident caused an uproar among the Batek people (or Manya') (Tacey 2018) living nearby as a PERHILITAN staff threatened to shoot the villagers if he ever saw them "trespassing" in Taman Negara. Fortunately, the general approach to indigenous rights among conservation practitioners in Peninsular Malaysia have changed a lot since then, though the laws have not caught up.

Hypothetically, who does Taman Negara "belong" to? The Orang Asli or the park authorities? In answering this question, Dr. Colin Nicholas (2005) was ahead of his time, at least in Malaysia. Since 2018, I have had many opportunities to walk with Batek people in the forest, which is a real privilege. It is humbling, to say the least. Walking together with Batek adults, I am at best, equivalent to a 7-year-old child. Once, we were stopped by community rangers who wanted to search our bags. The atmosphere instantly became tense. Of course, we weren't poaching and they were friendly enough but suddenly, I had a small taste of what it feels like to be policed and searched in your own home.

Same same but different

Going back to Kenyir, as part of efforts to include the Orang Asli communities, representatives from both villages were invited to attend management plan stakeholder workshops held in Kuala Terengganu. While one village had a Department of Orang Asli Development (JAKOA) officer on hand to drive the villagers an hour and a half to Kuala Terengganu, the other village had no means to travel two and a half hours to Kuala Terengganu. Villagers also had no formal clothes.

Sometimes engagement involves taking care of the little things: like logistics; suitable clothing to ensure that community representatives do not feel even more out of place than they already were, and; for those who have never stayed in a hotel, things like pressing elevator buttons or navigating a hotel room. They were about as lost as I'd be in the middle of Taman Negara, which was nothing to be ashamed about.

The more I get to know the Batek, the more I admire their resilience and ability to adapt and survive in adverse environments. They have this incredible ability to just get on with life. I also realised that we are more similar than different, in our shared humanity. People often forget that simple fact and fail to afford Batek people the basic courtesies that they would offer other people with whom they share more similarities.

Once, I observed a group of people who drove into the village in a four-wheel drive (4WD). They disembarked from the vehicle, distributed small cakes and sweets in plastic packaging to the children (which ended up all over the ground), took a selfie with the backdrop of a beautifully made bamboo house, then got back into the vehicle and drove off. They did not make eye contact nor speak to any adults, and did not ask for the headman. How rude!

Another time, a fresh graduate asked me: "how does one get to know an Orang Asli?" My answer - smile and introduce yourself. However, the next step of asking for someone's name proved to be a little more complicated as I was often greeted with a bashful look rather than the straightforward answer you'd expect. So perhaps that could be left for later.

Following behind (*Ikut belakang*)

To "follow behind" someone, could mean many things to Batek people. It could mean to literally walk behind them in the forest, to observe and learn, or be born after. This heading refers to the second definition. They rarely teach or instruct, it is up to the student to learn. To work with a community, first we need to walk in their footsteps and understand their reality. For they are the experts of their lived experiences and situation.

There is a manganese mine near the village. Work has stopped now but there was a time when lorries heavily loaded with manganese ore would trundle out of the mine, through the plantation and towards the port. Manganese is one of the materials in aluminium cans, needed for canned drinks to cool one down on a hot day. It strengthens steel, needed to build strong pillars to hold up skyscrapers. But who bears the price of modernity, of industry?

Living cocooned in the city, away from the frontiers of resource extraction, it is too easy to forget that all resources come at a cost. Even self-professed conservationists often forget. Swept up in the story we've been fed since birth, of growth, of aspiration, of wealth, we forget that planetary resources are finite. A famous message from the people of Ladakh, India that circulated online a few years ago captures the need for change in a sentence, "*please live simply, so we may simply live*".

One morning in the village, a friend asked if I wanted to join them on a fishing trip for the day because someone wanted to harvest bamboo to make a raft, and suitable bamboo groves were upstream. Of course I did! After a light breakfast, we set off. We walked for a long time upstream, up and down hills in our flip flops. Once we reached the intended spot, some in the group started harvesting bamboo, while others fished using rods fashioned out of palm fronds, fishing line and metal hooks. The baits were winged ants, collected the night before, and earthworms expertly dug from the riverbanks.

Once the raft-making group had formed a basic raft, comprising large and long sections of bamboo lashed together with rattan, a couple of people climbed on and started punting downstream. The others waded downstream, fishing along the way. We stopped at more bamboo groves along the way, and the raft was strengthened until it could take the weight of all the people and our belongings.

This went on the entire day. The adults did not stop to eat but someone brought some rice and cooked it for the toddlers who came along. The children sometimes played at the riverbank, or they were strapped to their mothers using *batik sarongs*. They might be strapped to the back for a nap, or to the front to nurse. Talk about bringing your children to "work"!

By the time we returned to the village, it was dusk and I was famished. Fish caught were distributed to kin who live in the immediate vicinity, and what remained for dinner was rice and a tiny fish or two. Sometimes I joke that if someone had roasted some wild game then, I'd probably have eaten it!

Outsider challenges and concerns

A main concern is the fear of causing harm to a community. Within conservation literature, there are well-documented accounts of failed community conservation initiatives, where the community ended up being worse off (Spiteri and Nepal 2006). Interventions by external parties and the injection of funds could lead to elite capture of resources, which increases inequality in the community. It could create complacency or a sense of entitlement. It could create jealousy. It could cause the collapse of existing social structures. So many things could go wrong.

Research indicates that when a local community has a secure tenure of, or at least, unharassed access, of their customary areas or Territories of Life, they are more inclined to manage resources sustainably over the long-term. Traditional concepts of not taking more than you need, inherent in many, if not all, Orang Asli cultures, are more likely to be followed. However, this could also lead to the honeypot effect, which draws more people to the area to exploit the resources (Hutton *et al.* 2005).

Listening to Batek people talk about the various projects that are planned for the village, it seemed to me that they only have real freedom inside the forest, where they have the confidence to make decisions for themselves and live the way they want to. Only in the forest do they have agency, beyond the prying eyes of outsiders (and perhaps, pesky conservationists). However, there are also people who prefer life at the village, for easy access to healthcare and donated items. It is tough to live a mobile life. Women told me that they used to carry all their belongings on their back and their child in a *sarong* across their chests while they move.

When something is set up by the government or brought in by outsiders, Batek people feel no sense of ownership. For example, there was a time when there were not enough funds to pay for diesel to run the generator for the large water pump constructed by the government. The contractor tried to negotiate and asked the Batek people to pay half the cost and he would cover the other half. The villagers refused because the well belongs to the government and therefore the government should take care of it. The little money that they earn should go towards food, medicine and other necessities or desires.

One could argue that this is a case of the community being complacent and avoiding responsibility, but they do have a point. It was the government who destroyed nature and the free ecosystem services it provides, and also the government who decided to put in place an expensive, high maintenance, top-down solution.

Towards a good life for all

In mediation for conflict resolution, the main process is to convince the opposing parties to shift from respective positions and move towards their actual interests. I believe that Indigenous People and conservationists ultimately share similar goals and overlooking that would be missing the forest for the trees. However, much capacity building and open communication will be required on all sides (along with a hearty dose of critical self-reflection) as the process is neither quick nor straightforward. It will require patience and the understanding that environmental and social justice are inextricably linked.

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