

**Development and displacement:
Kenyah-Badeng in Bakun Resettlement Malaysia**

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ZUSAMMENFASSUNG

Im Zentrum dieser Forschungsarbeit steht die Umsiedlung der indigenen Einwohner vom Stamme der Kenyah-Badeng aus dem Dorf Long Geng in die neue Siedlung Sg. Asap in Sarawak, Malaysia. Grund für die Umsiedlung war der Bau eines Staudamms, des Bakun Hydro-electric Projektes (BHEP). Neben den Kenyah-Badeng, wurden weitere 16 Dörfer in der neuen Siedlung angesiedelt. Die Umsiedlung begann 1998 und bereits im darauffolgenden Jahr waren die neuen Langhäuser in Sg. Asap vollständig bewohnt.

I. Hintergrund

Umsiedlungen als Folge von Bauprojekten oder Infrastrukturmaßnahmen sind keine Seltenheit. In diesem Zusammenhang wird oft argumentiert, dass solche Projekte Arbeitsplätze für die lokale Bevölkerung schaffen und die Entwicklung fördern. Andererseits vertreibt ein solche Projekt die vor Ort lebenden Menschen von ihrer Heimstatt und ihrem traditionellen Lebensunterhalt.

Im Kern der vorliegenden Studie steht der Aspekt der Zwangsumsiedlung: die Dorfbewohner von Long Geng siedelten sich ausschließlich wegen des Baus des Bakun Wasserkraftwerks in Sg. Asap an. Dies muss als Zwangsumsiedlung angesehen werden, da die indigenen Gemeinden, die früher in dem für das BHP vorgesehenen Gebiet lebten, keine andere Wahl hatten als wegzuziehen und sich anderswo wieder anzusiedeln, denn ihre Dörfer und ihr angestammtes Land wurden von der Staatsregierung für den Bau des BHP beansprucht. Es stellt sich also die Frage, warum eine Umsiedlung, die von der Staatsregierung von Sarawak als Entwicklungsprojekt für die betroffene Bevölkerung propagiert wurde, von dieser als Zwangsumsiedlung erfahren wird.

Diese Forschung hinterfragt nicht nur das Ergebnis dieses Entwicklungsprogrammes, nämlich die Vertreibung der indigenen Einwohnern, sondern analysiert auch die Stufen der Vertreibung. Die Vertreibung wird auf drei verschiedenen Ebenen untersucht:

Zunächst, während der Vorbereitungsphase der Umsiedlung, sehen die Siedler sich mit zahlreichen Fragen konfrontiert, die sich aus dem Verlassen ihrer angestammten Umgebung ergeben. Dies bedeutet auch eine emotionale Belastung. Des Weiteren, nachdem sie in die

neue Siedlung umgezogen sind, haben die Siedler mit Schlüsselfragen zu kämpfen, die mit unzureichender Entschädigung für den Verlust ihrer natürlichen Ressourcen, ihres sozialen Erbes und ihres Landes einhergehen. Die Tatsache, dass eine Umsiedlung erzwungen wird, erschwert den Umgang mit diesen Fragen sehr und trägt zu einer stark belastenden Situation bei. Drittens ist zu bemerken, dass an die erzwungene Umsiedlung keinerlei Versprechen zur Unterstützung des Aufbaus neuer Lebensunterhaltsquellen verknüpft wurden. Somit wird den Menschen, die Möglichkeit, diese Situation positiv für sich und im entwickelnden Sinne zu nutzen, nicht gegeben.

II. Forschungsgegenstand und Konzeptionelle Einbindung

Analytisch bezieht sich die Studie auf Michael Cerneas Ansatz „Impoverishment Risks and Reconstruction (IRR) Model“ (2000). Die im Forschungsfeld vorgefundene Situation der Siedler wird auf Basis der Definition der "unfreiwilligen Umsiedlung der Bevölkerung" (Cernea, 1998) diskutiert. Das Konzept der 'unfreiwilligen Umsiedlung' (in dieser Arbeit auch Zwangsumsiedlung genannt), ist das in der aktuellen sozialwissenschaftlichen Literatur am häufigsten verwendete. Vertreibung und Umsiedlung werden zu einem Begriff zusammengefasst, eine klare Bedeutung erhält der Begriff durch die Betonung auf 'unfreiwillig'. Bei der Definition des Begriffs unterscheidet Cernea zwei klar voneinander getrennte aber sich gegenseitig beeinflussende Ansätze: (a) die Vertreibung von Menschen und den Abbau ihrer ökonomischen und sozialen Systeme, sowie (b) die Umsiedlung an einen anderen Ort und den Neuaufbau ihres Lebensunterhalts und ihrer sozialen Netzwerke.

Weitere zentrale Aspekte dieser Forschung formen die folgenden Punkte:

- Der Zugang zu Ressourcen;
- Der Einfluss der unfreiwilligen Umsiedlung auf die sozialen und Machtstrukturen;
- Der Einfluss der verschobenen sozialen und Machtstrukturen auf Strategien zum Lebensunterhaltserwerb;
- Die Untersuchung des wirksamsten Netzwerks, das den Menschen die Basis für ihren Lebensunterhaltserwerb sicherte.

Diese Forschung untersucht im Detail die Prozesse und Wirkungen der unfreiwilligen Vertreibung, mit der die Siedler konfrontiert sind. Faktoren die beleuchtet werden, sind die Bewältigungsmechanismen der indigenen Menschen und ihre Strategien im Umgang mit

auftretenden Probleme in Bezug auf Fragen nach Landrechten und Landnutzung, Unstimmigkeiten und Unterschieden in der neuen Sozialstruktur, Wettbewerb um die begrenzten natürlichen Ressourcen sowie wechselnde Machtstrukturen und Beziehungen. Auch innerfamiliäre Streitigkeiten basierend auf veränderten Familienstrukturen und der wechselnden Rolle der Älteren, der Männer und Frauen in der häuslichen Einheit werden beleuchtet.

Neben der Analyse der auftretenden Problemfelder steht jedoch auch die Frage, wie die Siedler ihr Leben neu aufbauen und den Erwerb ihres Lebensunterhalts neu strukturieren. Erkenntnisleitende Fragen umfassen somit die Folgenden:

1. Wie gehen Siedler mit der Tatsache um, dass sie unfreiwillig umgesiedelt worden sind und was tun sie, um mit unvorhergesehenen Konsequenzen der eingetretenen sozialen Veränderungen fertig zu werden?
2. Wie gehen die Siedler mit sich neu bildenden Machtstrukturen um, mit Konflikten um begrenzte Ressourcen und wechselnden Machtstrukturen und Beziehungen in ihrer eigenen Gemeinschaft?
3. Welche Strategien, die von den Siedlern derzeit eingesetzt werden, haben das Potential einen nachhaltigen Lebensunterhalt in der neuen Siedlung aufzubauen?

i. Theoretische Grundlagen

In der vorliegenden Arbeit wird der Ansatz verfolgt, Umsiedlung in erster Linie als Katalysator für sozialen Wandel zu betrachten. Wird Umsiedlung jedoch in den Zusammenhang mit Zwang und unfreiwillig gebracht, kann dies kaum positiven Wandel bewirken.

Dessalegn (1989) definiert Umsiedlung in einem anderen Zusammenhang: Ansiedlungen, Kolonisierung und Transmigration, sind alles Begriffe, die sich auf eine neue Verteilung der Bevölkerung beziehen, sei es freiwillig oder unfreiwillig.

Dementsprechend schreibt Dessalegn: Umsiedlung wie in Äthiopien bedeutet Menschen umzusiedeln oder beschreibt den Umzug von Menschen an einen anderen Ort; der Begriff Kolonialisierung wie er in Lateinamerika verwendet wird, bedeutet Land erstmals oder erneut zur Nutzung bereit zu stellen; und der Begriff Transmigration wird von denen bevorzugt, die über Indonesien schreiben und impliziert Umsiedlung zwischen den Inseln oder den Ozean überquerend`. (Dessalegn, 1989:668)

Palmer nennt Umsiedlung 'den geplanten und kontrollierten Transfer einer Bevölkerung von einem Ort an einen anderen' (1979:149). Tadros (1979:122), bedient sich bei der Analyse von Umsiedlungen in Ägypten der Definition der Vereinten Nationen für Humanansiedlungen als: 'der Entwicklung lebensfähiger Kommunen auf neuem oder ungenutztem Land durch das Ansiedeln von Menschen'. Darüber hinaus beschreibt Tadros Umsiedlung in zwei Modellen: spontan und paternalistisch. Im spontanen Modell bleiben alle Möglichkeiten für individuelle Initiativen erhalten und es gibt keinerlei Unterstützung durch nationale oder internationale Organisationen. Der Funktionsfähigkeit oder Angemessenheit des neuen Ortes wird unter nationalen Gesichtspunkten keinerlei Beachtung geschenkt. Im paternalistischen Modell dagegen wird den Siedlern technische Unterstützung in Form von Training und Weiterbildung, Werkzeugen und Gerätschaften und sonstigen Hilfen gewährt (Tadros;1979:122).

Im Unterschied zu diesen Definitionen wird in dieser Studie unfreiwillige Umsiedlung als Zwangsumsiedlung gekennzeichnet. Trotz guter Intentionen kann eine Umsiedlung in der Realität auch eine 'Unter- oder Rückentwicklung' zur Folge haben, weil die Kommune mit mehr Beschwerden zu kämpfen hat als zuvor. Daher wird in dieser Untersuchung 'Zwangsumsiedlung' so definiert, dass man darunter eine schlecht geplante Umsiedlung versteht, die eine Gemeinde zwingt, sich auf ungenutztem Land anzusiedeln, das es nicht zulässt, dort ein produktives und voll funktionsfähiges sozio-ökonomisches Gemeinwesen zu entwickeln.

Die Forschung bedient sich der Konzepte, die Micheal Cernea (1998) entwickelte, als er unfreiwilligen Umsiedlungen untersuchte. Bei seinem Modell unfreiwilliger Umsiedlung handelt es sich um ein umfassendes Konzept, das in der gegenwärtigen sozialwissenschaftlichen Literatur häufig angewandt wird. Die Begriffe 'Vertreibung' und 'Umsiedlung' werden zusammengefasst und die Betonung auf den Begriff 'unfreiwillig' ruft die Assoziation zur erzwungenen Umsiedlung hervor. Unfreiwillige Umsiedlung wird meist durch zwei zusammengehörige aber von einander klar abgegrenzte Prozesse beschrieben: Vertreibung der Bevölkerung und die Auflösung ihrer ökonomischen und sozialen Organisation und der Wiederansiedlung an einem anderen Ort mit dem erforderlichen Wiederaufbau der sozialen Netze und der Organisation der Lebensunterhaltsgewinnung.

In der Diskussion von Umsiedlungen muss sowohl der physische Prozess der Wiederansiedlung wie auch die erneute Etablierung der Familien bzw. der Haushalte als

Microeinheiten sowie des gesamten Gemeinwesens in Betracht gezogen werden. Vertreibung bedeutet nicht nur die physische Ausweisung aus der Wohnstätte sondern auch Enteignung nutzbaren Landes und vorhandener Immobilien, um eine alternative Nutzung des Landes zu ermöglichen. Es handelt sich dabei nicht einfach um eine wirtschaftliche Transaktion, bei der Eigentum gegen ein anderes getauscht oder monetäre Entschädigungen geleistet werden. Zwangsumsiedlung führt zum Zerfall etablierter menschlicher Gemeinschaften und zur Auflösung vorhandener Sozialstrukturen, Produktionssysteme und sozialer Netzwerke. Insgesamt mündet die Zwangsumsiedlung einer Gemeinde für die meisten Betroffenen in einer wirtschaftlichen Krisensituation und kann u.U. auch zu einer politischen Krisensituation führen (Cernea, 1998:2-3).

Die vorliegende Studie setzt sich mit den Implikationen der Umsiedlung für die Siedler auseinander und untersucht die Auswirkungen ihre Strategien zum Lebensunterhaltserwerb. Cernea stellt mit dem IRR ein Modell zur Verfügung, in dessen Rahmen diese Fragen diskutiert werden sollen. Das Modell soll nun kurz dargestellt werden.

Wie Cernea erläutert ist das IRR ein Modell, das die Risiken der Verarmung wie auch gegenläufige Strategien zu deren Abwehr im Zusammenhang einer Umsiedlung beschreibt. Der facettenreiche Begriff der Verarmung wurde in seine fundamentalen Komponenten gegliedert. Diese Komponenten sind: Landlosigkeit, Arbeitslosigkeit, Obdachlosigkeit, Marginalisierung, ungesicherte Ernährungssituation, erhöhte Morbidität und Sterblichkeit, und Verlust des Zugangs zu Gemeineigentum. Diese analytische Dekonstruktion des Begriffes ermöglicht es zu untersuchen, wie diese Teilprozesse verzahnt sind, wie sie sich gegenseitig beeinflussen und verstärken. Wiederaufbau ist dann der gegenläufige Prozess und kann mit Hilfe der gleichen Variablen beschrieben werden (Cernea, 2000:5; 2003:40).

IRR legt Wert darauf, beide Segmente des Prozesses in Betracht zu ziehen: die Zwangsumsiedlung und die Wiederansiedlung. Das Modell bezieht sich auf simultan verlaufende Prozesse, betrachtet aber auch solche, die zeitlichen nacheinander stattfinden, von der Not der Zwangsumsiedlung bis zur erfolgreichen Wiederansiedlung (Cernea, 2000:18). Drei Begriffe bilden den Kern des Modells: Risiko, Verarmung und Wiederaufbau. Diese wiederum sind, wie oben dargestellt, in Teilaspekte untergliedert, die die verschiedenen Faktoren z.B. der Verarmung benennen. Diese Variablen sind miteinander verbunden und beeinflussen einander, einige können als primäre Faktoren betrachtet werden, andere als nur von den Umständen abhängig. Das Konzept des IRR wird auch dem

Unterschied zwischen potentiell und aktuellem Risiko gerecht: Jede Zwangsumsiedlung birgt das Potential großer sozio-ökonomischer Risiken in sich aber ihr Eintritt ist nicht unvermeidlich. Cernea, mit Bezug auf Giddens(1990) erläutert weiterhin, dass in diesem Zusammenhang der Begriff Risiko so zu verstehen sei, dass möglicherweise eintretende Ereignisse weitere negative Folgen zeitigen werden. Luhmann (1993) versteht Risiko als Gegenkonzept zu Sicherheit: je höher das Risiko desto geringer ist die Sicherheit der vertriebenen Bevölkerung (Cernea, 2000:19). Der doppelte Fokus des Modells, sowohl auf Risiken, die zu vermeiden sind wie auch auf Rekonstruktionsstrategien, die es anzuwenden gilt, ermöglicht seine Operationalisierung als Instrument der Analyse. Wie in anderen Modellen auch ist es denkbar, durch entsprechende Planung einzelne Faktoren zu manipulieren um die Bedeutung bestimmter Komponenten des Modells zu betonen oder zu verringern. Es ist daher wichtig, die einzelnen Variablen in ihrer gegenseitigen Abhängigkeiten zu verstehen und sie nicht als ein System voneinander unabhängiger Faktoren zu betrachten. Das Modell erweist sich als flexibel, wenn es darum geht, neu hinzukommende relevante Dimensionen zu integrieren oder an sich verändernde Umstände anzupassen (Cernea, 2000:22).

Das IRR Modell kann in Verbindung mit anderen Konzepten angewandt werden um die Perspektive zu erweitern und zusätzliche Erkenntnisse zu gewinnen (Cernea, 2000:21). Es lassen sich vier Funktionen aufführen die das 'Risk and Reconstruction Model' IRR erfüllt:

- voraussagende (warnende und planende) Funktion
- diagnostische (erklärende und bewertende) Funktion
- problemlösende Funktion, indem der Wiederansiedlungsprozess begleitet und erfasst wird
- Funktion als Forschungsinstrument, indem Hypothesen formuliert und theoriegeleitete Feldforschung ermöglicht wird

In der vorliegenden Studie wird vor allem die dritte Funktion herangezogen. Wie Cernea erläutert, folgt die Problemlösungs-Kapazität des Modells vor allem aus seiner analytischen Schärfe und seiner expliziten Handlungsorientierung. Das IRR Model wurde im Hinblick auf die sozialen Akteure im Wiederansiedlungsprozess entwickelt, unter Einbeziehung ihrer Interaktionen, Kommunikation und ihrer Möglichkeiten zur Problemlösung beizutragen. Das Modell wird damit zum Kompass für erfolgreiche Strategien der Wiederansiedlung (Cernea, 2000:22).

Das „Impoverishment Risks and Reconstructions model“ von Cernea (2000) benennt klar die Folgen sozialer Veränderungen und sozialer Disorganisation, die aus Zwangsumsiedlungen resultieren. Es stellt die konzeptionelle Basis dar für die Analyse der Auswirkungen der Zwangsvertreibung, nämlich den Verlust des Zugriffs auf Gemeingüter und soziale bzw. gesellschaftliche Abtrennung. Jede einzelne Komponente für sich weist auf das Ergebnis der Veränderungen hin, die durch die unfreiwillige Umsiedlung verursacht wurden, nämlich Wettbewerb um die Waldressourcen, regierungseigenes Land und Lebensraum, und Abbau der traditionellen Machtstrukturen, Gemeinschaftsstrukturen und Familienstrukturen. Obwohl das Zentralthema des theoretischen Rahmens die Zwangsvertreibung ist, wird der Rahmen erweitert, um auch die Bewältigungsmechanismen, die Machtstrukturen und Beziehungen und die Art wie die Siedler ihren Lebensunterhalt strategisch angehen, einzuschließen.

ii. Ergebnisse

Wie in dieser Forschung aufgezeigt, überwiegen die negativen die positiven Folgen der erzwungenen Umsiedlung und ‚Entwicklung‘ der Kenyah-Badeng. Was sie zurückgelassen haben (Geschichte, Lebensunterhalt, Rechte und Identität) kann nicht wiedergewonnen werden und ist unersetzlich. Nicht-gezahlte Entschädigungen und weitere Vertreibungen verstärken diesen Belastungsdruck weiter. Diese Forschung zieht den Schluss, dass die unfreiwillige Umsiedlung den Kenyah-Badeng viele Herausforderungen in den Weg gestellt hat, und dass viele dieser Schwierigkeiten jenseits ihrer Bewältigungskapazitäten liegen. Das zugrunde liegende Problem ist, dass die Siedler nicht aktiv in die Planung ihrer Zukunft in dem neuen Siedlungsgebiet einbezogen waren. Die Siedler erhielten minimale Informationen über das Umsiedlungsprogramm, und es gab wenige öffentliche Möglichkeiten für sie, sich einzubringen oder ihre Bedenken und Vorschläge vor der Implementierung zu äußern. Der Faktor, der ihre weitere kontinuierliche Vertreibung verursacht, ist die Nichtexistenz von natürlichen Ressourcen und Land (abgesehen von den drei Morgen Land, die ihnen als Teil der Entschädigung zugeteilt worden sind) damit sie ihren Lebensunterhalt erwirtschaften können (man muss bedenken, dass die meisten von ihnen Bauern sind, ohne irgendwelche Fertigkeiten und Kenntnisse, die ausserhalb des landwirtschaftlichen Sektors von Nutzen wären). Ihr Leben im früheren Dorf war schwer, aber es stand ihnen frei, die vorhandenen Ressourcen ihres Heimatlandes zu nutzen. Die Umsiedlung hat sie zu Fremden an einem

neuen Ort gemacht, entwurzelt und sie ihrer bisherigen Lebensweise beraubt. In anderen Worten wissen die Siedler einfach nicht, wie sie sich angemessen verhalten sollen in einer radikal veränderten sozialen Situation, weil sie nicht über die nötigen Kenntnisse und Fertigkeiten, also das „Werkzeug“ verfügen.

Die Studie der Vertreibung der Kenyah-Badengs verfolgt drei Hauptaspekte:

Machtstrukturen und Beziehungen – Lokale Machtstrukturen sind stark geprägt von Verwandtschaftsgraden, die als Referenzpunkte für Führungsstreitigkeiten dienen. Verwandtschaft wird auf einer größeren Skala gesehen, die nicht nur Blutsverwandte einschließt, sondern auch Personen, die dieselbe Herkunft, Siedlungsgeschichte, Migration und Kultur teilen, umfasst. Bisher wurde die Organisation und der Zusammenhalt der Gemeinschaft über Verwandtschaftsgrade vorgenommen. In der neuen Siedlung jedoch erscheint es fragwürdig, ob dies weiterhin der Fall sein wird.

Durch die Umsiedlung aufkommende Probleme werden zunehmend innerhalb des engen Familiennetzwerkes, nicht der gesamten Gemeinschaft bewältigt. Der Zerfall der traditionellen Machtstrukturen führt zu einer zunehmenden Familien- bzw. Haushaltsorientierung der Kenyah-Badeng und die sich neu entwickelnden Lebensunterhaltsstrategien richten sich an die engsten Familienmitglieder, nicht die gesamte Gemeinschaft. Das Familiennetzwerk bietet seinen Mitgliedern eine Möglichkeit, Einkommen zu erwirtschaften, Arbeit zu finden, soziale und moralische Unterstützung zu bekommen, sowie Bildung und allgemeine Sicherheit.

Lebensunterhaltsstrategien – in Abwesenheit versprochener Ressourcen, stehen Siedler zahlreichen ökonomischen Problemen gegenüber. Ihre landwirtschaftlichen Kenntnisse sind irrelevant für den Arbeitsmarkt in der Stadt. Sie arbeiten hauptsächlich auf den ihnen zugewiesenen drei Morgen Land, erschwert durch geringwertige Böden, in feuchten Niederungen, die schlecht zu bewirtschaften sind. Die Vermarktung ihrer Erzeugnisse wird des Weiteren erschwert durch undurchdringliche Netzwerke etablierter Händler.

Die Studie formuliert Empfehlungen für die Siedler, wie sie mit Hilfe der Landesregierung ihren Lebensunterhalt verbessern können. Hier stehen insbesondere die Entwicklung von praxis-orientierten Vermarktungsstrategien im Vordergrund. Die Siedler brauchen die Ausstattung mit neuen Kenntnissen und Fertigkeiten, um ihre landwirtschaftlichen Fähigkeiten weiterzuentwickeln und ihren Lebensunterhalt zu erwirtschaften.

Regierungsstellen sollten ihnen die Möglichkeit bieten, zu erlernen, wie man am effektivsten auf ihren drei Morgen Land etwas Hochwertiges anbauen kann. Gartenbau sollte gefördert werden und wurde bereits von den Siedlern in der Dreifelderwirtschaft in ihrem früheren Dorf eingesetzt. Im neuen Siedlungsgebiet können die Aussichten der Gartenbauern auf pestizidfreie und organische Lebensmittel sehr ermutigend sein.

III. Methoden

Die Daten für diese Untersuchung wurden in formellen und informellen Interviews sowie Haushaltsumfragen gewonnen. Des Weiteren wurden Sekundärdaten in gedruckter und übers Internet veröffentlichter Form einbezogen. Die Fragen für die Interviews wurden ausgehend von der Forschungsfragen formuliert. Im Feld wurden sie dann nach zahlreichen Probeinterviews modifiziert und erweitert, um die Qualität der Fragen zu verbessern, bevor die eigentlichen Interviews geführt wurden. Es wurden 55 Haushaltsbefragungen durchgeführt und aus diesen wurden als Zufallsstichprobe 22 Haushalte ausgewählt, in denen Tiefeninterviews geführt wurden. Sowohl männliche wie weibliche Haushaltsvorstände wurden in die Befragung einbezogen.

IV. Struktur der Arbeit

Die vorliegende Arbeit ist wie folgt aufgebaut:

Kapitel 1 liefert die Hintergrundinformationen dieses Forschungsgebietes. Insbesondere wird Belaga beschreibend vorgestellt, die Region, in der das Bakun Hydroelectric Project (BHEP) implementiert wurde, sowie die Implementierung des BHEP und die Reaktionen der ortsansässigen Bewohner. Die Umsiedlung in Sg. Asap, und die Zusammensetzung der Siedler wird ebenfalls in diesem Kapitel besprochen. Kapitel 2 berührt die historische Perspektive der Kenyah-Badeng und konzentriert sich auf ihren Lebensunterhalt in Long Geng, ihrem früheren Dorf. Dieses Kapitel beinhaltet auch eine kurze Geschichte ihrer Migration und Ansiedlung in Long Geng, sowie eine Beschreibung der politischen Strukturen. Kapitel 3 diskutiert die Machtstrukturen und die Beziehungen der Kenyah-Badeng. Dieses Kapitel bezieht sich auf die erste Phase der Vertreibung, den Verlust des Gemeineigentums und Gemeinschaftsraumes und diskutiert Entschädigung, Landrechte und erwartete

Einbindung lokaler Anführer in den gesamten Prozess der Umsiedlung. Eine kurze Geschichte der Land-Gesetzgebung in Sarawak, basierend auf der Interpretation vom sog. Heimatland der Ureinwohner und das Recht der Ureinwohner auf angestammtes Land basierend auf einer Literaturbesprechung ist in diesem Kapitel veranschaulicht. Dies soll dem Verständnis des Hintergrundes und der allgemeinen Probleme der Identifikation von Land innerhalb der Kenyah-Badeng Gemeinschaft vor der Zahlung von Entschädigungen dienen. Kapitel 4 konzentriert sich auf die Diskussion der Bewältigungsstrategien, die von den Siedlern eingesetzt werden, um wichtige Themen in Verbindung mit ihrem Lebensunterhalt bei der Umsiedlung zu verarbeiten. Es betrachtet die einzelnen Phasen der Vertreibung, indem im Detail die Situation des "Verlustes des Zugangs zu gemeinsamem Eigentum und gemeinsamem Raum" und "soziale und gemeinschaftliche Abtrennung" diskutiert werden. Die im Entwicklungsplan zur Umsiedlung von der Landes-Planungseinheit für Sarawak formulierten Ziele werden als Basis eingesetzt, um den Grund der Vertreibung zu erklären und die Realität des gegenwärtigen Lebens der Kenyah-Badeng zu illustrieren. Kapitel 5 konzentriert sich auf die Lebensunterhaltsstrategie in der das Familiennetzwerk wichtig ist, insbesondere als eine Möglichkeit um Ressourcen zusammenzulegen. Dieses Kapitel illustriert sich neu bildende Bewältigungsstrategien der Siedler, indem das Familiennetzwerk innerhalb der Haushalte analysiert wird, die in dieser Forschung interviewt wurden. Kapitel 6 beleuchtet die Veränderungen im Lebensunterhalt der Siedler, mit besonderem Augenmerk auf die Bedeutung der Lohnarbeit, wobei die Rücksendung des Lohns an die Familie lebenswichtig für deren Überleben als Umsiedler ist. Des weiteren wird die momentane Wertschätzung von und Bereitschaft in die Ausbildung ihrer Kinder zu investieren in diesem Kapitel diskutiert. Kapitel 7 fasst die Ergebnisse dieser Forschung zusammen.

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ABBREVIATIONS

BHP – Bakun Hydroelectric project
MW – Megawatt
EIA – Environmental Impact Assessment
SESCO – Sarawak Electricity Supply Corporation
TNB – Tenaga National Berhad
MMC – Malaysia Mining Corporation
GDP – Gross Domestic Product
CFRD - Concrete Face Rockfill Dam
NGO – Non-governmental Organizations
GABUNGAN - Coalition of Concerned NGOs against the Bakun
SAM - Sahabat Alam Malaysia
BRAC - Bakun Residents Action Committees
IPK - Institute Pengajaran Komuniti (Institute for Community Learning)
SHDC - Sarawak Human Development Centre
CIPLEX - Centre for Indigenous Peoples Law
SIPA - Sarawak Indigenous Peoples Alliances
SUARAM - Suara Rakyat Malaysia
INSAN - Institute for Social Analysis
IRN - International River Network
DAP - Democratic Action Party
WCD - World Commission of Dams
W4D – Four Wheel Drives
SIB – Sidang Injil Borneo
TAB – Tabung Amanah Bakun
MARA – Majlis Amanah Rakyat
JPA – Jabatan Perkhidmatan Awam
SPU – State Planning Unit
EPU – Economic Planning Unit
NCR – Native Customary Rights
NCL – Native Customary Land
LCDA – Land Custody and Development Authority

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INTRODUCTION

Resettlement and displacement: Kenyah-Badeng of Sg. Asap resettlement, Belaga, Sarawak, Malaysia

I. Research problem

This study intends to analyse the involuntary resettlement of an indigenous community due to the implementation of the Bakun Dam Project in Sarawak, Malaysia. The significance of this research is that it raises important questions regarding the impact of development that is imposed by the state government on the indigenous people; people who have been regarded as being in need of change and needing to be brought closer to urbanisation, vis-à-vis modernisation, through resettlement.

Involuntary resettlement due to development projects or infrastructure improvements is not a singular phenomenon and in this context it is often argued that development projects provide employment to the local population and enforce development. However, a dam project also displaces local people from their homes and traditional livelihood. While employment generated from dam building is transient or temporary in nature, the disruption to local people from their sources of livelihood, on the other hand, is permanent. In Khali Gandaki, Nepal, employment of affected local people was part of the arrangement, but it was short-lived. In many other dam projects, employment did not cater to the affected local people. Most of the people affected by a dam building project were unskilled, and were therefore suitable for employment in construction jobs, particularly in building the dam.

The effects of the dam, however, displaced people and disrupted their lives. The inundation of land for the reservoir submerged communities and altered the riverine ecosystem (upstream and downstream). This affected the resources available for land and riverine economic activities that the affected people depended upon for their traditional livelihoods, such as farming, fishing, livestock grazing, fuel wood gathering and collection of forest products. There are about 40 to 80 million people worldwide who have been forcibly evicted or displaced from their homes to make way for dams. The impacts of dam building have been particularly devastating in Asia, Africa, and Latin America. Large dams in India and China alone may have displaced from 26 to 56 million people between 1950 and 1990. With the construction of the Three Gorges Dam in China, the level of displacement has increased

substantially. Most of the physical displacement resulting from dam building is involuntary, involving coercion and force. The scale and extent of social impacts will vary depending on location, size, and other dam characteristics such as the inundated land area and the population density in the river basin. In many cases, in densely populated tropics large dams will lead to both physical and livelihood displacement (Nuera, 2005:56). The timing of the social impacts varies, depending on the cause. The impact is immediate in cases of the loss of homes and livelihoods due to the filling of a reservoir. The impacts on downstream livelihoods, however, are palpable only after the completion of the dam.

This research focuses on the forced displacement¹ of the indigenous communities at Sg. Asap resettlement because of the implementation of the Bakun Hydro-electric Project (BHP). It is viewed as forced displacement because the indigenous communities who were residing within the area of the planned BHP had no choice but to move to the resettlement. Their villages and native lands were claimed by the state government for the implementation for the BHP.

Thus, the whole problem is focused on this question: Why is the resettlement by the state government of Sarawak, promised as a development program, being regarded as forced displacement? In this research, forced displacement is observed at three different levels. First, prior to resettlement, potential settlers are faced with the critical decision of abandoning their homes and livelihoods, causing emotional distress. Secondly, after moving to the new settlement, settlers are often confronted with inadequate compensation for their loss of natural resources, social heritage and land, adding misery to their already distressed situation. Thirdly, resettling people into an area without any supportive resources, i.e. resources whose purpose is to improve the lives of the settlers compared to their previous situation, fails to accomplish the very purpose of such resettlement.

This research uses Michael Cernea's analysis, the Impoverishment Risks and Reconstruction (IRR) Model, which is explained later in this chapter. This research details the processes and impacts of resettlement faced by the settlers, which is termed as a 'forced and involuntary displacement' in this research. Some of the factors highlighted include the indigenous

¹ Refer to section ii. Involuntary resettlement as the research concept, as to explain the usage of 'forced displacement' in this research.

people's coping mechanisms and strategies in dealing with various issues related to land rights and usage, disagreements and differences in the new social structure, competition over limited natural resources, and changing power structure and relations. To identify problems within the household due to the changing family structure, including the changing role of the elderly, men and women in the domestic unit were also scrutinised in this research. In addition, this research illustrates how the settlers rebuild and restructure their lives and livelihoods, helping them overcome the hardships of life in the new settlement.

II. Research questions

In relation to the research problem, the main research questions are as follows:

1. How do settlers cope with being involuntarily resettled, and what do they do to deal with unanticipated consequences of the social changes that occur?
2. How do settlers manage the new social structure, conflict over limited resources, and changing power structures and relations within their new community?
3. Which strategies have the potential to build a sustainable livelihood in the new settlement?

The important key words used in the research questions are defined as below:

a) Livelihood

In this research, the definition of Ellis (1998) is used. Specifically, livelihood is defined as the process by which families construct a diverse array of activities and social support in their struggle for survival and for improvement in their standards of living. The concept considers not only economic strategies to generate income (in cash and in kind), but also looks at assets, institutions and social relations (Ellis, 2000:10).

b) Coping Strategies

In this research, coping is defined as a variety of strategies adopted in response to change and crisis, borrowing the definition of Rainer (1998). The strategies adopted are both short-term and long-term, aiming to maintain the objectives of the household (including livelihood security, food consumption, health and status), thus ensuring individual and collective well-being. Livelihood security and status are long-term objectives involving the strengthening of assets, incomes and social position to maximise future claims on resources, while food

consumption and health are more immediate objectives (Rainer, 1998). In the event of crisis, however, individuals and households vary in their ability to meet these objectives. As described by Webb et al. (1992), coping strategies can be conceptualised as a continuum that worsens with increasing crisis. Depending upon where on the continuum a coping household is already operating, its resilience and/or vulnerability to crisis will vary.

c) Power Structure

In this research, power structure refers to the organisation of leadership in a community. In particular reference to the Kenyah-Badeng in Sarawak the difference between a leader and his followers was formalised into a social stratification of aristocrats and commoners (Tan, 1995). Nowadays, with exposure to modernisation, social stratification is considered to be of no importance in the community, though aristocrat graves are still decorated with complicated designs and motifs. Community leaders are elected and then endorsed by the government, and are no longer hereditary positions.

III. Research Objectives

The main objective of this research is to examine the impacts of involuntary resettlement to the indigenous people at the Sg. Asap resettlement. It also attempts to compare the situation confronted by the settlers in Sg. Asap to that definition of 'involuntary population resettlement' advanced by Michael Cernea (1998). This definition consists of two sets of distinct but related processes: displacement of people, including the dismantling of their patterns of economic and social organization, and resettlement at a different location with reconstruction of their livelihood and social networks.

The sub-objectives for policy recommendations are:

- To evaluate the problems of accessing resources.
- To study to what extent the involuntary resettlement has affected social and power structures.
- To show how the levels of change in social and power structures have influenced livelihood strategies.
- To examine the most effective networks that have provided the people a platform to generate their livelihood.

Finally, to observe if the involuntary resettlement that was planned to meet the labour needs of the oil palm estates was a catalyst for socio-economic development for settlers.

IV. Theoretical framework and concepts

'Very often, dam building results in unavoidable resettlement losses, that people affected have no option but to rebuild their lives, incomes and asset bases elsewhere. In other words, dam building causes involuntary resettlement. The effects of resettlement are loss of physical and non-physical assets, including homes, communities, productive land, income-earning assets and sources, subsistence, resources, cultural sites, social structures, networks and ties, cultural identity, and mutual help mechanisms' (ADB, 1998: Glossary).

As clearly explained above, this research takes the approach of regarding resettlement first and foremost as a catalyst for social change. However, resettlement in the context of 'force' or 'involuntary,' certainly does not ensure positive changes, as discussed further in upcoming chapters.

i. Resettlement in global perspectives: Concepts and practices

Dessalegn (1989) defined resettlement in a different context: land settlement, colonisation, or transmigration, all referring to the phenomenon of people distribution, either planned or 'spontaneous'. Accordingly, 'resettlement as in Ethiopia implies moving people or people moving to new locations; colonization as in Latin America implies opening up or reclaiming lands for utilization; and transmigration is favoured by those writing on the Indonesian experience and the word suggests cross-ocean or cross island relocation' (Dessalegn, 1989:668). Palmer refers to resettlement as 'a planned and controlled transfer of population from one area to another' (1979:149). Tadros (1979:122), in analyzing resettlement schemes in Egypt, applied the United Nations definition of human settlement as: 'development of viable communities on new or unused land through the introduction of people' and further defined resettlement in two models: spontaneous and paternalistic. The spontaneous model leaves full scope for individual initiatives, and no support is provided by national or international organisations. No attention is paid to the proper place and function of the settlement within the national context. In the paternalistic model, technical support

such as education, tools, equipment and other assistance is provided to the settlers (Tadros, 1979:122).

The above definitions can be used in a different fashion for this research, thus the term 'forced' or 'involuntary resettlement'. In reality, despite the good intentions for developing communities, resettlement can also 'under develop' communities in the sense that such communities face greater hardship compared to life before resettlement. To this extent, the working definition of 'resettlement' in this research is a poorly planned resettlement through a forced, involuntary relocation of communities onto unused land that is inadequate for communities to develop a productive and fully functional socio-economic system.

There are many cases of resettlement that have not been successful. Mathur (1995) viewed resettlement as an unmitigated disaster when it is viewed from the perspective of the settlers involved. He further stated an observer's account that no trauma can be more painful for the family than to get uprooted from a place where it has lived for generations, and then to move to a place where the family may be a total stranger (1995:17; Varma, 1985). Scudder (1973), in his study on communities relocated as a result of the construction of the Kariba Dam, on the Zambezi River between Zambia and Zimbabwe, viewed the stress of resettlement as a multi-dimensional insult with psychological, physiological and socio-cultural components. Scudder explained that the physiological stress of resettlement could be best measured in terms of altered morbidity and mortality rates, especially among the very old and very young, during the transition period. Besides the physiological stress of relocation, the dense population that characterises most resettlement areas increases the risk of epidemic diseases, especially among children. Where new water supplies are inadequate, dysentery may be especially prevalent, while the absence of improved sanitary facilities can result in raised parasite loads. Hunger, caused by reduced agricultural productivity in the years immediately following relocation, has an adverse effect on health, while relocation to a different habitat may bring people into contact with new diseases or disease strains. Moreover, socio-cultural stress is inferred from the way in which people react to the implementation of resettlement. In responding to stress, the settlers attempt to cling to the familiar, which Scudder described as 'a process of cultural involution'. The stress of resettlement greatly restricts the capacity for major innovations during the transition period (Scudder 1973). In addition, in the case of resettlement that has not been planned according to the needs of the settlers, stress amongst settlers becomes a major restriction to their capacity to move on.

Scudder and Colson (1982) have formulated a theoretical model of the settlement process, distinguishing four stages: Recruitment, Transition, Development and Incorporation, or 'handling over'. This diachronic framework was built around the concept of stage. It was initially used to apply to voluntary resettlement, but subsequently Scudder has extended it to include involuntary resettlement. However, the model is applied only to involuntary resettlements that have succeeded and that have moved through all four stages. Many resettlement schemes fail at the critical transition stage because of difficulties encountered by settlers in adapting to the new environment, particularly if the living conditions are incongruous with the settlers' former environment. This model has been criticised by Cernea (2000) because the majority of involuntary resettlement operations have been unsuccessful, and the cumulative impacts of failed resettlements were not 'modelled' in the Scudder-Colson framework of stages. There has been further discussion in the literature (de Wet, 1988; Partridge, 1989) around these conceptual models – yet certainly not enough, as Scudder (1996) has admitted (Cernea, 2000:15).

Oberai (1992:109-112) has explained that resettlement schemes have so far made no more than modest contributions to solving the problems of population distribution, unemployment and poverty. Very few programs have achieved their stated objectives. Resettlement is not simply a matter of moving people from one geographic region to another, and much more concerted and imaginative planning in the areas of destination, emphasising the human element, is needed. Unless this is done, what will occur is an increase in settlers moving back to the areas of origin, or abandonment of the scheme. In terms of theory, Cernea (2000:15), states that 'there was and is a broad consensus on the need to persevere in searching for theoretical constructs that explain and illuminate the complexities of resettlement'.

ii. Involuntary resettlement as the research concept

This research has adapted the concepts proposed by Michael Cernea (1998) looking at involuntary resettlement in general. The concept of involuntary resettlement (in this research also termed as forced resettlement), which is the comprehensive concept most used in the current social science literature, integrates "displacement" and "resettlement" into one single term, in which the emphasis on involuntariness connotes directly the forced displacement. The usual description of "involuntary population resettlement" consists, in fact, of two sets of distinct but related processes: displacement of people and dismantling of

their patterns of economic and social organization, and resettlement at a different location and reconstruction of their livelihood and social networks.

Resettlement refers to the process of physical relocation of those displaced and to their socioeconomic re-establishment as family/household micro-units and as larger communities. Displacement implies not only physical eviction from a dwelling, but also the expropriation of productive lands and other assets to make possible an alternative use of the space. This is not just an economic transaction, a simple substitution of property with monetary compensation. Involuntary displacement is a process of unravelling established human collectivities, existing patterns of social organization, production systems and networks of social services. Overall, forced displacement of collectivities causes an economic crisis for all or most of those affected, entails sudden social disarticulation, and sometimes triggers a political crisis as well (Cernea, 1998:2-3).

iii. Impoverishment Risks and Reconstruction Model (IRR)

This research investigates the implications of resettlement and the reconstruction of the livelihood of the affected settlers. Impoverishment Risks and Reconstruction Model (IRR) provides important variables to explore these issues further. Several important variables in the IRR model are utilised to create an independent framework for this research, and is explained in the following section.

As Cernea explained, the IRR is a model of impoverishment risks during displacement, and of counteractions to match the basic risks where the multifaceted process of impoverishment was deconstructed into its fundamental components. The components are: landlessness, joblessness, homelessness, marginalisation, food insecurity, increased morbidity and mortality, loss of access to common property assets, and community disarticulation. This analytical deconstruction facilitates understanding of how these sub-processes interlink, influence, and amplify each other. Reconstruction, then, is the reversal of the impoverishment processes, and can be understood and accomplished along the same variables, considered in a holistic, integrated way (Cernea, 2000:5; 2003:40).

IRR focuses on the social and economic contact of both segments of the process: the forced displacement and the re-establishment. The model captures processes that are simultaneous, but also reflects the movement in time from the destitution of displacement to

recovery resettlement (Cernea, 2000:18). There are three fundamental concepts at the core of the model: risk, impoverishment and reconstruction. Each is further split into sets of specifying notions or components (as mentioned above) that reflect another dimension, or another variable of impoverishment or reconstruction (for example, landlessness, marginalisation, morbidity or social disarticulation). These variables are interlinked and influence each other; some play a primary role while others play a derivative role in either impoverishment or reconstruction (largely as a function of given circumstances). The conceptual framework captures the disparity between potential and actual risk. All forced displacements are prone to major socio-economic risks, but they are not fatally condemned to succumb to them. Cernea further explains that in this framework the concept of risk, as stated by Giddens (1990), is to indicate the possibility that a certain course of action will trigger future injurious effects – losses and destruction. Following Luhman (1993), the concept of risk is posited as a counter-concept to security: the higher the risk, the lower the security of displaced populations (Cernea, 2000:19). The model's dual emphasis – on risks to be prevented and on reconstruction strategies to be implemented – facilitates its operational use as a guide for action. Like other models, its components can be influenced and 'manipulated' through informed planning to diminish the impact of one or several components, as given conditions require or permit. That requires considering these variables as a system, in their mutual connections, and not as a set of separate elements. The model is also flexible as a conceptual template, allowing for the integration of other dimensions, when relevant, and for adapting to changing circumstances (Cernea, 2000:20).

This model can be linked with other conceptual frameworks, to achieve complementary perspectives and additional knowledge (Cernea, 2000:21). There are four distinct, but interlinked, functions that the risks and reconstruction model performs:

- A predictive (warning and planning) function
- A diagnostic (explanatory and assessment) function
- A problem-solution function, in guiding and measuring resettlers' reestablishment
- A research function, in formulating hypotheses and conducting theory-led field investigations

For this research, the function falls under the third function, the problem-resolution. As Cernea explained, the problem-resolution capacity results from the model's analytical

incisiveness and its explicit action orientation. The IRR model is formulated with an awareness of the social actors in resettlement, their interaction, communication, and ability to contribute to resolution. The model becomes a compass for strategies to reconstruct settlers' livelihoods (Cernea, 2000:22).

iv. The conceptualization of this research: IRR Model and social change

We are living in a period...of social disorganization. Everything is in a state of agitation – everything seems to be undergoing change....Any form of change that brings any measurable alteration in the routine of social life tends to break up habits; and in breaking up the habits upon which the existing social organization rests, destroys that organization itself. Every new device that affects social life and the social routine is to that extent a disorganizing influence. Every new discovery, every new invention, every new idea, is disturbing.....Apparently anything that makes life interesting is dangerous to the existing order (Robert E. Park, 1975:38-39, quoted from Vago, 1989:330).

Indeed, social change can be disruptive and can be an underlying condition for social change (Vago, 1989:330). Like every new discovery, invention, or idea, relocation, particularly when forced, is also disturbing and has caused the breakdown of the social and organisational structures in many affected communities. The Kenyah-Badeng community became disorganised because of the social change that took place when it was forcibly relocated. As Merton (1976:26) stated, 'When we say that a group or organization or community or society is disorganized, we mean that its structure of statuses and roles is not working as effectively as it might to achieve valued purposes'.

Social disorganisation entails breakdown of the organisational structure, the various elements in society become 'out of joint', and the influence of social norms on particular groups or individuals is weakened. Value and norm conflicts, mobility, weak primary relations, lack of group cohesiveness, and other ingredients of social disorganisation can lead to problems such as mental illness, drug abuse, alcoholism, suicide, and crime (Liska, 1987:63-64; Vago, 1989:330). Social change also brings about faulty socialisation by not providing for adequate re-socialisation of individuals involved in these processes. Individuals simply do not know how to behave in their newly acquired status or in radically changed social situations. Finally, faulty social communication is produced in situations of change

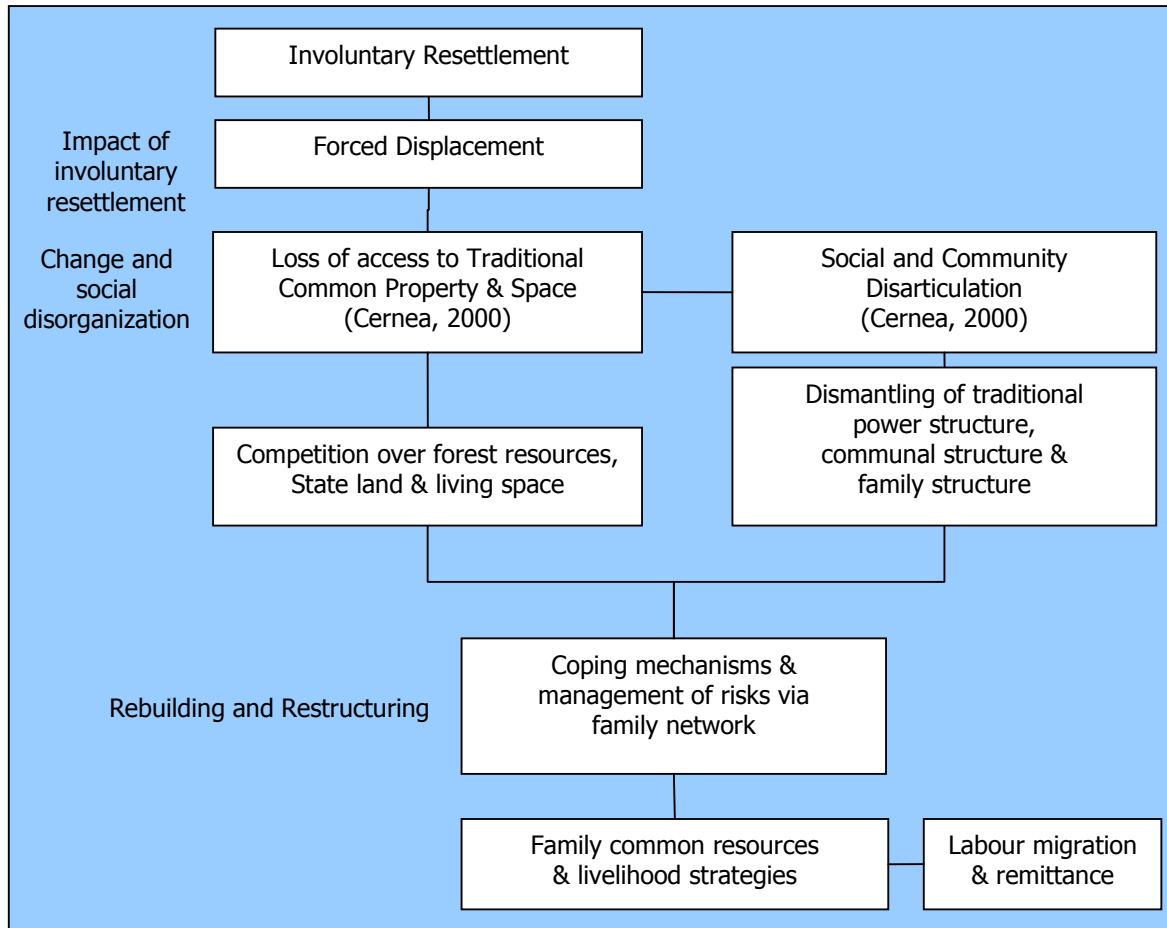
caused by structural inadequacies, or a partial breakdown in channels of communication between people in a social system (Merton, 1976:26-27; Vago, 1989:331).

The IRR model clearly points out the results of social change and social disorganisation caused by involuntary resettlement. As shown in Diagram 1, two components of major variables from the IRR model (Cernea, 2000) are used to conceptualise this research: loss of access to common property assets and social and community disarticulation. These are caused by change that occurs due to involuntary resettlement. For the purpose of analysis, both of the major variables have been linked to understand the problems that are occurring in the community and households (shown as dependent variables - the coping mechanisms, the way settlers manage risks and the type of resources that people engage to strategise their livelihood).

a) Loss of access to common property and space

Under this component, Cernea clearly states that 'when displaced people's access to resources under common property regimes is not protected, they tend either to encroach on reserved forests or they increase the pressure on common property resources of the host area's population. This becomes in itself a new cause of both social conflict and further environmental degradation' (Cernea, 2000:29). Noting Mathur (1998) and Mahapatra (1999a, 1999b), poor people who are landless, without assets, or those who have lost access to common property, e.g. pastures, forested lands, water bodies, burial grounds, and so on, experience significant deterioration in income and livelihood levels. Typically, governments do not compensate losses of common property assets. These losses are compounded by loss of access to public services, such as schools. According to Cernea, these losses can be grouped within the category of risks (Cernea, 2000:29). In the case of the Kenyah-Badeng as well as in all other households at the Sg. Asap resettlement, each family is given three acres of land without legal ownership, i.e. without a land title to farm. The lands are at a distance from the resettlement and there is no easy access to the lands for those people who do not own any vehicles. The community has also been deprived of its native right to have free access to forest land in the surrounding areas of the settlement. Only state land is available, and many households are taking the risk to engage in small scale farming, thus encroaching on state land. Encroaching on presumably state land has caused major disputes with oil palm companies who claim legal lease of the land. These disputes further worsen the uncertainties of the Kenyah-Badeng. Not being able to own land has caused a major displacement amongst the Kenyah-Badeng.

Diagram 1 : The conceptualization of the research



In Diagram 1, 'common property and space' refers to forest land which acts as a 'supermarket' for the people to obtain fish, meat, vegetables, and water. Living space is also part of common property for domestic activities shared with other households, but there is not enough space for growing vegetables for daily consumption.

b) Social and community disarticulation

Under this component, Cernea explains that 'forced displacement tears apart the existing social fabric. It disperses and fragments communities, dismantles patterns of social organization and interpersonal ties; kinship groups become scattered as well. Life-sustaining informal networks of reciprocal help, local voluntary associations, and self-organized mutual service are disrupted. This is a net loss of valuable social capital that compounds the loss of natural, physical, and human capital. The social capital lost through social disarticulation is typically unperceived and uncompensated by the programs causing it, and this real loss has

long-term consequences' (Cernea, 2000:30). Cernea further states that dismantled social networks that once mobilised people to act around common interests and to meet their most pressing needs are difficult to rebuild, particularly in projects that relocate families in a dispersed manner, severing their prior ties with neighbours, rather than relocating them in groups and social units (Cernea, 2000:30).

The single most important factor preventing displaced people from recuperating their losses and reconstructing sustainable livelihoods is by not belonging to spatially bounded communities (Kibreab, 2003:65). In the context of this research, 'belonging' is to be understood as having a 'sense of belonging' to the overall community and a feeling of being part of the larger community in the resettlement. Each household and every individual in the community is confronted with the challenge of adapting to the new and unfamiliar surroundings. In other words, rebuilding and restructuring appears to be the only option where changes and adaptation can take place. Whether accepted, adapted or rejected, changes and adaptation, to a certain extent, generate social tension, and every aspect of life that has been affected by displacement seems impossible to mend. However, within the difficult process of accepting changes, new structures replace the old ones. In certain situations, as in the Kenyah-Badeng, the family network appears in a different form and functions on a smaller scale within the close family members, i.e. amongst siblings. Because people lack trust in those who are outside of the family, the family network certainly becomes the most trusted network. The family network provides common resources and creates a stable surrounding for management of risks in which it acts as a support as well as an economic network.

V. Study area and methodology

The fundamental frame of reference used to organise the observations of and the reasoning behind this research is the 'extended case method'. Michael Burawoy and his colleagues (1991) have suggested a somewhat different relationship between case studies and theory, and the extended case method has the purpose of discovering flaws in, and then modifying, existing social theories (Babbie, 2001:285). Burawoy suggests trying 'to lay out as coherently as possible what we expect to find in our site before entry' (Burawoy et al, 1991:9). Burawoy sees the extended case method as a way to rebuild or improve theory instead of approving or rejecting it. Thus, he looks for all the ways in which observations

conflict with the existing theories, and in what he calls 'theoretical gaps and silences' (1991:10). This orientation to field research implies that knowing the literature beforehand is actually a must. The researcher enters the field with full knowledge of existing theories, but aims to uncover contradictions that require the modification of those theories (Babbie, 2001:286).

Therefore, in this research, the literature on the consequences of involuntary resettlement, and how it has affected the resettlers, in theory as well as in case studies, is continuously reviewed and only a few selected pieces of literature have been presented in this chapter. Cernea (2000, 2003), Kibreab (2000, 2003), Scudder (1973, 1982), Gellert and Lynch (2003), and Marthur (1995) provide important literature that is used to set up the framework of this research, wherein the IRR model by Cernea (2000) is used by linking its two major variables that lie beneath the research problem.

Empirical material for this research was collected by the author during the seven-month field study in Sarawak and the Sg. Asap Resettlement Scheme in October 2004 until May 2005² (see Appendix 3 and 3a); see Map 2 for the location of the study area in Sarawak. The author tried to engage in the use of a qualitative study in conjunction with quantitative ones. The author was quite aware that using traditional techniques of participant observation is certainly inadequate when the community displays heterogeneous elements within it. Yet statistical data from standard surveys lack the meaning of qualitative insights, which only direct observation of real people in real situations is able to provide. To overcome the above-mentioned faults in data gathering, a combination of quantitative and qualitative methods was used to ensure a more comprehensive picture of the problem, as well as a good understanding of the real situation. However, as unforeseen circumstances, such as being unaware that the community has been repeatedly requested to fill in forms and questionnaires by government agencies, NGOs and researchers, the author failed to persuade them to cooperate in answering household surveys for the quantitative study. Therefore, the author had to conduct the research primarily through qualitative methods focused on the casual relations. For the subject of study, the author had chosen a population of Kenyah-Badeng situated at Uma Badeng (the longhouse) in the Sg. Asap

² The author faced some problems in obtaining a permit from the State Planning Unit, Sarawak, prior to conducting the research. The field work was supposed to be 12 months but the author had a research permit for a seven-month period only.

resettlement. They are the biggest population in the Sg. Asap resettlement, i.e. 197 households from a total of 1639 households (1559 people out of 9428 inhabitants). In terms of methods for producing data, semi-structured interviews were applied to the head of 55 households selected randomly, and open-ended interviews were applied to the head of 20 households selected randomly from the 55 households. Interviews were, when relevant, combined with other methods, such as participant observation, informal meetings and conversations in various settings, and during various events in the resettlement.

In general, this study employs two units of analysis: households and the community as a whole. At the household level, data were collected concerning the household background, family structure and relations, coping strategies and mechanisms, and crises management. At the community level, data were collected related to old versus new social structures involving issues of inter- and intra-community relations, power structure and relations, communal crises management, and social tensions related to lands and space.

For the interviews, before determining the samples, information about the population size and resettlement was obtained from the Senior Assistant Officer at the Sg. Asap government office. Then, visits were made to all of the 15 longhouses (villages) in the resettlement to investigate their common problems, taking the Kenyah-Badeng at Uma Badeng as the subject for further investigation. Further explanation of the fieldwork site is in the second section of this chapter. To select households for in-depth interviews, the sample was first organized by ethnic group (visits to all longhouses – the Kayan, Kenyah, Kenyah-Badeng, Lahanan, Ukit, and Penan) before choosing the Kenyah-Badeng at Uma Badeng. On the whole, inhabitants of the resettlement are facing common problems, and the Kenyah-Badeng was selected based on the size of their population. The purpose of household study is to have a descriptive statistic, such as income distribution, family size, etc. The questions also consisted of contingency questions, particularly on issues related to their living conditions, to reveal a general pattern. Data were also collected on household characteristics (composition, marital status, size, age, religion, educational level and skill, occupations and other source of income, distance from the house and size of farming lands, incomes, savings, expenses, general health, living conditions and cohesiveness) which gave general indications of social stress, livelihood strategies and crises management by laying out the indicators of the mentioned issues. Household in-depth interviews were conducted on the 20 households selected from the 55 households selected for the first survey. The purpose of

the in-depth interviews was to explore the different strategies and mechanisms employed by the households.

Picture 1: Community meeting in Uma Badeng, Sg. Asap



Key informant interviews were applied to a few Kenyah-Badeng individuals who have knowledge of current issues in the resettlement, and who were dealing directly with authorities in relation to their problems in the resettlement. They were selected after a communal meeting as they stand out in the crowd, which means these individuals were easily recognised (see Picture 1). This technique was employed to collect data from information-rich members of the social structure in terms of the changes and clashes between the old and new social structure, and the issues that have arisen within the social structures (such as power structure and relations, authority, community structure and relations, crises management and coping strategies at the community level, land allocations, and disputes and competition over natural resources).

VI. Outline

Chapter 1 - This chapter descriptively introduces Belaga, the region where Bakun Hydroelectric Project (BHP) was implemented. It discusses important issues in relation to the BHP implementation and the reaction of the local inhabitants towards BHP. In addition, this chapter highlights the BHP resettlement in Sg. Asap, and the composition of the settlers. This introduction provides the background information for the research area.

Chapter 2 – In this chapter, the historical perspective of the Kenyah-Badeng will be discussed. The discussion focuses on their livelihoods at Long Geng, their former village before they resettled at Sg. Asap. This chapter also includes a brief history of their migration and settlement to Long Geng, and also the political structure in Long Geng. Secondary and primary data on in-depth interviews are used for this discussion.

Chapter 3 – The discussion in this chapter will be on the power structure and relations of the Kenyah-Badeng. This chapter draws on the first stage of displacement, e.g. the processes of losing common property and space. The highlights of the discussion will be the most prominent issues such as compensation, land rights and the expected involvement of local leaders in the whole process of resettlement. This chapter also briefly illustrates the history of land legislation in Sarawak, and is based on the interpretation of Native Customary Land and native's rights over ancestral land. The discussion is based on literature reviews. The purpose of this illustration is to understand the background and general problems of land identification within the Kenyah-Badeng community prior to payment of compensation. This chapter only relies on selected empirical studies from the field work.

Chapter 4 – The coping mechanisms employed by the settlers in handling crucial issues pertaining to their livelihood at the resettlement is the highlight of this chapter. This chapter continues the discussion of the stages of displacement, highlighting the other two stages of 'loss of access to common property and space' and 'social and community disarticulation'. This chapter takes the headings of objectives outlined by the State Planning Unit, Sarawak, in the development plan of the resettlement to explain the cause of the displacement, and to illustrate the present reality of life for the Kenyah-Badeng. The discussion in this chapter is focused on the first five years (1999/2000 until 2004) of their living condition in the resettlement and the way they are coping with and managing risks. The discussions are

based on the information derived from formal interviews with main informants, and informal interviews with the people at Uma Badeng.

Chapter 5 – This chapter focuses on the livelihood strategy in which family network is an important platform for pooling resources. Departing from forced displacement, this chapter illustrates the emergence of coping reactions amongst the settlers. This chapter specifically discusses family networks discovered within the households interviewed for this research. The emergence of family networks is seen as a result of risks in resources, income and employment. A significant number of the households involved in the networks showed the importance of such networks in creating opportunities for gaining economic resources within and around the resettlement, as well as the networks' significance for households seeking moral support. The discussions are based on the information from the selected household case studies.

Chapter 6 – In this chapter I discuss the changing livelihood of the settlers, highlighting the significance of wage employment, where remittance is crucial to the support of the family. Therefore, a few examples are illustrated to explain its significance. This chapter also highlights the current perspective of settlers towards education. Many parents are willing to invest in their children's education, realising that education can promise a better life for their children. The discussion continues with a few alternatives that settlers may be interested in pursuing. The discussions are based on the information obtained from the household surveys and in-depth interviews.

Conclusion – Research results and findings will be summarised in this chapter.

Chapter 1

Sarawak and Bakun Hydroelectric Project

1.1 Introduction

This chapter introduces Sarawak focusing on the aspects of geography, politics, economy and social. The introduction includes the discussion of Bakun Hydroelectric Project (BHP) in brief which highlighting important issues in relation to the BHP implementation and the reaction of the local inhabitants towards BHP. This chapter also includes the illustration of Bakun resettlement program at Sg. Asap and the composition of the settlers.

1.2 Sarawak geographical and topographical background

Map 1: Malaysia



Source: http://www.lib.utexas.edu/Libs/PCL/Map_collection/middle_east_and_asia/Malaysia.jpg (retrieved by IDSNet on 98/07/28)

Sarawak is located on the island of Borneo, and is one of the two states that make up East Malaysia. Sabah and Sarawak are separated from West Malaysia (Peninsular Malaysia) by the South China Sea. With an area of 124,449.51 square kilometres, Sarawak is the largest state in Malaysia (see Map 1). Kuching is the State capital with the population of 458,300 people. Topographically, Sarawak can be classified into three principal terrain groups: the alluvial coastal plain, the mountainous interior and the central belt of generally undulating country between the coastal plain and the interior. Sarawak rainforest has more than 8,000 species of flora and over 20,000 fauna, the majority of which are insects. A few known facts about Sarawak is that it has the world's largest butterfly called Brooke Birdwing, and Rafflesia, the biggest flower in the world also can be found in Sarawak. Sarawak also has the world's most extensive cave system, with Mulu Caves are reputed to be among the biggest in the world and the oldest rainforest the size of Austria. Sarawak has an equatorial climate, hot and humid throughout the year with average daily temperature ranging from 23°C to 32°C.

Map 2: Divisions in Sarawak



Source: <http://www.sarawak.gov.my>

Sarawak is presently divided into eleven divisions (see Map 2): Kuching, Sri Aman, Sibul, Miri, Limbang, Sarikei, Kapit, Kota Samarahan, Bintulu, Mukah and Betong.

1.3 Political background

Kuching is the seat of government for Sarawak. It has a Chief Minister, which heads a cabinet of Ministers. The Chief Minister is appointed by the Yang di-Pertuan Negeri (or Governor) of Sarawak, from amongst members of the State's Legislative Council. Elections are held every five years. The present Chief Minister is YAB Pehin Sri Datuk Patinggi Tan Sri (Dr) Haji Abdul Taib Mahmud. The Head State of Sarawak, the Governor is the Yang di-Pertua Negeri His Excellency Tun Abang Muhammad Salahuddin Abang Barieng.

The Legislative branch of the Sarawak government passes all State laws and oversees the policies and expenditure of the Executive branch. The State Legislative Assembly (SLA) of Sarawak (Dewan Undangan Negeri) consists of a single legislative chamber comprised of 71 parliamentary members (representing the 71 electoral constituents of Sarawak) and Head by the Governor. The administrative of SLA is run as a State Civil Service and is a department by itself under the Chief Minister's Department.

The Executive branch plans, executes and administers all policies and projects affecting the State. Headed by the Chief Minister, who assisted by a Cabinet of Ministers, the Executive branch operates via the activities of various State ministries and agencies. There are currently 11 State Cabinet. The Ministries also see to it that Ministerial Secretary acts as the Administrative head of Ministry. The State Cabinet of Ministers, headed by the Chief Minister, is comprised of the State Secretary and several ministers holding portfolios (see Appendix 1).

The judiciary branch, headed by the Chief Judge of both Sabah and Sarawak, oversees the administration of justice and the working of all the various courts. The Judiciary in Sarawak comprises of the High, Session & Juvenile Courts, the Sarawak Syariah Judicial Department and the Native Court (see Appendix 1).

1.4 Sarawak Economy

Sarawak economic structure is dominated by export-oriented and primary commodities. The primary sectors (mining, agriculture, and forestry) make up about 40 percent of the state's total Real Gross Domestic Product (GDP), followed by the secondary sector (manufacturing and construction) with about 30 percent of total real GDP. GDP of Sarawak is shown below in Table 1.

Table 1: Sarawak Gross Domestic Product 2001-2006

Sector	2001 MYR Million	2002 MYR Million	2003 MYR Million	2004 MYR Million	2005e MYR Million	2006e MYR Million
REAL GDP (at constant 1987 prices)						
Agriculture, livestock & fishery	1556	1769	1939	2094	2252	2409
Forestry	1019	991	1011	1008	1003	998
Mining & Quarrying	5355	5227	5782	6349	6661	6985
Manufacturing	3681	3997	4217	4463	4732	5006
Construction	499	616	673	640	681	722
Services	5388	5682	6042	6461	6874	7303
GDP at purchase's value	17497	18282	19665	21015	22204	23424
GDP / Capita	8257	8437	8882	9286	9530	9909
NOMINAL GDP (at current prices)						
Government final consumption	2879	3291	3571	3858	4150	4453
Private final consumption	8405	8799	9072	9643	10200	10761
Change in stocks	-2663	-541	-1939	-1060	-500	-800
Gross fixed capital formation	2845	3286	3498	3904	4315	4699
Exports of goods & services	31694	31013	37815	48164	57125	62539
Less: Imports of goods & services	15155	15540	16949	19914	22488	23775
GDP at purchase's value	28005	30308	35068	44595	52802	57877
GDP / Capita	13216	13986	15839	19706	22662	24483

Note: (e) estimation

Source: Yearbook of Statistics Sarawak (<http://www.spu.sarawak.gov.my>)

The GDP and the annual growth rate as compared to the national level is shown in Table 2.

Table 2: Gross Domestic Product of Sarawak and Malaysia

	1990	1995	2000	2001	2002	2003	2004	2005p	2006f
GDP IN CONSTANT 1987 PRICES (MYR MILLION)									
Malaysia	105977	166625	209959	210640	220422	232359	248954	261395	275744
Sarawak	9997	13198	17446	17497	18282	19665	21015	22204	23424
ANNUAL GROWTH RATE (%) AT 1987 CONSTANT PRICES									
Malaysia	9	9,8	8,6	0,3	4,4	5,4	7,1	5	6
Sarawak	7,1	11,4	7,4	0,3	4,5	7,6	6,9	5,7	5,5
GDP IN CURRENT PRICES (MYR MILLION)									
Malaysia	115828	218617	342612	334404	362012	395012	449609	487379	530637
Sarawak	12469	19769	30737	28005	30308	35068	44595	49164	53673
ANNUAL GROWTH RATE (%) AT 1987 CONSTANT PRICES									
Malaysia	12,9	14,9	14,1	-2,4	8,3	9,1	13,8	8,4	8,9
Sarawak	9,6	16,8	22,2	-8,9	8,2	15,7	27,2	10,2	9,2

Note: (p) – preliminary (f) – forecast

Source: Yearbook of Statistics Sarawak (<http://www.spu.sarawak.gov.my>)

Timber based industries and petroleum are amongst the major exports of Sarawak. Table 3 shows the principal exports of external sector of Sarawak.

Table 3: Principal exports of external sector

Principal exports (MYR Million)	2001	2002	2003	2004p	2005p
LNG	11118,8	9888,4	13358	17078,8	20790,2
Crude petroleum	6265	6142,7	8330,9	11209,4	14227,1
Plain plywood, veneer, dowels & mouldings	2686	2891,1	3089,9	4094,2	4079,1
Saw logs	1507	1645,6	1705,6	1713	1838,2
Palm oil & palm kernel	565	943,4	1328,7	1537,7	1904,2
Sawn timber	826	816,6	848,9	890,1	933,5
Electrical power machinery, parts, machinery & apparatus	744	782,2	700,2	761,5	762,3
Petroleum products	999	555	482,9	687,8	867,1
Urea & ammonia	225,5	259,4	330,4	319,1	529,9
Agriculture products	366	332,3	357,6	434,4	541,2
Glazed floor, hearth & wall tiles	143	124,7	133,1	108	96,1
Other exports	2914,8	3028,4	3653	4446,8	4894,7
Total	28362,1	27409,8	34319	43280,8	51464,2

Source: Monthly Statistical Bulletin of Sarawak, April 2006

Being one of the largest world exporters of tropical hardwood timber, Sarawak produces approximately 9 to 10 million cubic metres of logs annually. The production of forest and forest products is shown in Table 4.

Table 4: Production of forest and forest products in Sarawak

Particulars ('000 m3)	2000	2001	2002	2003	2004	2005p
Saw logs	14274	12179	11855	12153	12051	10969
Sawn timber	1485	1140	1218	1291	1011	1123
Plywood	2370	2688	2624	2500	2622	3170
Laminated boards	55	44	25	25	58	60
Mouldings	21	35	23	20	21	19
Woodchips	148	180	116	130	131	137
Veneer	480	303	355	370	227	267
Poles ('000)	2058	2268	2747	2884	2678	3464
Cordwood ('000 tonne)	29	50	45	86	76	88
Charcoal (tonne)	519	318	351	482	483	280

Note: (p) - preliminary

Source: Yearbook of Statistics Sarawak (<http://www.spu.sarawak.gov.my>)

In Sarawak, approximately 4 million hectares of the total state land have been identified as suitable for agricultural land. The state government actively encourages development of commercial agriculture projects by private sector. The suitable agro-culture climate could be tapped for large scale plantation of oil palm, rubber, pepper, coconut, sago, pineapple and fruits as well as livestock and aquaculture development. Table 5 shows the major agriculture production in Sarawak.

Table 5: Major agriculture production in Sarawak

Commodity ('000 tonnes)	1995	2000	2001	2002	2003	2004	2005p
Crude Palm Oil	222.4	520.2	610.3	737.9	886.5	1116.5	1336.6
Dry cocoa beans	6.4	3.2	1.5	2.5	2.6	2.3	2.4
Rubber	14.4	1.8	2.7	5.2	15.8	36.9	64.6
Pepper (white & black)	15.5	24.0	25.9	23.2	19.4	20.0	18.5

Note: (p) - preliminary

Source: Yearbook of Statistics Sarawak (<http://www.spu.sarawak.gov.my>)

The state government encourages the development of plantation agriculture with the view to develop idle or under-utilised land, especially Native Customary Lands. The agencies and authorities in promoting and facilitating large-scale land development for agriculture are:

Sarawak Land Development Board (SLDB) – established in 1972 to develop State Land for agriculture and resettlement,

Sarawak Land Consolidation and Rehabilitation Authority (SALCRA) – established in 1976, entrusted to develop especially Native Customary Rights Land, and

Land Custody and Development Authority (LCDA) – formed in 1981 with the task to promote plantation agriculture by offering joint-venture between landowners and private entrepreneurs. It is also involved in urban development.

1.5 Sarawak population

Sarawak has a population of 2.31 million as at year 2005. There are more than 40 ethnic groups with their own distinct language and culture. The major ethnic groups are the Malays, Iban, Chinese, Bidayuh, Melanau, Orang Ulu, Indian and other indigenaous groups. In the census as shown in Table 6, Orang Ulu and other indigenous groups are categorised as 'Other Bumiputras'. This category includes the Kayan, Kenyah, Penan, Kelabit, Bisaya, Kajang, Sembop etc.

Table 6: Sarawak total population by ethnic group, 2000

Ethnic group	Population
Malay	462270
Iban	603735
Bidayuh	166756
Melanau	112934
Other Bumiputras	117690
Chinese	527230
Others	8103
Non-Malaysian citizen	62738
TOTAL	2071506

Note: This table has been modified to simplify its presentation.

Source: Yearbook of Statistic Sarawak, 2005.

1.6 Sarawak dam projects

The first hydro electric dam project in Sarawak is Batang Ai. The dam is located in Lubok Antu, Sri Aman. It was first planned in the 1970s, and the construction started in 1977,

involving 22,000 acres of land and more than 3000 indigenous people, the Ibans. It was constructed at the cost of US\$236 million (in ADB 1999 report, it is \$228 million), consisting of \$44.8 million and \$57.3 million contributed by the Malaysian federal government and Employees Provident Fund (EPF). The other contributors who provided as loans are the Japanese Overseas Economic Cooperation Fund (\$44.8 million), Asian Development Bank (\$40.4 million), Mitsui Trust Banking Company (\$36.3 million), Australian Export Finance and Insurance Corporation (\$9.9 million), and English Export Credit Guarantee Department (\$2.2 million). It was finally completed in August 1985, and generates 92MW annually (Hong, 1987). However, the project completion report was finished in December 1986 (ADB, 1999:21).

Based on the report by Asian Development Bank (ADB) in December 1999, the Batang Ai project was approved in 1981 before environmental guidelines were developed in ADB and the relevant agencies were established in Malaysia. Therefore, its preparation did not include an environmental mitigation plan. The Executing agency was Sarawak Electricity Supply Corporation (SESCO). A resettlement scheme was planned due to the substantial involuntary displacements and the state steering committee brought various government departments together to implement the resettlement. During preparation, a decision was taken to increase the inundation line of the Batang Ai reservoir by 4 meters to optimise economic efficiency. This decision created considerable difficulties for some longhouses because several areas were submerged before the land surveys were completed, and compensation was not accurately estimated or completely paid. The settlers moved before their alternative housing was ready and camped for several months in temporary shelters or stayed with other families. They survived on the compensation money and cultivated uninundated parts of their ancestral land. The project planners failed to provide the most important cultural asset, rice land to some settlers due to unavailability of cultivable rice land (ADB, 1999: 9-10).

The reservoir of the Batang Ai Project displaced 21 Iban longhouse communities consisting of 422 extended families. The total numbers of displaced persons were about 3600. Most of the families were relocated below the reservoir in two phases (1982 and 1984). Two civil assemblies were held to land acquisition and several longhouse leaders were sent to Thailand to observe a similar hydropower project. But improper communication between longhouse leaders, project personnel, and affected persons resulted in confusion and dissatisfaction. The Housing Commission built the longhouses for most settlers. In some cases, the commission used a down payment compensation of MYR8000 that was assigned

to each family as compensation for their ancestral longhouses and stipulated that each family should pay the remaining cost over 25 years at the rate of MYR120 a month. Almost all the settlers have not signed a contract with the Housing Commission as the settlers believe that MYR8000 from each family was sufficient to build longhouses (ADB, 1999:22).

The state acquired 3077 hectares (ha) of NCR land in the downstream area of the Batang Ai reservoir. Each family has received the right to cultivate about 3.3 ha of land in the resettlement area according to an agricultural plan prepared by the Department of Agriculture. No land titles have been given to the settlers, so the land remains as NCR land. Each family was promised 0.8 hectares of rice land but as suitable land for terraced hill rice cultivation was not found in some areas, compensation of MYR4940 per ha was determined by the state in 1992 but has not yet been paid. SALCRA introduced a plantation economy to the resettlements to cultivate rubber and cocoa on the settlers' land. SALCRA planned cocoa plantation but found that cocoa plantation was a failure in 1988 and settlers have lost interest in tapping rubber due to low prices. In 1989, the area was planted with oil palm (ADB, 1999:22). Total losses for cocoa and rubber in the resettlement area amounted to MYR23 million by the end of 1997. The liability for this debt (about MYR30,000 per family) has not been settled yet, and a policy decision regarding this debt settlement is pending (as reported in 1999). Interestingly, the settlers have planted paddy between the oil palm tress because there is not much land to grow paddy. However, they could not burn the fields for fear of burning the oil palm tress so some families plant paddy on their former NCR lands. Since there was no warning from the government, the settlers have been able to use these lands for several years for rice cultivation (Itik, 1999). Settlers' average income from their plantations is significantly lower (MYR230 a month) compared with the income (MYR523 a month) that was envisaged from plantations after 10 years. As reported by ADB in 1999, land and plantations have failed to restore or improve settlers' income for the last 15 years since they moved to the Batang Ai resettlement (ADB, 1999:23).

In relation to compensation, the standard rates for NCR land near the reservoir danger and partial danger zones was MYR864 per ha. Land acquired for the downstream resettlement was compensated at the rate of MYR1482 per ha. ADB reports that the settlers think they did not receive fair compensation due to their poor contacts, illiteracy, and lack of experience in the money economy. The compensation payments ranging from a few thousand to MYR400,000 per family. In 1999, after 12 years, there are still unresolved

compensation claims over lost land, crops, and property. SESCO informed that 439.97 ha are in dispute which valued at MYR382, 778 (ADB, 1999:23).

At the resettlement area, settlers found that while their hosts were not hostile, they were unhappy about their arrival. At the time the arrival of the settlers, the host community already felt land shortage pressure as they expected that the surrounding NCR land remain vacant for their use. They sometimes did not allow the settlers to enter their newly developed lands on the ground that the state had not yet paid compensation for such lands. Settlers were unhappy that they had to leave their ancestral land and become plantation labourers. They found it difficult to adjust their carefree lifestyle to a disciplined estate type of living. They had to cope with many difficulties in addition to the stress they underwent due to forced displacement. For example, they had to undergo traumatic experience living in temporary sheds before their longhouses were built. Upon arrival at their resettlement, they found that they did not have any source of income except living on the compensation money. The settlers, in particular the old ones refused to work as labourers or employees of SALCRA plantations because they were confused as to their land tenure status. Land belonged to them but managed by SALCRA. They have not received titles for the land or the longhouse. They ranked their perceive needs in the following order: hill rice, employment opportunities and better farm schemes. Health and education were not in their priority because they had better access to school and medical facilities. Some of them have entered 'protected' lands and have attempted to recreate their traditional living forms with little success (ADB, 1999:24).

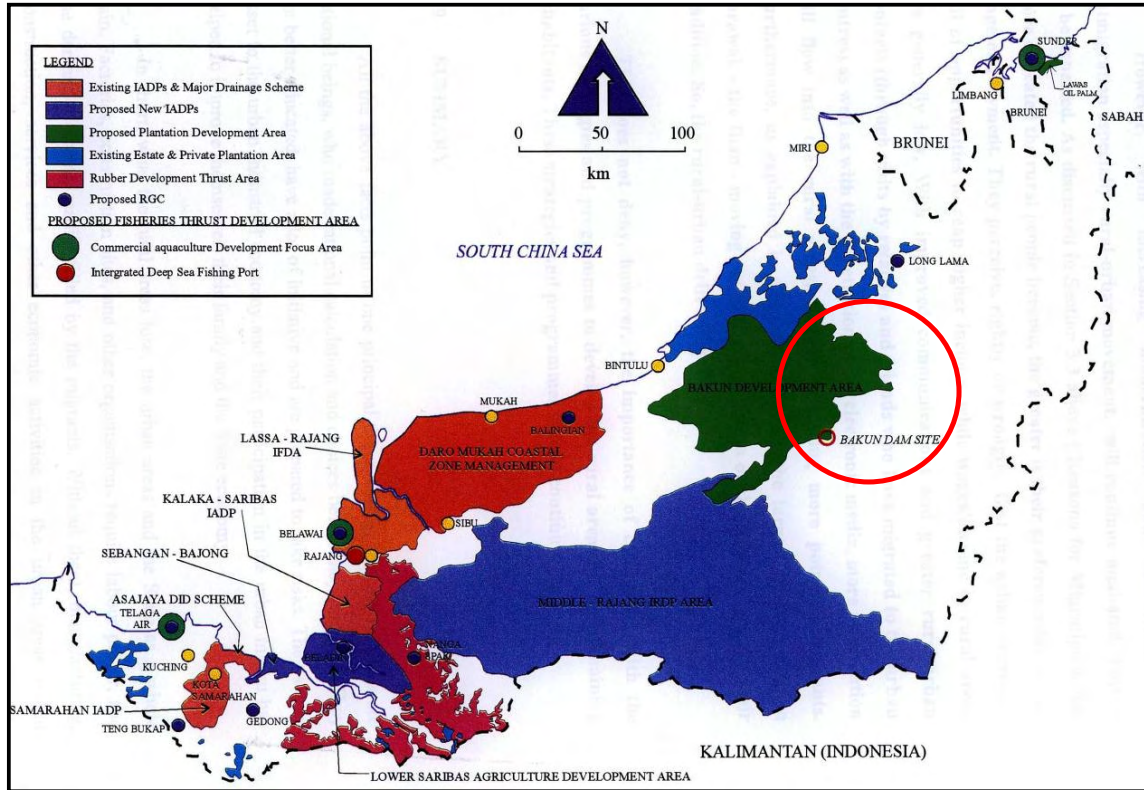
The Batang Ai HEP does not have a success story in particular reference to the settlers i.e. restoring and improving the settlers' livelihood. And what are the lessons the state have learnt from Batang Ai HEP before implementing Bakun HEP? The state emphasises on the development and progress for the state economy but very little for the affected people – the settlers.

1.7 Bakun HEP and the indigenous people: An overview of the impact

"Development processes will continue to change land and water use patterns. In some instances this will require that people be relocated. Economic liberalization programmes will bring more private capital into infrastructural investments, pursuing the acquisition

of vast stretches of land. This, unfortunately, will expose more people to displacement.” (Cernea, 1999:24).

Map 3: Agriculture and Development Thrust For Seventh Malaysia Plan



Source: Internal Migration Study Sarawak, SPU, 1996

Malaysia’s plan to tap power from Bakun dates back to the 1960’s and the former Prime Minister, Tun Dr. Mahathir Mohamed was one of the early proponents of the massive hydroelectric project in 1979 when he was the deputy prime minister. Bakun was proposed soon after the launching of the highly controversial Batang Ai dam in Sri Aman Division of Sarawak in 1985. However, due to financial constraints, the Bakun project was put off. It was revived in 1993 when Tun Dr. Mahathir Mohamed announced the resumption of the MYR13.6 million (based on prices then) project. However, it was put off for the second time following the economic downturn and the fall of the Malaysian Ringgit in late 1997. Despite the temporary shelving of the hydroelectric project, the Government had gone ahead with a major resettlement masterplan to relocate the five communities living in 15 longhouses along the Balui River which was part of the grand plan to restructure the scattered longhouse indigenous people of rural Sarawak (Ritchie, 2005:xvi-xvii).

The BHP has been dogged by controversy ever since it was first proposed in the early 1980s. Apart from the question of its necessity, its financial viability and its environmental costs, questions have been raised from the beginning about its potentially disastrous social impact. Now, after five years since BHP has been implemented, its implication, disastrous social impact on the indigenous people who were living around its catchments area becomes very visible. In this section, BHP is illustrated by focusing on the important aspects of its implementation that have affected indigenous people who were living around the catchments area, particularly the Kenyah-Badeng. The politics behind the implementation of BHP, including issues on cronyism and corruptions related to BHP will not be discussed here because the concern of this research is the implications of BHP's implementation that has pushed the indigenous people to involuntary resettlement and displacement.

As reported in *Bakun: Green Energy for the Future* published by the Economic Planning Unit, The Prime Minister Department³. BHP was needed due to the growth of electricity demand, which has been seen as closely related to the growth of the economy. The Malaysian Gross Domestic Product (GDP) was forecasted to continue growing at a relatively fast rate and the demand for electricity was expected to increase correspondingly. The Government has adopted an energy diversification policy based on four fuels taking into account the need to ensure security of energy supply including electricity, the availability of primary energy resources domestically and the impact of these sources on the environment. The four fuels are gas, oil, coal and hydro. The development of the BHP was in line with the nation's energy policy. The project, with a capacity of 2,400 MegaWatt (MW), was expected to result in a more balanced generation mix, with hydro sources accounting for 19.7 per cent by the year 2005. It was speculated that in the absence of this project, the country would become overly dependent on thermal sources for which imported fuels would be increasingly necessary in the future. A public-listed company, EKTRAN Berhad was commissioned to undertake preliminary works to implement the project, including the preparation of tender documents, prequalification of contractors, invitation to bid and submission of Environmental Impact Assessment (EIA) reports. However, in view of the huge capital outlay involved, the Government decided that the project be undertaken by a joint-venture company. The

³ This document is obtained from the official website of Economic Planning Unit, Prime Minister Department at <http://www.epu.jpm.my/Bi/publi/bakun/bakun1.htm> Further details on BHP history and implementation has been officially reported and published in *Bakun: Green energy for the future*. Also can be download from the above mentioned website.

Government invited the State Government of Sarawak, Tenaga Nasional Berhad (TNB), Sarawak Electricity Supply Corporation (SESCO), Malaysia Mining Corporation Bhd (MMC) and others to participate in this joint-venture company to be led by Ekran Berhad, run by Ting Pek Khiing. The State Government, however, was responsible for the resettlement of the affected indigenous communities (Gabungan 1999a⁴, 1999).

The dam is on the Balui River (see Map 2), 37 kilometers upstream of Belaga in Sarawak, Malaysia. It was to be a massive 205 meters high Concrete Face Rockfill Dam (CFRD), making it one of the highest rockfill dams in the world. The transmission of its electricity would have necessitated some 1,500km of overland wires and four 650km long undersea cables, under the South China Sea. As well as supplying electricity (mainly to Peninsular Malaysia), other benefits from the Bakun project claimed by the government included; Providing an environmental-friendly and significant source of electricity; generating employment and valuable spin-off industries for Sarawak which would add 3% to that state's growth per year; bringing the indigenous peoples 'into the mainstream of development» through resettlement; and providing much needed infrastructure to a remote part of Sarawak, which would also become a valuable tourist destination (Gabungan 1999a:1).

The BHP was first proposed in the 1980s as part of a series of dams to exploit the hydroelectric potential of Sarawak's rivers. The original proposal was scrapped in 1990, after a concerted campaign against it by local indigenous communities and other groups in Malaysia, together with its high financial costs. However, in September 1993, the project was revived, at least partly as a response to problems of electricity supply in Peninsular Malaysia (*Star*, 20/9/94) where the Prime Minister stated that "Bakun will not only provide the cheapest source of energy but will also serve as a catalyst to the country's industrialization programme". From the beginning, as it had in the 1980s, when BHP preliminary discussion made known to the press and public, there have been overly concerns showed by NGOs and public. BHP has elicited a variety of concerns, relating both to its impacts, and the process by which decisions were being made. These concerns led to the formation of a popular movement, the "Coalition of Concerned NGOs against the Bakun

⁴ World Commission on Dams: Resettlement of Indigenous Peoples, Final Report (1999). Also available on <http://www.dams.org>

(GABUNGAN)” made up of over 40 Malaysian non-government organizations. Since late 1993, their concerns were coalesced around environmental impacts, social impacts (resettlements) and economic and technical problems. GABUNGAN has acted to give greater strength and cohesiveness to the questions and debates about BHP. Many non-Malaysian organizations and individuals across the world also voiced concern.

Picture 2: Bakun dam under construction in October 2004



Picture 3: Work in progress in Bakun in October 2004



1.8 The indigenous people reactions and the involvement of NGOs

In 1983, an anti-Bakun campaign was initiated by environmentalists, particularly the local based Sahabat Alam Malaysia (SAM) who claimed that at least five of the 15 longhouses were against the project. In February 1986, a group of 10 Kenyah and Kayans leaders held a press conference in Sibu where they "swore to defend, with their lives, their lands from being destroyed by the Government". Calling themselves the Bakun Residents Action Committies (BRAC), had sent a memorandum with 2,000 signatures to the then Prime Minister, Tun Dr. Mahathir Mohamed, appealing to the government to scrap the project. On February 5, 1986, The Sarawak Tribune, a local newspaper quoted one of the leaders as saying:

"We don't want our land to be destroyed. Money is nothing to us. Even if we are paid a million dollars, this money cannot guarantee our survival."

Two years after the Sibul campaign, residents of Long Geng organised a blockade in the area in 1988. Many blockades followed after this but the blockades were directly protested against logging activities around Belaga area. In 1993, other joined by NGO's such as the Sibul-based Society of Christian Services the anti-Bakun campaign. However, after the members broke up due to a quarrel over how the society's finances were being managed, in 1988, one of the members formed the Institute Pengajaran Komuniti (IPK) or Institute for Community Learning. IPK worked closely with other local groups such as the Sarawak Human Development Centre (SHDC), Centre for Indigenous Peoples Law (CIPLEX), the banned Sarawak Indigenous Peoples Alliances (SIPA) and the Kuala Lumpur-based Suara Rakyat Malaysia (SUARAM) who turned out to be the formidable force. Together with the Institute for Social Analysis (INSAN) and the International River Network, they were able to publish materials on the subject.

Political groups such as the Democratic Action Party (DAP) also took an interest, they attempted to organise a forum on April 15, 1994 but permission was denied by the authority. DAP then called a press conference in its office and informing the media that they had collected 3,300 signatures from the people who opposed the Bakun project. A statement dated April 13, 1994 was read during the press conference as stating:

"We do not want our land to be drowned. We don't want to lose our culture and traditions. We don't want to move because this is our land. We don't want the hydroelectric dam because it will benefit others and not us".

There were also attempts to meet the then Deputy Prime Minister, Anwar Ibrahim in May 1994 going under the name "Bakun Action Committee" but having failed to meet Anwar Ibrahim, the group ended up holding a press conference in Central Market in Kuala Lumpur. This event was followed by a peaceful demonstration at the Shangrila Hotel in Kuala Lumpur on June 22, 1994. In August 1995, police discovered that activists had distributed anti-Bakun leaflet with caricatures and words: "To Malaysia – Stop Bakun" and "A Damn Big Story of Bakun Dam". The DAP leader, during parliamentary session in August 1995 had urged the Government to include NGOs in the Bakun approval process and that NGOs should be invited to make representations on the socioeconomic and environmental impact of the dam (Ritchie, 2005:24-32).

In response to all these events, during an official visit to Bintulu in March 1996, the then Prime Minister, Tun Dr. Mahathir Mohamed contended that the environmentalists were determined to discredit the government and the Bakun project. He said:

"While we are open and explain to them the real situation, they have come here with a fixed mind. Eventhough we have explained and clarified through experts who said (the dam) will have no problems and there will be no pollution, they are still determined to oppose" (New Straits Times, March 16, 1996).

Tun Dr. Mahathir Mohamed stood his ground by declaring at a gathering at Mukah on August 9, 1996:

"Bakun is for the people. Not only is it a way of redistributing the wealth from peninsula Malaysia to Sarawak but it will also enhance the rapport between the two regions".

Despite the involvement of NGOs, the affected indigenous people were still struggling to understand the whole picture of BHP implementation and their future once they are be relocated to a resettlement. Not until they had moved to the resettlement did they understand the problems, but by then there little they could do.

1.9 The disastrous social impact according to reports and studies

As in the general context in which indigenous peoples find themselves, in Sarawak and as in the rest of the world, lack of political power, relative marginalization, and with a culture that is markedly different from that pursued by state authorities, the settlers had resulted a very little influence (or nothing at all) over what happened to them. Their lives and future has deteriorated as a result of the implementation of the BHP. Most of the negative social impact that is going to be presented in the next sections had been predicted much earlier in many studies, especially the one by Jerome Rousseau in 1994⁵ before the resettlement. According to the reports, BHP compelled to relocate more than 9000 people who would lose their land,

⁵ Rousseau, Jerome, "The Bakun Project: Review of Socio-Economic Studies and Preliminary Recommendations for the Resettlement of the Kayan and Lahanan of the Upper Balui," A report submitted to the State Planning Unit, Jabatan Ketua Menteri, Sarawak, 27 September 1994.

And another paper on this issue is by the same author is "The Bakun Hydroelectric Project and Resettlement: a failure planning," Conference on the Bakun Hydro-electric Project, Kuala Lumpur, December 2-3, 1995.

homes and every other aspect of 18 communities. After the relocation, they would likely no longer have their own land but might have to seek work instead on large plantations. The resettlement program, it was noted, "must cater for the needs and interests of each ethnic group," and accordingly, detailed socioeconomic studies would be needed of these communities. However, as noted in the reports, plans make little provision for the preferences of those to be relocated. While many would prefer to move to higher ground within the catchments area, plans call instead for a move to an area with poorer land and fewer prospects. The Rousseau report submitted to State Planning Unit has discussed extensively the resettlement criteria for BHP and the recommendations were tailored with the reference to the guidelines of that World Bank 1990, Operational Directive 4.30: Involuntary resettlement, The World Bank Operational Manual.

Although social impact studies have been commissioned to experts before the resettlement program was implemented, the whole resettlement program has been a failure, according to the settlers. The GABUNGAN further documented the claim to the failure of the resettlement in a report after their visits to the resettlement on 7th to 14th May 1999. This report was also submitted to the World Commission of Dams (WCD) in 1999 for further study.

GABUNGAN (1999) in its report listed down the many problems faced by the settlers. The settlers were having problem obtaining a fair compensation as their land was not surveyed or was not properly surveyed by the officers appointed to do the job from various district Department of Land and Surveys. The settlers were also reported to have problems accessing their compensation because of mismanagement and misuse of funds because before disbursement, a committee held the compensation monies in trust. In the report, the condition of the resettlement was also illustrated. Basically, the settlers moved involuntarily to the resettlement even before the jobs on the longhouses were completed. The settlers moved in without the Certificate of Fitness and the conditions of the resettlement were reported as relatively poor. It was stated in the report that, although there were basic amenities but beyond that, there were serious deficiencies such as lack of adequate sewerage system, lack of rubbish disposal, and lack of proper access roads. Above all, the settlers were forced to pay MYR52, 000 for a very poor condition house without the Certificate of Fitness. However, none of the households made the payment. It was also reported that unemployment is obvious because of the lack of employment opportunities unless the settlers opted for jobs in far locations as in Bintulu or other towns. However, without any skill, the settlers were not most likely to find any jobs in town other than low

paid jobs. Another serious problem highlighted in the report was the impact of resettlement on the social structure and families. Breakdown of family relations was obvious as some family members refused to move and since there was a lack of job opportunities, income became very scarce and this caused disputes in the household on money matters.

Nevertheless, the situation and problems illustrated in the report was in 1999, at a very early stage of the resettlement, when settlers were still very much in crisis and in the very early stage of the changing environment and displacement. The resettlers confirmed the hardship of the early stage of resettling in the resettlement at the time I conducted the research in 2005, which was five years after they moved. The situation is much better than the early stage of the move because they at least have harvested fruits and vegetables for daily consumption. In the beginning, nothing was available for daily consumptions. However, displacement, of course is still a major issue underlying every socioeconomic problem faced by the settlers. The settlers have moved on with their lives, taking every opportunity they can get but with lots of insecurity. Important issues are still being debated and have become the talk of the day. These issues include land title, employment and house title. Without any doubt, there is no guarantee of security for as long as they do not have the land title and Certificate of Fitness for the house and their plea not to pay for the house is still pending.

1.10 The resettlement of BHP and its current local indigenous communities

Since 1998 local indigenous communities from 15 longhouses who have moved to BHP resettlement which is known as Sungai Asap resettlement since 1998. The relocation and move to Sungai Asap was carried out through an operation conducted by a few government agencies led by the Belaga District Office. In mid-1999, all the 15 longhouses officially moved to Sungai Asap. Currently, Sungai Asap consists of five different ethnic groups which are the Kayan, Kenyah, Ukit, Penan Talun and Kajang. There were 9428 inhabitants or 1639 households in Sungai Asap by 2001 and with many births (no written documents except health records at the Sungai Asap Clinic) by 2005, the inhabitants have increased.

Table 7 : Ethnic composition at Sungai Asap 2001

No	Ethnic group	Population
1	Kenyah	4708
2	Kayan	3781
3	Kajang	535
4	Ukit	300
5	Penan	104
Total		9428

Source: Local District Office, Sungai Asap

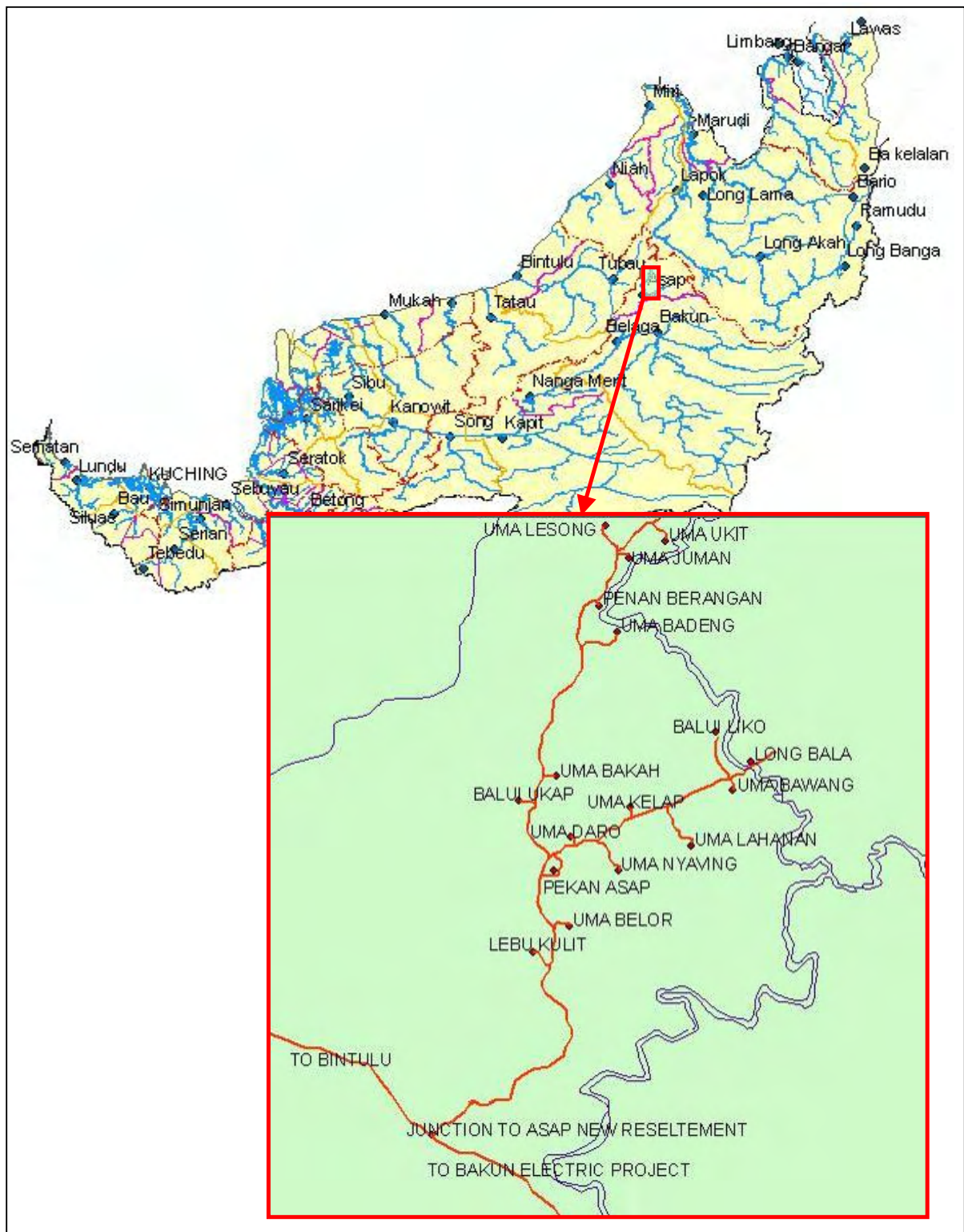
Table 8 : The population composition at Sungai Asap in 2001

No	Longhouse/Villages	Head of longhouse	Date of relocation	Total households	Total inhabitants
1	Uma Ukit	Bawa Paran	15.09.1998	51	300
2	Uma Lesong	Huvat Laing	18.09.1998	128	646
3	Uma Daro	Liah Japi	11.11.1998	115	468
4	Uma Belor	Saging Bit	17.11.1998	101	429
5	Uma Badang	Nyaban Kulleh	23.11.1998	197	1559
6	Uma Nyaving	Tajang Laing	22.12.1998	87	445
7	Uma Kelap	Batang Langat	02.03.1998	103	477
8	Uma Kulit	Gun Imang	05.04.1998	209	1274
9	Uma Bakah	Palan Bisau	12.04.1998	223	1398
10	Uma Balui Ukap	Lating Abun	19.04.1998	84	414
11	Uma Bawang	Duren Lihan	18.05.1998	69	453
12	Uma Balui Liko	May Legiew	26.05.1998	68	348
13	Uma Penan Talun	Migu Magui	14.06.1998	20	104
14	Uma Lahanan	Lajang Nyipa	16.06.1998	89	535
15	Uma Juman	Musa Talik	28.07.1998	95	578
Total				1639	9428

Source: Local District Office, Sg. Asap

Because of its remote location, Sg. Asap resettlement is not easily accessible. Outsiders do not come to Sg. Asap. Even the settlers are moving out of Sg. Asap leaving behind the elderly. Those who are desperate for income from wage employment left their wives and children at Sg. Asap to obtain jobs else where. Most of them go back once in two months to visit their family. They rather send the money home than back because the cost of travelling to Sg. Asap is relatively high compared to their earnings. A charter 4WD (Four Wheel Drive) charges MYR350.00 for a return journey. If five passengers would share the cost, it would be MYR50.00 for a return trip.

Map 4 : Sg. Asap resettlement



Source : Courtesy from Phillip Lepun, a Kenyah-Badeng and a Ph.d student in Forestry at Universiti Malaya, 2006. Maps has been modified to suit the presentation of this chapter.

The nearest small town to Sg. Asap is Belaga town which is an hour's drive during the dry season but could be more in wet rainy season. The road to Belaga town is a range of logging roads that do not provide any sign boards. Inexperienced drivers and outsiders normally do not drive on that road as it has claimed many lives from accidents. However, a few good 4WD drivers from Sg. Asap would take the responsibility to pick up the school children from Belaga Secondary School once every two weeks.

In terms of facilities, Sg. Asap is provided with a clinic for minor treatment and serious cases are sent to the government hospital in Bintulu. There is no ambulance available and most of the time, the family has to go by chartered 4WD or ask other family members for help. When I was there, a woman who suffered from a very serious gastric was sent to the hospital in Bintulu at around three in the morning because the person who was on duty at the clinic could not be found at the time. Luckily, her brother (the family I was staying with) has a 4WD and was able to drive her immediately to the hospital. She, of course had to suffer for another 3 hours of the journey.

There is a primary school for the 15 longhouses, nearby Uma Badeng but far for other children from other longhouses. Therefore, they are required to stay in the hostel from the age of 7. Each longhouse has a church that also acts as a community hall.

In Sg. Asap, there is an administrative centre, where the local district office, agriculture department and the police are located. There are also a few grocery shops and an Internet café sponsored by a logging company in 2005. However, the centre is far from any of the longhouses and occupied only by the people who are not living at any of the longhouses. Most of the people who stop at the centre are truck drivers and those from the oil palm estate who do so for breakfast or lunch. The shops are owned by Chinese.

During the six months living there in 2004/2005, there was only one visit from the local politician who is a member of the parliament. He came especially for the Cultural Night, one of the activities held for Integration Week for all of the 15 longhouses. He did not visit all of the longhouses. In fact, according to the settlers, the politician has never come specifically to visit the longhouses. The politician sat in a decorated area with a few other VIP guests. During that event, in his speech he made no reference about the sufferings of the people living in Sg. Asap. However, he promised to donate from his own pocket a lump sum of MYR5000 for the musical group.

1.11 Conclusion

Perhaps, if the state government had communicated properly with the indigenous communities by explaining clearly about the Bakun project through organised dialogues by emphasising the importance of the project for their future not only through promises but through a complete well planned resettlement and compensation, the effected communities would not be reacting negatively opposing the project. Furthermore, the involvement of NGOs had not done any justice to the effected indigenous communities as their involvement is causing more confusion and stirring anger amongst them. The resettlement program should have been properly revised and improved after the feedback from the indigenous communities, especially when BHP itself was put off during the economic downturn in 1997-1998, meaning that there was ample of time to plan a more effective relocation instead of speeding up the process of the relocation during the temporary shelving of BHP. Thus, obviously, in particular reference to the settlers, the state has not learnt anything from their first dam project, the Batang Ai HEP.

Chapter 2

Historical perspective: Kenyah-Badeng of Long Geng

2.1 Introduction

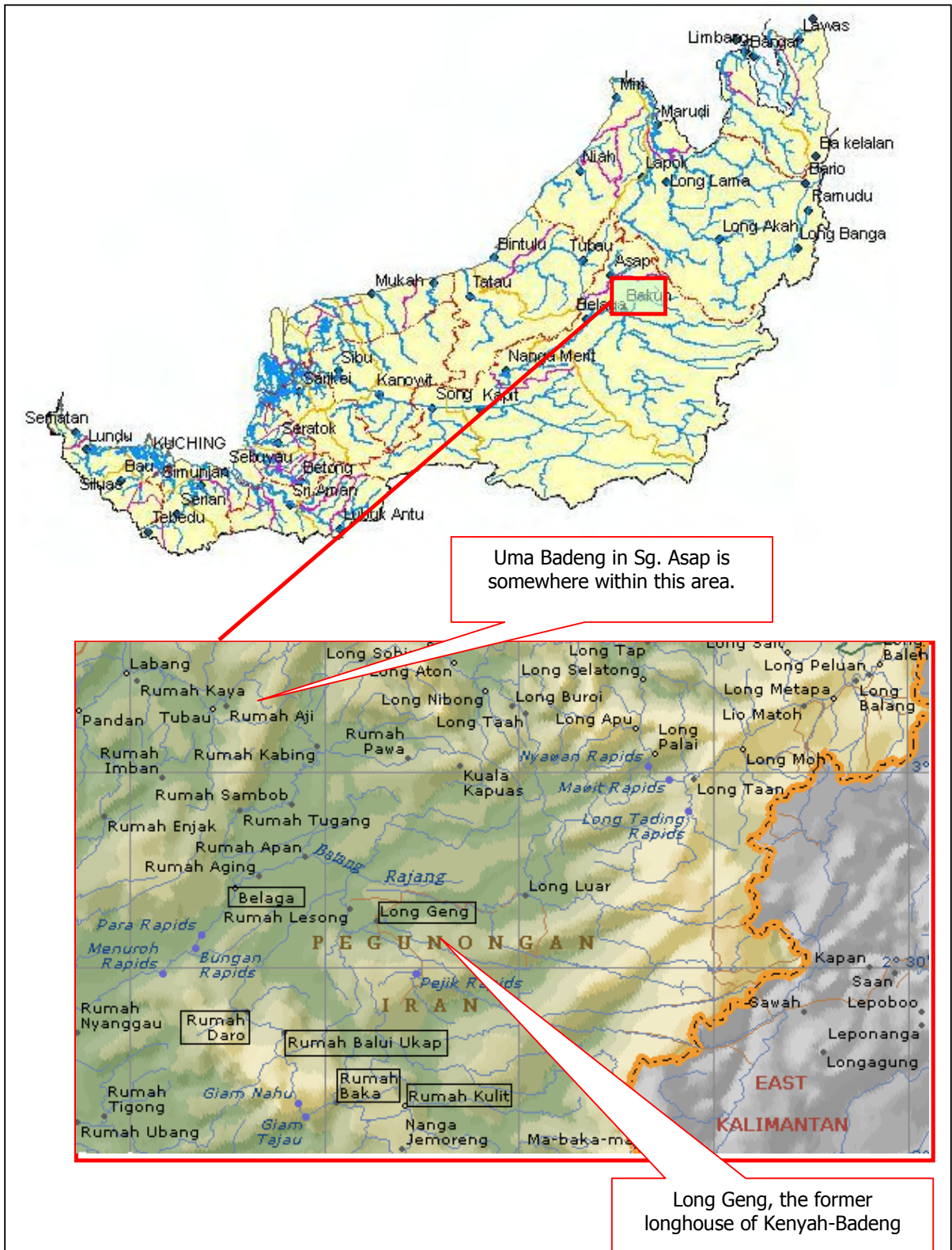
This chapter looks at what life was like amongst the Kenyah-Badeng before the implementation of the Bakun Hydroelectric Project (BHP). The discussion includes a brief history of their migration and settlement at Long Geng - the former village - their socio-economic activities, and the village political structure. The historical perspective of this chapter is important to enable a comparison between what life was like before and their present livelihood in the resettlement at Sungai Asap. In relation to political structure, the highlight of this chapter is the power play by certain individuals in the community in response to external interventions, particularly to logging activities, which has resulted in the ongoing passive tensions between groups of individuals within the community.

2.2 Kenyah-Badeng of Long Geng: Brief history of migration

The Kenyah-Badeng of Long Geng now living in Uma Badang, Sungai Asap, moved to Uma Badang in September 1999. Most of the information presented in this chapter is derived from informal interviews. As they like to reminisce and speak about their life in Long Geng where they said food was in abundance, it was not difficult to start the interviews. Certainly, the first impression was that life in Long Geng was much easier and natural resources were readily available. The forest was their 'supermarket'.

The Kenyah-Badeng is the largest of the Kenyah groups in the Belaga District. The other Badeng settlements in the district are at Long Busang (upriver of Balui), Long Menjawah (which is not far from downstream from BHP), and at Long Dungan (where the people had bought land from the Sekapan.) Some households of the Kenyah-Badeng at Long Menjawah have recently moved to a new settlement further down to Sungai Asap. The erection of the new longhouses started in 2004 after they requested resettlement on State Government land and they got the approval from the State Government to resettle. However, they did not get any land title for the area except approval to build a longhouse for a total of 17 households.

Map 5 : Long Geng and the other villages



Source : Modified from map of Sarawak obtained from MSN Encarta
http://encarta.msn.com/map_70156352/Sarawak.html/

The Kenyah-Badeng in Belaga and Data Kakus belong to the same ancestral group which had settled at Long Batang on the Kalimantan side of Central Borneo⁶. According to Tan Chee Beng⁷, the 'Long Geng' group migrated to the upriver Pengian, then to a place called Lepo'Un Ulau, and from there to Long Iran where they lived for four years. From Iran, this group of Kenyah-Badeng moved to Long Besungai of the Linau River, a tributary of Balui. After two years at Long Besungai they moved to upstream to Leka Pada where they settled for three years before moving to Tekulang (Tan 1995:3, Vom Roy, 1993:48). In Tekulang, they settled there between 10 to 11 years⁸. After the death of the headman, they moved to Long Geng under the leadership of the new headman known as Uloi Lian (Tan 1995:3), who was the father of the present penghulu who is now living at Uma Badang as all the other Kenyah-Badeng of former Long Geng. According to Tan (1995:4), they moved to Long Geng after World War II, which ended in 1945, at the request of the Government that at that time was British colonial. As not all families arrived at the same time, the estimation of settling fully in Long Geng by the Kenyah-Badeng was between two or three years after World War II around 1950 (Tan 1995:5). In 1964, the headman Uloi Lian of the Kenyah-Badeng in Long Geng invited the other Kenyah-Badeng group led by a headman known as Bira Laing, who settled in Long Jawe from 1961 to 1963, to settle together with them in Long Geng, considering that they came from the same place before they migrated to Sarawak. Having settled in Long Geng, the new group of Kenyah-Badeng farmed land downriver of Long Geng known as Long Atek. Eventually, this new group requested permission to form their own settlement at Long Atek. However, the headman, Uloi Lian of Long Geng, refused to grant permission. The former headman of the new group led his people to settle at Long Menjawah in the territory of the Kayan in the early 1980s. They were living near Uma Nyaving and Uma Apan, two longhouses of the Kayan. Some families decided to continue to live with the Kenyah-Badeng in Long Geng (Tan 1995:4-6). According to most of the Kenyah-Badeng currently living in Uma Badang in Sungai Asap, at the time of the BHP

⁶ For details of the Badeng oral history and migration, see Vom Roy (1993) and Tan Chee Bang (1993). For a specific study of the Badeng in Long Busang, see Armstrong (1991). For an account of Long Geng based on a brief visit, see Maxwell (1990). For a study on Central Borneo, see Rousseau (1990).

⁷ Tan Chee Beng did one of the Community Studies in Bakun HEP area especially on Kenyah-Badeng at Long Geng for State Planning Unit Sarawak in August 1995. This study is fully utilized for this chapter because most of the important informants who were interviewed by Tan Chee Beng either have passed away or could not hear as they are very old age.

⁸ Tan Chee Beng mentioned that it was 10 years, according to his few informants(1995:4) while Vom Roy stated that it was 10 years and some said 15 years (1993:59).

discussions in Long Geng, some families in Long Menjawah were trying to return to Long Geng because of the expected compensation⁹.

Long Geng was located at the junction where the Geng River meets Keluan River which flows to Linau River, a major tributary of Balui River. According to the informants, the long boat trip from Belaga town to Long Geng previously took around five or six hours and confronted Bakun rapids and a few other rapids along Linau, as well as big Talang rapid. Normally, they had to walk parts of the journey, leaving the boatmen and their assistants to take up the long boat or to drag it upstream, depending on the water level. Normally, they did not travel when the water level was too high. According to an informant (who showed me the indicator during the trip to deserted Long Geng), the indication whether it was safe to travel was to see the water level of Lio'Keluan, the islet located at the point where the Keluan joins Linau. If the islet was fully submerged, they considered the rapids downriver, especially Talang rapids, as impassable.

When logging companies started their activities in Belaga area, Long Geng was also accessible via logging road by four-wheel drive vehicle (4WD), except for a half an hour boat trip down upper Linau River then up the Keluan River. Another way to travel was by boat to Murum River, a major tributary of Balui River that is not far upriver of Bakun and from there a local 4WD drove the passengers to a logging camp known as Seriku Camp at the upper part of Murum. From the logging camp, the 4WD went to Linau River via Long Lawen, a settlement of some Kenyah-Badeng families. The journey would take one whole day.

Upon visiting deserted Long Geng in November 2004, we (the driver and I) took the same route but coming from Sungai Asap and going through mountain ranges via a dusty, narrow, and bumpy logging road. The journey took about 12 hours. The old route to Long Geng was ruined due to soil erosion. However, as logging roads are built every time a new area is logged, finding another route is always possible. The only problem is rain. When it rains for days, it is definite that the route has to be rebuilt before taking the trip back. Nevertheless, as there are many rivers and bridges crossing the rivers belonged to the logging companies, Long Geng will be inaccessible by 4WD in the near future when the bridges are dismantled when the area is abandoned.

⁹ Tan Chee Beng also mentioned this in his report in 1995.

Picture 4: Temporary bridge on gravel road used by logging trucks



2.3 Longhouses, facilities and social structure

Long Geng had its own luxury of space within the vast forest area. The nearest settlement to Long Geng was the Penan of Lusong Laku in Ulu Linau (upriver of Linau). The Penans tend to stay put at Lusong Laku as they are not affected by the BHP. The journey to Lusong Laku is a 2-hour boat ride with another 2 hours of walking on the jungle path to the settlement. The Kenyah-Badeng and the Penan were business partners of sorts. The knives made by the Penan were bought by the Kenyah-Badeng from Long Geng and then sold for some extra profit.

In Long Geng, the community was divided into two settlements, with the Keluan River in between, that were connected by a long suspension bridge. The Roman Catholic (RC) and the Bungan (traditional religion of the Kenyah) households were at the right side of the river (downstream direction), while the Sidang Injil Borneo (SIB) households were on the left side of the river. Each settlement had its respective church. There were ten longhouses, and each longhouse was formally named after the respective longhouse headman (tua amin)¹⁰. In the ten longhouses, there were 196 compartments (households).

The amin, or the compartment (in this research it refers to one household), socially refers to the unit of people living in one compartment that shares cooking and food who work in the same swiddens or share access to economic resources. Each amin comprises of a nuclear or extended family. There may be more than one family unit in an amin. Incomes from shared economic resources were for every member in the amin, but monetary income earned outside of the amin resources was kept separately, such as the wage an individual earns from the logging camp. However, things bought and brought to the amin by this individual were shared.

In Long Geng, of the 196 amin, there were 271 families with the population of 1284; this translated to an average of 6.55 persons per amin and 1.38 families per amin (Tan 1995:29). Many of these amin with two or more families were cases of intermarriage. Many of the amin have joint families; for example, married siblings with children often lived together with the other sibling's families. When an amin is composed of two or more families, each family can form a separate amin if necessary or if desired (Tan 1995:30). In terms of kinship, the residential rule is utrolocal; that is, after the marriage, the couple can choose to live with the groom's or the bride's amin. Which amin to move into after marriage is usually decided by practical considerations of space and the number of people living in the amin, or the needs of the amin for human power for the farm as the amin may be comprised of only a widow or old parents.

According to informants, the expectation of compensation to be paid to each amin due to BHP had encouraged those amin with more than one family to split up into separate amin. This has been noted much earlier by Tan; during his research in Long Geng, new

¹⁰ Information was gathered from the Penghulu, Nyurang Lian of Uma Badang, Sungai Asap. Also in Tan Chee Beng, 1995.

compartments were still being constructed due to BHP (1995:29). Thus, it shows that external development like BHP has consequences on the local social organisation. This action was to ensure that each family has compensation and not just an amin because Long Geng inhabitants were concerned that the State Government may not understand that in an amin there could be more than one family unit.

The pattern of settlement in Long Geng somehow has been made visible to Uma Badang, Sg. Asap. The settlement in Uma Badang has been divided the same way as it was in Long Geng, the RC side and the SIB side. The connection between these two settlements is a short walking path through the RC church that goes straight to Block E of the SIB side. Both settlements have their respective churches and normally, during Sunday service, the services are very loud as if there is a competition between both churches. The Penghulu, Nyurang Olui and all of his families live on the RC side while the headman (tua uma) of Uma Badang, Nyaban Kulleh, lives with his families on the SIB side, the same way as it was in Long Geng. In Sg. Asap, the longhouses in Uma Badang are not named after the headman (tua amin) but named as Block A and so on until Block N with 197 compartments (households). Each block has a representative that is a newly-appointed individual following resettlement, not known as tua amin but as block leader (ketua blok). At Uma Badang, in the beginning, each household normally comprised one family unit. However, after five years, the members of the household expanded because of marriage. However, since their application to build a separate amin extension to the longhouse has not been approved, the married couples with children have to share a compartment with their parents or with their married siblings.

As for facilities, there was piped water supply from a stream known as Lalut Tobak that provided Long Geng with clean water free of charge. There was no electricity cable supply but power was obtained from generators. According to Tan (1995:18), there were nine generators of different wattage owned by families on the RC side and nine on the SIB side. The generators were operated at night to supply electricity. Diesel for the generators was obtained for free from the Seriku logging camp. According to the locals, this was one of the conveniences provided by the logging company as a gesture of goodwill to compensate for the inconvenience caused by logging activities in the nearby area of Long Geng.

According to an informant who was working as an assistant at the old clinic in Long Geng, there was a clinic known as Klinik Desa in Long Geng that opened in 1984. In addition, there

was a health clinic for mothers and children known as Klinik Ibu dan Kanak-kanak, which was opened in 1989. Both clinics were fully utilised by the Long Geng inhabitants for treatment and access to medical supplies. Before the clinic was built, flying doctor service came visiting Long Geng regularly. For education, there was a primary school built in 1965. By 1995, there were approximately 170 students in six classes with twelve teachers. Students of Standard 4 to Standard 6 were required to stay in the hostel with meals provided. They were between 10 to 12 years old. The school was abolished in January 1999, forcing all the students to move to the new school in the resettlement.

2.4 Communities within Kenyah-Badeng community in Long Geng

Communities within Kenyah-Badeng community in Long Geng refer to the three religious groups that clearly divide them based on their belief and their house of worship. In Long Geng, the community embraced Catholicism, Protestantism of Sidang Injil Borneo (SIB), and an old traditional religion known as Adat Bungan. The SIB community was living downstream on the left side of the river and the RC community lived on the right side of the river. Each community had its respective church. The Bungan community lived in Uma' Bungan where the RC built their new church, St. John, in a close proximity with the Uma' Bali, the spirits house of the Bungan community.

As reported by Tan (1995), the Long Geng community embraced Adat Bungan as soon as they resettled in Long Geng. This religion was introduced by the Kayan community who once lived in Apau Kayan before they moved to Long Linau in Sarawak, not far from the new settlement of the Kenyah-Badeng at that time. Based on Tan's observation in 1992, there were 150 households with 1500 people in Long Geng, of which 34 households followed Adat Bungan, 35 households were RC, and the other 80 households were SIB (Tan, 1995:56). However, in 1995 during his second visit to Long Geng, Tan observed that there were only six households which still observed Adat Bungan. The others had embraced Christianity, including those of the community leaders. In this religion, worship of the spirits for good rice harvest was essential because their main economic activity was hill rice cultivation. The ritual involved propitiating the spirits of the dead so that no harm or trouble would be caused by these spirits. In the ritual, performed by the medium, known as dayung, an offering of chicken to these spirits was part of the ceremony. Other items included were rice and coins. The chickens then slaughtered for the feast after the ritual; the coins were kept

by the dayung. The followers also performed sacrificial rituals when building a new compartment or house. Normally, pigs were slaughtered before the main poles were erected where the pig's blood would be drained into the holes for the pillars. Normally, after these ceremonies, the Bungan households have to observe a few ritual taboos. Non-Bungan households were not allowed to observe or participate in the rituals. A religious leader was chosen based on post-consultation with the spirit Bungan but on what criteria the religious leader was chosen remained unclear.

As for Sidang Injil Borneo (SIB), in Long Geng, based on information from informants, Tan (1995) noted that the Kenyah-Badeng in Long Geng claimed that the SIB community came later to Long Geng, after the arrival of the first group, the Bungan households. However, the arrival date is not certain. The SIB community comprised seven households that settled in Long Malim for eight years before they finally reunited with the others in Long Geng. They moved to Long Geng as advised by A. M. Phillips, who was the Acting District Officer in Kapit from 8 April 1953 to 11 January 1954 and again from 14 July 1954 to 17 January 1955 (Tan 1995:60-61). The Kenyah-Badeng joined SIB based on the work by a group of missionaries known as the Borneo Evangelical Mission from Australia. Later, in 1960, a local based church organization based in Borneo was formed named Sidang Injil Borneo¹¹ (SIB).

In Long Geng, the Roman Catholic (RC) church became popular amongst the Kenyah-Badeng as the result of the work by a Chinese priest, known as Father Anthony Wan, who spoke Kenyah fluently even though it was mentioned that a Caucasian priest identified as Father John came much earlier to introduce RC in Long Geng. The penghulu, Nyurang Uloi, who joined the RC church in April 1994, has encouraged many Bungan households to embrace Catholicism. In December 1994, a new church known as St. John church was declared open by Father Anthony Wan.

Both denominations held church services on Sunday mornings and church meetings were held on Wednesdays (rosary meeting for the RC) and youth meeting on Saturday evening. Amongst the RC community in Long Geng, certain traditional rituals from Bungan practise

¹¹ For a detail information on Borneo Evangelical Mission and Sidang Injil Borneo, refer Welyne Jeffrey Jehom, *Ethnicity and ethnic relations in Sarawak*. 1999, a Master thesis submitted to Australian National University. Also, Shirley Lees, *Drunk Before Dawn*. 1992.

have been adapted to church ritual. For example, before they start their farming activities they would bring their farming tools such as knives and axes to the church on Sunday and placed the tools below the podium for blessing. In Bungan, this ritual is known as *nyat tana*. They also prayed for new paddy engine before using it and blessed it with holy water.

With the existence of the three communities based on different faiths, there were obviously differences in values and practices amongst the Kenyah-Badeng. In Long Geng, the households automatically joined the other households of the same church when they build their new compartments. As told by informants from RC community and SIB community, normally 'the others' refers to the church they belong to such as "sebelah RC" and "sebelah SIB", meaning the RC side and the SIB side. At present, in Uma Badang, there are two settlements, the RC longhouse and the SIB longhouse.

2.5 Children and school

In Long Geng, children above the age of 12 who have completed primary education go to a secondary school in Belaga. As told by informants, all the children who go to school in Belaga had to stay in the hostels because of the great distance in addition to the high transportation costs. The students were allowed to go back only once a fortnight but normally they would stay until the school holidays. Their parents would come to visit them in school when they come to Belaga town on other matters. As a result, children who have been away at boarding schools for the duration of three to five years would not be able to acquire their parents' skills in farming, hunting, fishing and making handicrafts or building boats. After leaving school because of an inability to continue to higher level due to poor performance in their studies, most youths would work in the town as labourers or work in the timber camp. The women would return to Long Geng and help around the house, cook or look after the younger siblings while their parents are in the swidden. However, many skills would be acquired after they get married, as they have to be competent in certain aspects to be able to support their family.

School apparently was not an attractive place to be for children younger than 12 years old in Long Geng. Tan (1995) observed that children rarely studied after returning from school, and very few parents cared if their children did their homework after school. The much younger ones would play, run around the veranda of the longhouses until bed time, or they

watched movies in the evening. The older children would play around by the river or in the bushes and they were rarely seen in the longhouse except when they returned for dinner in the evening. Bathing and swimming in the river was a popular activity amongst the children. They spent hours in the river engaged in many self-invented games. Some boys were playing ball games such as football and sepak takraw in the late afternoon.

As related by an informant¹² who was a teacher in Long Geng School, the poor performance amongst the students was due to their preference to be in the river and in the bushes loitering around. As parents were working in their swidden, the children were alone when they came back from school. There was often no one around to restrain their actions and to discipline them. Furthermore, there were no individuals, other than two trained teachers in Long Geng, who had obtained higher education who would be able to be used as reference. As told by the informant, when asked what they wanted to do when they grow up, almost every boy would answer that he would like to drive bulldozer and work at the timber camp. Amongst the girls, a few would reply that they would like to be school teachers or to be nurses. However, very few of the girls could make it to an upper secondary school because most parents did not encourage their daughters to spend more time in school. As told by the informant, it was a question of what they would do after school because there were many girls who managed to get their higher certificate in school but did not have proper jobs; they still came back to Long Geng, had their own families, and worked in the swidden. This has discouraged parents to spend more money for their daughters. The boys dropped out from school even before they finished lower secondary education.

However, there are a few families who do care about education and are willing to invest in it. Take, for example, the family with whom I was staying for the fieldwork in Sg. Asap. In this family, two girls are studying at Bintulu branch campus of Universiti Putra Malaysia (UPM). The elder one is studying forestry and the younger one is studying business administration. In Long Geng, they attended the primary school and, as all other students, they moved to the secondary school in Belaga. However, both of them were transferred to a better school in Bintulu by their parents just after they finished their lower secondary education. Their uncle, who is the youngest brother of the father, is one of the first Kenyah-

¹² This informant is one of the first Kenyah-Badeng from Long Geng who are trained to be a teacher and chose to start his teaching career in the school in his village. He is still teaching but now in the school where they have all resettled.

Badeng from Long Geng who studied at a university in West Malaysia - Universiti Putra Malaysia. He then taught at the Bintulu branch campus of Universiti Putra Malaysia in Sarawak and is currently on study leave, pursuing his doctoral study in forestry in University Malaya. There are also a couple of his classmates who were studying with him in secondary school who are also thinking of pursuing their studies to a higher level. Currently, they are teaching at the primary school in Sg. Asap.

2.6 Land, livelihoods and social relations

Long Geng was surrounded by a vast area of forest with many streams and rivers. These rivers were important for transportation and as a source of fish. Within this region, the Kenyah-Badeng claimed rights to a huge area of land along both banks of the Keluan River and the Linau River. There are also other tributaries of the Linau where they farmed such as Sg. Ema, Sg. Meketa, Sg. Anya, as well as Sg. Bunut and its tributaries of Sg. Iban and Sg. Betu. The boundaries with the other settlements were marked by streams or rivers. For example, an informant who is the community leader of Kenyah-Badeng said that the boundary between the Penan territory of Lusong Laku and the territory of Long Geng was marked by the Beraan River, a tributary of the upper Linau River.

Within the Kenyah-Badeng community, there was no fixed rule on cultivation. Land was claimed by opening up a new area that had not been farmed by any other household. They could very much choose where they wanted to farm within the vicinity of Long Geng. For example, land belonging to the penghulu was at the downriver locality as he was the first to cultivate the land. The size of the lands owned by a household depended on the size of the land that was cultivated in the past. An informant estimated that the lands owned by the Long Geng inhabitants ranged from 30 to 200 acres. There was no accurate figure on the size of the land owned because there has never been any scientific measurement done by the Land and Survey Department or by Long Geng. Households that did not open up new land cultivated mainly other households' land.

In swidden agriculture, not all land claimed by a household was cultivated at the same time. Cultivated land is known as *oma*, or as *oma selemeng* if the size was small. An old swidden which has just been left to fallow is called *békan*. After six or eight years, the 'abandoned' swidden would become a secondary forest. This is called *juwe*. According to one of my

informants, there are two types of *juwe*: *jutan* refers to type of *juwe* that has been farmed many times, and *beti empa* is referring to *juwe* that has been farmed once. New *juwe* and a *juwe* become a big forest called *empa'* when it has been left longer still. The primary forest is called *jekau baliu* (Tan 1995)¹³.

The main crop cultivated was hill paddy and life in Long Geng is linked with its cultivation through the whole year as shown in Table 9. Paddy was the main crop on swidden land but the Kenyah-Badeng also planted vegetables and fruits after the burning season. Normally, the vegetables can be harvested before they started seedling season.

Table 9 : Yearly activities on cultivated land

Period/Month	Farm activities by household	Other activities by gender
April-early May	Prayers for new season of cultivation in respective churches (Catholic or SIB)	Men: Fishing and hunting, making and repairing long boat, fishing nets Women: Collect edible plants, making small fishing nets (<i>lawa</i>), sun hats (<i>saong</i>), baby carrier (<i>bak nak</i>) and rattan mats which were not for sale.
End May	Clearing undergrowth	
May-June	Cutting trees (right after undergrowth have been cleared)	
June-July	Cutting branches ready for burning	Planting maize, sweet potatoes, gourds, pineapples, bananas and vegetables
End of July	Burning	
August	Planting seeds	Harvesting vegetables for household consumption
September-November	Weeding	
January-February	Harvesting	

As told by informants, each household work on their swidden; however, during the clearing of field and harvesting, a few households would help each other through cooperative work, known in Kenyah as *senguyun*. They normally work on one household swidden before moving on to the other but sometimes if the work on other household needed to be done urgently, they would do rotation each day until the work was finished. The harvest

¹³ The categorisation of Kenyah-Badeng 's lands was confirmed as written by Dr. Tan Chee Beng by my key informants at Uma Badang, Sg. Asap.

depended very much on the situation of the soil. Some households harvested less than other households even though they planted a much bigger swidden. For example, in early 1995 one household planted two gunnies of seeds, harvested only 10 gunnies of rice. While, in the case of the penghul, in 1994, he planted only one gunny of seeds and his household harvested 50 gunnies of paddy. This included 25 gunnies of harvest from his first trial on wet paddy planting. He sowed only a handful of seeds combining two types of seeds for wet paddy that he received from his relatives in Baram. His wet paddy was on a 3 acres land and the rest of the plain surrounding the wet paddy was planted with hill rice.

Apart from hill paddy cultivation, the Kenyah-Badeng in Long Geng also engaged in other important activities such as fishing and hunting. Their main source of protein was from fish from the river and wild animals from the forest. The men fish with big fishing nets and by using hooks while the women catch prawns and small fish by the riverside using a small hand-net known in Kenyah as *lawa*. The fishing methods used and the kind of nets and tools used is shown in the Table 10.

Table 10 : Fishing tools and usages

Name of the tools	Name in Kenyah-Badeng/season	Usage by gender
Fishing hooks	Mesi (all seasons) for large fish.	Used by both gender.
Large rectangular net	Muket (dry season, low water level). To catch large fish.	Used by men, handled by an individual.
Casting net	Nejala (deeper water on boat trip)	Used by men, involves more than one person.
Small hand-net	Lawa (all seasons by the riverside)	Used by women, go in a group. The activity is known as nyakep.
Fish trap	Bubu (all seasons)	Used by both gender, handled by an individual
Fish gun	Nyelapang (dry season, good visibility under clear water)	Used by men, individual or in group.

Catching fish was one of the important sources of income in Long Geng. As related by informants, as fish was abundant the Long Geng inhabitants had good protein diet and good income from selling them. A few households and a few enterprising individuals bought freezers to keep the fish fresh. The fish were then bought by local middleman who made

frequent trips down to Belaga to sell the fish to restaurant owners or other middle men in Belaga who then sell the fish in Bintulu. A fish known as white empurau, known to many restaurant owners in Bintulu, Sibul, and Belaga, sold for MYR70.00 per kilogram to the middleman and he then would sell the fish for MYR100.00 per kilogram. The list of fish and range of price is listed shown in Table 11.

Table 11 : Type of fish and the commercial prices

Fish name in Kenyah-Badeng	Prices in Belaga (in MYR per kilogram)
Nyebala/empurau (white)	100
Nyebala/empurau (red)	40
Tobangalan	30
Salap	30
Selareng	20
Padek	20
Tabi	12
Mujuk	8
A'ut	8
Tenéken	5
Teka	5

Hunting was also an important source of income. However, as wild animals were not as abundant as before, hunting trips did not always yield big games like wild pigs and deer. The Long Geng hunters had to make long journeys to get these animals. As told by informants, if the journey was too far from the settlement, hunters could not always bring all the meat home; it was always risky to come back for the second time to collect the meat as they could be lost in the forest in the dark. As it was normally practiced under these circumstances, the remains were kept under water in a stream to slow down the rotting. The next day they returned to fetch the remains and normally, when cooked, the meat had a strong smell. For this type of meat, the way of cooking was to fry to reduce the smell.

The Kenyah-Badeng in Long Geng hunted wild animals with dogs and shotguns or spears. As told by informants, the dogs would surround the animal and the hunter could just shoot or spear the animal from a short distance. Animals normally caught were the wild pigs, deer, mouse deer, barking deer, and various kinds of monkeys. For catching big birds, known as uchok in Kenyah, bird's gum was used. Normally the birds come for a bathe at the river in the afternoon between 1 and 5pm. Sticks covered with the gum would be left around the stones by the river near shallow water. When the bird accidentally steps on the stick after

having bath, it cannot fly away. A hunter could easily get about 50 birds per hunting trip as long as he has the patience to wait for the bird to come and he knew the exact location of the birds.

In Long Geng, around the longhouses the inhabitants reared chickens and ducks, which were kept in cages at night. They also reared pigs, which were usually allowed to roam all over the place to find their own food. The pigs ate absolutely anything they could find, including human waste. The pigs were slaughtered for wedding feasts.

As illustrated, the Kenyah-Badeng in Long Geng was dependent on local food resources. Occasionally they bought canned food to be served with fish or meat for visitors. They bought basic cooking ingredients such as cooking oil, seasoning (aji-no-moto or sodium glutamate), salt, flour, and dried anchovies. Undoubtedly, fish was the main source of protein. The most regular source of food was vegetables, such as bamboo shoots, rattan shoots, mushrooms and fungi, tapioca leaves, fern leaves, and other green leaves, that were planted in the swidden or grew wild around the longhouses or nearby forest. During various seasons of cultivation, various kind of vegetables and fruits were available such as cucumber, pumpkin, cucumber leaves, pumpkin leaves, spinach, and a green leafy vegetable known as sawi. Certainly, these vegetables were their daily consumption accompanied fish or meat and ate with rice. In Long Geng, most of the households were cooking with gas cookers or by burning wood, especially when cooking meat and fish. Some enterprising individuals even cooked food for sale around the longhouses. The normally cooked foods sold that were very popular were local cakes and fried rice vermicelli or mihun goreng.

In Long Geng, other than swidden cultivation, hunting and fishing, many of the men earned cash by working at timber camps. Although there was resentment against logging activities, many had taken opportunity to earn their living from the industry. When a new logging company entered the new forest land, locals were needed to help in surveying because the locals had more knowledge about the forest. As told by an informant who used to work with a logging company, when the logging company RIMEX first came to Long Geng, a Kenyah-Badeng man was employed for 3 years to help in the survey work. He was paid MYR480.00 to MYR650.00 per month. An influential local was also hired to be a camp overseer to minimize conflict with the local people; his help was very much needed. The local surveyors were not trained but their services were needed badly as they were familiar with the terrain and the trees. According to Tan (1995), about 40 young Kenyah-Badeng were employed to do the survey work in Long Geng in April and May 1995. However, the number of locals

employed fluctuated as the survey work was seasonal. Each local surveyor was paid MYR22.00 per day. If one was willing to be sent farther from Long Geng, the rate was MYR44.00 per day. As told by informants, the job involved tracking and sleeping in the jungle for many days, sometimes for weeks. Usually a survey team group comprised 9 persons who were mostly from Long Geng led by one or two others who were qualified from the company.

There were also individuals from Long Geng who were employed by logging company to drive bulldozers and trucks and to perform task of pushing and carrying logs or building logging tracks. All of these jobs were equally high risk in terms of safety. For workers who did the pushing and carrying logs, they were paid by the weight of logs they had carried or pushed. The rate was MYR6.00 per ton. As told by informants, one could earn up to MYR4000.00 per month depending on the weather and one's health. The bulldozer driver was paid MYR5.00 per hour and could earn over MYR1000.00 per month. Most of the drivers did not have a valid driving license but they were skilful drivers.

Another job at the timber company was to be a guard. As told by an informant who used to work as a timber camp, he was paid MYR500.00 per month and he worked there for 5 years. He was working at night and, during the day, he went fishing and was working in his hill rice swidden with his family. His son-in law was working to pile logs earning more than MYR1000.00 per month. Another son-in law was working as a mechanic and was earning more than MYR1000.00 per month, much higher than his payment at a government department where he was only earning MYR300.00 per month. However, jobs at a timber camp were temporary and depended on the duration of the logging activities. Once the logging activities ended, the workers would be left to seek jobs in other timber camps.

For women in Long Geng, earning cash was almost unthinkable unless they were educated and could get a job at a private company or government department. As told by an informant who was working in Bintulu before she got married, most parents were reluctant to let go their single young daughters to find jobs in town as they feared that their daughters would be sexually exploited unless they were sure that their daughters were living with close relatives and got the job through a close relative's recommendation. Therefore, many girls who finished school lived in Long Geng and helped their family's household. Most of them did not obtain any farming skills or handicraft skills as they were at boarding schools and thus could not help in the farm or be creative. However, when they got married,

they had no choice but to force themselves to learn all the farming skills and other skills, often acquired from their parents and parents-in-law.

Amongst the skilful women in making handicrafts, there were good opportunities to earn some cash, especially for rattan mats. A new rattan mat was sold for MYR180.00 in Long Geng and around MYR280.00 in town. Other handicrafts that were sometimes sold when requested were rattan satchels and baskets known in Kenyah as belanyat, ingen, and kiba. The price was between MYR18.00 to MYR25.00 depended on the size of the basket.

In the Kenyah-Badeng community, economic activities within the vicinity of Long Geng had always involved social cohesion and relation. As told by an informant, fishing trips had always been in a group with relatives or friends. During the fishing trip, they would cook and eat together by the riverbank. Some of them would bring extra rice and drinks to be shared. Without waiting for any command or discussion, one would go together with the others in the group to catch fish for meals, while the others were preparing rice and soup or pick some vegetables. At the end of the day, what had been caught would be shared equally. On hunting trips, although some individuals preferred to go on their own with their hunting dogs, most of the trips consisted of a few persons. If it were to be a long journey, each person who joined the trip would bring some extra food or drink to be shared with the others. At the end of the trip, they would share equally whatever they managed to bring home. However, as meat became more commercial and not always available, hunting trip groups only consisted of household members, usually brothers, cousins, or uncles. When wild animals like pigs and deer were still abundant, if a hunter from one household managed to shoot big game he would give some to his neighbors too. The neighbors would do the same and there was a practice of reciprocity, known as *matu* in Kenyah. Nevertheless, reciprocity in Long Geng was confined only to closely related households due to the scarcity of wild games.

Amongst the women, going together at the riverbank with their small hand-net was not just for catching prawns or small fish. It was also a social activity. As told by a woman informant, normally that would be the time they speak about their children, *swidden*, and all sort of gossip. They would also go in a group to harvest rattan for making baskets and mats.

When work starts in the *swidden*, some households in Long Geng work in cooperation, known as *sunguyun*, and worked on each other's *swidden* by rotation. As told by informants,

normally the host of the day would prepare some extra food and drink to be shared with the others who came to work. However, during the day while working, some women in the group would cook or pick vegetables and the men would go to catch some fish in the river for lunch. In the evening, after the hard work, the host would invite them for dinner. The others would do the same when it was their turn. The work in the swidden had always involved good social relations; otherwise no household would come together.

2.7 Social status and leadership

There has been social differentiation between men and women in the Kenyah-Badeng community. Being the elders in the community, men of Kenyah-Badeng received special gestures of respect from the others including the women. In the past, women, irrespective of age, had to duck-walk, *asat ladong* in Kenyah, when walking in front of a group of elders. While woman could be leaders, in the Kenyah-Badeng community, the men have always been perceived as making better leaders than women.

As in Long Geng, Uma Badang is headed by a headman (*tua uma*), named Nyaban Kulleh, who is assisted by a deputy, named Kiin Asang. Above the *tua uma* is a *penghulu* who is headman of all the *tua uma* of Kenyah people in Belaga District. In the resettlement, Nyurang Olui acts as the *Penghulu* of all the Kenyah communities in Sungai Asap. Previously, before the resettlement, the authority of the Kenyah *penghulu*, Nyurang Olui, in theory covered the Penan settlement of Lusong Laku (Tan, 1995:45). Below the *tua uma* are the *tua amin*. In Uma Badang, below *tua uma* are the block leaders (from A to N block consists of 14 blocks altogether at Uma Badeng). In addition, as in Long Geng, there is a village development and security committee (*Jawatan Kuasa Kemajuan dan Keselamatan Kampung – JKKK*) formed to take care of the welfare and organizing activities to keep the cleanliness at Uma Badang.

The Kenyah-Badeng was stratified into various social classes. According to Whittier (1978:109-110), under the old custom (*Adat po-on*), there were five classes: *deta' u bio* (big aristocrats), *deta' u dumit* (small aristocrats), *panyin tiga* (good commoners), *panyin ja'at* (bad commoners), and *panyin lamin* (slaves or their descendants). Nevertheless, under *Adat Bungan*, only *deta' u* and *panyin* were significant. According to Tan (1995:41), the Kenyah

Badeng at the time of his research were at Long Geng had become the followers of Adat Bungan when they moved to Sarawak.

Tan (1995) stated that almost all of the Kenyah-Badeng at Long Geng have become either SIB Christian or Catholics and claimed that they did not observe the traditional status system anymore. However, as observed during my fieldwork in Sungai Asap, Christianity has not been able to change the Kenyah-Badeng's cultural practices, particularly with relation to status of paren. The status of paren is still exhibited in weddings in the presentation of ceremonials gifts. The status of paren is also symbolically shown at death with the distinctive carving on the coffin and on the grave only unique to an individual who ascribed to this status. At the resettlement area of Sungai Asap, these symbolisms are still very much observed and exhibited. One can see the difference between non-paren and paren graves. A paren's grave is beautifully decorated with complicated design of hornbills and other motifs on wood.

According to an informant who got married to the daughter of the penghulu, the terms used as reference to these social classes are paren (aristocrats), panyin (commoners), and lepén (slaves). All of these social classes were ascribed. A good, capable, and respected leadership was expected from paren. However, the current tua uma is not a paren. Nyaban Kulleh has been the tua uma since late 1986 at Long Geng. He was appointed due to certain circumstances. As told by the informant, the appointment went back to tua uma appointment dispute in 1986. The penghulu, Nyurang Uloi, was the tua uma before the present one. Nyurang Uloi is the son of the late Uloi Lian, the tua uma until 1986, who has brought the Kenyah Badeng to Long Geng. Uloi Lian was the only son of Lian Apui. He was the tua uma for approximately forty years before he died at the age of 80 on June 6, 1986. The custom normally practiced was an automatic appointment of the son of the tua uma when the tua uma passed away. Nevertheless, as told by the informant, due to changes in lifestyle of the Kenyah Badeng at Long Geng at the time when leadership measurement was based on economic capability and possession of vehicle for transportation, there were a few other people in the village who were interested to become tua uma.

Therefore, to avoid conflict within the village, Nyurang Uloi suggested an election. Furthermore, Nyurang Uloi declined to succeed into the position, as he was then very poor. There were other four candidates including an elder and influential man who had hoped to be the tua uma; hence, voting was necessary to avoid conflict. Two of the other four self-

appointed candidates were Nyaban Kulleh, who comes from a prestigious family and his father was the son of the Kenyah-Badeng leader from Long Batang though not a paren descendant, and Lawai Laing, an influential old man whose wife was the daughter of the tua uma before Uloi Lian. His two sons had also become influential in the village politics. Nyurang Uloi got elected tua uma but, due to his appointment as a penghulu in October 1986, there was once again debate on who should become the new tua uma. A small group of people with interest in the village emphasized that Nyaban Kulleh should be appointed as the new tua uma as he obtained the second highest vote after Nyurang Uloi in previous election. This appointment basically ended paren descendants' role as tua uma, which means probably the end of traditional social system of leadership amongst the Kenyah-Badeng in Long Geng.

With relation to leadership, at the time this research was conducted, informants who were interviewed repeatedly stated that the current tua uma who is not a paren descendant has not done his duty and lack of liability for the post, and that good leadership only runs in paren descendant. This statement shows that, in a discreet way, the traditional social system is still very much observed even though it is not practiced or even mentioned openly in discussions. As Tan (1995:44) noted, while villagers said that any able person can be a leader, there was a subtle feeling that it was better if the leaders are paren.

According to Tan (1995:44), the younger generation felt that tua uma should be educated and literate in the sense that he should be able to deal with government bureaucracy as well as larger society in general. Tan added that, overall at Long Geng, there was a general agreement that tua uma should be those who can lead and who are able to achieve economic success. Furthermore, the status as tua uma is an honour and a position of power. At present, a few individuals who are seen by the people as having good potential to lead the village felt that they would not like to be tua uma due to many resettlement issues and problems that are still pending. In Uma Badang, economic success is no longer the measurement of being a leader. Individuals favoured by the community are those who dare to stand up and speak their opinion and who follow their words with actions. The status of paren has overshadowed by outspokenness, efficiency, and the attitude of making things happen.

During the Long Geng period, a linguistic ability was also considered necessary and one of the qualities that a capable leader should possess. A leader should be able to speak a

number of languages so that he can deal with outsiders. The current tua uma does not possess that capability; hence, his engagement with outsiders is restricted to the Malay language. Furthermore, a tua uma should be a socially able individual; however, according to many people in the village, the present tua uma is not approachable and considered as quiet and non-talkative. An informant, who is the member of JKKK in Sungai Asap, mentioned that the tua uma is always seen alone at many official events and does not have many companions. The penghulu, Nyurang Uloi, is a paren descendant and can speak a number of Kenyah dialects, as well as Penan, Kayan, Iban, and Malay. He is literate but does not speak English. The language capability is very important especially related to the resettlement issues. Both penghulu and tua uma faced many problems related to resettlement issues as all of the documents are written in English.

In certain circumstances the community wished the leader was from a paren status who is capable and inherited good leadership skills. In current situations, such as in Sungai Asap, paren status does not necessarily guarantee effective leadership. Even then, before the resettlement, many circumstances in Long Geng showed that a leader has always been challenged with many problems. As government appointees, tua uma and penghulu act as both the people's leader and local representatives of the government. Any government personnel who visit the village will see them and, if necessary, the penghulu will call the tua uma and other elders to his apartment.

One of the many challenges in Kenyah-Badeng leadership was the early activities of logging companies around their area. There was a split in Kenyah-Badeng leadership in the 1980s due to the encroachment of logging camps and logging activities near Long Geng. The penghulu and tua uma were in difficult positions for, as government appointed leaders, they did not want to be seen as anti-government (Tan, 1995:47). The younger people were less patient with the logging companies, which at first did not want to give adequate compensation to the villagers for the damage to local ecology and loss of certain resources. By 1985, there was a strong influence from Sahabat Alam Malaysia (SAM), an environmental group. After a few individuals from Long Geng joined the SAM, anti-logging sentiment intensified, and there were a number of confrontations with logging companies. The village was split between those who wanted a more confrontational approach and those who, as represented by the tua uma and the penghulu felt that they could not be confrontational. The confrontational approach was also encouraged by the perception that the people had the support of external environmental groups and politicians in the opposition. The conflict has caused an election of Lawai Laing as an unofficial tua uma through the casting of corn

seeds in an anonymous vote. The lack of recognition of the other tua uma did cause a leadership crisis (Tan, 1995:47).

The anti-logging group also elected a new tua amin. Even at the longhouse of the penghulu, a new tua amin was elected so that there were two tua amin, an official and an activist leader. As told by an informant who was working as a public relations person for the logging company at the time, the group in the village who were against the official leadership was taking the advantage of the intervention of SAM, an outsider group, as their support. Friction within the Kenyah-Badeng community really started from there.

Under the old social system of the Kenyah-Badeng, the penghulu and tua uma received an honour of free labour from their fellow villagers known as mangun. The villagers would help them on different occasions to clear their land for cultivation or to build new compartments. The anti-logging activists and their followers in the village of Long Geng refused to help the penghulu to build a new compartment. Therefore, the penghulu had to borrow money from the village funds to employ builders to complete the building of the new compartment. In the end, the villagers decided that the money borrowed by the penghulu should be regarded as the villagers' contribution and transformed as the villagers' mangun to the penghulu. This was necessary because the penghulu's compartment has always been utilised to hold meetings and accommodate visitors.

As told by the informant, actions against the logging companies were weakened by 1988 when Samling, a logging company, agreed to pay compensation to the villagers. This has changed the direction and caused a disagreement between the activists and the other villagers in Long Geng. It did not only involve tensions on against logging but also over suggestions on taking shares from the logging company for every ton of logs that came out from their area. The suggestion was that Long Geng should request MYR1.00 – MYR2.00 for every ton of logs from the company. This suggestion came from one of the managers of Samling, the logging company who had the full sympathy of the people in Long Geng. An individual from Long Geng who was appointed as a mediator for the logging company tried to get this offer accepted by the villagers but was accused of being corrupted by the logging company. That accusation came especially from those who joined SAM. Conflict erupted between those who agreed to accept the offer and those who refused, emphasizing that they should defend and do blockage to stop logging activities. As told by the informant, a number of villagers were arrested by the police and sent to jail. After that incident, many

members of SAM from Long Geng withdrew from the organization because SAM was not present to assist them during their arrest. At the same time, many people regretted that Long Geng did not take the advice to claim a share of every ton of logs that came out from Long Geng area. They witnessed thousands of tonnes of logs taken out from the forest without them receiving any share.

As told by all informants, after the arrests, conflict was no longer about anti-logging but about the payments of compensation by logging companies. Starting from 1988, Samling and Rimex had agreed to pay MYR2000 a month to Long Geng. Umas had paid a lump sum of MYR27000 to Long Geng. In addition, Samling has been contributing MYR5000 annually towards Christmas celebrations, while Rimex contributed MYR3500. The penghulu and tua uma received certain allowances from the three logging companies. Each logging company gave MYR400 monthly to the penghulu and MYR300 to tua uma. This amount was more than what they received from the State Government for their service, which was MYR200 per month as allowance and per diem claims for official trips. The tua amin of the longhouse at Long Geng each received a monthly allowance of MYR200. Both the official and activist tua amin received the allowance from the logging companies to avoid conflict between them. Samling continues to distribute the allowance and the payments even though Long Geng people have moved to Uma Badeng at the resettlement in Sungai Asap. Rimex ended their activities nearby Long Geng area and the payment was stopped in 2000; Umas ended their payments in 1997. The payments from the logging companies were collected once a year just before Christmas and initially divided by the number of people in the households. However, there was a dispute about the payment distribution that later caused tension amongst the people. These payments caused further frictions in the relationship of the villagers as a result of speculation over who actually received and kept the compensation. Some anti-logging activists were suspected of keeping a certain amount of money or having claimed certain compensation on the behalf of the community.

SAM is no longer active in the anti-logging campaign and not favored by Long Geng people after the police arrest of Long Geng villagers. As told by an informant who used to be a member of SAM, some activists had taken up jobs at the timber camps and others were happy that they could get petrol and diesel from the timber camps free of charge even though they did not receive any payment. As for the penghulu and tua uma' who received monthly allowances from the logging companies, both of them could not control further encroachment of logging activities into their forest. Sometimes the logging activities were

done even outside the designated area of the logging company's lease. However, Tan Chee Beng noted that, at the time of his research in 1995, the tua uma' and the penghulu were able to function normally and most villagers at Long Geng have rallied around the penghulu. Furthermore, the leaders were all related by kinship despite the presence of some rivalry and factionalism. Kinship helped to reduce the intensity of rivalry. Nevertheless, Tan Chee Beng has noted that the issue of relocation made necessary by BHP would raise yet another issue which would have implications on local leadership and factionalism (1995:49). Indeed, since 1999 the penghulu and tua uma have been facing problems in comprehending resettlement issues.

2.8 Conclusion

In this chapter, there are three important aspects to be observed closely. First, the history of the settlement of the Kenyah-Badeng illustrated their ongoing process of adaptation to new environment and their capabilities to survive many problems in the process. To a certain extent, kinship was one crucial aspect that binds this community together. However, kinship in this indigenous local expression does not always connote blood relations. This is not to say that these relationships are not important but kinship, in their view, is on a larger scale; it is as the extension of close relations to those who came from the same root. They considered themselves as the 'same people' or often considered as 'our own people' indicating that kinship was very much related to sharing of the same history of settlement and migration, as well as identical cultural practices and speaking the same language. In anthropological term, such characteristic would be defined as ethnicity. Thus, according to the Kenyah-Badeng, by ethnicity and in indigenous local understanding, they were all related as in blood relations.

Secondly, in relation to power structure, the power play by certain individuals within the Kenyah-Badeng community in the past showed that there have been power struggles to obtain the status of a leader that led to a certain level of friction within the community. A mild friction in this context is that they still remained living together as a community despite the visibility of passive tensions. Nevertheless, with the approaching external intrusions, such as logging activities, and the intervention of NGOs, social cohesion of the community was disrupted. Certainly, despite being a loyal member of the community who have been passive in their power play, these individuals became encouraged with the support and influence they obtained from outside the community. Notwithstanding, kinship was again the

one important aspect that became the reference for these individuals to remain in the community under the same community leader. However, passive tensions continued to exist in the community.

Thirdly, with the resettlement due to the implementation of BHP, the Kenyah-Badeng faced bigger issues particularly on how to survive in the resettlement. Certainly, Sungai Asap is different from Long Geng when comes to issue of security of land and livelihood. Land and livelihood become very important and sensitive issues. The Kenyah-Badeng would either strengthen their communal bond to face all these challenges together or become family and household oriented in their livelihood strategies.

Chapter 3

Compensation crisis, adat land and unresolved issues

3.1 Introduction

This chapter draws on the first stage of displacement, the processes of losing common property and space, by highlighting prominent issues, such as compensation, land rights, and the expected involvement of local leaders. The way in which local leader were involved in the whole process has very much shaped the Kenyah-Badeng's present way of life in the resettlement. This chapter also illustrates, in brief, the history of land legislation in Sarawak based on the interpretation of Native Customary Land and native's rights over ancestral land based on literature reviews as to understand the background and general problems of land identification within the Kenyah-Badeng community prior to payment of compensation. To elaborate these problems of land rights, selected empirical studies from the fieldwork are discussed in this chapter.

3.2 Prior to resettlement: Transparency and information

In 1995, Dr. Tan Chee Beng stated in his report to the State Planning Unit, Sarawak, that the greatest difficulty faced by the leaders and the people with regard to Bakun HEP was the lack of sufficient information to be able to make rational decisions. The people did not know nor did they have access to government plans with regards to matters with which they were most concerned, such as where exactly they would be resettled, what kind of status they would hold, and whether they would be allowed to continue to plant what they wanted (Tan, 1995:54). Earlier, in a report submitted to State Planning Unit in 1994, Professor Jerome Rousseau wrote that, at the time, there was a high level of anxiety because of the absence of dialogue between government and the indigenous people with regards to resettlement program. Bakun HEP was first heard in 1981 and the people felt that they have been in the dark since then. Meetings that were held involving the indigenous leaders had exacerbated the problems rather than helped to resolve them. The indigenous leaders were not invited to present their views at the meetings, and the meetings were carried out in English, a language which most of them barely understood. The indigenous people had no platform to express their concerns and views about Bakun HEP (Rousseau, 1994: 18-19).

That uncertain and umbiguous situations have caused tremendous impacts on local leadership with regards to important issues such as land, compensation and the resettlement area.

Needless to say, the Kenyah-Badeng, as well as all the other indigenous people affected by Bakun HEP, to a certain extent have been denied their rights to participate in the early stage of the resettlement program. This is contrary to what is stated at the international level on indigenous rights, in which the indigenous and Tribal Peoples Convention, 1989 (No.169) of the International Labour organization stipulates that:

"1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programs for national and regional development which may affect them directly.

....

3. Governments shall ensure that, whenever appropriates, studies carried out, in cooperation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.

4. Governments shall take measures, in cooperation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

The right to free, informed and prior consent by indigenous peoples continues to be of crucial concern, in as much as too many major decisions concerning large scale development projects in indigenous territories do not comply with this stipulation, clearly set out in paragraph 6 of ILO Convention No.169, which provides that governments shall:

(a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;

(b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in

elective institutions and administrative and other bodies responsible for policies and programs which concern them....”¹⁴

Although there were studies conducted by the government to investigate the conditions of the indigenous people in the affected area, their concerns and requests, as well as the suggestions made by consultants (particularly the major report by Professor Jerome Rousseau submitted to State Planning Unit Sarawak on the 27 September 1994) were not taken seriously in the implementation of the resettlement program. This has caused many unresolved issues, such as land title and house ownership, among others. Unless the government has other plans ahead for the resettlers, for now it seems like that the studies were carried out only for formalities.

In relation to Bakun HEP, the transparency and accountability in decision-making on its implementations has undergone major public criticism because of the persistent secrecy involved¹⁵. Basically, the people involved released little information except general information on media and speculations. Therefore, what would be the role of local leaderships to disseminate information to their people in relation to resettlement program if there is none to digest? In the beginning, there was a ray of hope for the local leaders when the Bakun Development Committee (BDC) was set up. It seemed to provide the platform that the people were looking for, at least to get the local leaders involved in the plan for the structure of the resettlement program. Sarawak State government has set up a committee called the Bakun Development Committee (BDC), which it then declared to be the only legitimate channel for the indigenous representation. This committee was made up of government appointees, including local state assemblyman who were elected by the indigenous people in the previous election, businessmen and indigenous leaders.

As stated in the report, the BDC was intended to promote proper planning and development through a meaningful consultation and cooperation between the implementing agencies and the people. Secondly, BDC would act as channel of communication and feedback for the people affected by the Bakun HEP. Thirdly, the committee would undertake to study and

¹⁴ Cited from Human rights and indigenous issues.

<http://www.hri.ca/fortherecord2003/documentation/commission/e-cn4-2003-90.htm>

¹⁵ Refer to "Bakun Dam: Test of sincerity", *Aliran Monthly*, Vol. 14(5), 1994. Also, Gurmit Singh on "Transparency of Bakun HEP; A quest for public accountability", Conference on the Bakun Hydro-electric Project, Kuala Lumpur, December 2-3, 1995.

review, on behalf of the local population, plans and reports (EIA) in respect of the project, and, if required, negotiate for the best possible deal from the implementing agencies and the project proponents. Finally, the BDC would put forward recommendations on strategies, options, and approaches pertaining to the whole range of development inputs to the relevant authorities for their due consideration (BDC, 1994: iv). The BDC recommendations were examined and utilized in the preparation of the resettlement plan by the Sarawak State Planning Unit of the Chief Minister Department (BDC, 1994: v). However, the BDC committee seemed to be in control of the flow of information and the participation of the natives on Bakun HEP.

Below are issues that have been raised in the introduction of BDC report (as quoted from the report):

"1.2 Resettlement Goals

Economic goals

The evacuees should not be made economically worse off as a result of being forced to leave their homes, either in terms of their material and financial assets, or in terms of their going-on incomes, or in terms of their economic prospects for the future.

Social goals

These are easily measured but in some respects are more important: in social and psychological terms evacuees should be satisfied with their cultural situation and welfare after resettlement.

Transparencies

We stress that both economic and social goals must be achieved. It is a matter of great concern that so few resettlement in the world today have come close to achieving these goals, and that many programmes, e.g. Batang Ai, have created an impoverished and disgruntled evacuee population, neither solvent or satisfied. Many are unhappy because the way in which their resettlement was handled. It is not just WHAT is done, but also HOW it is done that is important. There must be apparent transparency in the planning and implementation of the resettlement programme.

Responsibility and Accountability

.....Clearly the goal of replacement incomes can be achieved in many different ways, and each (sic) strategy implies a different level of economic and social costs. In any case, the Government and the resettlement authority must accept full responsibility for all costs involved in the resettlement programmes.” (Quoted from BDC report, 1994: 19-20).

The BDC touched upon important issues such as the resettlement program, structure, compensation, economic opportunities, employment and security, culture and adapt, as well as the non-flooded communities (i.e. communities who did not have to resettle but who were going to be affected by Bakun HEP down river). If the BDC had touched every important aspect to secure a fine resettlement arrangement and it sounded very promising, where did it go wrong? The implemented resettlement program deviated from the proposals and recommendations of the BDC. This research could only conclude that the resettlement program, as recommended by BDC, was not successful in every aspect especially in the area of the livelihood of the settlers; this means that the main goal of resettling these people has not been achieved. Is the state government to be blamed or were there inefficiencies in every aspect of the resettlement program at the implementation level? It is a very political question that this researcher is unable to comprehend or even to speculate upon.

According to informants who were attending BDC meetings all along, from the beginning there have been many frictions with regards to BDC formation as the committee members consisted of an imbalanced representation of ethnic groups who were affected by the resettlement program. There were more than majority Kayan representatives. According to an informant who was one of the committee members of BDC, committee members were appointed by the Member of Parliament (P188 Hulu Rejang)¹⁶ and State Assemblyman (N 48, Belaga)¹⁷ and those who were appointed were mostly kin related to both of the leaders. People were condemning them for personal and family business interests.

According to informants, the people present at the meeting supported the committee member's appointments. However, this support was achieved because only certain individuals were invited for the meeting. There were many business opportunities and

¹⁶Yang Berhormat Billy Abit Joo (he is still Member of Parliament)

¹⁷ Datuk Nyipa Bato (he is downgraded to Temenggung)

sources of income that could be gained by the individuals through BDC plans and recommendations. However, only those who understood the plans could have done so. To a certain extent there was some truth in these speculations. Chapter 3 of the BDC report, instead of suggesting livelihood strategies for the people who were going to be resettled in the new environment, discusses and suggests business opportunities via companies supposedly giving many jobs to the natives who were going to be affected by Bakun HEP. The chairman of the Economic Opportunities Working Committee of BDC, Mr. Stanley Ajang Bato who is at present the State Assemblyman (N 48, Belaga), politically wrote in the executive summary:

".....The rich, the politically highly placed, the less well to do and the poor and all of us must leave aside any political and ethnic differences; and organize ourselves into a viable economic entity. The people of Belaga have to pool together what little we have and plan for the future. I propose to establish a holding company called PERMODALAN BELAGA BERSATU BARHAD (PERGASA) to spearhead the socio-economic development of the Belaga people (Quoted from BDC report, 1994:92).

To elaborate the importance of the establishment of PERGASA, the working committee even wrote numerous theories and hypotheses on "Belaga Backwardness" as listed below:

- *The people of the district are doing the wrong things to earn their livelihood i.e. they work largely in traditional industries and subsistence agriculture that are low in productivity.*
- *The people of the district are not good in whatever they do i.e. they do not use the latest techniques of production, their farms are too small and uneconomic, they are unduly exploited by middlemen.*
- *The people of Belaga tend to have low achievement motivation, a lesser drive to achieve and succeed: i.e. the people (Kayan, Kenyah, Kajang and Penan) are inherently lazy and easy going.*
- *The people of Belaga tend to have systems of values, code of ethnics and attitudes which are more resistant to change than other communities, too fatalistic, too resigned to fate, too easy-going, too honest, too straight and too ingrained with a sense of fairplay.*

- *Belaga district is too ulu and the process of modernization and the pace of economic, infrastructural and facilities development have been comparatively retarded – i.e. opportunities for advancement. (A person born in USA has greater likelihood of having a higher income than if he were born in India).*

Other theories includes:

- *The extended family system, by which the successful support of those in need of help results in excessive social obligation that hold back the drive for economic success;*
- *The subsistence agriculture and land tenure practices result in underemployment, few opportunities for part-time employment and other initiatives;*
- *The people of Belaga are less skilled at using money and credit than others, generally lag behind in business skills, knowledge, education and politically disunited (Quoted from BDC report, 1994:93-94).*

The outlines of these so-called theories and hypotheses by the working committee were to emphasize the real need for a company like PERGASA with the objectives of organizing people of Belaga into a viable economic entity so that they could participate positively in Bakun HEP. The working committee also suggested shareholding allocated to various associations in Belaga. And, of course, the Board members of PERGASA were the most knowledgeable individuals who made proposals to establish this company, none other than the chairman and his colleagues, who happened to be Kayans. The proposals were written in great detail, explaining the structure of the company, the areas of business the company could be involved such as timber extraction, agriculture (e.g., estate development and fisheries), manufacturing (e.g., sawmills, furniture), trading (e.g., household goods, commodities), service industries (e.g., transportation, tourism), and construction (e.g., engineering, energy). PERGASA sounded very convincing for business people who have all the economic, social, and political capital. However, PERGASA definitely did not fit as a way to handle the people who were going to be resettled who were skilled only in subsistence agriculture, hunting, or menial labor. Culturally and practically, no change could take place overnight; therefore, to change subsistence farmers into businessmen as proposed via PERGASA was rather over-ambitious. In addition, the natives who were affected by Bakun HEP were not aware of such a proposal, not even of the existence of the BDC report.

Even though kept in the dark, the people affected by the Bakun HEP continued to give support to BDC as a gesture of goodwill and gave full cooperation to get the report completed with all its desired recommendations (BDC, 1994: viii) despite the politics and business intentions that the committee members had within the BDC. Unfortunately for the recommendations for the resettlement program and compensation, what had been prepared by the BDC was not much utilized in developing the indigenous people affected by Bakun HEP. In the end, BDC committee members were to be labelled as unreliable by whole communities affected by Bakun HEP. As told by informants, the committee members have no sense of accountability to the welfare of the people. BDC proposals did not go through but the more prominent members had apparently benefited from contracts from the construction either at the Bakun site itself or from the resettlement site or both and they did not fight for what had been discussed and planned earlier for the development of the people. As told by informants, those who were involved in business at the Bakun construction site were too busy minding the progress of their business to pay much attention to the people who had entrusted them with the responsibility. Definitely, the majority of the indigenous people did not appreciate the conflict of interest that the committee members encompassed. Nevertheless, the committee members who participated in business on construction at the Bakun HEP lost their business and capital when the Bakun HEP was closed due to an economic crisis starting in 1997; these losses were well publicized by the local media. However, there is no reliable evidence for writing such controversial issues except stories and speculations from informants. Nevertheless, such stories and speculations obviously have impacts on the people's outlook towards their leaders and the individuals who were involved in the BDC. Speculations caused negative perceptions towards individuals who were entrusted with BDC implementation.

At the local level that involved the community leaders, information about the Bakun HEP and the resettlement plan and development given to local leaders was very scarce. Very little was dispersed to the Kenyah-Badeng or to other people affected by the Bakun HEP. Furthermore, local leaders did not participate effectively in discussions that had been held for the resettlement programs. Both local leaders attended meetings only at the lower level, as did other leaders from Ulu Belaga representing their region and villages. Perhaps none of these were their fault as they could only attend the meetings when invited to do so but, on the other hand, they did not insist to be present. Many resettlement program meetings were not attended (no reason given); thus, the little information dispersed about Bakun HEP has not been fully absorbed by the Kenyah-Badeng at Long Geng. The tua uma' of Long Geng

(Nyaban Kulleh) was one of the working committee members on compensation (BDC, 1994: 75) but not much input has been released. Furthermore, he was incapable of absorbing important information from meetings he had attended or to discuss effectively what he had learned from the meetings. Thus, the role of the local leader in relation to resettlement program, at that point of time, was ineffective and not influential. One could imagine the challenges the local leaders had to face with relation to resettlement issue. In fact, one cannot imagine how much knowledge and power the local leaders have in such matters.

In this research based on household interviews and casual conversations with many individuals, matters related to resettlement issue mostly managed with relative agreement at the household level. For example, whether to move to Sg. Asap resettlement or not and, if not, where to resettle? These questions were beyond the control of the local leaders. The Kenyah-Badeng organized themselves unofficially following certain individuals whom they trust their judgments. Approximately 20 households moved to Long Lawen¹⁸, following Garak Jalong, an activist of Sahabat Alam Malaysia (Friends of Earth, Malaysia), moving to the former village of some households before they moved together to Long Geng. The rest, comprised of over 200 households, resettled in Sg. Asap. Those who moved to Sg. Asap received MYR700 from the government for moving expenses. In conclusion, the Kenyah-Badeng (as other natives who moved to Sg. Asap) decided to leave their village without much information as guidelines, without much expectation to what life was waiting for them in the resettlement, and without much hope that their local leaders would be able to lead them through the process of the transition.

3.2.1 Land rights, demands and compensation

It is a well known fact, one confirmed in United Nations discussion in the forum of Commission On Human Rights (Fifty-ninth session: Item 15 of the provisional agenda, dated 21 January 2003) that "in the case of the Bakun project, rights to indigenous common land in the Ulu Belaga site were not recognized or properly assessed".¹⁹

¹⁸ Long Lawen received a generator ELC (Electronic Load Controller) with capacity of 10 KW, 1 Phasa 240 Volts, 50 Hz (pictures available on <http://www.heksahydro.com/projects01ser.htm>) from Borneo Project (USA) with Green Empowerment (USA).

¹⁹ Cited from <http://www.hri.ca/forthecord2003/documentation/commission/c-cn4-2003-90htm>

This statement is correct to a certain extent and the interviews with the households conducted for this research confirmed the situation. All of the households interviewed claimed that the major portion of their land had not been surveyed. They stated that only relatively small areas in the vicinity of their longhouse were taken into account. Nevertheless, one has to look closely into this issue and accusations because Native Customary Land Rights and everything else related to it is very sensitive and it is a very complicated subject. As stated by Hooker (1999), "we have to be careful as to what we mean by law, native, adat and especially land and land rights. These terms are all loaded with history, preconceptions, and contemporary government policy."²⁰

In this research, the major questions that guided the interviews were how much the households did know about their rights to land claims and whether they understood clearly what they should claim and how much they could claim. In addition, the question was also to see if there was an understanding amongst the Kenyah-Badeng on the adat system as it underlies traditional land tenure. In general, it is well understood that as any other native in Sarawak, the Kenyah Badeng at Long Geng were claiming compensation based on their rights on land under Native Customary Land Rights. The Kenyah-Badeng is listed as one of the native people in Sarawak in the Interpretation Ordinance of 1958 (see Hooker, 1999). Nevertheless, they were not clearly informed as to what to claim and, even worse, they did not know how far they could go to claim the land or how much land they had rights to. The impression given was that although they knew they possessed ancestral land designated under customary right, most of them did not understand or perhaps had never read the Land Code, as most of the natives in Sarawak.

3.2.2 History of Land Legislation: Discussion based on expert's published literatures

In this section, the history of land legislation is discussed to better understand the many complicated issues related to land rights, particularly the one on Native Customary Right Land. The purpose of the discussion is not to speculate further on the complications but to outline important issues that can be used to understand certain aspects in the Kenyah-

²⁰ Hooker, M.B. 1999. A note on native land tenure in Sarawak (Research Notes), *Borneo Research Bulletin*. Available on <http://www.highbeam.com>

Badeng land claims matters. As published by the Department of Land and Survey Sarawak on their website (<http://www.landsurvey.sarawak.gov.my/history.htm>):

(T)he earliest law relating to land dated back to 1863 when the first Land Regulations were introduced by the first Rajah of Sarawak. No form of land tenure as it was understood in English Law existed under the Government of Brunei when Mr. James Brooke took over responsibility for the Government of Sarawak in 1841. The first Rajah did not immediately interfere with the system of customary law which existed in Sarawak at that time, and it was not until 1863 that the first Land Regulations were introduced with the approval of the Supreme Council.

The Land Regulation of 1863 were comprehensive regulations although they were comparatively simple in nature. Provision was made in these regulations for the issue of leases for 900 years and for grants in fee simple or grants in perpetuity. These regulations were amended from time to time and were supplemented by various Land Orders to meet the changing needs and to overcome administrative problems, and it was only in 1920 that the first comprehensive land legislation recognisable by legal standards as a statute was introduced as Order No. VIII of 1920.

In 1931, the Order of 1920 and the Regulations issued under the Order were replaced by Order No. L-2 (Land Ordinance). This was followed in 1933 by Order No. L-7 (Land Settlement Ordinance) which provided for the guarantee of titles by the State following adjudication of rights to land.

The classification provisions of the Land Order of 1931 and the Land Settlement Order of 1933 were replaced in 1948 by specific provision in the Land (Classification) Ordinance for the division of Sarawak into various classifications:

- *Mixed Zone Land*
- *Native Area Land*
- *Native Customary Land*
- *Reserved Land*
- *Interior Area Land*

For the sound administration of land in Sarawak, it was found that these Ordinances were inadequate and in 1957, the present Land Code was enacted with the object of consolidating the laws relating to land in one piece of legislation and bringing it up to date by filling in the gaps on which the law was silent and by amending those parts which had been found unworkable or overlapping.

The Land Code is an omnibus piece of legislation, which provides for the alienation of State Land, administration of alienated land, classification of land, compulsory acquisition of land for public purposes, adjudication of rights to land, survey and registration of dealings in land²¹.

According to Ngidang (2005), customary rights to land²² resources of the natives in Sarawak were not self-determined, but were defined during the course of the last century and a half by the Brooke, colonial administrations, and by the subsequent postcolonial governments. The first two regimes established their dominion and control over the natives in Sarawak through autocratic rule and paternalism. The expatriate administrators deconstructed these rights, which did not owe their existence to statute, and reframed them on the basis of the land laws of their motherland in the pretext of protecting native rights to land resources. When customary rights were subjected to formal land codification under the Torrens land registration system, this codification imposed upon the native's land inheritance system, their livelihood, cultural identity, human dignity, and rights to exist as discrete groups.

On the history of land legislation in Sarawak, traditional land tenure, based on customary law (adat system) in Sarawak, was in existence long before Sarawak came under the sultanate of Brunei. James Brooke deliberately created a dualistic economy in 1841 when he was installed as the first white Rajah in Sarawak: commercial agriculture and mining for the Chinese immigrants and a subsistence economy for the natives (Ngidang, 2005).

²¹ Quoted from <http://www.landsurvey.sarawak.gov.my/history.htm>

²² There has been many scholarly debates in relation to land tenure arrangements in former British colonies that inherited both formal and informal land tenure system based on customary law, ranging from property (Cramb & Wills, 1990; Appel 1991; 1995) and human rights (Hooker 1997; Daes 2000; Peang-Meth 2002), social relations and ethnic identity (Martin 1997; Bulan 1998), legal pluralism (Marasinghe 1998; Hooker 1997), and state roles (Adam 1998; Edmund & Wollenberd 2001; McCarthy 2000), to issues pertaining to stakeholders' perspective in resource conflict management (Elias et al. 2004).

Rajah James Brooke did not encourage large-scale plantations in Sarawak because from 1841 to 1941, because as Walker (2002) stated that "Sarawak was run as a virtual personal kingdom by in turn, James, Charles and Vyner Brooke," in which government was an amalgam of autocracy and paternalism. Economic dualism reflected Brooke's blueprint for promoting the regime's policy of non-interference in the native way of life and following such policy, as stated by Hooker (1975), the Brooke administration also created legal pluralism, which defined and categorized two types of land tenure systems. One was based on native customary law (adat) and perpetuated traditional land use and farming systems among the natives. The other was a codified land system, which legalized private land and ownership and supported the commercialization of agriculture. Between the 1960s and 1980s, government efforts were mostly focused on improving the productivity of smallholder agriculture, resulting in a shift from a traditional land use to semi-intensive land utilization where cash cultivation become a prominent feature of a farming system in rural Sarawak. Changes in land policies and practices in 1990s were designed in favor of a large-scale utilization of ancestral lands for commercial plantation due to the need to eradicate poverty and to integrate the periphery to the center. Compounding effects of this structural change and market forces have made the traditional land tenure increasingly irrelevant in a market economy; traditional land tenure was viewed as stumbling block to development. Therefore, state authorities use legislative changes in order to reconstruct land ownership, land values and how best huge tracts of ancestral land should be used. This allows market forces and power brokers of the nation-state to dictate its economic potential for the future in the name of development (Ngidang, 2005).

3.2.3 Native Customary Land under Sarawak Land Code

In 1842, James Brooke introduced the Code of Laws, principally characterized by respect and honor for the native's customs and traditions. As quoted by Porter (1967:27), Brooke states that:

"I am going on slowly and surely, basing everything on their own laws, consulting all their headmen at every step, reducing their laws to writing what I think right, merely in the course of conversation – separating the abuses from the customs.....I follow, in preference the plan of doing justice to my best ability in each particular case, adhering as nearly as possible, to the native law or customs."

Ngidang (2005) explained that with this recognition an important provision in the Land Regulation of 1863 stated that no scheme of alienation or land development would ever be introduced except in respect to land over which no rights had been established. The Code of Laws of 1842 permitted Chinese immigrants to settle only on lands not occupied by Malays or Dayaks. Nevertheless, in theory, due recognition was accorded to customary land tenure; in practice, however, legislative constraints were imposed that undermined native rights to land. Implicit in the Brooke and colonial land policies was the intention that land should be free from any customary rights to enable the natives to establish a land tenure system based on English law. This left native customary rights to land resources a contentious issue and an unresolved one right up to the present. Native Customary Land, as defined by Sarawak Land Code, comprises 22 percent (27,379 square kilometres) of the total land in Sarawak (Foo, 1986) but for unknown reasons, these ancestral lands have decreased to 13 percent over time (Zainie 1994). Why and how the land has significantly decreased are both important empirical questions and policy issues (Ngidang, 2005).

What is the present understanding on Native Customary Right Land according to Sarawak Land Code? Under section 5 of Land Code, "as from the 1st day of January, 1958 native customary rights may be created in accordance with the native customary law of the community or communities concerned by any of the methods specified in subsection (2), if a permit is obtained under Section 10, upon Interior Area Land. Save as aforesaid, but without prejudice to the provisions hereinafter contained in respect of Native Communal Reserves and rights of way, no recognition created after the 1st day of January, 1958, and if the land is State land any of State land and Section 209 shall apply thereto:

5(2) the methods by which native customary rights may be acquired are:-

- *the felling of virgin jungle and the occupation of the land thereby cleared;*
- *the planting of land with fruit trees;*
- *the occupation or cultivation of land;*
- *the use of land for a burial ground or shrine;*
- *the use of land of any class for rights of way: or*

Provided that:-

- *until a document of title has been issued in respect thereof, such land shall continue to the State land and any native lawfully in occupation thereof shall be*

deemed to hold by license from the Government and shall not be required to pay any rent in respect thereof unless and until a document of title is issued to him: and

- *the question whether any such right has been acquired or has been lost or extinguished shall save in so far as this Code makes contrary provision, be determined by the law in force immediately prior to the 1st of January, 1958”.*

In other words, as explained by Hooker (1999), the Code limits customary rights to those lawfully created before 1st January 1958 and, after that time, no recognition will be given unless new rights are created in terms of the Code. This applies to Native Communal Reserves (S.6) but even here the greatest right an occupier can have is a license. This does not amount to a chargeable interest, such as full title. So far as Interior Area land is concerned, a person who wishes to occupy this class of land must first get a permit from the authorities. Occupation without a permit is unlawful (S.10) and confers no rights under Native custom or any other law. As Hooker (1999) concludes, it is now almost impossible to create new Native Customary rights in Sarawak. However, even when created, there are quite severe restrictions on Native Customary rights. The main point is that all Native rights depend on State authority and approval. The main protection is that only Natives can hold rights in Native area, Interior area, and Native Customary Lands (Section 8). However, there are qualifications to this rule. First, if a non-native has become identified with or subject to any system of customary law he may hold Native land (Section 20 Natives Court Ordinance 1992). Second, a non-native may hold Native land under a permit at the discretion of the state (Section 213 Land Code, 2nd Schd. Part 1). The corollary to protection of native rights is extinguishment and loss and the Code treats each of these separately. The first is treated in detail in the Code. Hooker (1999) further states that the position now is that Native rights may be extinguished by direction of the Minister on payment of compensation or making other land (already subject to Natives rights) available. Claims for compensation must be submitted within sixty days or the claim is lost. A directive of the Minister cannot be questioned or challenged. The best that a claimant can get is arbitration on terms. The only real question is the method of assessment of compensation. With relation to compensation, the High Court in Kuching (Minister for Land vs Bilam. Civil Appeal No. 2/1971) has interpreted the code as saying: (a) that the potential commercial value of the land should not be considered, (b) compensation is for extinguishment only, defined as the value for lose of use, buildings and reasonable removal expenses. The bona fide selling price of neighboring property may or may not be a relevant consideration.

3.2.4 Adat system and Native Customary Right Land

Indigenous people's control over a territory operates through informal rules embedded in their customs and traditions and most of these rules have never been codified in formal laws. Therefore, in Sarawak, the Brooke land administration gave due recognition to an intimate relationship between adat and traditional land tenure. Porter (1967:10) stated that:

"At the time of James Brooke's arrival in Sarawak there had been for centuries in existence in Borneo and throughout the eastern archipelago a system of land tenure originating in and supported by customary law. This body is known by the generic term "Indonesian adat." Within Sarawak the term "adat", without qualification, is used to describe this body of customary rules or laws; the English equivalent is usually "native customary law" or "native customary rights."

Following Secretariat Circular 12/1939 on Forestry and Land Use in 1939 adat land tenure via the settlement process was codified in which it explicitly recognized the need for more rational forest policy to eliminate shifting cultivation. However, due to WWII, the plan was not fully implemented; however, it left a significant impact. Village councils were officially appointed as custodians of adat to deal with land tenure and inheritance in each community (Richards, 1961; Hong, 1987). The responsibility of these councils was to demarcate village boundaries in order to determine the limit and extent of customary land. These lands, which were acquired via native customary law, would become Native Communal Reserves under the Land Orders. Natives were only permitted to claim additional farmland if approval was given by the District Officer (Ngidang, 2005:59).

Adat is still widely practiced among the Dayaks communities in which it is under the custodianship of the village headmen in every community. Generally, the adat system constitutes an informal constraint, which regulates and structures social relations. The validity of the adat system is generally accepted by community members; it is accessible to all and it costs very little to administer (Ngidang, 2005).

"Adet" (Kayan-Kenyah) includes a way of life, basic values, culture, accepted code of conduct, manners, conventions, and customary laws (quoted from Majlis Adat Istiadat

Sarawak)²³. In this research, through observation and interviews with key informants, particularly individuals who have been seen as important in the Kenyah-Badeng community, there is a great doubt about the real practice of adat system within the political structure of the community. The practice of the adat system in the conventions and customary law seems to be less visible amongst the Kenyah-Badeng and this is the important aspect of the adat that gives structure to the management of customary land and issue related to it. It is possible that the ineffective role of the headman (tua uma') in administering the community as discussed in the previous chapter was due to the lack of knowledge of the adat system.

From field work observations, many examples exhibit this weakness and the most prominent situation is when individuals in the community made overlapping claims with others because there was no proper arrangement and decisions made beforehand by local leaders. The local leaders, with some authority given as the guardian of the adat system, were incapable of utilizing this position to guard equilibrium of the community. Therefore, there was no framework as guidelines and rules made visible to the Kenyah-Badeng when they had to make estimations on claims for compensation for their ancestral land. As pointed out by Richards (1961) and Porter (1967), the crucial definition of adat system is the rules of access and right of ownership to land and other natural resources within a longhouse domain. It dictates law of land inheritance and transferability of land from the pioneering ancestors to the present generation. Langub (1998) noted that every longhouse community used informal governance to regulate social relations and its farming as well as economic activities. Ngidang (2005) further added that it is also a collective community framework for regulating resource utilization and management in a sustainable manner for the common good.

3.2.5 How do native lost rights towards their customary land?

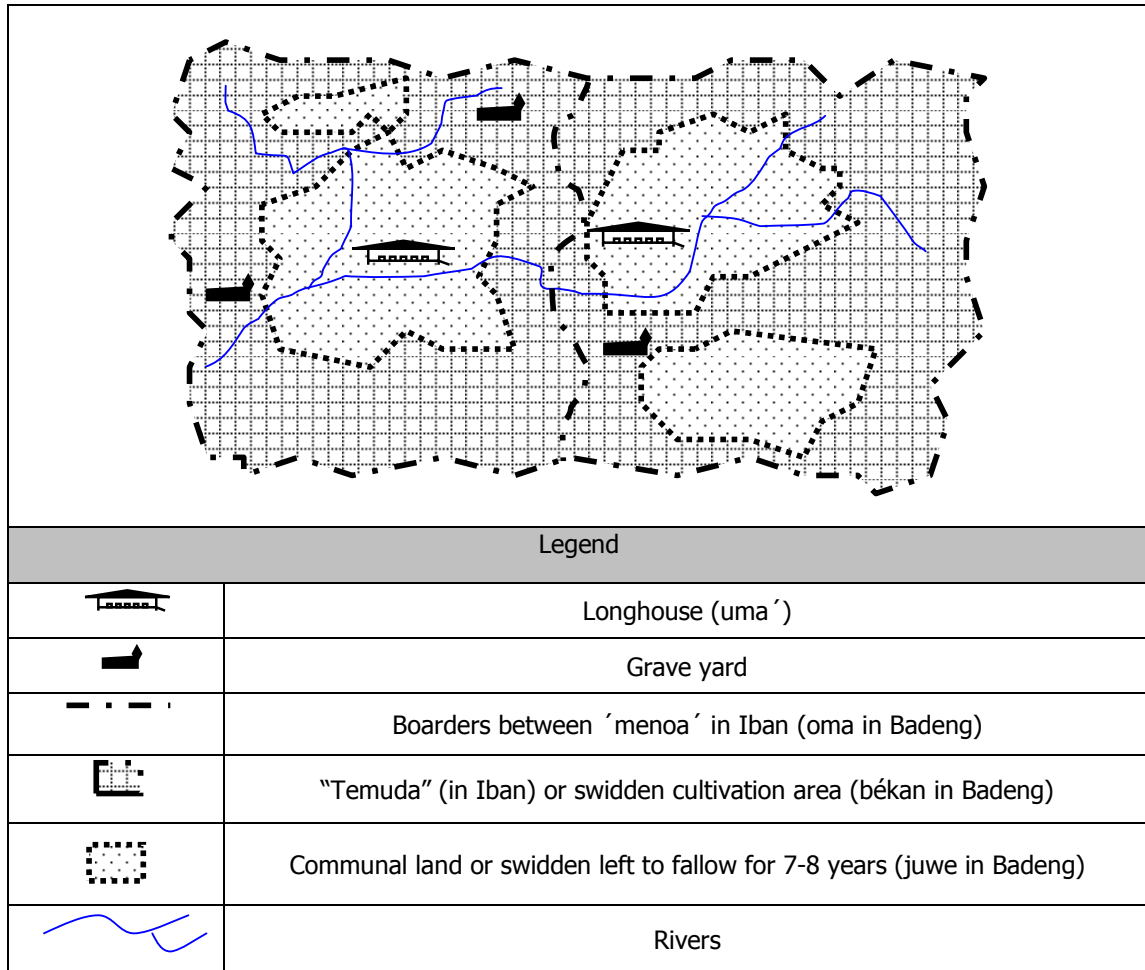
Porter (1967) explained that under the Land Regulation of 1863 James Brooke instituted private land ownership in Sarawak in two ways: (1) instituting private land ownership by leasing "State" land to individuals and companies for a duration of 999 years; (2) the mode of instituting private land ownership was done by giving land grants in perpetuity were only given to natives under the Land Settlement Order 1933 in which customary rights had been

²³ <http://www.nativescustoms.sarawak.gov.my/web/rit3.html>

established on state land. In James Brooke's definition, private ownership strictly referred to registered land ownership with a document of title. As stated by Appell (1971), this codification system was in conflict with the inheritance system of the Dayak community where both land and non-landed properties are held under a customary rights system. Under the adat system, the freedom to exercise property rights has been traditionally bestowed upon individual household families and communities under an informal governance structure of the adat. These rights were seen as a threat to the Brooke administration because they interfered with the regime's political and economic goals to control natural resources in Sarawak. Therefore, the Brooke administration proclaimed that all lands that were not codified or privately owned belonged to the state. The colonial government of Sarawak also imposed the same ruling that all lands belonged to the Crown when Sarawak was ceded to the British colony in 1946. In addition, in order to control land use, the Brooke and colonial rule labelled customary rights as usufruct, rather than acknowledge the possessor rights of natives. By invoking the policy that all lands belong to the state and that state lands are free from claims of ownership, natives are seen only as licensees of state or Crown lands. Crown land means "all lands for which no document of title has been issued" (Porter 1967:84). A major source of ambiguity in the Land Code is that a title without a document is not defined; however, there is reference to customary law as being a body of customs of the natives and not much attention was given to the relevance of customary law as far as the Land Code was concerned (Richards, 1961).

The natives do not owe their customary rights to statute (Ian Chin, 2001). According to Porter (1967), the natives refused to pay premiums and survey fees in return for a lease subject to rent and conditions of occupation. They even believed that their customary rights to land were extinguished upon payment for a lease. As understood by the natives, customary law or the adat system, rights to land are interpreted as possessor rights hence legally binding (Richard 1961, Ngidang, 2001). However, as the customary right is defined as usufruct rights (Richards, 1961), the natives only have the right to use the land but not to own the land (Zainie 1994; 1997; Bulan 2000). Due to the contradicting interpretations of customary law on land rights, efforts to integrate land rights into the Land Code have been problematic. The issue of sovereignty and proprietary rights over lands has become a major point of contention between the government and the natives (Ngidang, 2005:54-55).

Map 6 : Native classification on Customary Land



Note: The legend has been modified and translated.

Source: Booklet on Dayak’s Interpretation of Native Customary Rights Land (in Bahasa Malaysia) http://brimas.www1.50megs.com/ncr_konsep.doc

At the lower level, based on information collected from households interviewed in this research, it seems that ancestral land loss is understood in more practical terms. As Hooker (1999) explained, the Code and Courts have determined the two methods of loss. First, non-use or abandonment of customary land for 20 to 30 years is sufficient to dispose of Native rights. In other words, if the native customary land has not been in used effectively and the land has become primary forest-like, their rights towards that land are diminished. There has not yet a clear decision or statement with regards to the diminishing of rights on native customary right; hence, many problems related to this issue that have been brought to court decided based on the guidelines and decision made on earlier cases by the High Court in Sarawak (Abdul Halim Sabil, 2004: 16). Second, if the holder of Native Rights moves out

of his longhouse or goes to another district under the jurisdiction of another local leader (Penghulu or tuai rumah/tua uma), he loses his rights. Basically, this is an old rule both of adat²⁴ and of the Rajah Brookes. However, the rule can be more complex in practice; for example, if an individual holder of rights in "communal" land removes himself from a longhouse, he may still retain his rights so long as he remains within "reasonable farming distance" (Hooker, 1999).

3.3 Kenyah Badeng land categorization, rights and claims of compensation

The claim by natives over a territory is best stated in Mundy (1848:210), where Brooke acknowledged that the livelihood, culture and survival of natives surely centered on:

The fruit trees about the kampong, and as far as the jungle round, are private property, and all other trees which are in any way useful, such as bamboo, various kinds for making bark-cloth, the bitter kony.....and many others. Land, likewise, is individual property, and descends from father to son, so likewise, is the fishing of particular rivers, and indeed most other things.....(as quoted in Hong, 1987:39 by Ngidang, 2005).

Indigenous cultures are based on oral history, thus the absence of written records make it difficult to maintain a significant amount of information, particularly for the recognition of territories. It is widely known that with the absence of written record, the indigenous people used natural features such as mountains, hills, slopes, ridges, rivers, streams and creeks, stones, or clumps of bamboo as traditional boundary markers between farms and between different communities. The extent of the Native Customary Land (NCL) of each longhouse community is defined by boundaries mutually agreed between that particular longhouse community and all the other longhouse communities surrounding it.

Dale (1997) stated that people are territorial by nature, and they relate to land in both formal and informal ways. For many generations before Brooke created the personal kingdom in Sarawak, indigenous people had defined their personal and cultural space,

²⁴ Now restated, for example, in the Adat Iban of 1993, and Adat Kayan-Kenyah of 1994, both made under the Native Customary Laws Ordinance, Cap 51 (cited from Hooker, 1999).

community boundaries, decision-making processes, and human relations in terms of their customary system (adat) passed down from their pioneering ancestors. These land boundaries are also recognised by the law and they are officially recorded in the government Land Boundary Register kept at the District Offices following a legislative decision through the Secretariat Circular No. 12 of 1939 which requires all land boundaries to be recorded (quoted from Eddie Roos²⁵). However, there is also some doubt if the record is updated and is still valid as a reference. Furthermore, as Ngidang (2005) noted, the problem of verifying landmarks of these ancestral lands due to the increase density of population, lack of official documents of ownership, and the realization of the monetary value of land resources resulted in competing stakeholders making claims and counter-claims to the same territory.

Based on an ethnographic study by Tan Chee Beng (1995)²⁶, Kenyah-Badeng at Long Geng were swidden cultivators who practiced shifting cultivation. At the time, individuals or households claimed the land by opening up new land, which had not been claimed by anyone. All lands claimed had been opened up for cultivation at least once (thus claimed).

The households that were interviewed claimed compensation only on swidden cultivation areas (e.g., *békan* and secondary forest as shown in Map 6). All households taken for case studies confirmed that the compensation was calculated based on how much the land was supposed to be flooded by the water from Bakun dam, that is, up to Bakun water perimeter and not based on how much lands owned by households. All of the lands claimed for compensation by Kenyah Badeng at Long Geng (like other resettlers from other longhouses) were categorized as common land and compensation given was to be shared with the whole population of Long Geng. Lands that were claimed were grouped and compensated in a category of common land. For Long Geng, according to main informants, MYR18 million has been dispersed to compensate *békan* and *juwe* areas. The MYR18 million of compensation was divided amongst the whole community (1485 people) of Kenyah-Badeng in Long Geng.

The ambiguous understanding of rights to the land made it very difficult to evaluate and estimate the lands and farmland. In addition, the absence of reliable landmarks, boundaries,

²⁵ <http://www.wald.org/docs/report1.htm>

²⁶ The categorisation of Badeng's lands was confirmed as written by Dr. Tan Chee Beng by my key informants at Uma Badeng, Sg. Koyan,

and community land mapping confounded the calculation and estimation for compensation. In other words, what criteria were taken into account when accessing the value of the land? The 20 households interviewed as case studies in this research confirmed that they did not know much about how to evaluate and what to evaluate for the claims except the obvious property such as their houses and the farmland that they were working on at the time. Neither were they aware of how the evaluation was conducted. According to all of the households interviewed, no one knew exactly the process of accessing the value of the land and, most interestingly, when the time came to post claims, people were actually very excited but no one seemed to know exactly what they were supposed to do. Furthermore, the borders of their land with each other were ambiguous landmarks such as rivers or slopes or trees or hills. Not only do these landmarks change over time, people often forgot their exact locations. For example, when one claimed that he or she owns a piece of land at the other side of the river, the accurate location of the borders cannot be identified especially when these lands have not been often visited. Without these borders, two situations occurred: first, they could claim just any land in nearby forest presuming that no one had put any claims on it; second, there were no questions asked about their claims. How this was possible? According to the households, the officers in-charge surveyed and visited the lands in the area surrounding the longhouse and farmlands that were in used. However, fallow lands, which were further away from the longhouse, were surveyed based on estimations. In addition, there was very little discussion within the Kenyah-Badeng community before making land claims and there was never any decisions arising from these discussions. As a result, overlapping land claims become the major issue and many claims were disputed.

Basically, the Kenyah-Badeng did not understand the evaluation of their claims and they did not have a clear idea about the important aspects that were included in their compensation. They also were not aware that the reason the lands were evaluated as communal land and not by individual claims was due to the absence of individual land title. Nor did they really know the boundaries of their land with their neighbors. In this situation, claiming lands was like a competition where each individual or household was looking for land that was assumed had not been claimed or marked by others. If the local leaders had possessed even a basic understanding of the administration of ancestral land via their adat system, confusions and problems could possibly have been minimized.

3.3.1 Dispute: The role of local leaders in the land surveyed

Compensation was only given to fruit trees claimed. Nevertheless, prices for fruit tree claims were not stated in the document details (see Appendix 4 and 4a). This compensation slip was known as *surat kuning* amongst the Kenyah-Badeng because of the yellow paper used. According to the households interviewed, surveyors listed fruit trees claimed but there was no copy of the lists given to households. Therefore, no one knew, for example, what the cost was of a cocoa tree or a durian tree. The surveyors listed type and number of fruit trees without checking the farm or lands that later had underwent alteration by having a second 'spot-check' as the locals called it; this reduced the claim by not really doing the job based on reliable information. The alteration was made without surveying. Amongst the households interviewed, this method was known as "remote control" as most surveyors had not been to any farm or lands claimed by the people except to surrounding area of the longhouses. The farmlands that were claimed were not nearby or even close to the longhouse.

Based on the household and key informants' interviews, in general the information gathered on dispute and the role of local leaders (penghulu and tua uma') during the process of surveying land revealed that both were not playing their roles in the decision of determining borders between their people's lands. Both were unaware of the territories; hence, they were unable to become the reference for the people and surveyor when there were problems. Therefore, without any consultation, the households claimed lands with clear demarcation between one's territories and the local leaders were unable to stand as reference for dispute. Basically, this situation showed that the Kenyah-Badeng were deciding for their household or for the households of their family members; they acted as if the community had no leader.

Box 1 : Overlapping decision

According to a main informant, who is the son in-law of penghulu, after the Kenyah-Badeng in Long Geng finished submitting their claims on lands, and confirmation of land surveyed was signed by both local leaders and by the head of the Land and Survey in Kapit, there was big dispute on overlapping land claims. For example, there was an overlapping claim between two individuals from Uma Kelap. The case was brought forward to the land and survey in Kapit and the overlapping land claims were investigated. During the investigation of this overlapping claim, the local leader from Uma Kelap refused the claim and managed to

avoid having to re-survey all of the claims from his longhouse. In the beginning the dispute did not involve the Kenyah-Badeng of Long Geng. However, one of the individuals who was involved in the dispute was married to a woman from Long Geng and he also had some land claims around Long Geng territory. As a result, the overlapping claim was not only surveyed where there was dispute between him and the other individual from Uma Kelap but it also extended to the land occupied by this individual in Long Geng area. With this dispute, there was some doubt on the method of surveying and claims over land. Therefore, Land and Survey in Kapit requested that all land claims in Long Geng has to be re-surveyed.

The main informant was helping all of his family members, including the family of the penghulu, to claim over very large portion of lands for each household. He was not aware about the dispute as he was in a trip to collect jungle product known as gaharu in the deep forest. The re-survey was done in his absence and, upon his return, he found out that several deals had been made. Logically, as seen in this research, there is no such thing as re-surveyed because there has never been one except estimations based on negotiations between the community and the surveyors. So, as it was conducted in the first so-called survey, there were only negotiations and checking out of lands without really doing the measurement or checking out the territories. Nevertheless, the second survey actually generated some income for certain individuals who owned 4WD vehicles and long boats, including the penghulu and tua uma'. The second survey involved about 100 surveyors and they did not have enough vehicles to survey the area. Therefore, who ever had 4WD rented out their vehicle for MYR450 per day and MYR30 per day for the longboats. The survey was supposed to take place over 30 days. According to the main informant, when he returned he had the opportunity to negotiate with the surveyors not to re-survey their land and, after a long discussion, the surveyors had agreed. However, when he went to the washroom, the penghulu told the surveyors not to listen to his son in-law and accused his son in-law of being drunk. Of course, as the penghulu was supposed to be the leader, the surveyors supported the penghulu. According to the son in-law, the only reason the penghulu refused his negotiation was because penghulu saw the opportunity to earn thousands of ringgit from the 4WD and longboat rent for 30 days, and he did not want to lose the deal. As a result, the penghulu's son in-law could not do anything except trying to compensate his future loss by negotiating his service taking the surveyors to survey the land with sympathy-deals for surveying lands for his part on lands under Bakun HEP perimeter that had not been claimed. Finally, all of the claims were revised and no household received the amount expected.

There were ridiculous compensation amounts that caused great disappointment amongst the Kenyah-Badeng of Long Geng. When the first cheques of 30% first payment were issued, the penghulu only received MYR9000. Amongst all of the Kenyah-Badeng from Long Geng, only one individual received MYR18,000 and he was not even living in Long Geng except for the claims that he had formerly lived there, thereby maintaining his rights around the area. The compensation receipt known as surat kuning were sent to people with the amount stated without any indications of details on what had been compensated. If the amount was not what was agreed upon, the owner of the receipt was able to dispute the compensation

and filled in an application form. Later, the person was supposed to wait for another confirmation about a court hearing before any revision on the compensation.

However, the greatest impact of these compensation assessments has been on the image of the penghulu and the tua uma. Their role as local leaders have been regarded as fairly weak and ineffective from the beginning but with the result of the compensation evaluation based on the second land survey, their reputation as leaders had become even more damaged. According to key informants, no one turns to them for reference after that first payment. From that point on, the Kenyah-Badeng in Long Geng organized themselves without any advise from these leaders.

Box 2 : Compensation dispute

OL Household (OLH) claimed for their two houses (these houses were used when they had to sleep at their farms and the materials used to build these houses were good quality woods), rubber trees, and two fishponds nearby the longhouse area. According to OLH the surveyors refused to survey and to measure the land he was claiming even though he did know exactly the size and some landmarks of the land he was claiming. The measurement was only taken on the land where the fishponds were located. Later, when he received the compensation slip, the value of all what he claimed on this farmland was only MYR11,400 only and did not indicate the value of any of the items claimed (refer to Appendix 4A). OLH was unhappy about the amount and he went to file dispute compensation at Land and Survey Office where he was asked to fill out an application form and wait for further action. He started waiting for the response in 1996 and when they moved to Sg. Asap in 1999, he received another letter and compensation slip in response to his previous query. The value of the claim had been downgraded to MYR180.00, showing a drastic difference from the first one. He was even unhappier and again he filled in the same application form as he did the first time; this time he was waiting for court hearing about his claim. A few months later, another compensation slip came and the value stated was the same as the first amount, and he realized that he was not even called for a court hearing as he had expected. Knowing very well that his claim would not make any progress, he decided to keep the MYR11,400 after discussion with his wife.

3.3.2 Final settlement of compensation

In the final settlement of the compensation, the payment was made in two stages for both personal claims and communal land compensation – 30% before they moved to the resettlement and 70% after they have moved to the resettlement.

Box 3 : Final settlement of compensation

For example, from OLH the breakdown of the real amount received for compensation is shown below (refer to the copies of compensation slips in Appendix 4 and 4A). OLH claimed approximately 30 ha of lands; fruit trees were also included in the survey. From MYR18 million of the communal land compensation, the 1st payment (30%) received was MYR4000 per person before they moved to Uma Badeng in Sg. Asap and the 2nd payment (70%) received was MYR8600 per person after they have moved to Sg. Asap. OLH comprised of nine members, OL, his wife, and their seven children. Overall, each member of OL household has received MYR12,600 and that makes MYR113,400 received by OL household from communal land compensation.

The first 30% payment :

Name	Reference no.	Survey no.	Date	Total value (MYR)	First payment 30% (MYR)	Type of payment
OKANG	LS/BKN/9192	168A/95	13/11/1997	725,90	217,77	Crops
	LS/BKN/9878	174A/95	18/11/1997	796,20	238,86	Crops
	LS/BKN/A010	179A/95	18/11/1997	571,90	171,57	Crops
	LS/BKN/9751	176A/95	19/11/1997	6 460,50	1 938,15	Crops
	LS/BKN/C282	177A/95	19/11/1997	5 339,90	1 601,97	Crops
	LS/BKN/5449	168/95	25/08/1997	3 978,05	1 193,42	Crops
SIOH	LS/BKN/9411	172A/95	13/11/1997	2 158,20	647,46	Crops
	LS/BKN/9543	173A/95	14/11/1997	4 067,40	1 220,22	Crops
	LS/BKN/A031	179A/97	18/11/1997	211,00	63,30	Crops
	LS/BKN/9913	174A/95	18/11/1997	1 261,20	378,36	Crops
	LS/BKN/C960	169A/95	19/11/1997	38,40	11,52	Crops
	LS/BKN/9821	176A/95	19/11/1997	1 249,60	374,88	Crops
	LS/BKN/C374	177A/95	19/11/1997	126,20	37,86	Crops
	LS/BKN/C444	178A/95	19/11/1997	520,10	156,03	Crops
	LS/BKN/5503	172/95	21/08/1997	664,98	199,49	Crops
	LS/BKN/7080	173/95	21/08/1997	215,00	64,50	Crops
	LS/BKN/5457	168/95	25/08/1997	5 827,50	1 748,25	Crops
	TOTAL					10 263,61

OL personally received MYR22,000 for fruit tree compensation from his personal claims and his wife received MYR19,000 from her personal claims. So, the total compensation of the OL household for their assets in Long Geng, personal claims of OL and his wife, plus the communal land compensation was MYR154,400.

As mentioned, the compensation of 30% on personal and communal lands was given even before the households moved to the resettlement; thus all of the households interviewed claimed that this compensation was used to prepare for the move and trips to the resettlement. The remaining 70% of the compensation was received after they moved to resettlement but was used to furnish and improve the house, children's schooling at the new school, and to buy food and other needs during the first and second years following resettlement as they did not earn regular income.

For OL and his wife, they first farmed paddy hill rice on a piece of land that was not allocated to them. They just decided to clear a few hectares of land to plant paddy nearby the resettlement in 1998 because they felt they needed at least not to worry about buying rice for the family when they moved to the resettlement. When they had moved to the

resettlement, they actually had an abundant harvest. However, they could not sell paddy as the price was very low. Therefore, they shared the paddy with the other members of the family, as the harvest was more than enough for OLH. During the first year, OL and his wife were only concentrating on planting paddy hill and at the same time he was working on his own to drive passengers to town such as Bintulu and other places to earn some money. They only started to plant pepper and fruit trees in 2000. Of course, without much choice, OL spent the compensation that he and his wife received to support the household needs and their childrens' education especially when he did not drive any passengers to town.

With respect to the compensation instalments, the other 19 households chosen as case studies as well as the other 55 households taken for household surveys shared similar experiences to OLH. Unfortunately, the amount of compensation received by the other 19 households and the 55 household surveys cannot be described in detail because they were unable to release their receipts. Most of them did not keep the receipts or lost them during the transfers to Sg. Asap. Perhaps they also purposely did not want to share the information in this research. All of the households chosen for case studies and for household surveys have received between MYR60,000 and MYR160,000. The way they spent their compensation was more or less similar to OLH since they moved to Sg. Asap in 1999. Most of them depleted the compensation between 1 and 2 years after resettlement as they did not have any source of income. At least households like OLH could still manage to save some of the compensation because OL took the initiative to spend the compensation wisely by buying a reliable 4WD, which at the time was the only type of vehicle that could travel through the whole area of the resettlement and to the nearest town. Realizing that many people around the resettlement would need transportation, OL used this opportunity to earn while others keep on spending their compensation by going often to town to purchase something.

In relation to how the compensation was used for household maintenance after being resettled in Sg. Asap, 55 selected household surveys were conducted. During the first year (1999), all of the households purchased washing machines (MYR600-MYR800), refrigerators (MYR600-MYR800), televisions (MYR500-MYR900), DVD or VCD players or Mini hifis (MYR200-MYR600), motorcycles of less than 120cc (MYR4,000-MYR6,000), 4WD vehicles (MYR50,000) or cars (MYR25,000-MYR40,000). During the second year (2000) about 50% of the households subscribed to television ASTRO channel (MYR35-MYR75 monthly) and bought portable phones (MYR400-MYR700 each). However, only 3 households purchased 4WD and 7 households purchased cars. The rest of the households bought motorcycles and

more than 20 households owned more than one. Forty-five households had purchased at least one portable phones in 2000. During the first year, bicycles amongst children were very popular and almost every child who can ride a bicycle in Uma Badeng owned a bicycle either for going to school or for moving around the resettlement area. However, due to extensive use and poor maintenance, most of the bicycles were only one or two years. A few households that had purchased cars by paying only the 30% as down payment were unable to keep the purchase, as they did not earn enough income to pay the monthly payments. During the second year, these households decided to let go of their cars. Other than household's need for buying food and other necessities or for maintenance and to buy petrol for the vehicles, they also have to take from the compensation. Considering the amount received for compensation was not very much and that most people were without any permanent source of income, none of the household managed to save any even though they knew where to save money. All of the households stated that they had opened an account with Amanah Saham Bumiputra (ASB), a trust fund for Bumiputra in Malaysia where, at the end of the year, members are paid a certain percentage of dividend for their savings. Initially, they saved all the compensation they had received in ASB but gradually the money was withdrawn.

3.4 Unsolved issues in Sg. Asap

In the Sg. Asap resettlement, there are two unsolved issues that still become the main discussions of the Kenyah-Badeng and all the people in Sg. Asap overall: (1) the compensation of their longhouse in the former village and the ownership of the house allocated for them in the Sg. Asap; (2) the land title for the 3 acres they received from State government.

3.4.1 The house compensation and ownership

Based on evaluation done by The Coalition of Concerned NGO's of Bakun (Gabungan) in 1999, the substandard quality of the longhouse built in Sg. Asap made the MYR52,000 price tag hard to believe compared to the same quality of housing available elsewhere in urban areas. Each house in the longhouse (15 houses in each longhouse) is arranged in two storeys. The first storey consists of a living room and a kitchen connected by a small open walking path, a shower room, and a separate toilet in the kitchen area. Upstairs was just an

open space presumably meant as a sleeping area. All of these houses shared a common veranda.

The toilet and shower room was finished with rough cement floors while the walls are made from asbestos. The whole house was made from bad quality wood that was eaten by insects even before the house was occupied. The doors and the panels are made from plywood, the floorboards are thin third-grade softwood with gaps between the planks, and the main pillars are thin hardwood measuring 4" by 4" (the usual would be at least 6" by 6"). The main issue for the resettlers, who had to pay MYR52,000 for the house they occupied, was its poor construction. There were many broken doors, windows, toilets, shattered walls, leaking and stagnant drains, rickety stairs, and collapsing banisters even before the whole population move in the first year. As reported by Gabungan (1999), there was a one-year guarantee for the material used for the building of the longhouse to replace any defective materials, promised by State government according to a Minister, James Masing, during a press conference in May 19th 1999. Complaints were lodged with the District Offices in Sg. Asap for any damaged material but there was never any response from the authority. Rationally, a one-year guarantee implies that the materials used were short lived.

As told by key informants, during the first and second year no one modified any part of the house hoping that responsible agency would come and check the condition of the longhouses. However, knowing very well that there would be no replacement given to any claim of damaged materials, the people started to replace broken materials at their own expense before the house collapsed. At the time this research was conducted, most of the houses have been improved with better materials and some houses even have extensions of the kitchen and platforms behind the kitchen area to dry paddy.

As evaluated by Gabungan in 1999, there was very little attempt to involve the original inhabitants in design and choice of materials, instead, a British-based company called Bucknal was given the overall consultancy – like there were no qualified local builders and contractors in the State that had better knowledge of building longhouses. Back in 1999, Gabungan also discovered that the Sg. Asap settlement had not been granted its Certificate of Fitness (CF: also referred to as an Occupation Permit) and it still has not been granted. In addition, Gabungan revealed that the building plans for the settlement were never submitted to the statutory body, the Land Consolidation and Development Authority (LCDA) at the Kapit District Council, until the time they needed the Occupation Permit just before

the resettlement was implemented. As reported by Gabungan, this is a breach of established procedure and the Kapit District Council obviously did not do anything against this or even questioned the procedure as this action came from the State authorities (Gabungan, 1999: 40-41).

As told by key informants, the people moved to Sg. Asap longhouses without the CF. There was an attempt by the responsible government personnel to make them sign a working paper that they hardly understood for the house they currently occupying. None of the Kenyah-Badeng signed the document because they were scared that they would be forced to pay for the house without receiving any confirmation that they would be paid the amount compensated on their former house. In relation to this, Gabungan reported in 1999 that a further condition for payment of the remaining compensation balance of 70% was that the residents must first enter into a Sale & Purchase Agreement to buy the new longhouse unit at Sg. Asap. This was the policy as confirmed by the Senior Administrative Officer of Belaga District Office at that time. Upon conducting this research in 2004, every household and informants involved in this research stated that they had received the payment of the supposed remaining 70% of the compensation but with the exclusion of the payment for their former longhouse. They have also received the payment for the church building and the community hall.

The Kenyah-Badeng refused to sign the long written document partly because they did not understand what was written in the agreement as it was written in English which is incomprehensible not only to them but also to the vast majority of the people in Sg. Asap. However, two longhouses (Long Ayak and Batu Keling) signed the agreement by putting their finger prints on it without understanding the content and without any independent personal to explain the content of the 32-page document. The only reason they signed the document, according to Gabungan (1999) was that they would not be given the key to the longhouse if they refused to sign, which was not the case for the Kenyah-Badeng who moved a year later than the other two longhouses.

In relation to the payment of the new longhouse, as told by key informants, all of the households in Uma Badeng are aware that they have to pay MYR52,000 for the house they are occupying. However, every household are also aware that they have no source of income to pay that amount; thus, there is no solution to this issue. All of the households of Kenyah-Badeng in Sg. Asap have received information on the value of their house in their

former village but have not received any of the payment. Perhaps due their refusal to sign the Sale & Purchase Agreement in 1999 is why they have not received this payment. According to key informants, they would not get the payment from the value of their former house because that payment was to be deducted from the total MYR52,000 that they were supposed to pay for the house they currently are occupying in Sg. Asap. This was reported earlier by Gabungan (1999) that no one has been paid compensation for to the loss of their houses and in fact the sums they were informed of for their houses are used to offset the price of their new longhouse. For example, in 1997, OLH received information that his house in Long Geng was worth MYR44,600 but he did not receive that payment. Therefore, he would still need to pay around MYR7000 for the house in Sg. Asap. However, he has yet to receive any instruction or official letter to inform him about the payment for his previous house in Long Geng, nor did he receive any instruction when he should start paying for the house he currently occupies with his family in Sg. Asap.

3.4.2 Land rights and ownership at Sg. Asap

To quote Rousseau (1995)²⁷, the resettlement area *"is inadequate. Planners have failed to consider the current needs of the people; they have failed to plan for a population increase; they have failed to consider the needs of the people from the lower Balui, who currently face a shortage of land. The Government is also ignoring the fundamental issue of land tenure. Without long-term secure rights to land, effective development is impossible; feelings of insecurity will sap the enterprise of the population concerned"*.

The Kenyah-Badeng in Sg. Asap received the right to use 3 acres of land for each household. However, none have received any land title for these 3 acres to secure the ownership of the land. Beyond the resettlement, lands have been leased to oil palm companies. SOLID Oil Palm Company²⁸ proved its leased of land to the people in Sg. Asap with the document and certificate of leasing during an official meeting in 2004 (see Appendix 6, 6A, 6B and 6C). The Kenyah-Badeng, as any other group in Sg. Asap, are still unclear about the status of the 3 acres that they have be granted rights to use. The

²⁷ "The Bakun HEP and Resettlement". Paper presented to a seminar on the Bakun project, December 1995 (quoted from Gabungan, 1999:49).

²⁸ SOLID Oil Palm Company is under SOLID Timber Company directed by Dato Ding Lian Cheon based in Sibul, Sarawak. This company has about 500,000 ha concession in Malaysia. The area where the oil palm plantation is located was a logging area.

question is whether there is ever going to be any land title given to the 3 acres of land they received as part of their compensation. Another question is whether the 3 acres are also under the lease of SOLID Oil Palm Company. For subsistence farmers who work prominently with shifting agriculture, the 3 acres is inadequate. The majority of the households grew only peppers and fruit trees on the land they obtained. Therefore, there is an urgent need for more land for paddy and vegetables. All of the households interviewed for this research admitted that they opened up State land to plant paddy hill and vegetables. The size of the State land farmed by each household ranges from 5 to 8 acres. Unfortunately, by opening up State land, they have dragged themselves into problems with oil palm plantation companies, particularly SOLID Oil Palm which officially has the lease and document for the land. The Kenyah-Badeng were not aware that these lands have been leased to the companies since 1996. A few households gave up the land they have farmed to the company and received small compensation for their work to clear up the land while others refused to do so. This has created another problem for them and as there is no support from any government agencies to inform the people in Sg. Asap resettlement about the real situation on the lease of the land. The oil palm companies have had to handle this problem and find conflict resolution as diplomatically as possible. This issue is to be discussed in next chapters under livelihood strategies.

3.5 Conclusion

The main issue underlying the entire problem discussed in this chapter is the communication breakdown between the State authority and the indigenous communities dealing with Bakun HEP, the resettlement program, and the compensation. Government agencies failed to implement their important role in dealing with the resettlement program and all the issues attached to it.

First, as well publicized in media and spoken out loud by NGOs and local and international activists, there was very little transparency in the Bakun HEP with the inclusion of its resettlement program. The indigenous people, such as the Kenyah-Badeng in this research, had received minimal information on the resettlement program. As a result, they were not prepared mentally, physically, and economically for the resettlement. Consequently, they, like all the others who are affected by the Bakun HEP, are going through tough transitions to survive the resettlement process. However, the transition seems to never end with

unresolved issues that are still pending such as house compensation and ownership, as well as the land title for the 3 acres of land they have given the undocumented right to farm.

Second, the break down of communication that touched the very core issue of the livelihood of the indigenous people is traceable to the dissemination of information on land tenure, its amendment, and policies. In general, there is not enough transparency in Land Tenure particularly on Native Customary Land for the indigenous communities to understand. Of course, there are publications, such as the book on Adat Kayan-Kenyah or Adat Iban, that provide information to the public about Native Customary Land in familiar local indigenous language but it is written in a fashion that makes it complicated and is barely understood even by policy makers or government personnel. Ordinary individuals who are subsistence farmers such as most of the Kenyah-Badeng do not know what is going on in the Land Code. This does not underestimate their capabilities but the Land Code is complicated to explain and to understand, even for educated persons. There is a lot of manipulation in the Land Code that does not put the native's right in a secure place; in fact, the reverse is true. With respect to this research, without an understanding of the meaning of ancestral land or native customary land or tanah adat and the other issues attached to it made an indigenous person landless because as demonstrated in this chapter, for the payment of compensation, none of the individual received payment for the land they have claimed rights but for the rights to use which were on the number of fruit trees they had on the land they claimed as theirs, even that was barely counted.

Third, it is very easy to put the blame on the local leaders: penghulu and tua uma. However, analyzing the whole situation, even if they understood their authority made effective through adat system, it is not a guarantee for problems not to occur. On one hand, it is not entirely the fault of the local leaders if they do not understand much about land rights or rights of their people even though they have been appointed as the custodian of land tenure which in many parts of the Land Code have been amended and those amendments directly affecting every aspect of adat system. However, on the other hand, it makes it worse when this role is not observed and respected by the local leaders. Perhaps if the adat system was observed and practiced effectively, they could have played a role in minimizing the problems and opening up opportunities. Then, their people could at least start a livelihood that is not worse than what they used to have.

Chapter 4

Development and Displacement: Theories to reality

4.1 Introduction

This chapter discusses displacement amongst settlers due to development-induced program. As theorised in this research, there are three different levels of displacement: first, prior to moving to the resettlement potential settlers are facing a critical stage for making decisions about abandoning their natural environment that causes emotional distress; second, after moving to the resettlement settlers were confronted with many critical issues concerning inadequate and impossible compensation for their losses of natural resources, social heritage, and land, that add misery to their already distressing situation; and third, resettling without any promising resources to initiate livelihood to improve their situation relative to before the resettlement. In this chapter, the stages highlighted are the last two in which the settlers are struggling with resources to strategise their livelihood at the resettlement. The discussion takes the headings of objectives outlined by State Planning Unit, Sarawak, in the development plan of the resettlement to better explain the cause of the displacement and to illustrate the reality of the Kenyah-Badeng that turned out to be the opposite of what was expected. The discussion in this chapter is focused on the first five years (1999/2000 until 2004) of their living conditions in the resettlement and the way they are coping and managing risks. Empirical studies based on households' in-depth interviews are used as the major source of information in this chapter.

4.2 Development and displacement: The understanding of the concepts

"The government says that it is bringing us progress and development.....For us, their so called progress means only starvation, dependence, the destruction of our culture and demoralization of our people"

"The government says it is creating jobs for our people. But those jobs will disappear along with the forest. In 10 years, the jobs will be gone; and the forest which has sustained us for thousands of years will be gone with them"

"My father, my grandfather did not have to ask the government for jobs. They have never unemployed. They lived from the land and from the forest [and] we were never hungry or in need" (Anderson Mutang Urud, Sarawak)

This statement illustrates a typical situation where the state assumed that the natives are unaware of the meaning of progress and development. According to this statement, the state failed to understand that jobs are available even in the forest and that these natives have never been unemployed. However, the jobs would no longer be available if their natural environment is destroyed by so-called development projects, which very often are not directed to the natives. The purpose of this illustration is to explain that the state is applying similar development strategies to the natives over and over again without realizing the importance of taking into account the natives' opinions and understanding of progress and development.

In Sarawak, natives traditionally resided in villages in remote areas, living in longhouses and practicing shifting cultivation and subsistence agriculture. The definition of traditional communities in this respect includes their way of life, their traditional territories, and their traditional resources. The natives live as a distinct people and they occupy the last remaining resource frontiers in a state dominated by a profiteering system. Very often, with the advent of the development model applied by the state, monetary profits are being appropriated from the natives and the natives found that their traditional territories where the natural resources found therein were highly sought-after by others. The only way to reach out for these last remaining natural resources is by developing the natives' territories. However, the concept of development imposed by the state is clashing with the natives' understanding of development. The concept of development amongst the natives is based on the implementation of their indigenous rights which focus more on collective rights. In contrast, developmental policies pursued by the state consciously or unconsciously ignore the economic and social interests of the natives.

The common practice in Sarawak for developing the natives is the use of land development for commercial crops such as oil palm by involving the natives through resettlement programs. The natives' livelihoods are distressed because they are relocated away from their roots and their natural environment; their way of life, the attachment to their territories, and the distance of their villages from the urban areas are the hindrances to their development. It is very typical for the state government to have settlers resettle in areas where there is a

massive land development in order to limit their subsistence agriculture; the assumption is that the natives would be able to participate in the monetary system as a way to develop them. On one hand, there is the promise for progress and development for the settlers because they are getting involved in commercial agriculture; on the other hand, the promised labor jobs at the oil palm plantations do not often give promising livelihoods because they are low paid jobs.

As stated by Ngidang (2005) in the case of Iban native customary land development, the natives are required to bear the cost of state-sponsored market economy by sacrificing their personal liberties, trading away their rights, forgoing their lands, and selling their labor in order to support the nation-state to achieve economic growth as they make way for development (Ngidang, 2005:70). Nevertheless, the reality is the state is more concerned about how to access and exploit the resources that lie within the territories of the indigenous people²⁹ (Maybury-Lewis, 1997) without taking into account the welfare of the natives who are a small percentage population compared to the larger percentage of others in the country who would benefit from such development. Very often, this exploitation that underlies the purpose of development leaves the indigenous people with livelihoods of “under-development”.

In the case of the settlers of Kenyah-Badeng, from the start the development plan for the resettlement has caused them more losses than gains, typically causing destruction to their social environment and economy. Not only they have lost their natural environment, they are also placed in a very uncertain and insecure new environment where resources are very scarce. They have been displaced in every social and economic aspect.

4.3 The concept of displacement

The Kenyah-Badeng situation is best explained by this statement:

"Has it ever occurred to you that after my time out here others may appear with soft and smiling countenances, to deprive you of what is solemnly your right – that is the

²⁹ A good example of discussion similar to this situation can be found in Maybury-Lewis, David (1996).

very land on which you live, the source of your income, the food even of your mouths? If this is lost once, no amount of money could recover it strangers and speculators will become masters and owners whilst you yourselves, you people of the soil will be thrown aside”.

These words of Charles Brook, the Second Rajah of Sarawak, were spoken to the State Council in 1915 (cited from Colchester 1992³⁰). The statement basically describes the possible displacement amongst the natives in which the native would face unfair deals for their rights to their land when there are interventions from outside developers who do not include them in the development projects. The natives are considered dispensable despite the rights they have on their own native lands. The statement elaborates the meaning of displacement, which is the state of being displaced or putting out of place (Webster Dictionary, 1913). In other words, displacement can be defined as to move something from its natural environment³¹, in this case the settlers. Displacement can be understood as what Gellert and Lynch (2003:16) have stated as “an ongoing dialectical process that simultaneously embraces natural, material and social dimensions”. In this research, displacement is discussed in Feldman’s (2003:8) term as “the relationship between development projects and the determinations of both inequality and poverty” where it “often exacerbates rather than mitigates economic insecurity, alienation from community, and rights to land and other forms of private and common property” (Feldman et al., 2003:9). So, by adapting these definitions, this research understands displacement as an implication of moving people from their natural environment that mitigates social and economic insecurity, alienation from community and rights to lands, and other forms of private and common property.

Displacement of the population in a resettlement scheme or program is very much related to the poor planning of the resettlement. Countless studies have vividly reconstructed how displacements erode confidence in self and in society, render much human capital obsolete, and unravel social capital (Cernea, 2003:40). Cernea (2003:37) stated that central to the socio-anthropology of population displacement is the impoverishment of those displaced and

³⁰ Colchester, Markus, `Pirates, squatters and poachers: the political ecology of dispossession of the native peoples of Sarawak. 1992.

³¹ <http://www.hyperdictionary.com/dictionary/displacement>

the options for resettlement with development. These ideas are followed by his sociological critique of the compensation principle that the magnitude and span of material and non-material impoverishment of persons exceed by far the redeeming powers of compensation-centered solutions (Cernea, 2003:40). This argument is explained by taking the regular outcomes of displacement through the Impoverishment Risks and Reconstruction model (Cernea, 2000). Cernea states that, depending on local conditions, type of project, sector, or type of displacement, the intensity of each individual risk varies and the outcomes range in severity. Nevertheless, compensation was unable to prevent impoverishment. The populations that are displaced often having their economic bases and livelihoods dismantled (Cernea, 2003:37). The losses of income, assets, rights, and standing are multifaceted – economic, social, cultural, in cash and in kind, in opportunities, in power. Cernea (2003:40) further states that capital loss by settlers includes natural or man-made physical capital, and human and social capital. The income loss is not only cash income but also income that is psychological in nature, including benefits, status, and identity which are beyond measurable market value of the physical assets subject to compensation.

Diagram 2 : The stages of displacement

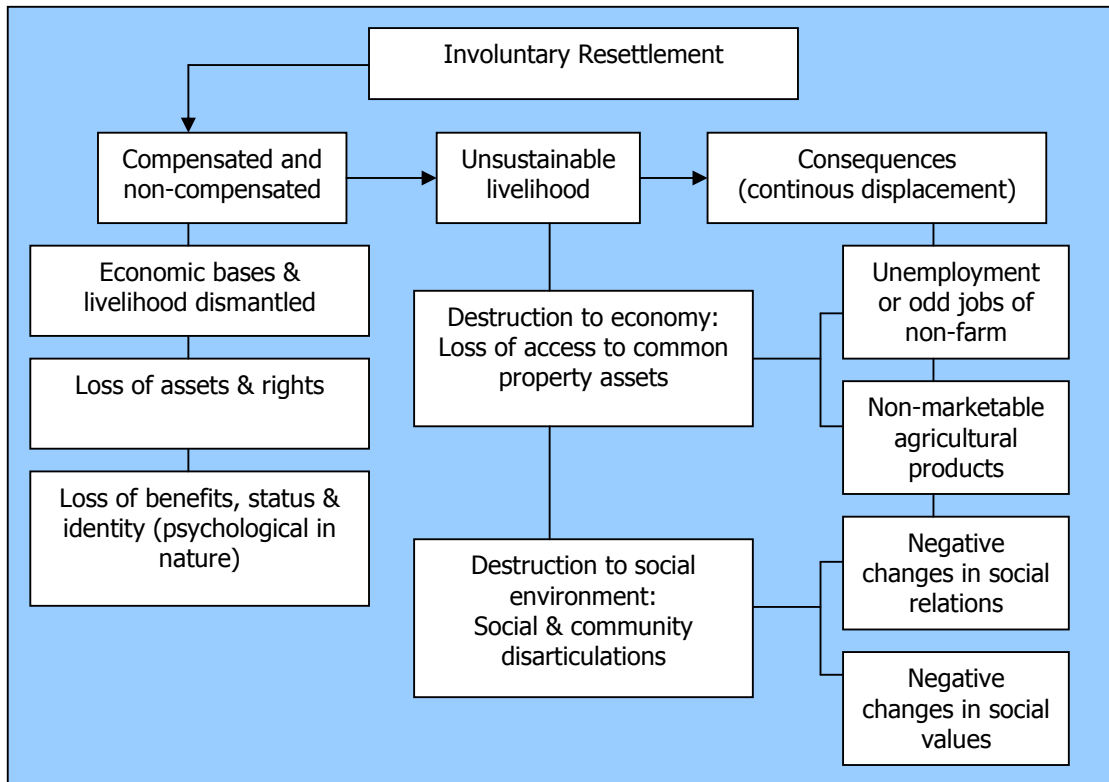


Diagram 2 summarised the explanations on the stages of displacement faced by the settlers.

As for the Kenyah-Badeng, physical displacement seemed to be minimised as they have been moved to an environment while maintaining the physical structure (almost similar to their former village) and the community structure (grouped them together in the same households, kinship and neighbourhood). However, still they are continuously displaced in many aspects, especially by being unable to have a sustainable livelihood in the resettlement. Moving them from their natural environment has caused the destruction of their economy, primarily through losing access to common property and abundant resources, and the destruction to their social environment by causing social and community disarticulation. The settlers are facing social and economic insecurity, as well as alienation from community and rights to lands and other forms of private and common property. In the resettlement, the Kenyah-Badeng and other settlers are facing difficulties developing effective livelihood strategies due to lack of resources. This has resulted in continuous displacement. How this situation occurred, especially considering that the resettlement at Sg. Asap was well planned as expressed in the publication "Bakun Green Energy", a resettlement plan development published by Economic Planning Unit, at the Prime Minister Department, is a question that the following section attempts to answer.

4.4 The outcomes of the "Bakun Green Energy" resettlement plan development

In September 1993, when the project was revived, at least partly as a response to problems of electricity supply in Peninsular Malaysia (Star, 20/9/94), the Prime Minister stated that "Bakun will not only provide the cheapest source of energy but will also serve as a catalyst to the country's industrialization programme". Along with this project, the resettlement program was designed as part of the development to enable the natives to profit elsewhere as the development project is drowning their natural environment and everything else. As published in "Bakun Green Energy", a publication of the Economic Planning Unit at the Prime Minister Department³²:

³² Quoted from <http://www.epu.jpm.my/Bi/publi/bakun/bakun5.htm>

The resettlement site for the affected communities are selected based on the following criteria: potential development and soil suitability; semblance of the new environment with the existing affected area; preservation of the existing ecosystem; and strategic location of the area to promote regional development.

The Resettlement Programme focuses on job-oriented activities to generate higher income for the settlers on a sustainable basis through the restructuring of the existing socio-economic activities. To achieve these objectives, the State Government has adopted the following strategies:

- emphasis on commercialization of oil palm plantations with equity participation of settlers through trusteeships*
- commercialization of food production*
- provision of service centres, infrastructure, utilities and social facilities and amenities*
- preservation of local heritage and social values*

The key development components of the Resettlement Programme consist of:

- oil palm plantation development*
- establishment of new settlement/longhouses*
- establishment of a service centre/Bakun townships with modern social facilities and amenities like schools, a hospital, Government and commercial establishment*
- development of infrastructure and utilities such as road, and electricity and water supply*
- promotion of agricultural activities such as padi farming, fruit cultivation, poultry farming and fisheries*
- development of tourism and cottage industries*

Based on fieldwork study amongst the Kenyah-Badeng, the expressed objectives of the resettlement program have not been achieved successfully. It is a question of whether the implementation agencies have not managed the resettlement development plan efficiently or whether the state government is to be blamed. As there is inadequate data to discuss and answer this question, the only possible evaluation to be discussed is the unsuccessful achievement of stated objectives based on current situation of the Kenyah-Badeng. The

objectives are to be divided into two headings based on the two components of Cernea's IRR model. The result of each objective is illustrated by a case study.

4.5 Loss access to common property assets: Struggling for resources

Noting Mathur (1998) and Mahapatra, 1999a, 1999b), for poor people who are landless and have no assets, the loss of access to the common property assets that belonged to relocated communities (pastures, forested lands, water bodies, burial grounds, and so on) results in significant deterioration in income and livelihood. As a result, displaced people tend to be willing to explore just about any available resources. Cernea (2000) clearly states that "when displaced people's access to resources under common property regimes that is not protected, they tend either to encroach on reserved forests or to increase the pressure on the common property resources of the host area's population. This becomes in itself a new cause of both social conflict and further environmental degradation" (29). In relation to this, the main argument in this section is the resettlement program, due to the implementation of Bakun HEP, has not served the purpose of the resettlement program and the objectives of its development as outlined in the development plan. Thus, it is wise to discuss every objective as outlined in the development plan by illustrating the real outcomes of the proposed development.

In this section, the prominent issue that underlies all of the discussions is no proper access to resources to generate livelihood strategies. This issue explains the displacement faced by the settlers after resettlement. The surroundings of the resettlement do not cater for job opportunities except that of being a farmer on the land obtained from the state government or of working as laborers at oil palm plantations. However, the land size of three acres provided by state government is claimed by settlers as inadequate to support a sustainable livelihood³³. It is also argued that it is unrealistic to expect the households to be able to earn a living from a three-acre plot because most of the settlers have no experience or skills in intensive agriculture. Furthermore, the location of the land is only accessible by vehicle and most of the households do not own any. For those who have the land near the longhouse, the land is not suitable for farming due to poor soil quality and bad topography.

³³ Sustainable livelihood will be discussed in the next chapter under livelihood strategies topic.

Therefore, the settlers started to farm state lands unaware that the lands had been leased to oil palm companies. In the process of settling disputes with one of the oil palm companies, the settlers learned that the only source of immediate income made available to them is working at the oil palm plantations.

4.5.1 Objective 1: The emphasis on commercialization of oil palm plantations

In a report prior to the resettlement program, Rousseau stated that, with regard to cash crops, the only option which was considered viable was one in which the people received title to plots of land prepared for cash crops. There was a strong rejection of plantations in which they would be wage labourers (Rousseau, 1994:20-22). With regard to the objective that emphasizes commercialization of oil palm plantations, the Kenyah-Badeng, from the very beginning, objected to oil palm plantations because they knew that the wages working as labourers at the plantation would not be enough to support their families. With wages as low as RM8.00 per day, the Kenyah-Badeng prefer to work on their own farm growing cash crops such as peppers while at the same time continuing to grow rice and vegetables for daily consumption the whole year round. In addition, with 3 acres of land, the Kenyah-Badeng cannot offer their land to the oil palm plantation for joint-venture projects that can give them a possible 30% commission for every MYR1000 worth of oil palm sales. They knew that if they give up their 3 acres of land to the oil palm plantation, they would lose all the means to support their daily food needs because they are not allowed to grow anything else under the oil palm trees. The oil palm trees take a few years to produce the fruit. Without any other source of income, they would possibly not survive the resettlement.

Box 4 : Case study of objective 1: Kenyah-Badeng vs. SOLID Oil Palm Plantation

The Kenyah-Badeng only realized much later in December 2004, after the meeting³⁴ with an oil palm company (SOLID Oil Palm Co.), that they were surrounded by oil palm plantations and that they had been working on state land (with the exclusion of the 3 acres they obtained right to use from the state) which had been leased to the company. The meeting was held on the 18 December 2004 at the Office of SOLID Oil Palm Plantation Sdn. Bhd. at 9 am (see Appendix 5 for the invitation letter). The agenda of the meeting was Jemputan ke Perbincangan Penilaian Penat Lelah di Lot 8 Punan Land District (Invitation for a discussion

³⁴ I was present the whole time in the meeting, not participating in the discussion but documenting all what has been discussed.

to evaluate labor compensation at Lot 8 Punan Land District). This invitation was sent to the Senior Assistant Officer (SAO) who is the highest ranking government officer in the area. It was the first meeting ever conducted to resolve the problem of land in the area. At the meeting, there were fewer than 10 people including one of the community leaders of the Kayan and the SAO was not present. During the meeting, the manager of the oil palm plantation explained the situation. As stated in the provisional lease of state land, 5000 ha of land at Lot 8 (see Appendix 6A and 6C for the documents), Punan Land District, had been leased to Sarawak Enterprise Corporation Berhad, a company incorporated and registered in Malaysia under the Companies Act, 1965, in consideration of payment of a premium of MYR3,088,750.00. Sarawak Enterprise Corporation Berhad became the lessee on 16 June 1997 with an annual rent of MYR12,400.00. The lease was granted for 60 years. This lease was registered at Kapit Land Registry Office by the Superintendent of Lands and Surveys. However, the land was caveat lodged by SOLID Timber Holdings Sdn. Bhd. on 8 December 2000 and the lease was transferred officially to SOLID Timber Holdings Sdn. Bhd. for MYR6,177,500.00 (vide Kapit No.L.490/2002) on the 26 July 2002³⁵. In this document, the locality of the lands is Bakun Resettlement Scheme, Belaga, and categorized as category mixed zone land and country land with survey plan reference: MP7/11-30 (refer to Appendix 6, 6A, 6B and 6C for the documents).

During the meeting, the manager of the oil palm plantation emphasized that the settlers have no rights to even claim compensation from the company for the land they have been utilizing because the lands are not free lands. He also reminded the settlers that the utilization of that land by the settlers has delayed the plantation activities that were supposed to commence in 2002 right after the lease was officially transferred to the company. The settlers responded that it was not their fault that they were settled in an area surrounded by leased lands and that they were not aware of the whole situation; as a result, the settlers demanded some compensation for the lands they have cleared and grown fruit trees. The manager replied in a very diplomatic manner trying to avoid confrontation by saying that the company does not have any allocation to compensate for the losses and the labor. However, he also said that, since the company does pay for clearing jobs at required lands, payment could be negotiated to compensate their losses and labor. Finally, the manager stated that the company could only pay MYR300.00 for every hectare that had been cleared by the settlers. The settlers were unhappy and threatened to bring the matter to court. The manager responded instantly by mentioning that since they have no right at all on the land, they will never win any case and they should be grateful that SOLID Oil Palm deals with the matters without any threat and cruelty. The settlers had to agree with the manager because the other oil palm companies had not been diplomatic at all with the settlers. Furthermore, the manager of the plantation had been very transparent to the settlers by showing all the relevant documents that show the company's right to the land at Bakun Resettlement Scheme.

However, before the meeting between the settlers and SOLID Oil Palm Plantation Sdn. Bhd. took place, there were many incidents that sounded very unpleasant and caused distress amongst the Kenyah-Badeng who have opened the leased lands. Before the meeting, overlapping claims of state lands between the company and settlers were the major subject of discussion. Most of the households of Uma Badeng have expanded their 3 acres of land possession to state lands by turning the lands into rice hill farm and starting to grow oil

³⁵ Information obtained from the copy of the official document collected during the meeting on the 18 December 2004.

palms. It is obvious that the 3 acres are really inadequate as sources of living for the Kenyah-Badeng. As reported by Rousseau (1994), people were well aware that the proposed resettlement area was too small for all of them to continue to practice swidden agriculture, given the intention to provide plots of about 10 or 12 acres. However, there was also a general agreement that shifting cultivation has to be continued because without it they would be completely dependent on the market and the wholesale move to cash crop scheme would in effect impoverish them; they would lose access to free rice, fish, meat, and vegetables (Rousseau, 1994:21). People are facing the reality that with 3 acres without any possibility to acquire more land, cash crops are even more unattractive.

According to informants, before they moved to the resettlement, they had been informed by the Member of Parliament (MP) and Senator of the region that they were allowed to farm and occupy state lands the same way they had done at Long Geng, their former village. Therefore, they dared to occupy state lands. Based on the household survey, every household occupied more than 2 ha of state lands. The Kenyah-Badeng happened to be dealing with SOLID Oil Palm Plantation (OPP) Sdn. Bhd. A few households have disputes with other oil palm companies such as Rimbunan Hijau Sdn. Bhd. and Shin Nyang. Around the Bakun resettlement, SOLID OPP, EKARAN Co. and SAMLING Co. started putting up "No Trespassing" sign boards on many state lands. However, all of the sign boards have been taken down in protest by the settlers.

Disputes occurred between SOLID OPP workers who surveyed the boundaries of the project and the settlers. The settlers were informed that they should abandon the state lands that they have cleared and stop planting oil palm as the lands belonged to SOLID OPP and that the settlers can be brought to court due to their illegal actions. Nevertheless, many settlers wondered why, if they were performing illegal actions by farming state lands, SOLID OPP would bother to offer them compensation for the crops grown on the state lands. SOLID OPP even listed the price of each crop (e.g., 50 cents for a cocoa tree that has just been planted and MYR1.00 for a cocoa tree that has produced its fruit). Of course, the offer and the price made the settlers go berserk because the prices offered were ridiculous. For a hectare of land, SOLID OPP offered MYR300.00 to the settlers. However, according to the lists of Land and Survey, a hectare should be worth MYR1200.00. Since there is a fixed price listed at the Land and Survey department, the settlers were even more convinced that they should defend the state lands they are occupying. The settlers voiced their opinion by saying that they are not interested in trading their lands for cash because the long-term harvest will pay off their efforts and hard work while the cash will soon be gone.

Nevertheless, before a few households made widely known their plans to defend their lands, a few households sold the state land they have farmed to SOLID OPP, not knowing that the lands actually had been leased by SOLID OPP and the money they received was a gesture of compensation. They fear that they will be brought to court. Furthermore, SOLID OPP workers threatened them by telling them that they will have to pay the court costs by selling their house and will have to pay compensation to SOLID OPP if they lost. They were convinced that they would lose the case because they did not have any lawyer to represent them in court. The settlers are mostly illiterate and do not have any knowledge about the land issue.

A few other households at Uma Badeng tried to negotiate with SOLID OPP, instead of selling off the lands to the company; they wanted to sell the fruit to the company later. In that way, the settlers and the company will benefit each other by saving the company's expenses on workers and the settlers would not have to find buyers for their production. However,

the company totally rejected the suggestion because the SOLID OPP wanted the land possessions.

The courage to defend the lands from being taken by the oil palm company was initiated by a household, identified as OL Household, who refused to take up the offer to sell the lands even though lands that surrounded theirs had been sold. SOLID OPP workers cleared the surrounding lands by leaving the lands that the household refused to sell in the middle of the bald hill. The action taken by this household showed the others that they do have land rights and the company would not be able to clear up the lands without any permission. OL Household continued to clear up to about 10 hectares of state lands that is still unoccupied by oil palms.

As revealed by Penghulu, during a meeting SOLID OPP even offered the Penghulu and Tua Uma MYR1000.00, respectively, with the idea that both leaders would give full cooperation during negotiations with the settlers so that they would all agree to sell the state lands they have farmed. Nevertheless, both local leaders refused the offer and regarded the action as bribery. Both local leaders insisted on a meeting between the settlers involved and SOLID OPP. The dispute continued for the whole year of 2004 because, instead of dealing directly with the settlers, the company requested that both local leaders have a meeting to discuss the matter and inform SOLID OPP the decision taken by all settlers. The last meeting that took place was on 2 November 2004. Before Penghulu and Tua Uma gave their decision to the Chief Surveyor of SOLID OPP, about 60 households had signed a disagreement petition to sell their land to SOLID OPP (out of 197); a few had sold their lands and others did not have lands around the area of dispute. However, the SOLID OPP Chief Surveyor later came to meet the Penghulu at the longhouse and requested another concession by asking for the 3 acres of allocated land. The matter became even more complicated because the first issue of dispute was leased land that belonged to SOLID OPP and later came the issue of identifying households who were interested in selling their 3 acres of land. SOLID OPP offered settlers a 30% commission on every MYR1000 worth of oil palm sales if the oil palm is planted on their 3 acres of land. However, the settlers' argument was if the only land they have the right to farm is going to be sold to SOLID OPP, on what land then they are going to plant paddy and vegetables for daily consumption? Therefore, the suggestion was turned down abruptly.

Since the Chief Surveyor for SOLID OPP failed to solve the dispute, the manager of the plantation finally stepped in. As there was no other way to solve the problem except to meet personally settlers who were present at the meeting between the manager of the plantation of SOLID OPP and the settlers that took place on 18 December 2004. Certainly, these types of disputes are made known to the officers at the local District Office but they do not have the authority to intervene because the lease of the lands is legal and followed proper procedure. Therefore, the matters were left to the involved parties to solve. After the meeting took place, it was clear to the settlers that they do not have the right on the land and reluctantly they accepted MYR300 for every hectare that they have helped SOLID OPP to clear.

If settlers in the Bakun resettlement scheme were to be involved in commercial crops, such as oil palm plantations, they should have been informed clearly in written documents from the very beginning when the resettlement program was planned. The state should also have

made arrangements with the respective oil palm plantations around the area to avoid disputes between oil palm companies and the settlers. Furthermore, without any experience in oil palm plantation management and skilled labor, the settlers who have no choice but to earn a living at the oil palm plantations would end up only as hard labourers earning between MYR8.00 to MYR10.00 per day. This amount is barely to cover the daily transportation between the oil palm plantation and their longhouse at the resettlement.

4.5.2 Objective 2: Commercialization of food production

The key development component underlying this objective is the promotion of agricultural activities such as paddy farming, fruit cultivation, poultry farming, and fishing. However, the main issue that has become a big obstacle to achieving this objective is the land size of three acres. It is unrealistic to expect the settlers to rely on agricultural activities on a three-acre plot to earn their living. The settlers can cultivate rice and vegetables on their three-acre plot for their daily consumption but cannot earn enough cash from the commercialization of food production from their agricultural activities.

However, there are also attempts by households in the resettlement to sell their vegetables from the farm to earn a little bit of cash when they have an abundance of seasonal vegetables (see Table 12). However, there are no free official market spaces for food production at the Sg. Asap resettlement center. The women sell their vegetables outside the shops owned by the Chinese shopkeepers. Normally, they sell a few bundles mainly to the Chinese shopkeepers and truck drivers and bring back home the rest of the vegetables in the late afternoon. As the resettlement is isolated and only consists of the settlers, there are not many potential outside buyers except truck drivers who have stopped for refreshment at the Chinese food center. Furthermore, the settlers cannot rely on local markets because all households are growing the same vegetables. There is more food supply than food demand because majority people in the resettlement are working as farmers. Consequently, the vegetables are mainly grown for household consumption. At Uma Badeng, a few households put out small bundles of for MYR1.00 per bundle in front of their compartments on Sundays. As they are buying from each other, none are making any profit. The season when vegetables are abundant is between August and February (seedling season until harvesting season for paddy cultivation).

Table 12 : Seasonal vegetables in Uma Badeng, Sg. Asap

Month	August	September	October	November	December	January	February
Vegetables	Bayam (spinach)	Daun timun (cucumber leaves)	Buah timun (cucumber) Daun timun (cucumber leaves) Chillies	Buah labu (pumpkin) Buah kundur (white pumpkin) Buah timun (cucumber) Chillies	Kacang panjang (longbeans) Kuai (?) Peria (Bittergout) Terung iban (Sour brinjal/eggplant)	Kacang panjang (longbeans) Kuai (?) Peria (Bittergout) Terung iban (Sour brinjal)	Kacang panjang (longbeans) Kuai (?) Peria (Bittergout)
Others (all year round)	Daun ubi (tapioca leaves)	Daun ubi (tapioca leaves)	Daun ubi (tapioca leaves)	Daun ubi (tapioca leaves)	Daun ubi (tapioca leaves)	Daun ubi (tapioca leaves)	Daun ubi (tapioca leaves)

Commercialization of food production cannot be their source of income because there is no market for their agriculture products even outside the resettlement. In Table 13 as shown below are the costs that every household have to take into account before going to the nearest town or market outside the resettlement. For most of the households, it is not worth it to go to both markets because the value of their vegetables would not even be adequate to pay for the return trip. However, a few households who have families living in Bintulu manage to sell their vegetables every season in the local market. The family members who are residing in Bintulu would help to transport the vegetables to the local markets when they come to visit their families in the resettlement.

Table 13 : Market and costs of transportation

Name of location	Distance from LH	Time	Cost of transportation
Semilajau market	Approx. 180 kms	2 hours	MYR25 return trip
Bintulu local market	Approx. 200 kms	2.2 hours	MYR35 return trip

Box 5 : Failure of marketing food production

In 2001, there was an attempt amongst the women in Uma Badeng to get involved more seriously in commercialization of food production. The women formed a group working on a large scale to grow vegetables. It was a project initiated by the agriculture department situated at Sg. Asap center and it provided the women's group with seeds and fertilizer. The vegetable garden was located on one acre of land that belonged to the health center,

nearby Uma Badeng. However, the project did not last more than one season because there was no efficient strategy to market the vegetables. According to a few participants of the project, they had been trying to get a supplier from Bintulu to buy their vegetables from the beginning of the project. Prior to harvesting, they did manage to get a deal from a supplier in Bintulu who has established a network with market places around Bintulu to buy all the vegetables and arrange for the transportation of the vegetables to Bintulu. However, the supplier did not turn up to collect the vegetables after they were harvested. As the vegetables were waiting for the supplier's truck to arrive, most started to dry and rot under the sun. The women's group then tried to sell some of the vegetables to other longhouses in the resettlement but they did not manage to sell even one third of the vegetables. The supplier came a few days later informing that he could not get any trucks to collect the vegetables because the other suppliers refused to cooperate with him. He also explained that he would not be able to continue his business if he buys from others outside the network because he would risk a boycott of his business by the market places around Bintulu. The market places in Bintulu are occupied by Chinese traders and the vegetables are supplied by Chinese farmers around and outside Bintulu town. The business network has been established and it is not possible for outsiders, especially the non-Chinese, to enter this business network unless markets for the native farmers are created by the local authority and by the state government. After this failure, the women's group never attempted to take the risk of growing vegetables in large scale. Most of the households in Uma Badeng and other longhouses in the resettlement grow vegetables for domestic use. The same is true for poultry and fish ponds. Although the households rear chickens, ducks, and pigs in cages, all of these products end up as domestic use or sometimes sold around the resettlement without much profit.

The settlers certainly cannot rely on the food production as a support for sustainable livelihood for as long as there is no efficient strategy to market their production.

4.6 Social and community disarticulation

Cernea (2000:30) explains that "forced displacement tears apart the existing social fabric. It disperses and fragments communities, dismantles patterns of social organization and interpersonal ties; kinship groups become scattered as well. Life-sustaining informal networks of reciprocal help, local voluntary associations, and self-organized mutual service are disrupted. This is a net loss of valuable social capital that compounds the loss of natural, physical, and human capital. The social capital lost through social disarticulation is typically unperceived and uncompensated by the programs causing it, and this real loss has long-term consequences". Cernea further states that dismantled social networks that once mobilized people to act around common interests and to meet their most pressing needs are difficult to rebuild, particularly in projects that relocate families in a dispersed manner, severing their prior ties with neighbors, rather than relocating them in groups and social

units (Cernea, 2000:30). Although displacement caused social and community disarticulation, in other studies, other changes may take place. The breakdown or weakening of old cultural values, power relations, gender statuses, and clan allegiances brought about by displacement may stimulate change and innovative adaptation (Keller, 1975, Kibreab, 1996, Kibreab, 2003:58).

4.6.1 Objective 3: Provision of service centers, infrastructure, utilities and social facilities and amenities

Sg. Asap center consists of a few shops owned by Chinese shopkeepers that include a restaurant, an internet shop sponsored by a timber company, the district office headed by a Senior Officer with a few staff, an office for agriculture department, a small police office where a few local policemen taking turns staying on daily duty, and a meeting space for the local leaders from all of the longhouses at the resettlement. There is also an office for power maintenance and bill payment. Within this center, there are also a few unofficial food stalls run by individuals from the longhouses located behind the shops that attract mostly settlers from the longhouse who seek a spot for social meetings. Sg. Asap center is mostly visited by truck drivers and others who are working with the timber companies and oil palm companies. Sg. Asap center has the necessary facilities but it does not have the potential to be a highly utilised commercial center because of its location, one that is accessible only by vehicles from all of the longhouses in the resettlement. The nearest longhouse is Uma Badeng which is about 3km away. The locals do not often come to Sg. Asap center, not only because of the distance but also due to its non-commercial condition.

There are a few abandoned buildings and houses around Sg. Asap center. Approaching the shop lots, there is a row of houses build specifically for rent by government officers who are working at the center. However, only one house is occupied by the Senior Assistant Officer that heads the district office. He is non-local from Limbang. There was an attempt by an ICT company to open a branch in the center but the company cancelled its operation even before opening its business because there was no support from the settlers for its proposed activities, such as computer courses, that were too pricy for the settlers. There is also a row of open-air markets for the purpose of marketing food production by the settlers. However, the market space has never been utilised because there is a fee for each space provided and, realising that there would not be many potential shoppers, the settlers were not interested in utilizing the market.

In relation to the longhouses and their environment, Jerome Rousseau, in his 1994 report to the State Planning Unit, Sarawak, suggested that the planning for the new communities should also take into account population growth (Rousseau, 1994:27). However, based on fieldwork data on the Kenyah-Badeng at Uma Badeng, no new apartments or extensions to the current longhouse have been built for new families. According to the local leaders and key informants, these families have been applying for approval from the District Office in Kapit to build a new extension at the longhouse since 2001, without any response. Furthermore, by looking at the area surrounding the longhouse, there is no space available even to make a kitchen extension. One would have to build the extension on the road or walking path utilised by the whole community. The resettlement area, in many ways, does provide for communal living and the opportunity to integrate with the other villages. Nevertheless, the resettlement certainly does not cater to the growing population. New families have to continue living with the existing households in an extended family living environment; many others who obtained jobs in another region or in town took their families to live with them in rented rooms or with other family members at their work place.

Picture 5: Uma Badeng facing gravelled road built by the settlers



For the other community in the resettlement, other problem seems to be pending waiting for the state government intervention. Uma Ukit and Uma Balui Liko lost their longhouses to fire in 2001. Since there was no fire brigade nearby, the fire could not be stopped from spreading to the other part of the longhouses. These two communities are still waiting for the new construction of the longhouses. The entire household, who lost their compartments during the fires, together built a temporary shelter and has been living there ever since. Upon visiting the longhouses, the condition of the temporary shelter is really squalid. A few families utilise the church building and community hall as their homes.

Picture 6: Limited space only for foot path behind the longhouse



Picture 7: Low rise hill behind the longhouse is the communal space for rice huts



4.6.2 Objective 4: Preservation of local heritage and social values

Jerome Rousseau stated clearly in his 1994 State Planning Unit report, Sarawak, that the upper Belaga where the indigenous people were living before the resettlement was not only a fertile area with rich resources but it was also their home. The landscapes in which they lived were part of their history, and people were very sad at the thought that their natal villages and the surrounding land would be flooded. At the time, a proportion of interviewees indicated that they would accept to move to the Belaga area, but only on the condition that they would receive a guaranteed written title to the part of their existing territories which was not to be flooded and, more generally, that the upper Belaga would be reserved for them and their descendants as an extension area, and as an area where they might return if they did not like the Belaga scheme (Rousseau, 1994:20-22).

With regard to this, the resettlement provided to settlers certainly provided a different environment. The Sg. Asap resettlement is set up by the settlers to mimic their former villages which is a very positive aspect as this could, of course, minimize the level of

displacement. As stated by the World Bank, "most displaced people prefer to move as part of a pre-existing community, neighbourhood, or kinship group. The acceptability of a resettlement plan can be increased and the disruption caused by resettlement can be cushioned by moving people in groups, reducing dispersion, sustaining existing patterns of group organization and retaining access to cultural property (...), if necessary, through the relocation of the property" (World Bank, 1990:3).

However, Sg. Asap resettlement also does not provide opportunities for immediate employment or proper access to natural resources; this causes a problem with social relations within the settlers because of the competition and the value of the resources available. Although the settlers are living together with the same community, neighbourhood, and kinship group, they do not necessarily blend and integrate in the same manner as before they moved to the resettlement. There are competitions to access all available resources and it is always the question of the survival of the fittest. Limited resources changed people's perception on kinship, neighbourhood, and community. One of the biggest changes was a lack of sharing (e.g., of food, of clothing, of information) in the resettlement.

During the fieldwork, one of the couple for the household case studies was saying;

"Everything is not as the same as before.....people are becoming stingy and calculative....even between relatives. Neighbours.....we are strangers because we don't share food anymore" (translated from local Malay).

The other household was stating;

"My brother who is a good hunter always got good hunt like wild pigs or deer but he does not share much with us now. The most is 1kg or the bones for soup if he got a big pig. We also have to buy from him like the others. People here buy even the toes of the wild pig because we don't get wild pig around here easily. The price is more expensive too now, MYR8.00 for 1kg. In the old village, it was MYR5.00 for 1kg and between relatives we didn't sell to each other" (translated from local Malay).

There is also a comment emphasize heavily that people should not think everything is free of charge by saying;

"I become tired of helping the people going to Bintulu when they are sick because they promise to pay at least for the petrol but they seem to forget about it when they are better. If I have a job, I wouldn't mind because they are also my family and I am the only one who has the vehicle but I do not have any income so I am very sad. In Christianity, it is good to help others but living in this resettlement, I cannot do this for free every time. I want to ask them for the money but I am not comfortable because they are my relatives" (translated from local Malay).

In short, social relations amongst the settlers have changed. Sharing food amongst kin and neighbours is no longer a common practice. Once upon a time, assisting family members used to be the norm and something to be proud of. Limited resources have played a big role on these changes.

In a more scientific study provided by "Millennium Ecosystem Assessment" in 2005, one of the important aspects highlighted is the good social relation in which it was stated in the study that:

"Changes in ecosystem services influence all components of human well-being, including the basic material needs for a good life, health, good social relations, security, and freedom of choice and action (CF3) " (2005, Chapter 3: 49).

Ecosystem services³⁶ are benefits people obtain from ecosystem which basically is referring to environment. However, changes in environment would mean changes in many aspects of the people particularly good social relations. As the study stated:

"Good social relations refer to the presence of social cohesion, mutual respect, and the ability to help others and provide for children. Changes in provisioning and regulating ecosystem services can affect social relations, principally through their more direct impacts on material well-being health, and security. Changes in cultural services can have a strong influence on social relations, particularly in cultures that have retained strong connections to local environments. Changes in provisioning and regulating

³⁶ Ecosystem services are the benefits people obtain from ecosystems. These include provisioning services such as food and water; regulating services such as the flood and disease control; cultural services such as spiritual, recreational, and cultural benefits; and supporting services such as nutrient cycling that maintain the conditions for life on earth (Millennium Ecosystem Assessment MA Glossary, 2005). Available on <http://www.greenfact.org>

services can be mediated by socioeconomic factors, but those in cultural services cannot. Even a wealthy country like Sweden or the United Kingdom cannot readily purchase a substitute to a cultural landscape that is valued by the people in the community. Changes in ecosystems have tended to increase the accessibility that people have to ecosystems for recreation and ecotourism. There are clear examples of declining ecosystem services disrupting social relations or resulting in conflicts. Indigenous societies whose cultural identities are tied closely to particular habitats or wildlife suffer if habitats are destroyed or wildlife populations decline. Such impacts have been observed in coastal fishing communities, Arctic populations, traditional forest societies, and pastoral nomadic societies (C5.4.4) "(2005, Chapter 3: 53-54).³⁷

Based on this explanation, for the Kenyah-Badeng, the wholesale change in their environment, both economic and social, in combination with newly limited resources, has resulted in drastic changes in values and social relations. Even their current reference for close relatives and kinship are viewed at a much smaller scale, referring only the family members who share the same grandparents as the closest relatives (*saudara dekat*) while those who are outside this realm are considered as distant relatives (*saudara jauh*). Basically, with this new scale of reference, the Kenyah-Badeng reduces the scale of social expectations from so-called relatives as compared to before the resettlement. Another aspect that can possibly extend the kinship is economic potential. The Kenyah-Badeng perception of kinship does not imply only through blood relations, but also to outsiders who do not belong to the circle of distant relatives or the longhouse who can be from other ethnicities, which is referred to as social kinship. This relation is special as it is built upon trust and respect, and an economic relationship in which both individuals gain something. One of the head of the households in this research proudly spoke about his 'relatives' in Kuching and Bintulu, referring to them as "saudara saya" (my relative). He said,

"I have Bidayuh relatives in Kuching and I don't have to find a place to stay when I am there because I stay with them. I bring wild fish or meat from here for them. You (referring to me the researcher) are now also my close relative because we are helping each other. I help you with your stay here for your research and in return you help me with my household expenses while you are here, and next time you can help me with

³⁷ Source from *Millenium Ecosystem Assessment*, Chapter 3 (2005). Available on <http://www.greenfact.org>

information for my children's education and scholarship because I am far from the city. It is hard to find good people nowadays because even blood related relatives cheat me, so why not be family with other people who are not blood relatives since they can be trusted better than I can trust my own family members" (translated from local Malay).

In relation to the relations between the elderly and the younger generation, a few grandparents interviewed in a group discussion for this research were saying;

"Young people now show no respect to the old ones. They shouted at their parents and their grandparents when we try to give them advices. During our time, not so long ago in the old village, the young people would not do that but here, it is like a fashion, screaming and scolding their parents asking for money to buy this and to buy that. They don't want to go to school and they don't want to help in the farm either. When they go to town saying to find job, they asked for money and then come back again to stay here but never bringing anything back from town. When they are here, all they do are playing sepak takraw in the morning, hanging around in the afternoon, going here and there with the motorbike, and even started to sing with the guitar very early in the morning at the common area while their parents preparing going to the farm. They are useless. They think their parents still have the compensation money! We really don't know what to do with this young people. The girls...huh...they can only cook Maggie mee (instant noodles, indicating that the girls do not help with jobs around the house even when their parents are out in the farm)."

At that time of discussion, a few youngsters passed by and one of the grandparents was saying *"look even when they pass by, they just walk across our legs showing no respect to the elders. We don't do that in our culture, we bend down and asking permission to walk pass and not walking across the elder's legs!"*(translated from local Malay).

Based on these situations, the fourth objective, stated in "Bakun Green Energy" on preservation on local heritage and social values, appears to not be significant to the people in Sg. Asap resettlement, particularly the Kenyah-Badeng in this research. It is difficult to maintain the common social values when many aspects of their life have changed drastically. Limited resources change the pattern of relation amongst kin and neighbours from the 'giving relation' to 'calculative behaviour'; relationships have been down-sized to close family members to decrease expectations and responsibilities and to extend the family

to significant others based on the perception of social kinship. The younger generation does not even observe what the older generation (referring to the grandparents) calls respectable social values. Obviously, it is not possible to maintain local heritage and social values once the people are removed from their natural environment. Furthermore, native communities are not static; changes will take place, either by removing people to other environments or by confronting outside influence that will change their social values gradually.

4.7 Deklarasi Penduduk Sg. Asap Tahun 2003: A request for improvements

There are many demands made by the settlers to improve their current living conditions; the requests have been expressed in a declaration signed by all of the local leaders in the resettlement. The poor planning of the service center of Sg. Asap and the provision of facilities and amenities are articulated in the demands made by the local leaders via their declaration (Deklarasi Penduduk Sg. Asap, Tahun 2003) submitted to the national state secretary. The meeting was held on 19 May 2003 at the district office in Sg. Asap and was attended by all of the local leaders of the longhouses in Sg. Asap resettlement. The original copy signed by all of the local leaders was submitted to the Senior Assistant Officer at the district office. However, upon interviewing the Senior Assistant Officer, it was not mentioned whether the declaration had actually reached the national state secretary.

Briefly, in the declaration, other than demands for the re-evaluation of the compensation that they have received for the value of their former longhouses, their claims for their lands, and re-claiming lands that have not been used or drowned by Bakun HEP, Sg. Asap populations also demanded a few improvements to the condition of the longhouses, service center, facilities, and amenities.

- *Land for development and communal reserve in which the demand is for additional 7 acres for each household and a title for all of the lands allocated to every household. Included in the demand were new lots for farming for new families and a communal reserve land for the population for a long term.*
- *New buildings to replace the burnt longhouses in Uma Ukit and Uma Liko.*
- *To upgrade the status of Sg. Asap district to a new township. The argument for this particular demand is Sg. Asap to be upgraded as a full or new township to attract many industries. The new status of township should be under Bintulu*

jurisdiction which would give more opportunity for development because of the distance compared to the current jurisdiction, Belaga District or Kapit Division.

- *To recognise Bakun Development Committee (BDC) as an official organization to represent the population affected by Bakun HEP.*
- *To confirm through official documents from the state on the speculation of possible 30 percent shares from oil palm companies that operated at Sg. Asap resettlement area.*
- *To open employment opportunities and businesses for the population of Sg. Asap resettlement.*

Another important request by the settlers is to have a secondary school (ages 13 until 17) built at Sg. Asap resettlement. Currently, all students continuing to secondary school have to go to Belaga Secondary School, which is not convenient in terms of transportation; students must take the express boat from Bakun or go by chartered 4WD on logging roads.

- *Requesting to state government that the position of Chairman for Tabung Amanah Bakun (Bakun Trust Fund)³⁸ should be given to the local individual of Belaga who is educated and capable to lead the local communities, and that 99.9 percent of the board members should be the locals from Belaga.*
- *Requesting for the payment of MYR5 million by Ekran Sdn. Bhd. as promised.*
- *Requesting Bakun Trust Fund to apply a similar system of Perbadanan Tabung Pendidikan Tinggi Nasional (National Higher Education Fund) for advance disbursement for university students who are eligible.*
- *Requesting an office for Bakun Trust Fund to manage its operation in Sg. Asap resettlement or in Belaga.*
- *Improvement of school facilities especially teachers' houses because there are only 21 houses available for 56 teachers at Batu Keling School for example. The*

³⁸ Currently the Chairman for Bakun Trust Fund is the Minister of Land Development, YB Dato Sri Dr. James Jemut Masing, who is not one of the locals of Belaga. Bakun Trust Fund is one of the compensations promised by state government out of RM283 million. There is a few versions of the amount published in the media however, approximately, Tan Sri Ting Peik Kiing, for Ekran Sdn. Bhd. pledge RM5 million, the state government would provide RM5 million and another RM5 million from Federal Government (Source: Sahabat Alam Malaysia on <http://www.surftover.com/sam/articles/bakunbrief.html>)

demand is for another 30 houses for both schools SK. Batu Keling and SK. Sg. Asap.

- *Improvement of classrooms and requesting the state government to change the material of building from wood to concrete. The classrooms should be changed in terms of its layout because at present the wall is not sound proof and as the classrooms are parallel in layout in the same building, students and teachers cannot concentrate on lessons due to the noise from the other classrooms. There is also bad air ventilation in the classrooms that caused fatigue amongst the students and teachers as the weather is always very hot.*
- *Improvement of boarding houses and requesting the supplies of cupboards, beds, better quality of mattress and pillows for the students. For 2003, the parents had to build cupboards and beds for their children in the boarding house from their own expenses.*
- *Improvement of dinning hall which is also the multi resources hall due to bad air ventilation.*
- *Requesting for the resource centers for SK Batu Keling and SK Sg. Asap.*
- *Requesting a proper school canteen to avoid road accidents amongst the students who have to cross the busy road with logging trucks to buy food from the small stalls.*
- *Other requests demanded by the settlers are improvement of the drainage system around the school area, school field, and religious rooms for the schools.*

From a health perspective, the settlers demanded a Polyclinic that comes with a doctor, pharmacist, nurses, ambulance service, and radiology facilities. Currently, there is only one health center available attended by a medical assistant. For more serious health problems, the settlers have to go to Bintulu public hospital which is very costly in terms of transportation; the trip takes about 3 hours drive, which it is not good for emergency cases especially when there is no ambulance service available.

In terms of public facilities and amenities, the settlers requested more public phones because there are only 7 public phones for about 10,000 people in 15 longhouses that are shared with outsiders from the oil palm plantations. The settlers further requested proper tar roads and public transport to access the region, in addition to requesting sports complexes

and media telecommunication. In terms of services, the settlers requested a police station, fire brigade, post office, bank, government departments, immigration office, welfare department, and a library.

There is a problem in the request. Certainly, the settlers can request as many things as they desire but without any emphasis on the most important aspects, state governments might have the impression that the settlers do not really know what their priorities are. Thus, the request from the settlers for a high standard sports complex, soccer field with certified grass by FIFA, and synthetic tracks are really impractical. The focus should be agriculture programs and training centers for them to increase their knowledge and skills in intensive agricultural activities as they only have limited resources living in Sg. Asap resettlement. Apart from that, as they are having problems with the youth who have the tendency to drop out of school in early age due to the distance of the school from the resettlement, the focus should be seeking for assistance to solve this problem and really pushing for a secondary school building to be built in Sg. Asap resettlement.

4.8 Conclusion

There are two stages of displacement. One, displacement in the process of resettlement touches all the losses that the settlers have to face. Two, another facet of displacement faced by the settlers after resettlement is due to extremely limited resources to generate livelihood in which it is understood that the settlers have not and do not gain economically and socially from their new environment. Basically, at this stage of displacement, the settlers are forced in many directions to explore possible resources even though there are many risks. The settlers, like the Kenyah-Badeng, are facing great displacement, both economic and social. In other words, not only they are deprived economically due to limited resources to generate livelihood, and because of this situation, they are also deprived socially; social relations within the community, amongst relatives and kin, are declining and changing in a different direction. There is much room for improvement if the state government together with the settlers give priority to the sustainable development of resources. Only with such security will displacement be minimised.

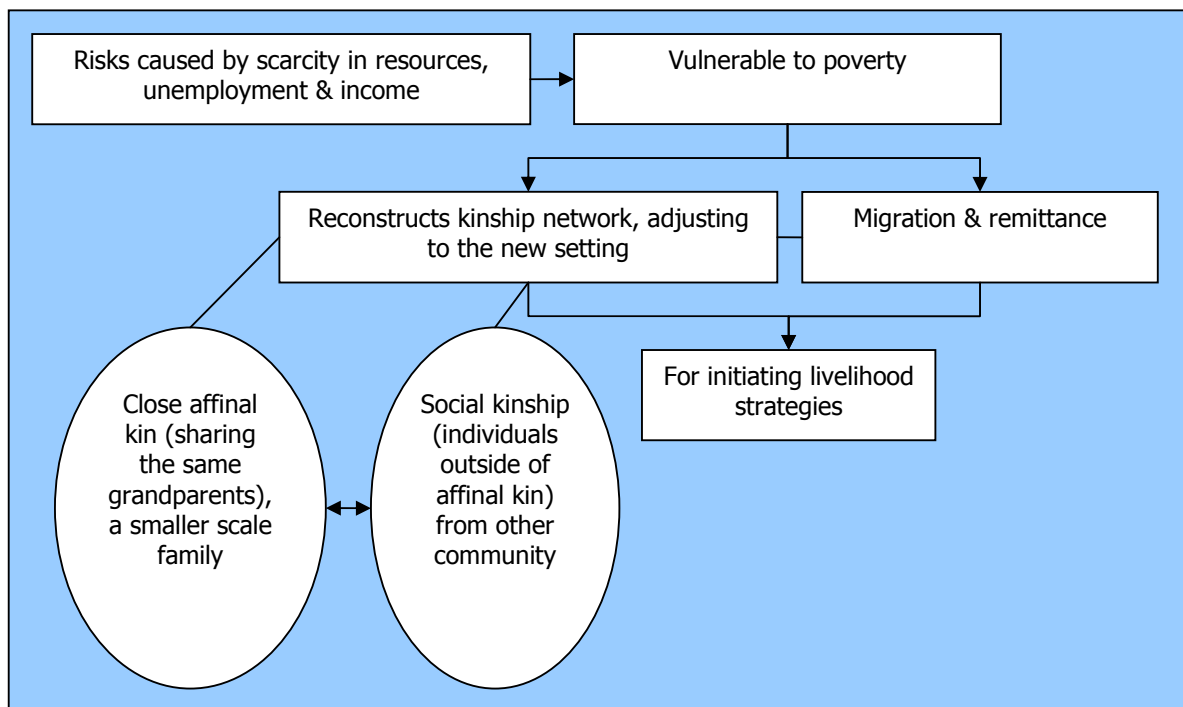
Chapter 5

Kinship network and livelihood strategies

5.1 Introduction

This chapter specifically discusses the kinship network within the households interviewed for this research. The emergence of the kinship network is seen as a result of risks in resources, income, and employment. A significant number of households involved in the network exhibited the importance of such network in creating opportunities for gaining economic resources within and around the resettlement, as well as the network's significance for the households for moral support. Through the network, members of the household have the opportunity to obtain employment outside the resettlement. Hence, remittance to family is also seen as an important aspect of the livelihood of households in the resettlement; remittance and migration will be discussed in the next chapter. The selected households that are in the network of the 20 households selected for the in-depth studies will be the main source of the discussion in this chapter. The arguments in this chapter are presented in the mapping shown below in Diagram 3.

Diagram 3 : Kinship network and livelihood strategies



5.2 Kinship in theory and pragmatism

The main argument with regard to kinship is that the most recognizable kinship structure has changed from one based on the extended family to a more limited scale based on the nuclear family; this shift is due to the resettlement and its environment. As the Kenyah-Badeng have gone through tremendous social and community disarticulation, despite resettling together in the same community structure in the new environment, the traditional kinship structure has been dismantled, surviving in a different form. On the one hand, the scale of kinship in the resettlement is decreasing by reducing the reference only to the "close members of the family sharing the same grandparents" because of scarcity in economic resources. On the other hand, kinship is widened outside the family realm due to economic considerations. It is observed that the resettlement, to a certain extent, has slowly changed the nature of kinship organization and the dynamics of the interaction between individuals and their kinship group. This has led to the emergence of "instrumentalized kinship", based on pragmatic needs rather than traditional ideological commitments.

There are many theories about kinship in relation to modernization that highlight the effect of modernization on kinship structure and the extended family in developing societies, which is in itself a controversial issue. For a long time, this field of research was dominated by the "convergence approach", which postulates that "as countries industrialized, they increasingly resemble highly developed societies in their family, kinship ties and other basic institutional arrangements" (Bernard, Mogney and Smith, 1986:151). The social forces of modernization affect every known society, thus creating a remarkable phenomenon in the development of similar patterns of family behaviour and values among much of the world's population, even if the family systems in different areas of the world move from very different starting points (Goode, 1970:1). This argument is based on the concept that, in the wake of a conspicuous modernization process, family-oriented traditional values are confronted with different Western hierarchies of values, which stress achieved rather than ascriptive elements, universalistic rather than particularistic orientation, and individualism rather than familism (see Madigan and Almonte, 1977:797). In Inkeles and Smith's (1974) view, modernization and kinship systems are inimical to each other in many respects; thus, kinship structure is either a victim of or a barrier to modernization. The need for social and geographical mobility necessitates the creation of the conjugal (marital) family independent of kinship ties (Levy, 1965). One of the main characteristics of this nuclear-conjugal family is the remoteness from affinal and blood relatives, including the extraction of mutual economic aid

(Goode, 1970:8). Therefore, all the relatively modern notions are non-kinship oriented (Levy, 1965).

In several societies, the kinship system has been reconstructed and has adapted to the changing environment (Ekong, 1986). For example, in many cases, kinship groups have become vitally important for social and political recruitment (see Talmon-Gerber, 1966, Ramu, 1986). In the Benggali society, kinship groups are reported to have a significant role in terms of social and religious activities (Aziz, 1979). Furthermore, with a wider circle of kinsmen, a family can enhance its social and economic power (Aziz, 1979:127). In Jamaican and Guyana, kinship has constituted the major bond for sustaining human relations between the different classes and racial groups (Smith, 1988:184). The kinship system has not disappeared with urbanization experienced by many developing countries, which was usually closely linked to the geographic movement from rural to urban areas. In many cases, the kinship system was reconstructed and kin relationships were reshaped in order to meet the new needs that arose from the processes of movement, settlement, and adjustment to the new setting (Abu-Lughod, 1961; Goldscheider, 1987:683). There is salient evidence that, despite the disruption of kinship structures as a result of internal and international migration, the kinship system was eventually revived in the place of destination (see, for example, Lomnitz & Peretz-Lizaur, 1984; Schuster, 1987).

All of these examples emphasize that kinship structure is not always diminished by modernization. Kinship structure is instead reconstructed and reshaped according to the needs at a particular period, and the adjustment made is to adapt to the new environment or setting. Resettlement also forces people into new environments and settings; hence, kinship organization and structure are also reconstructed and reshaped.

In addition, all of these examples refer to kinship within the same community and original community; even though there is a redefinition of the kinship group aimed at creating a wider social group, the kinship affiliation is still limited to the community of origin (see, for example, Al-Haj, 1986, 1988).

In this research, kinship affiliation to the community of origin is undeniable and is regarded as a very important affiliation within the resettlement; however, another perspective has emerged in the direction of kinship affiliation. The emergence of the new perspective, labelled in this research as social kinship, is equally significant and very often plays a very important role in creating a wider social group to pool economic resources. The phrase

penting ada banyak keluarga (important to have many families) amongst the Kenyah-Badeng as understood in this research to not necessarily refer to members of a family who share the same grandparents: in other words, blood relations. Instead it refers to other members of family tied via social kinship (non-blood relations) who are not from a kinship affiliation as understood in the traditional kinship system. The individuals could be from other communities outside the Kenyah-Badeng realm. This reality indicates that what is regarded as non-kinship oriented by modern notions (Levy, 1965) stated turns out to be the opposite. The significance of this social kinship cannot be denied because, at a certain level, outsiders who fall into the category of social kinship have more frequent and closer contacts compared to the immediate kin by blood relation.

5.3 The emergence of social kinship from Kenyah-Badeng case studies

The main argument here is that the emergence of social kinship amongst the Kenyah-Badeng is driven by risks in obtaining resources and income. It is irrefutable that with the scarcity of resources and employment in Sg. Asap and nearby regions and without specific skills, the Kenyah-Badeng face a greater risk for sustainable livelihood. This very existence of risks significantly affects their life. In a study in Indonesia, Ari A. Perdana states, "risks create uncertainty, which in turn influence people in making decisions. Risk also makes individuals face some probability to experience some income shocks. An income shock could make some people's income fall below the poverty line which means, risks make some individuals vulnerable to poverty" (2005: 1). With these potential risks and the isolation in the resettlement, away from urbanization, a few households in the Kenyah-Badeng community see the advantages of building a kinship network as a way to support their livelihood. This network ensures that they will not be much poorer (referring to the accessibility to food and basic needs for the household) than what they were before they moved to the resettlement.

5.4 Concepts: Poverty, risk and vulnerability

Poverty is traditionally defined as "the inability of an individual or family to command sufficient resources to satisfy basic needs" (Fields, 1994: 88, cf. Perdana, 2005: 1). Perdana (2005: 1) explains that this is a condition when a person's income or consumption in a

certain time falls below a certain threshold, which is referred to as the poverty line. However, in reality, poverty is not static since households frequently move in and out of poverty over time, which raises the issue of vulnerability to poverty (Perdana, 2005:1). To further explain the links, vulnerability to poverty can be defined as the probability that a household will become poor in the near future. As the concept deals with probability, there is always a chance that a currently non-poor individual may end up being poor in the near future. Non-poor households may fall into poverty due to events such as natural disasters, economic shock or crisis, security problems, and other causes (Perdana, 2005: 2). The opposite is also true; people who are currently poor also come out of poverty with improvement in economic situation that brings job opportunities, thereby providing a source of income to the people³⁹ (Perdana, 2005:2). In the case of the Kenyah-Badeng, scarcity of resources, income, and employment are the factors that enhance economic insecurity.

Vulnerability to poverty is closely related to the concept of risks, which as defined by the World Bank (2000: 139), refer to "uncertain events that can damage well-being" (cf. Perdana, 2005:3). Risks in this sense refer to the nature and environment of risks, health, economics, and socio-political condition⁴⁰. In the case of the Kenyah-Badeng, risks are apparent, most notable in their socio-economic condition. Without income security, they are facing other risks related to health and education. They are unable to get better health services as it involves expenses and, in most cases, sick individuals prefer to keep silent about their sickness until it is too late to be diagnosed. This is done to avoid burdening the family with medical expenses. For education, without scholarships or study loans from the government and other sources, parents are unable to send their children to further their studies at a university or college when they do perform well in their studies. This reduces opportunities for these children to obtain a good education that ensures better job opportunities in the future. Ironically and unfortunately, as Perdana (2005:4) states, poverty brings more exposure to risks.

The next question is how the poor manage risks. Risks are unavoidable but risks can be managed. Risk management can be identified as risk mitigation (ex-ante) and risk coping

³⁹ There are many studies on the dynamics and vulnerable to poverty, see Bane & Ellwood (1983), Stevens (1995).

⁴⁰ Risks affect different groups of people. Some risks (crime, accidents or sickness) affect only individual or the household, while disaster, epidemic disease, riots or bad weather affect wider range of people (covariant), and big disaster, war, economic crisis or regime change will affect the entire nation or create contagious effect to neighboring countries (Perdana, 2005: 3).

(ex-post). The main idea of risk management is to deal with fluctuations of income and consumption through various income diversifications, insurance or saving, or borrowing schemes. However, the poor have limited access to formal mechanisms of risk management that include private insurance, bank credits, pension funds, or publicly provided mechanisms like the public health care or the social security system (Perdana, 2005: 4-5). In the case of the Kenyah-Badeng, the formal mechanisms, especially bank credits, are definitely impossible as most individuals do not have the permanent employment required to guarantee loans. Public health care is mainly provided free for outpatients in public hospitals or public clinics but other services entail charges that the patients cannot afford to pay.

How do the Kenyah-Badeng manage these risks? The Kenyah-Badeng selected in this research emphasize the importance of efficient kinship network to manage risks, to help out in times of urgencies, and to share opportunities and profits when there are ways to obtain resources. Thus, they maintain close contact only with the individuals who can provide or exchange resources or information for the advancement of their livelihood. With this network, the members feel a certain sense of security and have the opportunity to explore resources outside the resettlement area. In other words, each household within this kinship network relies on each other for livelihood advancement. The households involved in the selected network claimed that their relationship with each other is closer compared to before the resettlement even though they are very closely related siblings.

5.5 Livelihood at the resettlement and kinship network

To have a sustainable livelihood, as understood in this research is best describe in the definition given by Carney (1998), based on the work of Robert Chambers and Gordon Conway (1992).

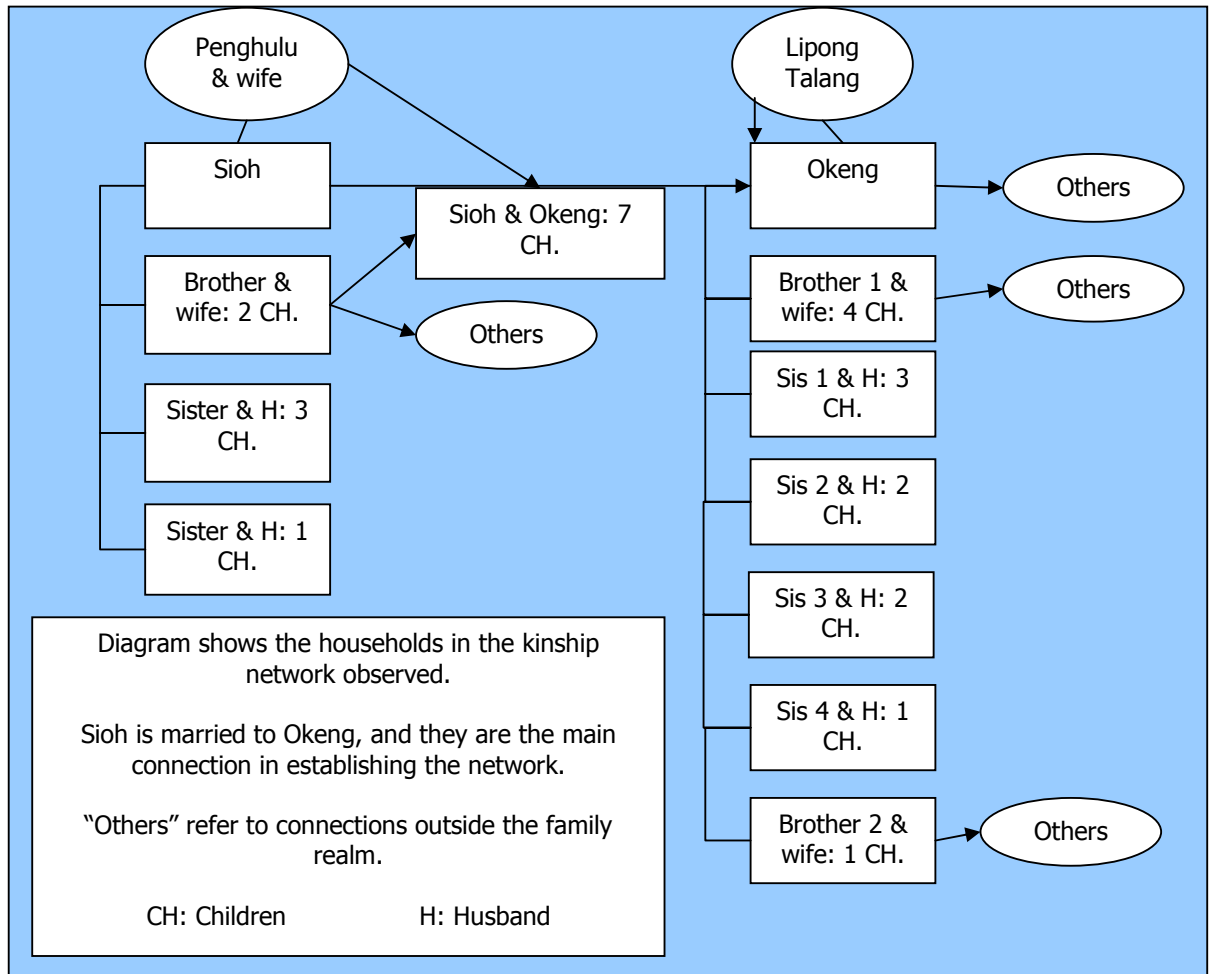
"A livelihood comprises the capabilities, assets (including both material and social resources) and activities required for means of living. A livelihood is sustainable when it can cope with and recover from stresses and shocks and maintain and enhance its capabilities and assets both now and in the future, while not undermining the natural resource base" (Carney, 1998:4).

However, in the resettlement such livelihood is very difficult to achieve because of the many obstacles previously discussed: longhouses without official ownership title, land possession without individual land title, and scarce resources for employment. Therefore, in this research the livelihood as described by Ellis (1998; 2000:10), targets “the process by which rural families construct a diverse portfolio of activities and social support capabilities in their struggle for survival and in order to improve their standards of living”. This concept considers not only economic strategies to generate income (in cash and kind) that households pursue but also looks at assets and institutions and social relations (Ellis, 2000:10).

5.5.1 The household profile

Diagram 4 shows the observed kinship network which consists of the siblings of Sioh, the eldest daughter of the Penghulu, and Okeng, the eldest son of Lipong Talang. Sioh and Okeng have seven children. Penghulu and Lipong Talang do not interact much, and most of the interaction is done through Sioh and Okeng. Each household contributes in a different way to the network. These households do not realise the kind of network they have created in supporting each other, and as evidenced by observations made throughout the fieldwork, there was great commitment in assisting each other in difficult times, such as sickness and frustrations. The main figure in moderating the other households involved in this network is Okeng. He is the resource person and it was observed that, in every conversation with the other members of the households, he was the one who consistently gave advice about ways to seek opportunities for income and open up new state land for farming. For decisions pertaining to livelihood, the households rely on Okeng to come up with a wise decision after discussions amongst the households.

Diagram 4 : Selected households on kinship network



Sioh's side of the family:

Sioh's brother is married to a Kenyah woman from Uma Kelap longhouse, while the sisters are married to men from their own village. He left school at the age of 17 and worked for various timber companies until the family resettled in Sg. Asap. Sioh's brother has a tractor that is utilised to dig ponds, flatten the road track, and to clear farm land. He has a license to drive the tractor, and occasionally he accepts paid jobs working with the tractor in the farm. Within the network, his skill is very valuable, and he is the person to seek when there is new farm land to be cleared. Not only is clearing new farm land easier with a tractor than with domestic labour, within the network he also does not charge his normal rate i.e. MYR60 per hour. He only asks for enough diesel for the tractor to complete the job. The female siblings are not actively contributing to the network. However, any information obtained by the others is also shared with them.

Sister 1 is a housewife and her husband is a teacher at the Sg. Asap Primary School. They have a compartment in the longhouse but they prefer to stay in a self-built house by the road side about 100 meters from the school. Her husband is currently enrolled at the Open University Malaysia to pursue a part-time degree programme in education. They have two children.

Sister 2 lives with the parents (Penghulu and wife) in the same compartment. She is a full-time housewife but helps her parents in the farm, growing vegetables for daily consumption. She left school at the age of 17 and has a Malaysia Certificate of Education. She did not try to secure a job as she got married soon after she left school. Her husband works in Bintulu, and comes back at the end of the month to visit the family after getting his salary. Her husband bears their household's expenses by sending money home (amount was not disclosed).

Okeng's side of the family:

Brother 1 is married to a Kenyah woman from another region known as Baram. He left school with a Malaysian Certificate of Education. Since leaving school he has been working with various timber companies, but quit his job before moving to the resettlement. He has been working as a store keeper in Miri since 2003. In 2005, he recruited Okeng's first son who had just finished school to work together with him as his assistant. He is also looking for a job opportunity for Okeng's second son who is finishing school at the end of 2006. Okeng prefers his sons to work with his brother at the same place rather than getting odd jobs elsewhere because his brother acts as guardians for them. Furthermore, Brother 1 is a non-smoker and he does not drink alcohol, so Okeng regards him as a very good influence on his sons. With a salary of about MYR1200 per month, he goes back to visit his family only once every two months due to the high cost of transportation (MYR100 return from Bintulu to the resettlement plus MYR50 return from Miri to Bintulu). His four daughters are between the ages of 3 and 12. All the household affairs are managed by his wife, including farming, and with remittance of MYR500 per month she manages the children's education expenses and household needs.

Sisters 1 and 2 are married to Kenyah men from the Uma Belor longhouse. Both spouses are farmers since moving to the resettlement. Sister 3 is married to an Indian man, currently living in Miri town but not much is known about her. She gave her compartment to Okeng's family and with Okeng combined the two compartments together to have a bigger

compartment for his seven children. Sister 4 is married to a Kayan man from Uma Bakah longhouse and her husband works as a surveyor for a timber company and lives mostly in the timber camp. She is engaged in farming, growing pepper and paddy like all the others. She lives in a compartment with their mother. Brother 2 has half of the share of this compartment, so when he comes for a visit he stays with Sister 4. Brother 2 is married to a Kenyah woman from Uma Kulit. He was living in Bintulu town with his family before he pursued his studies in West Malaysia in 2005 (description of Brother 2 is in Box 6).

5.5.2 Livelihood activities within the network in Diagram 4

Since moving to the resettlement, the households within the OL network have been going back to Sg. Linau, which is about 30 minutes down river by long boat from their former longhouse. The trip to Sg. Linau takes about 8 hours drive by 4WD from the resettlement. The journey starts in the morning and they reach the hut around 4 o'clock in the afternoon. The road to Sg. Linau is very dusty and narrow and is used mainly by logging trucks to transport logs to the timber camp. During the rainy season, the road is very dangerous and slippery. Normally, they go to Sg. Linau when it has been forecasted that there will be no rain for the whole week. However, it is not much better during the dry season as the road is very dusty, and visibility along the road is about between 1 and 3 meters when there is another vehicle in front. In Sg. Linau, Okeng and the others stay together in a small hut previously owned by Sioh's parents (Picture 8) that is divided into two parts: cooking area and sleeping area. This is the last point where they can drive the vehicle. From here, by long boat, they organise hunting trips, fishing trips, and collect jungle products for making baskets and hats.

Picture 8 shows the morning preparation before going on any trip. After a breakfast of crackers and coffee, the women pack their lunch. The usual preparation is rice wrapped in leaves and coffee or tea. The lunch is usually obtained later during the trip and is often fish from the river and vegetables collected by the river bank. For the night hunting trip, no meals are packed because the trip normally would be after dinner and goes on until early morning the next day.

Picture 8 : Morning preparation in the hut



The hunting is for domestic use, and the family sells the meat only when the hunt is abundant. However, they usually only manage to get a pig and a few small animals. Since logging is rampant in the surrounding area, finding animals roaming around the usual hunting tract of the former village is not very common anymore. The hunting group normally goes deep inside the forest with the dogs leaving the vehicle by the road side. Hunting dogs are very much valued in the Kenyah-Badeng community. In the resettlement, anyone who calls himself a hunter keeps between three to five dogs for the purpose. However, not many dogs are skilled in hunting as the resettlement has hardly any forest and most of the dogs hang around the longhouses without any hunting activity.

Picture 9 shows Sg. Linau and the long boat equipped with a motor known as "standing" that has a long leg with a small propeller. "Standing" can be purchased in town and in Bintulu; the price ranges between MYR350 to MYR700. "Standing" is the best motor for running the long boat around Sg. Linau because most of the river has shallow water but with very strong rapids. "Standing" runs consistently throughout the rapids without much hassle. The driver has to know the right direction to move to avoid running onto big rocks and logs covered by the shallow water. "Standing" runs on diesel and is very economical.

Picture 9: Going on the longboat trip at Linau River



Picture 10 : Catching fish



Picture 10 shows Okeng catching fish using a method known as “electrifying” the fish. The electricity is from a small generator and only low electricity is used as there is danger if one falls into the water. The electricity is connected by small wires to the racks Okeng has in both hands. When he dips the racks into the water, fish that are near the boat get a small electric shock, rendering them unconscious for a few seconds, and that allows Okeng to collect them immediately with the racks. It is important that one is able to balance oneself on the rather fast moving boat and collect the fish at the same time. Normally, the boat follows the flow of the river. Okeng has practised this method for the last 10 years, which enables him to catch many fish, and his wife, Sioh (see Picture 11), is very skilful in handling the boat on fast running river while securing Okeng’s standing position on the boat. Both husband and wife have important tasks working together. Sometimes, Okeng goes with his brother in-law, but he prefers to go with his wife as his wife is more skilful with the boat.

Picture 11 : The woman, Sioh handling the long boat



Picture 12 : Catch of the day



Okeng and Sioh also group with the others to catch fish but they use a different method. Sioh's brother has some friends working at a quarry near Bintulu and they provide him with explosives. He uses explosives in certain parts of the Sg. Linau river which are very deep. A small amount of explosives is placed with sand in a tin about 15 x 15cm in size. The tin is then placed in the water with some wires connected to it. Everyone is instructed to stay away from the water during this process to avoid accidents. Okeng quickly rushes back to the bank of the river before the explosion. With this method, bigger fish which inhabit the deep water of Sg. Linau can be caught; some weigh up to 3 kg each. They only catch fish with explosives once during every trip they make to Sg. Linau. The catch would be divided amongst those who participate in collecting the fish afterwards.

In Picture 13, all of the dogs are staying permanently with the man in the orange suit. He likes to be called Male. Male, a very skilful hunter, live in a small hut in Sg. Linau with his five dogs. He is a close relative of Okeng. His mother lives in the resettlement, in the same block as Okeng. Okeng sent a couple of dogs to him for training as they do organise hunting trip together.

Picture 13 : Coming back from a hunting trip



Male refused to live in the resettlement as he earns his living by catching fish and hunt wild pigs for sale. He does not have to go far to market his catch of the day as there are a few timber camps nearby. Loggers at the timber camp expect his presence to the camps daily with fish and meat as there is no shop or market to buy fresh fish or meat at the camps. Normally, Male goes to the camps by motorbike as it does not cost much. In his hut, he keeps a big freezer that runs on a generator. When the freezer is full he comes to the resettlement to sell all of his hunting game and fish. Sometimes, during hunting trips, Okeng would buy all of his meat and fish and sell it for a higher price in the resettlement to cover the cost. For Male, the sale is very profitable because he does not spend his earnings anywhere else except for buying diesel for the generator and vehicles. He keeps his earnings in a good savings account in the bank. For Okeng, the sales money from the sale of the meat and fish he bought from Male is used for the next trip to Sg. Linau.

Picture 14 : Wild boar/pig, hunting game for the day



Picture 15 : Other hunting game

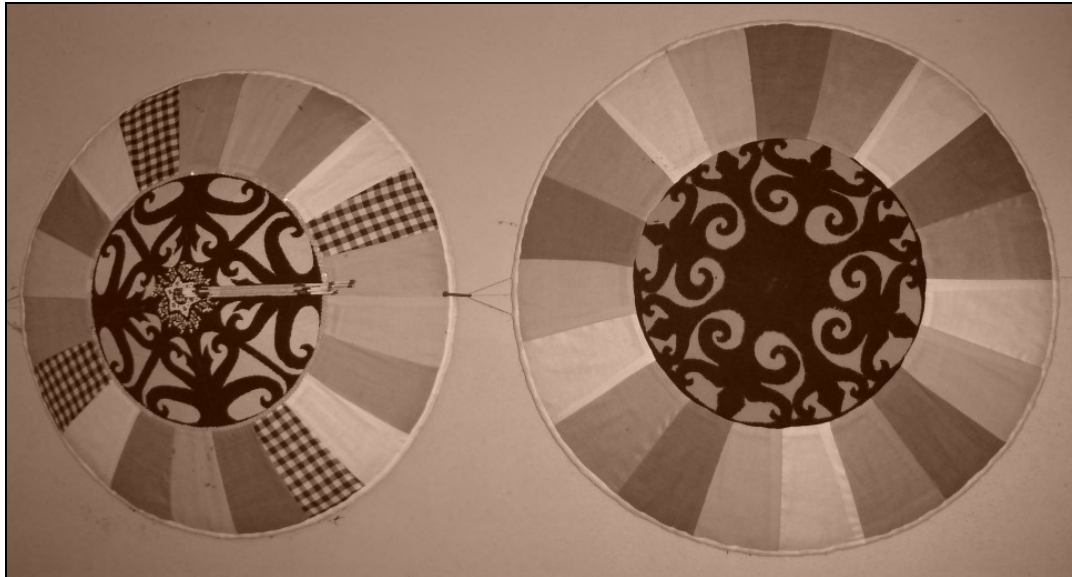


Picture 16 : Women preparing palm leaves in the hut



In Picture 16, the women are seen cleaning the palm leaves before drying them under the sun for making hats (saong). The women take the opportunity to search for jungle products when the men are out hunting during the day. The jungle products are known as rattan and are used for making baskets and mats, and palm leaves for making hats.

Picture 17 : Saong, or hats



Baskets, hats, and mats that are handcrafted by the women are used domestically. These products are used daily or are hung in the compartment as decoration. When they have special visitors to their compartment, the handcrafts are present as gifts. They rarely sell the handcrafts unless specially requested because the materials are not found nearby the resettlement. A rattan mat of 60 x 90cm can be sold for up to MYR180.

Picture 18 : Making rattan mat



5.6 The significance of kinship network

Box 6 : University Admission based on kinship network

Amongst the Kenyah-Badeng who came from Long Geng and who are now settled in Uma Badeng at the resettlement, there is only one highly educated individual who is currently teaching at the public university in Malaysia. Phillip Lepun (his own name, used by permission) is in his early 30s and has a Master degree in Forestry from Universiti Putra Malaysia. In the OL Network in Diagram 4, he is under Brother 2 of Okeng. He has been teaching at Universiti Putra Malaysia, Sarawak campus, since 2002. He is married to a Kenyah woman from Uma Kulit, another longhouse in the same resettlement, and they have

a son. The wife tutors at the same university. Currently, Phillip is pursuing his Ph.D at Universiti Malaya in Kuala Lumpur and his wife pursuing a Masters degree at Universiti Putra Malaysia in the same city.

Phillip has helped a few selected relatives gain admission for diploma courses at Universiti Putra Malaysia, particularly in forestry. However, the admission also depends on the qualifications required, and he is just helping the qualified relatives to be admitted to the forestry department without having to compete with other applicants. This was possible due to the sympathy and assistance of his superiors, such as his head of department and the dean of the faculty. One of the individuals he has helped is his own niece who is currently studying at the degree level at Universiti Putra Malaysia. The other niece (the younger sister), who later opted for business studies, is continuing her degree at the campus in Sarawak. In 2003, Phillip helped about 12 students, all family, to be admitted to diploma courses in forestry, but only three students have been accepted as the others lacked the qualifications.

When asked why forestry, Phillip explained that the Kenyah-Badeng have been living in the forest learning about the forest products and trees; it was and still is going to be their passion even though there are not many prospects for livelihood. It is an advantage to study forestry as they have obtained basic knowledge in forestry but this is to guarantee that they will perform well in their studies. However, keeping in touch with the forest at a higher level of education will keep them close to their roots. Phillip explained that he is taking advantage of his position at the university to help his relatives and, at the same time, fulfilling the expectations of his family and his community.

As discussed in Box 6, it is not easy to gain admission to the local university, especially when there is tough competition for limited places in the university every year. This was only made possible through the relations and contacts Phillip had established in his department and faculty. The admission offered via the kinship network is solidly based on the trust that Phillip has in his nieces that they will perform well in their studies and not disgrace him with a non-performer's attitude. Phillip's assistance is also driven by his desire to show his family that he is resourceful and useful to the family, especially in education since his family realises that only through education can their children survive the resettlement in the long run.

Phillip has also provided some opportunities for his brother Okeng and the others with a few sources of income. For example, whenever there is a project for the students to go to the forest to study the trees, Okeng, with his experience, would be one of the guides. In addition, Okeng has received tenders to build boats and other small items for projects that Phillip managed to get from the university.

**Box 7 : Claiming the rights for compensation on “tanah temuda” on state land
from SOLID Oil Palm**

In November 2004, Okeng, his siblings, and his in-laws made a survey using GPS to measure the land they have farmed since 1996 for the purpose of compensation from SOLID Oil Palm. They had received an order to return the land to the company. The claim was forwarded during the meeting called by SOLID Oil Palm on 18 December 2004 at the company’s office. The location of the “tanah temuda” is about 3.43 miles from the administrative center of the resettlement. The size of the land claimed was 18.2 hectares (45 acres). The land has been cleared for family cooperative work since 1996. Therefore, in their claims for compensation, they have listed details of the cost as shown below:

No.	Work descriptions	Cost per unit (MYR)	Qty	Working hours	Total (MYR)
1	Grass cutting (menebas)	60	10	5	3000
2	Trees felling (menebang)	100	5	5	2500
3	Branches cutting (potong dahan)	60	8	5	2400
4	Burn and clearing (membakar dan kemas selia)	60	8	5	2400
5	Planting (menugal)	60	40	1	2400
6	Weeding (merumput)	60	10	10	6000
7	Harvesting (menuai)	60	10	15	9000
8	Cost building huts	5000	3	-	15000
9	Management cost	60	8	324	155,520
10	Value of plants	200	800	-	160,000
	Total cost				358,220

Source: Certified letter of Okeng and his siblings to SOLID Oil Palm Company, November 2004

Attached to the letter of claim were a few maps indicating the lands claimed and the reading of the location of the land borders which were measured by using GPS. The letter was signed and certified by both community leaders, the Penghulu, Nyurang Ului, and the Tua Uma, Nyaban Kulleh in November 2004.

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According to Okeng, the claim of MYR358,220.00 had been calculated carefully and he was hoping that the claim could be pushed through. However, after a serious discussion with the

Manager of the oil palm company during the meeting, no such compensation was considered. The only amount that would be compensated as "upah penat lelah" would be MYR300 per hectare. Devastated with the decision, Okeng continued to push his demand until finally the Manager kept the letter of compensation and replied that he would look into the claims. He made no promises as he was not the owner of the plantation.

Okeng and his siblings took the risk of pushing for claims which they knew would not be successful, but in Okeng's own words: "*tidak salah mencuba*" (no harm to try). In the resettlement, they were the only group who tried their luck for such a large compensation. Others, as observed, did not raise any questions or arguments about the amount and accepted whatever was given. As yet, there has not been any negotiation on the compensation. Okeng and his siblings still retain the land they have claimed.

5.7 Household case study on social kinship network

Box 8 : Bakun Trust Fund, Our grandfather is there to help

The Bakun Charitable Trust or Bakun Trust Fund (Tabung Amanah Bakun) provides scholarships for students originally from the Belaga region. The trust fund has about MYR10 million available and MYR5 million is still pending; it has been published in the media that the MYR5 million is from Dato Ting Pek Kiing's company, EKARAN, that initially built the Bakun dam. Although the procedure for applying for the scholarship is standard and accessible, few individuals amongst the Kenyah-Badeng (also amongst the Kayans) used their network to obtain the approval for the scholarship. To apply for the scholarship from Bakun Trust Fund, the applicant has to be originally come from Belaga (especially the settlers). Applicants have to submit offer letters for admission to higher learning institutions (public or private institutions), exam results, qualifications, birth certificates, and certified identity cards of the applicant and parents. Application is available each year from 1 April to 31 July.

One of the head of the households (OL household) interviewed for this research explained that he approached one of the committee members of Bakun Trust Fund to smooth the application because, with his influence, it is not possible that the application would be rejected. The person OL approached was someone who was not family (a Kayan) but who was very influential in Belaga. The relationship OL's family has with this man was very close, dating to earlier years when they were still living in the old village. As he was an old man, OL's family called him "grandfather". To get a scholarship for his brother (Phillip Lepun) to pursue a Master degree, OL approached this man for assistance. Phillip submitted his application form to this "grandfather", and he organised the rest. Phillip was on scholarship from Bakun Trust Fund for the whole duration of his Master degree in 2001/2002. The same approach was taken for OL's daughters who pursued their study at the university. However, only one of the daughters received a scholarship from Bakun Trust Fund for the whole duration of her diploma study at the university; the other daughter received a scholarship from elsewhere (not mentioned from which source). However, OL did

not state clearly the reason why the other daughter has not received scholarship from Bakun Trust Fund.

Commenting on this network, OL explained that the "grandfather" did not help just anybody, only people who are close to him and have been kind to him in many ways. OL explained that in the early years he used to bring rice from the farm and hunted wild meat as well as fish to the "grandfather"; even after the resettlement the relation went on the same as before. OL explained that it is important to keep good resourceful people around and treat them like close family members because only when they feel that they are treated like family members will they offer their sincere help without any question or expectation. That was how the relationship with the 'grandfather' was built, OL explained. He added that, especially after the resettlement where there is no other way to seek help, a resourceful person like the "grandfather" is very valuable.

The case in Box 8 emphasizes the importance of networks outside the original community and family network. This example was chosen because it shows the interest certain households have in the advancement of their children's education.

There are other examples that can be elaborated in this chapter such as Okeng's relationship with a journalist. The relationship was established when they were still living in Long Geng as the result of the Bakun HEP first stage of consultations in 1980s. As the journalist wrote in his book:

"And so my journey through the rapids, up-river from Belaga, began on that April 1994 day. That was also the time when I renewed my friendships with the Badang of Long Geng whom I had visited 10 years earlier" (Ritchie, 2005:39).

The renewal of the friendship refers to Okeng whose eldest son was suffering a heart disease. At the time, Okeng's son was not responding to any treatment due to blood poisoning (septicaemia). Okeng had requested for the journalist's assistance to take his son for treatment to Kuching after the doctor at medical services in Sibu informed Okeng that the disease could not be treated. The journalist⁴¹ made an arrangements for Okeng to bring his son to a private hospital, the Normah Specialist Hospital in Kuching, Sarawak, through the deputy chief minister, Dr. George Chan. Okeng's son was released a month later after surgery (Ritchie, 2005:47-48; OL interview in 2004). The friendship progressed as a close

⁴¹ In fact, prior coming to Sg. Asap resettlement in 2004, I have consulted this journalist whom I happened to know since back in 1999, requesting for a few leads to conduct this research. He accompanied me for my first trip to Sg. Asap resettlement and he introduced me to Okeng and his family.

one as claimed by Okeng. The importance of this link to Okeng is that, in this network, he has someone who has a wide range of connections within the government. Although Okeng claimed that the journalist was as close as a relative, there is a boundary in the relation particularly referring to what can be discussed openly and what should be kept from his journalist friend. As Okeng mentioned, after all he is still a journalist and discussion, particularly criticism of the government, should not be made to openly in his presence. From an observation during the first trip to the resettlement, it is obvious that there is a certain degree of closeness between Okeng and the journalist at a personal level. At the same time, there is also a certain distance felt in the relation. Perhaps Okeng was just being cautious about the presence of the journalist especially when the journalist mentioned that he wanted to write an article about his family in the newspaper.

5.8 Conclusion

The important finding discussed throughout this chapter is the existence of “instrumentalised kinship” within the Kenyah-Badeng households selected for the interviews in this research. The kinship is based on pragmatic needs rather than traditional ideological commitments. At the resettlement, traditional kinship structure has been dismantled despite resettling together in the same community structure. However, the kinship structure survives a different form. On the one hand, due to the scarcity of economic resources, the scale of kinship is decreasing by reducing only to the “close members of the family sharing the same grandparents”. But, on the other hand, because of economic considerations, kinship is widened outside the family realm. In short, the emergence of the new perspective, labelled in this research as social kinship, is equally significant as kinship affiliation to the community of origin.

Chapter 6

We need income to live in Sg. Asap

6.1 Introduction

Due to lack of employment and limited resources in the resettlement, seeking paid employment elsewhere seems to be the most common trend amongst the settlers. After leaving school, married men and women seek employment of any sort to send money back to their family at the resettlement. The settlers also invest in education for their children hoping that one day when the children have jobs, they will send money home. This chapter discusses the significance of paid employment as a means of livelihood and the importance of education for the youngsters at the resettlement. The discussion continues with a few alternatives for the settlers to make a living at the resettlement. The discussion is based on the information obtained from the household surveys and in-depth interviews.

6.2 Mobility of settlers: Labour migration, emigration and migrating

In general, migration is a normal element of most, if not all, societies (Haan, 1999). Briefly, literature that usually departs critically from neo-classical models sees migration not as a choice of poor people but as the only option for survival after alienation from the land. This perspective highlights the exploitation of migrants in both destination and source areas (Haan, 1999). Murray's study in 1981 on the impact of the migrant labour in Lesotho argued that migration was linked to 'pervasive rural economic insecurity' (Chirwa, 1997: 633, cf. Haan, 1999).

Borrowing Murray's argument (1981), emigration of the Kenyah-Badeng from the resettlement is reinforced by the 'pervasive rural economic insecurity'. In relation to livelihood, the significance of migration to the settlers is discussed by emphasising the one most important aspect of migration, which is remittance. Migration also includes the expansion of networks amongst family members that has enabled other members of the family to obtain job opportunities. This research shows that labour migration amongst the settlers, both between rural and urban areas and within rural areas, is seen as a central element in the livelihoods of many households in the resettlement. Education migration

amongst the children of the settlers to higher learning institutions in the city and Peninsular Malaysia is an investment in a better future.

Development policies often pay little attention to migration (Connell & Wang, 1992:144). Some policies aim to reduce emigration, and stay-at-home development strategies are designed to promote development while reducing emigration pressure (Haan, 1999). In the case of the resettlement for Bakun HEP, the situation is a bit more complicated. The resettlement is a development project that forced people to migrate but within the programme for the resettlement there was no prevention of settlers to migrate elsewhere for employment.

As stated in the "Internal Migration Study, Sarawak (1997), by SPU, the sociological phenomenon of fast-changing cultural values, a derivative of modernization and commercialisation, as well as the severity of the poverty situation, seem to be the underlying forces creating rural restlessness and mobility; these forces draw the young ones into wage-employment in rural areas, and push them in larger droves into urban centres (SPU, 1997:1.2). For the settlers in Sg. Asap resettlement, the push factor of their mobility is poverty which is caused by unemployment, no access to natural resources, and failure of agriculture activities. As discussed in Chapter 3, the development plan for the resettlement included the development of oil palm plantations and promotion of agricultural activities such as paddy farming, fruit cultivation, poultry farming, and fisheries, as well as the development of tourism and cottage industries. Nevertheless, since all of the proposed agricultural activities were unsuccessful, the majority of the heads of the households and the men and women in the resettlement looked for another source of income. Like any other young people in Sarawak (SPU, 1997), young people in the resettlement feel that agriculture is dull and monotonous. Thus, activities which would bring paid income attract many young people and seem to be the aspiration of many.

The migration study by SPU (1997) also emphasised that the emigration of able bodies from rural areas, leaving behind the elderly, women, and younger members, does not necessarily contribute to the improvement of the well-being of those family members left behind. In addition, some of the urban-bound rural migrants would not necessarily benefit from urban opportunities due to lack of skills or poor education. This has subsequently contributed to the surge in urban poverty (SPU, 1997:1.6). In the case of the settlers, emigration does not necessarily make their life better but it is an attempt to improve their livelihood in the resettlement. Even if they are poorly paid and in the long term will not experience upward

social mobility, they at least have a stable monthly income which their family in the resettlement can rely on.

6.3 Settlers and wage employment or off-farm job

From the 55 household surveys which were conducted in this research, information gathered from 19 households which have family members working outside Sg. Asap are grouped in a table to show the type of jobs in which they are currently employed. As shown in Table 14, there are only five people with permanent trained jobs (four teachers and one nurse). The teachers formerly taught in other schools before they requested to be transferred to the school in the resettlement. Seven people are working as surveyors with timber companies or oil palm plantations. The surveyors are semi-skilled workers who obtained their skill through on-the-job training. The clerk who has the knowledge in typing and is computer literate is working for a timber company. Fourteen people who work mainly as labourers are doing odd jobs in the shop and factory doing unloading and loading trucks. Two are drivers; one drives a truck transporting logs from a timber camp in the forest to the base camp and the other one drives his own vehicle offering transport service to Bintulu to the people in Sg. Asap. Two people are working as store keepers for the same company.

As shown in Table 14, the settlers who are doing off-farm jobs receive their salary monthly. It is evident from the interview with the settlers who are doing off-farm jobs that a stable income is valued very high in the resettlement. Therefore, many youngsters who do not have interest to study further move to town and other regions to take up any job that pays monthly.

The employment opportunities in the timber and timber-related industries are predominantly in the rural districts such as Ulu Danum, Baram, Bakun, Belaga, and Tatau. This mobility indicates rural-to-rural migration. Normally, in the timber camps, the people are living in temporary apartments built with plywood with limited facilities; going back to the resettlement often is a luxury. The remittance is also higher, up to 70 percent of the salary, because there is no where to spend their earnings. In other words, the cost of living in the timber camp is relatively very low.

Table 14 : Households and wage-employment

Block No.	No of people in the household	Farming	Members of household in wage-employment	Location	Salary MYR	Unemployed	Still studying	No. of infants
B8	7	3	Teacher	Kuala Lumpur	1500	1	0	1
L14	6	2	Teacher	SK Batu Keling, Asap	700	0	1	
			Labour	Bintulu	600			1
M7	10	4	Surveyor	Bintulu	700	0	1	2
			Surveyor	Bintulu	700			
			Surveyor	Bakun	800			
M14	7	4	Land survey	Baram	800	1	0	1
L7	4	2	Labour	Kuching	600	0	1	0
L8	6	2	Labour	Miri	800	0	2	0
			Labour	Kuala Lumpur	1500			
L1	14	5	Land survey	Bintulu	800	0	3	5
K1	13	5	Land survey	Ulu Danum	800	2	3	2
K13	4	2	Labour	Tatau	800			
			Labour	Bakun	700			
K7	8	1	Store keeper	Miri	1200	0	5	1
K3	6	2	Labour	Bintulu	700	1	1	0
			Labour	Bintulu	700			
J15	7	2	Driver	Bintulu	1000	2	1	1
H13	8	2	Labour	Bintulu	800	2	2	0
			Labour	Miri	800			
G13	6	2	Labour	Belaga	700	0	2	0
			Clerk	Belaga	500			
E7	5	2	Labour	Tatau	700	1	1	0
D6	5	2	Labour	Sibu	700	1	1	0
F7	7	3	Teacher	SK Segahan, Belaga	1200	0	1	0
			Teacher	SK Batu Keling, Asap	1200			
			Nurse	Bintulu	1500			
H8	8	2	Land survey	Belaga	800	0	3	1
			Labour	Kuching	700			

Source: Household survey, 2005

Rural-urban migration in general involved government jobs or private sector such as factory. The settlers who are working in Kuala Lumpur, Kuching, Miri, Sibu and Bintulu bear much higher costs of living, thus remittance is much lower. Normally, when they are married and living in the city or big town, those who are living in the resettlement, such as their parents, can only expect remittance of 10-15 percent of the salary. In the interviews, there is no

definite answer on how much the remittance is. However, from the conversations it is easy to guess that it is not much from one person, but combining it with the other remittance from the other children generates enough to cover the cost of basic hospital bills, to employ labour to help on the farm, or to buy basic needs in the household. Nevertheless, for a settler whose wife and children are living in the resettlement, the situation is different. He would try his best to minimise his expenses living in a big town by renting a small room in a house, sharing with the others, and remit as much as he can to support his family. This is evident from the household interviews.

Box 9 : Remittance – Jero and Elizabeth

Like all the other settlers, Jero and Elizabeth need to find a source of income. They have six children, Ophelia (age 12), Claudia(10), Maximilia(8), Flessia(6), Alicia(5), and Beatricia(3). All the children, except the youngest one, are going to SK Batu Keling primary school in Sg. Asap. Since moving to the resettlement, life has not been easy for them. According to Elizabeth, life in Long Geng, the former village, was not easy either but life in Sg. Asap is difficult and complicated. The land for farming is very far from the settlement. Each day she has to spend MYR5.00 for a return trip to the farm using private transport service. In Long Geng, she walked on foot to the farm. Since 2004, she has been planting paddy on one acre of land where she harvested about 12 gunnies each year: roughly enough for daily consumption but not enough to sell. She plants peppers, vegetables, and fruit trees on the other acres of land but so far she has not earned much from the farm. She only managed to earn MYR1000 from her 100 pepper trees that she planted in 2000. Therefore, they decided that Jero has to work elsewhere to earn money for the family. Jero took a job as a store keeper with Shin Yang shipping in Miri. He is earning about MYR1200 monthly. Elizabeth stayed at the resettlement with their six children.

According to Elizabeth who manages most of the household affairs, Jero sends about MYR500 every month for household expenses, including farming. She does not receive any subsidy or fertilizer from the agriculture department and she learns to grow peppers by observing and asking others. The farming expenses includes fertilizer for the pepper trees, MYR65 for each gunny of 40kg of fertilizer. For 100 pepper trees, she needs about five gunnies of fertilizer. She only fertilizes the pepper trees once every six months. They have spent much on the pepper trees since they were planted. To hire a man to help to put the poles to the pepper trees cost MYR60 per day. One man can put in about 20 poles per day. She also needs five gallons of insecticide for the pepper trees that cost her MYR25 for each gallon. She sprayed insecticide on the pepper trees twice a year. To clean the ground and cut the grass, she is helped by a few others. They take turns helping each other. For paddy planting, one labourer costs MYR60 per day. As the land for paddy planting is deteriorated in terms of quality, each year she harvests less paddy than the year before.

According to Elizabeth, she spends very little on her children's education because they are still in primary school. She does not buy new clothes for her children except at Christmas. Daily meals include vegetables she picked from the garden and rice that she planted. They rarely eat meat and fish, except at the end of the month when she receives money from her

husband. Sometimes she cooks omelettes for the children, three eggs for six children. Jero comes home to visit them once every two months. Sometimes, he asks his family to come over to Miri to stay overnight at the end of the month. According to Elizabeth, that is how they survive the resettlement but she is not sure what the future will hold when her children go to secondary school. They need more income as education is getting expensive. She wants to see her children study up to the highest level as she believes that the only way for the new generation to survive in the resettlement is through education.

Elizabeth is a very skilful woman. She weaves beautiful rattan baskets and beads baskets that can be sold for a good price in the market (MYR25 for each rattan basket and MYR350 for each beads basket). However, there is no easy market for these items because Sg. Asap is far from Bintulu, the nearest town where it is possible to sell the baskets. Furthermore, people do not buy baskets everyday, so she would not earn much from selling baskets either. Therefore, she only makes baskets when someone put an order.

Without any income from paid employment, the settlers cannot even afford to farm the three acres land given to them as they cannot afford to buy fertilizer and insecticide. In short, farming comes second to paid employment. Furthermore, for the traditional farming of cash crops, the settlers have to wait about three years before they can harvest from their pepper trees. During the waiting period, the marked prices can drop. Also, there is a risk the crops can be attacked by pests and diseases. The paddy is harvested but mainly used for family consumption and the harvest varies each year. Subsistence farming on the three acres of land does not provide the household with income. Therefore, at least one person in the family takes a job in town or in another region to have a stable income for expenses on education, health, transportation, and farming activities. Based on the interviews, the settlers are looking for paid employment not just to prepare for uncertainties but as a stable income for their livelihood in the resettlement. As one settler commented, it is the only way to survive the resettlement. In a way, when the settlers are giving importance to off-farm jobs as a stable income, it shows that they are no longer dependent on the land for their livelihood and do not regard cash-crop farming as an important activity to generate income. They have changed their perspective and, most importantly, they now realize that education is the key to being employed with a good stable income. It is a bit too late for the older generations but certainly is a motivation for the younger generation who are still in school. At least, with this realization, the parents are motivated to support their children's education to secure their children's future.

6.4 Education and out migration

Based on the household interviews, every household agreed that education is the key to survive the resettlement. As shown in Table 9, the settlers support and invest in their children's education. From the 55 household surveys, there are 18 students currently pursuing their studies in higher learning institutions, such as public universities and private colleges. Most of them have student lands, funded by various institutions: Jabatan Perkhidmatan Awam (JPA), PTPTN (a direct financial agency for public universities in Malaysia), Majlis Amanah Rakyat (MARA), and Tabung Amanah Bakun (TAB). The student loan is normally paid by the students once they have obtained jobs and the payback varies in amount.

Table 15 : Kenyah-Badeng in higher learning institutions

Name	Education	Institution	Year of study	Type of courses	Source of funding	Amount receive per annum (MYR)
Conise Ajan	Degree	UKM	2001-2004	Accounting	PTPTN	7000
Pretin Lajau	Diploma	College Cermaj Jaya	2005-2007	Housing	TAB	3000
Leslie Robert	Diploma	UPM	2003-2007	Forestry	PTPTN	5000
Billy Jarang	Degree	UPM	2005-2008	Malay Language	PTPTN	7000
Lentak Suai	Diploma	College Cermaj Jaya	2002-2005	Communication	TAB	4500
Julie Lalie	Diploma	College Swinburne	2003-2005	Computer	None	None
Debora Belawan	Diploma	UPM	2004-2006	Forestry	PTPTN	5000
Jati Kiin	Degree	UKM	1999-2002	Law	PTPTN	7000
Maria Kiin	Degree	UKM	2001-2004	Law	PTPTN	7000
Affendi Lin	Diploma	College Twintech	2003-2005	Sport Science	MARA	10000
Marylin Agu	Diploma	College Twintech	2002-2005	Sport Science	MARA	10000
Andrese Guin	Certificate	College Twintech	2003-2005	Sport Science	MARA	10000
Florida Jangan	Degree	UMS	2005-2008	Computer Science	PTPTN	7000
Jacqueline Ugin	Degree	UUM	2005-2008	Unknown	PTPTN	7000
Norita Uluk	Degree	USM	2000-2003	Malay Language	PTPTN	7000
Norica Okeng	Degree	UPM	2005-2008	Forestry	PTPTN	7000
Audrey Okeng	Degree	UPM Bintulu	2005-2008	Business study	PTPTN	7000
Phillip Lepun	Ph.D	UM	2005-2008	Forestry Botany	JPA	8000

Source: Household survey, 2005

For the younger generation who has just left secondary school, there is no doubt that off-jobs are more attractive. Furthermore, by living in the hostel, the youngsters do not learn any skill at farming. Although a few school leavers, especially the girls, learn to farm after they get married; they do not have any option to living in the resettlement. Many others

quickly realised that the three acres of land is not enough to support all family members. Thus, paid employment is a quick solution, even with a low paid salary.

The settlers give their full support to their children who want to further their studies at college or university. Since moving to the resettlement, most parents do regard education as the only way for their children to progress and to have a better life. They often talk about their children getting good grades in school and if they are going to do well enough on the examinations to attend universities. Parents that do not have children who show any interest to education tend to shy away when the other parents are talking proudly about their children who are studying in the universities.

There is a good change in the attitude of the people towards education since the move to the resettlement as they realised it is the only way for them to see the younger generation perform better in life compared to what they can provide. Parents become very strict towards their children's whereabouts and activities. They do not want to have their investment to go to waste as they do not have much money to finance their needs and education.

Box 10 : An observation in the family of Okeng and Sioh

Okeng is 43 years old and Sioh is 39 years old. They have seven children: ages 22 (studying forestry at university), 21 (studying business at the university), 18 (working as a store keeper for a timber company), 16 (studying in SMK Belaga), 14 (studying in SMK Belaga), 13 (studying in SMK Belaga), and 8 (studying in SK Batu Keling, Sg. Asap). Okeng is earning between MYR1000 and MYR2500 per month from his job. With seven children going to school, he certainly need to be careful with his money. His wife, Sioh grows paddy and vegetables for daily consumption. However, Okeng buys meat or fish sometimes when he comes back from Bintulu, especially on Fridays when his children are all back from school for the weekend. His two daughters who are at universities are on government student loans. His son who works as a store keeper decided to take the job as soon as he finished his school examinations and decided not to further his study. Okeng was upset but soon realised that he cannot force his son against his will so he helped him to get a job. With the recommendation of his younger brother, his son got the job in Miri earning MYR700 monthly. He has high hopes on his other sons so he keeps reminding them about how important education is for their future. Okeng is very proud of his two daughters and has very high hopes for them. He wants his daughters to finish their studies at the university and try to go to a higher level pursuing a master degree if they can to have a better job. He hopes that his daughters will not get married as soon as they finished their studies because he wants them to help him to finance the education of their brothers.

Very often Okeng mentions that he does not wish his children to come back to live in the resettlement. He wants them to have good jobs anywhere they wish and have a good life in

a place they choose to live. He often says that there is no reason to come back to live in the resettlement as it is not their village. He and his wife will stay in the resettlement as they do not have any other place to live and will continue doing what they do for living. Okeng often mentions that his only hope is that the children will not abandon them in the resettlement when they grow old and incapable of earning.

Picture 19: Sioh and her daughters preparing rattan to make baskets



The family of Okeng and Sioh is just one of the many examples in the resettlement that strongly believe in education. The parents support and provide whatever they need in the name of education. However, not all children are sincere towards their parents; there are a few cases known in the resettlement where the children were asking for money monthly despite having student loans to they wish without considering their parents hard work. The risk that the parents are taking is to invest a lot in their children's education without knowing the outcome of their investment. According to a few settlers, as they do not have any other way to invest their hard work, their children's education is the priority; however, they do wish that their children will give something in return when they got a job. As the settlers always mention, after all, they are their children and it is their responsibility to

provide them with good education. Many settlers remark that responsible children will not forget the hard work of their poor parents who put them in school and allowed them to study at university. So, children should show their appreciation towards their poor parents by sending home some money and caring for their parents' needs such as medical expenses and food.

There is no doubt that the youngsters who are pursuing higher education and those who obtain job elsewhere outside the resettlement do not come back to live permanently in the resettlement. Other than for jobs, these youngsters do not regard the resettlement as a good place to live. When asked about their opinion on the resettlement as their home, the youngsters simply say "there is nothing there to make us feel at home". Like in any other rural part of Sarawak, the emigration from the resettlement is expected to have a consequence of leaving behind the old people, women, and small children.

Picture 20: There are only older generations who attend communal meeting and no sight of youngsters in the meeting



6.5 "Sg. Asap my village": The two key issues

There are two very important issues that are a very big concern amongst the settlers in Sg. Asap resettlement: land title and house ownership. As discussed in chapter three, the settlers in Sg. Asap have not yet been granted with the land title of the three acres given to them. Many of those interviewed showed concern about the status of their land, mentioning that the government would just take back the land from them when the land was needed for development or for planting with oil palm. Realising that the resettlement is surrounded by oil palm plantations belonging to a few different companies, the settlers feel that they are in a very insecure position. Even though the settlers think that they will never get the land title and are not actively doing farming on the land, they still consider the three acres land as precious as the land is part of the compensation. A few commented that they will not be able to make a living out of the land they possess but that does not mean that they are interested in selling the land even after they have been approached by oil palm companies.

Settlers stated that the resettlement is their village no matter how bad it is because there is no where else to go. It is contrary view to that of the youngsters who believe they can make a living away from the resettlement. Without skill and education, most settlers try to be as comfortable as they can to live there. The only possible way to make them feeling secure for their land at the resettlement is to grant a land title for the land they are given rights to use. Basically, from the very beginning, the settlers demanded that the three acres of land should be granted a land title. For the settlers who have lands which are not suitable for farming activities due to slopes and swamps, they should be allocated other land. Of course, it is impossible to allocate land nearby the resettlement but they would be grateful for a piece of land that is suitable for farming. Nevertheless, the negotiation of land is becoming very difficult because most of the land surrounding the resettlement is leased to the oil palm plantations. In addition, 5000 hectares of land near Sg. Asap resettlement is owned by Sarawak Enterprise Corporation Berhad (SECB)⁴². The settlers do realise the hurdle of getting

⁴² **Sarawak Enterprise Corporation Berhad** ("SECB") was incorporated in 1967 as Dunlop Estates Bhd and listed on the Kuala Lumpur Stock Exchange in the same year. In 1996, the State Government of Sarawak acquired a controlling 51.5% equity interest in SECB. Multi-Purpose Holdings Berhad remains the second largest shareholder in Sarawak Enterprise with an equity interest of 22%. SECB is principally involved in utilities through its 45% equity interest in the Sarawak Electricity Supply

6.6 Generating income and activities in the resettlement

In a 2000 session of parliament, Abit Billy Joo, the member of parliament representing Hulu Rejang, requested that the Minister of Agriculture provide a blue print for increasing agricultural output and a plan to help the farmers involved in the Bakun resettlement in Sg. Asap to be self-sufficient⁴³. Later, in 2005 (see Box 11), Abit Billy Joo is quoted as saying that the settlers should find jobs in the oil palm plantations. There is no program of agriculture for the settlers to be self-sufficient except working at the oil palm plantations surrounding the resettlement. One of the oil palm managers interviewed stated that the settlers do not have skill for any other post except menial labour jobs like land clearing. The oil palm plantations are newly planted so there are not many job posts except hard labour. These jobs are between MYR10 to MYR15 per day which hardly enough to cover the cost of transportation to and from work.

Box 11 : Sarawak Tribune (24/12/2004)

Sg. Asap folk urged to work in oil palm estates

SUNGAI ASAP, BELAGA: Member of Parliament for Hulu Rejang Billy Abit Joo called on the residents of Bakun Resettlement Scheme at Sungai Asap to work at the oil palm plantations around the area.

The plantations do not only offer jobs as labourers but other posts as well.

"If you don't take the opportunity now, then chances are that the jobs available may be taken up by foreign workers, Billy said while officiating at the opening of Pesta Sungai Asap 2004 at Uma Ukit, Sungai Asap last Tuesday.

He also pointed out that although the salaries offered by the plantation operators might be not up to their expectations, they are at least assured of a regular source of income. They also have the advantage of working from home thus saving on transportation cost and accommodation.

Corporation ("SESCo"), the State controlled electricity monopoly which has been conferred with the sole and exclusive right to generate, transmit and distribute electricity in the State of Sarawak until 2042. In July 1997, the State Government of Sarawak granted a 33-year licence to SECB's wholly-owned subsidiary, Sarawak Power Generation Sdn Bhd ("SPG") to develop, work and operate independent power plants in Bintulu, Kuching and Miri for the generation and supply of electricity to or for the use of SESCO in the State of Sarawak. SPG currently manages and operates two 100 MW gas turbine generator units located at Tanjung Kidurong, Bintulu. Source: http://www.mphb.com.my/utilities/sarawak_intro.htm

He also told them to adapt to the changes taking place nowadays if they want to uplift their living standard.

"In the past, paddy planting was given top priority but the focus now is on fish rearing on a commercial basis, pepper growing and the planting of cash crops such as sweet corns and ginger. As such I hope you'll be able to take on these new challenges," he said.

"The resettled residents [of Sg. Asap] are also given the opportunity to be involved in farming and poultry activities under the Bakun Resettlement Agriculture Program. The government has also made plans to develop Bakun Dam as an eco-tourism destination following the success of the Batang Ai Resort in Sri Aman Division⁴⁴.

As discussed in chapter 4, agriculture activities in Sg. Asap resettlement often end up in disaster. The planting of vegetables on an acre of land by a group of women can be regarded as a success in trying to get the settlers working together to generate income. However, they failed to market their vegetables, which were left rotting at the side of the road already packed in baskets waiting for the middle person to collect who did not show up until after a few days later. The hard work has gone to waste. The poultry activities were also a failure because the chickens were not breeding. Once the chickens were sold or slaughtered, there were no more chickens left. In other words, these activities cannot be sustained because the settlers do not have any skill for poultry breeding. They also do not have a network to go into a bigger market place in town like Bintulu to sell their agriculture products. Another problem is related to the quality of the soil at the resettlement area. Even if the settlers decided to work at the oil palm plantations, which is most likely not their choice, it is not guaranteed that oil palm plantations can produce expected returns. As Jerome Rousseau⁴⁵ wrote to Asiaweek in 1995, "the 15 communities above the Bakun will be forced to move to a resettlement scheme in the Belaga river area, where they are expected to work in plantations. A report written in 1988 for the state government, however, states the soils of the Belaga relocation site are poor and cannot sustain plantations" (Asiaweek, 12

⁴⁴ <http://www.kapit.net.my/development.asp?id=6>

<http://www.kapitro.sarawak.gov.my/php/main/english/tourism/kapit-development.php>

⁴⁵ The consultant from University of McGill, Montreal Canada hired by Sarawak State Planning Unit to conduct a research on Bakun resettlement.

January, 1995)⁴⁶. For promoting ecotourism, there is a plan to open "The Resettlement Bed & Breakfast" in Sg. Asap (see Box 12 below).

Box 12 : Bed and breakfast advertisement published this year, 2007.

The Resettlement Bed & Breakfast (Sg Asap)

Some 43 km *away* from the renowned Bakun Dam, located 15 native longhouse or the Sarawak Orang Ulu natives (people of the upper rivers).

Constructed by the government to house the villagers affected by the construction of the dam. The Resettlement is where you would find and discover the true longhouse living of the gentle

KENYAH LEBU' KULIT, KENYAH UMA BAKAH, BADING, KAYAN, LAHANAN, PENAN and the UKIT.

Offering you accommodation and meals, we invite you to spend your first night in Lebu' Kulit, the first longhouse into the resettlement. You may request to see our "Lupa" (long dance); accompanied by our "sampeq" music, along with our folksong. Commending other longhouses in the resettlement for more night stay, you may also join us "NOOQ" (farming) the whole day.

Further information please contact Asap Longhouse Adventure Co.
(Tel:086-337606/fax: 086-339715)

Source:<http://www.bintulu.net.my/destinations2.asp?destination='The+Resettlement+Bed+%26+Breakfast+%28Sg+Asap%29'>

Such promotion is a good attempt to diversify the sources of income of the settlers but the question is how often tourists come to the resettlement. Definitely, such activity would not be able to generate adequate income for them to stay around the longhouse preparing for the show to welcome the tourists. Furthermore, the settlers do not have any knowledge even how to prepare the activities. Such business would take plenty of time and energy to establish with many promotions and costs. This enterprise would also require all the longhouse inhabitants to be willing to participate and work together with the Ministry of Tourism to select people from the longhouse to be trained properly to run the activities.

However, before planning such business activities at the longhouse, the first question that should be raised is what is there to see at the resettlement. Obviously, there are no

⁴⁶ <http://www.asiaweek.com/asiaweek/95/1201/letters.html>

activities such as jungle trails or bird and animal observation because the resettlement is surrounded by bare hills prepared for oil palm plantations as shown in Picture 21. There is no forest or rivers for leisure activities. If there were, the settlers would not be complaining about no access to natural resources where they can go hunting, fishing, and collect jungle products for their handicrafts.

Picture 21: Hills terraced prepared and 'deserted' for oil palm planting



Basically, the settlers desperately need to obtain certain skills to enable them to generate sources of income at the resettlement. They need to be exposed to a wider network and to be shown many different options from which to choose. Therefore, education and training for the youngsters who have left school is essential. The farmers can learn a few agriculture skills in their own farm if the agriculture department in the resettlement can conduct priority lessons.

6.6.1 Education and training for school leavers

One possible strategy to prepare the youngsters from the resettlement is to involve them with skills training at urban centres or at the administrative centre of Sg. Asap. A vocational centre should be set up in the Sg. Asap center near the primary school area to provide those leaving school with information before they decide to go to town seeking paid employment. In the long term, the vocational center can be expanded to develop the skills of those leaving school from the surrounding area including Belaga. To start with, the building does not need to be grand and fancy. Basically the purpose is to have a center for the school drop-outs to get information and to assist them in choosing what to do. There should be a counsellor to advise them. The target should be having a counselling seminar at the end of the main school examinations. For skill training that requires equipment or machines, they can be sent to a vocational training center in the nearest urban area like Bintulu. The vocational training center in Bintulu, however, offers only two courses: automotive and welding. In other words, what they choose to do is their own choice but it is very important to disseminate the information to the school drop-outs at the resettlement.

The skills training center in Sg. Asap in future can be implemented in corporation with The Association of Majlis Amanah Rakyat (GIAT MARA) and Majlis Latihan Vocational (MLVK). The Bakun Trust Fund (TAB) can give support in terms of fees and TAB can finally fulfill its original purpose. However, the training has to be useable to generate source of income at the resettlement. For example, sewing classes can easily be set up at the center; most households have a sewing machine. All they need is a teacher to show them how to tailor basic garments for their own usage and their small children. Out of the many participants there will be a few who have entrepreneur's mind. The class can be conducted on the weekends. It will also give the settlers, particularly the women, activities besides growing vegetables and paddy.

There is already an internet shop at the Sg. Asap center. Courses for computer literacy for the students and drop-outs can be conducted for minimal fees. Computer literacy is very much in demand when they want to apply for clerical jobs at the timber companies, oil palm plantations, hotels, and other small businesses in town.

Skill training is badly needed from the agriculture department. The agriculture department in Sg. Asap can contribute to develop training for basic farming activities involving cash crops

such as peppers and oil palm. Training for poultry breeding and pond fisheries would also benefit the drop-outs. They can have fish ponds on the three acres, while breeding chickens and ducks and planting vegetables at the same time. For the moment, an officer from the agriculture department in Sg. Asap occasionally conducts a short training session on how to take care of pepper trees on the farm. The settlers have never planted pepper trees so the short training does give them some important tips.

It is difficult to organise cottage industry because of limited access to jungle products such as rattan, bamboo and palm leaves for making baskets, mats, and hats. However, the drop-outs can be encouraged to learn to make handicrafts from other materials such as beads and plastics. If there is a market for these items, the return is encouraging. A beadwork basket can sell for MYR350 with only MYR100 spent on the beads.

6.6.2 Create market and network for the settlers

The main problems at Sg. Asap resettlement when it comes to marketing their agriculture products are network, market places, and transportation. In order to make the settlers self-sufficient, a market place has to be created for them. To start, the settlers need to be exposed to networks in town involving buyers who are also acting as distributors. The settlers have problems getting into the network because they are foreigners to the market place in towns, such as Bintulu, the nearest urban center. Furthermore, they have never sold vegetables in town because, in their former village, all were self-subsistence farmers or sometimes sold in a very small market for jungle products in Belaga town; they did not need any middle person. In Bintulu, they can sell their vegetables directly outside the big markets but the earning is very low. Most of the time, at the end of the day, they sell the vegetables at a very low price just to get rid of them. Sometimes they cannot even afford to pay the cost of their transportation.

What the settlers need is a permanent buyer who will buy all the vegetables at a reasonable price so that the settlers do not have to worry about transportation and wasted vegetables. However, for them it is difficult to negotiate and to find buyers who would come directly to the longhouse. In this situation, the agriculture department can give support by creating the network for them and find them potential buyers. Gradually, when the settlers have gained more knowledge and skill in marketing, they can start looking for their own. They can also start to plan vegetables projects and other activities like poultry rearing.

Basically, poultry rearing and fish pond projects by a few individual at the resettlement can bring some income. There is market available at the resettlement for these products. In contrast to vegetables, of which every household has their own, poultry and fish are in high demand. A few settlers who have the transportation to go back to their former village to hunt and fish manage to earn some money from the selling of meat and fish. However, pond fisheries certainly can be one of the sustainable agriculture activities for the settlers at the resettlement. The only thing the settlers need is skill training. There a few fish ponds at the front of the longhouse but the fish do not stay when the rain water floods the pond.

6.7 An option that many settlers would prefer

"Earlier, a better alternative had been considered: the population of the upper Balui would remain in unflooded areas where they currently are. This would be ideal. There is plenty of good agricultural land in the upper Balui which could accommodate a mixture of traditional agriculture and cash crops. In 1994, no official associated with Bakun seemed to know of this option" (Rousseau in Asiaweek, 1995). Basically, the settlers knew about the potential of upper Balui from the beginning. This area has not been flooded and, with the downsizing of the BHP, there is even more unoccupied land available outside the perimeter of the dam. However, logging activities from the companies involved in BHP have gone even deeper than the actual site of BHP.

The Kenyah-Badeng are particularly keen on the idea of going back to their former village. With the downsizing of the BHP, most of the villages upriver will not be flooded. Upon visiting Long Geng in November 2004 with my informant and his relatives, he explained that if the Bakun dam is ready, it is more convenient to live in the former village. He mentioned that, due to lack of source of income and limited access to resources, he would really want to go back to the former village to start again. His children can stay in the hostel while in school while he and his wife can start to generate income for their needs and education. Since they have been introduced to peppers at Sg. Asap, they can plant important cash crops like pepper if they go back to their former village because the soil is suitable for such crop and is better than the soil in Sg. Asap resettlement.

The dam will solve their biggest problem in using the river as their main transportation. With the submerging of the islets and rivers there will be no more aggressive rapids and

waterfalls along the river journey. In that case, they would be able to use bigger longboat with more horse power. They would also be able to take water transportation during heavy rains. Journeys going down river to Belaga town and Bakun will also be much shorter, approximately half an hour. My informants also explained that they will be much better off going back to the former village because of the access to the forest and the rivers. They will have again their big "supermarket" where they do not have to purchase anything. In addition, with the Bakun dam, they can actually start important new agriculture activities, such as floating cage aquaculture in the reservoir, rearing native fish to ensure that these species will not disappear from the river system.

In fact, the Rousseau report (27 September 1994) submitted to the Sarawak State Planning Unit (SSPU) has recommended many useful strategies for the improvement and sustainability of the livelihood of the settlers which has not been observed during the implementation of the resettlement program. The recommendations were specifically for the suggested area for resettlement at upper Balui and not at the Sg. Asap resettlement. These recommendations are important to look at if there is possibility of allowing the settlers to go back to their former village without any cost.

If these recommendations were observed and followed, the problem of displacement amongst the settlers could have been minimised. Rousseau emphasized that access to forest resources must be maintained. He did not suggest that settlers should be persuaded to get involve with oil palm plantations. As he has written in the report:

"All communities in the Balui have easy access to forest resources. Hunting, fishing, and collection of jungle produce are still important activities. This should be taken into consideration in the planning process (Langub, Kedit & Demong 1989: 21). Access to forest resources should form part of an integrated planning process in which the needs of shifting cultivation, commercial agriculture, and use of the jungle are integrated. Shifting cultivators have a vested interest in protecting their environment. What has been said about East Kalimantan applies equally to the Balui: "Dayak communities have both ecological knowledge based on generations of experience and strong motivations to manage the environment sustainably.... Non-timber forest products are important in generating both cash and subsistence goods. If these products are to be harvested sustainably, community forest management groups will need to be assured that they have exclusive rights to such benefits. The desire to secure their

homelands, which are increasingly threatened by outside interests, provides indigenous people of East Kalimantan with powerful incentives to protect forest resources from further degradation" (Poffenberger & McGean 1993: 58). Similarly, it has been found in Thailand that "Decentralized controls over clearly defined microwatershed areas by organized local hamlets have reduced threats of fire, illegal logging, and upland erosion and are resulting in impressive natural forest regeneration" (Poffenberger & McGean 1993a: viii)".

Rousseau also emphasizes that small-scale local industry which use local resources in a sustainable way should be encouraged. He wrote that:

"Three possibilities come to mind:

Collection of jungle produce that can serve as basic material for medical drugs (The demand is increasing, and this can be done profitably in a remote area because of the favourable value/weight ratio);

It would be possible to encourage the formation of small companies which carry out reforestation; they would be paid by timber companies to do so. It should be noted that, as shifting cultivators, the people of the Balui have learned to manage the environment in a sustainable way and are well prepared to practice reforestation. This will increase the productivity of Sarawak's natural resources: "The productivity of valuable timber and non-timber forest products can be greatly increased through enrichment planting and other manipulations of the natural environment" (Poffenberger & McGean 1993b: vii).

The project may create new possibilities for ecotourism. On the one hand, the catchment lake may eventually be a tourist destination after the rotting vegetation has ceased producing hydrogen sulphide gas. Also, if the resettlement areas are adjacent to primary jungle, this creates other possibilities for ecotourism. It might be useful to gather information about Lake Toba in Sumatra, where some of the conditions might be similar to what is about to be created here".

Rousseau also look further into the issue of sufficiency source of protein for the settlers once they have been resettled in which he emphasizes that substitute sources of protein should be planned for. He wrote that:

"Given that the flooding and consequent de-oxygenation will reduce the fish population in the Balui, other forms of proteins must be planned for. The availability of fish and game should be factors in the selection of resettlement sites. In the upper Balui, several people have built fish ponds. It would be worthwhile to see how successful this has been. It is also worthwhile to ascertain whether fish ponds are always safe for the environment. Introduced Tilapia fish may escape to the rivers and compete with native wildlife. How easy would it be to raise local species in fish ponds? Some people have done so, and their experiments should be studied. It might be worthwhile to ask the Sarawak Fisheries Research Institute for suggestions.

Several in-depth community studies have raised the issue of commercial fishing and hunting, which has become an important activity in several villages of the upper Balui. This new practice may create problems in the long-term availability of fish and game. Consultations should take place with the communities to regulate commercial fishing and hunting. Some communities already discourage the practice, but concerted action is necessary (e.g. if an upriver community over fishes, this affects their downriver neighbours)".

The informants interviewed for this research basically speak about issues similar to Rousseau's recommendations. No doubt that the Rousseau report in 1994 was written based on the interest of the settlers. The Kenyah-Badeng, in particular, have never lost touch with their former village. As discussed in chapter 3, they have been going back to the area to collect jungle products, to hunt wild game, and to catch fish from the river. Many of them are making their livelihood at Sg. Asap resettlement based on the resources they collect from their former village. In 2007, a few Kenyah-Badeng have built small huts for their convenience coming to the area; for example see picture 22.

These huts are built on the bank of Linau River, the starting point of their boat journey up to Long Geng. They fish in a few small rivers along Linau River but they collect rattan and palm leaves all along during the boat journey. There is a long bridge formerly used by the logging trucks to cross this river. It is very convenient for them to drive their vehicles up to this point and from here to go to their former village. The informants want to build a longhouse in the near future at this site as this particular area will not be submerged by the Bakun reservoir. They conclude that if nobody cares about their condition at the resettlement, would they even care if they build a new village at the site.

Picture 22: Small huts for short trips to the former village



6.8 Conclusion

In general, what is needed at the Sg. Asap resettlement is source of income. The government urgently needs to assist resettlers to expand feasible economic activities for them instead of pushing them to work at the oil palm plantations as labourers. Many government agencies can get involved to help the settlers in terms of giving them skill training. At least they can find themselves paid employment with reasonable income or to start productive farming at the resettlement.

For now, the settlers cannot be resourceful when there is no access to natural resources. They are farming on the three acres land but they cannot expect any stable income from the farming activities. There is a problem in marketing their agriculture products as they are not exposed to the networks and market places. Besides, the cash crop they have on their land has not produced an abundant harvest due to the quality of the soil; in addition, they cannot afford to buy fertilizer and insecticide to improve the harvest. Therefore, many settlers opt for paid employment, leaving their families behind at the resettlement. The wives can expect

remittance from their husbands every month but the old parents need to generate their own income.

Young parents enthusiastically support the education of their children hoping that one day, when the children obtain paid employment, they will help them at the resettlement. In a way, the settlers' perspective on education has changed as they can see that only through education the children can survive the resettlement. Emigration from the resettlement is expected and very soon the resettlement will be occupied only by the old folks and small children.

Many settlers go back to their former village and many of them are making their livelihood at the resettlement based on the resources they collect there. There is no doubt that, in the very near future, the settlers will build a longhouse near the Bakun reservoir but far enough away to not attract the attention of the authorities.

CONCLUSION

I. Resettlement and settlers

Resettlement is viewed increasingly as a development issue. Policy makers, planners, and development practitioners have come to accept that inadequate attention to resettlement does not pay in the long run; and costs of implementation problems caused by lack of good involuntary resettlement can far exceed the costs of proper resettlement. Furthermore, impoverished people are a drain on the national economy; thus, avoiding or minimizing displacement as well as proper rehabilitation of those displaced make good economic sense as well as being fair to those adversely affected (Dams and development e-paper, Pg. 24).

This research takes the same stance as the quotation above, and in this research resettlement is discussed as a very crucial development issue. There are many aspects of the resettlement that are in need of urgent attention from the Sarawak State Government, and there are many social and economic issues of the settlers that need improvement through short-term and long-term plans or projects.

As discussed in this research, displacement of a population in a resettlement scheme or program is very much related to poor planning of the resettlement. It is important to repeat in this conclusion chapter that there have been many studies, as illustrated in previous chapters and this research, that have shown how displacements, as Cernea described, 'erode confidence in self and in society, render much human capital obsolete, and unravel social capital' (Cernea, 2003:40). Through the Impoverishment Risk and Restructuring (IRR) model, Cernea states that the intensity of each individual risk varies and the outcomes range in severity, depending on the local conditions, type of project, sector, or type of displacement. Compensation, as Cernea (2003:37) states, and as shown in this research, was unable to prevent impoverishment, and settlers are having their whole livelihoods dismantled. The losses of income, assets, rights and standing are multi-sided, and can be economic (in cash and in kind), social or cultural, as well as related to opportunity and power. Capital losses by the settlers include natural or man-made physical capital, human and social capital, or psychological capital, including status and identity, which are not compensable in any way (Cernea, 2003).

Following this argument, as illustrated in the framework of this research, involuntary resettlement caused forced displacement. The settlers of Sg. Asap are faced with the loss of access to traditional common property and space, which has resulted in competition over forest resources, state land and living space. The settlers are also faced with crucial social and community disarticulation that has resulted in the dismantling of the traditional power structure, communal structure and family structure.

As much as the settlers opposed the resettlement, they could find no other option but to be involuntarily resettled at Sg. Asap. The Kenyah-Badeng, the community studied in this research, are going through impoverishment even five to six years (some households moved in 1998 and others in 1999) after relocation. Many households are facing hardship at the resettlement because the resources necessary to generate income were, and still are, very scarce. Although at the early stage of the resettlement a few households adapted to the difficult conditions, most households only managed to stay from being completely economically destroyed in the new environment. The agony did not end there, as displacement is continuously taking place at every stage of their lives and has affected them socially, economically and politically; they continually struggle with the social changes that occur. Far from achieving the objectives outlined in the resettlement program, the government's attempt to develop the indigenous people has resulted in severe damage to their socio-economic situation and is causing displacement in many aspects of the lives and livelihoods of the indigenous people, as shown by the Kenyah-Badeng in this research.

To conclude, the results of forced displacement (the loss in income, assets and rights as well as economic, social, cultural and psychological capital losses) cannot be compensated for in any form. Therefore, taking from Cernea's IRR model (2000) on the issue of reconstruction, as illustrated in the framework of this research, there is a stage of rebuilding and restructuring on a different ground with different methods and strategies. As shown by the selected households amongst the Kenyah-Badeng, they have come to the stage where they have become very 'domestic'; in other words, 'strictly close family members only' in their way of coping, managing risks, and their livelihood strategies to survive the resettlement. They have become very selective, and as shown in this research, all aspects of their livelihoods that were dismantled because of the resettlement have been replaced, but apparently not by the old social structure.

II. Overall research conclusion and important research findings

Regarding the perspective of developing indigenous people through a resettlement program, as shown in this research, there are more losses than gains being achieved, especially on the settlers' side. What they have left behind (history, livelihood, rights and identity) at their native area cannot be retrieved, and cannot be compensated for. It is also a fact, as proven in this research, that the uncompensated losses continue to be the sole grievances of settlers and the factor causing continuous displacement amongst settlers. This research concludes that as much as the involuntary resettlement has brought many new challenges to the Kenyah-Badeng, many of these challenges are beyond their capability to manage. The underlying problem is that settlers were not actively involved in designing their future in the new settlement from the very time the project was proposed. The settlers were receiving sparse information about the resettlement program, and they had a very limited public platform from which to participate or to voice their concerns and suggestions before the plan was implemented. The factor that has caused their continuous displacement is the non-existence of natural resources and land, other than the three acres given to them as compensation, for them to generate income (remember that most of them are farmers without any skills useful for non-agricultural employment). Their lives in the former village were hard, but they were free to explore as many resources as possible, and they owned their native land. In the resettlement, they are as much strangers to the place as to the way of life they are faced with at the new settlement. In other words, settlers simply do not know how to behave appropriately in radically changed social situations because they are not equipped with the necessary living tools.

The central theme of the research framework is forced displacement. Two components of major variables from IRR model by Cernea (2000), which are used to conceptualise this research (i.e. loss of access to common property assets and social and community disarticulation), give a crucial foundation to exhibit the implications of forced displacement. Each component respectively points out the results of change caused by involuntary resettlement (competition over forest resources, state land and living space, and the dismantling of the traditional power structure, communal structure and family structure). The framework is expanded to include the investigation of coping mechanisms, power structure and relations, and the way settlers strategise their livelihood. In short, the research framework has demonstrated the impact of an involuntary resettlement that has

caused forced displacement that is responsible for the social disorganisation. The research framework has also highlighted the strategies of rebuilding and restructuring of the settlers.

i. Power structure and relations

The community studied in this research, the Kenyah-Badeng, has throughout its history of settlement demonstrated adaptation to new environments and has survived many problems in the process. It has been proposed that kinship was one crucial aspect that binds this community together. Amongst the Kenyah-Badeng, kinship is viewed on a larger scale that includes not only blood relation, but also social aspects, such as others who came from the same root. This indicates that kinship in that sense is very much related to sharing the same history of settlement, migration and culture. In anthropological terms, such a characteristic would be defined as ethnicity. Thus, applying the term to indigenous local understanding, the Kenyah-Badeng are all blood relations. In power structure and relations, kinship has always been an important aspect that becomes the reference point for any struggle over leadership issues. Thus, despite the visibility of passive tensions because the leader was not popular or was considered unable to lead the community, the community remained together and did not hesitate to cooperate for the welfare of the whole community. This norm is carried out at the resettlement, where the leader remains at his position, continuing his role as a community leader without being challenged by the community's preferred individuals for the post. At the resettlement, these individuals set their own example to the others in issues of land and claims, and in livelihood strategy. Thus, it can be concluded that the power structure in the Kenyah-Badeng community at the resettlement stands as a separate system, failing to bind the people together, as no orders come from the leader and no orders are accepted by the people. However, it remains as peaceful as it has always been.

ii. Coping through family network

Because of the failure of the power structure and relations, in order to face bigger issues, particularly on how to survive in the resettlement, the Kenyah-Badeng prefer to either strengthen their communal bond or to become family/household oriented in their livelihood strategies. As shown in this research, the latter became prominent, and family networks stand out as the platform from which to generate income, employment, social and moral support, education, and security in general. In short, the family network is the most important coping mechanism in the challenging social environment. This research shows

that at the resettlement, traditional kinship structure has been dismantled, despite resettling together in the same community structure, but it survives in two different forms. These are 'close members of the family sharing the same grandparents' due to scarcity of economic resources, and a form including outsiders or non-community members for wider economic considerations, known in this research as social kinship. It is an 'instrumentalised kinship', which is based on pragmatic needs rather than traditional ideological commitments. Through this network, households that are in the family network together strategise their livelihood.

iii. Livelihood strategies

It is a known fact, as shown in this research, that there are many problems faced by the settlers in regards to economic issues at the resettlement. Without any skills for other jobs, the settlers are left with their subsistence agriculture knowledge that they utilised to work on their three acres of land (which often include land unworkable due to slopes, slumps and low grade soil). For those who have been successful in their agriculture productions, the main problem is marketing. They have difficulties marketing their crops because they are not exposed to the networks and the market place. Thus, they could not establish deals with intermediates to bring their products out of the resettlement. They have been trying to sell their products outside, but there is very high competition from the already established sellers, who are mostly Chinese, at good locations such as in Bintulu town. The settlers are being more or less suppressed in their efforts to market their goods. So, in general, there is only one option to create a platform for getting income for the household: the family network, which works based on trust.

This research shows that some Kenyah-Badeng households, through their family networks, have done a few wonders to generate income at the resettlement. Their acts have set examples to the others. With knowledge of their former region and skill in the forest, they have exploited their former village areas for fish and meat productions, and jungle products, such as rattan and palm leaves for baskets and mats. They share the costs and divide the profits. In terms of land claims (state land around the resettlement), they forward and fight for their claims together, compiling all that they wanted to claim into one document. For education, a family member who has contacts at the university helped to pave the way for qualified members of the family to access higher education. However, this family network perhaps may not be as active in future because most of the younger generation will have a

higher education, and will leave the resettlement. In other words, the family network functions to secure the future of the younger generations who will have a wider and better livelihood strategy with their high educations and skills for employment.

III. Suggestions to improve the livelihood of the settlers: The beginning

It is a known fact that to live, one needs some sort of income, and the income has to come from some source, either natural resources or employment. The settlers at Sg. Asap are desperately in need an income. True enough, the resettlement is surrounded by an oil palm plantation, but the daily income of MYR10-MYR15 is hardly enough to cover the cost of transportation (about MYR10 return trip) from the plantation. The government must assist the settlers to expand feasible economic activities, instead of pushing them to work at the oil palm plantation as labourers. Many government agencies can get involved to help the settlers by giving them skills training. The skills training can be related to effective methods to produce quality agriculture productions on their three acres of land.

The settlers have good knowledge of subsistence agriculture, and this knowledge can be expanded into learning other advanced methods of farming. Because three acres is not enough for the planting of such crops as oil palm, cocoa or pepper, and due to the varying grades of the soil, horticulture should be encouraged. Horticulture has been carried out by the settlers in their swidden agriculture (slash and burns) at their former village areas. Horticulture involves small-scale cultivation, using small plots of mixed crops rather than a large field of a single crop, and using a variety of crops, including fruit trees. Furthermore, because there are demands for organic food production, the prospects for horticulture on pesticide-free land and for organic food production can be very encouraging.

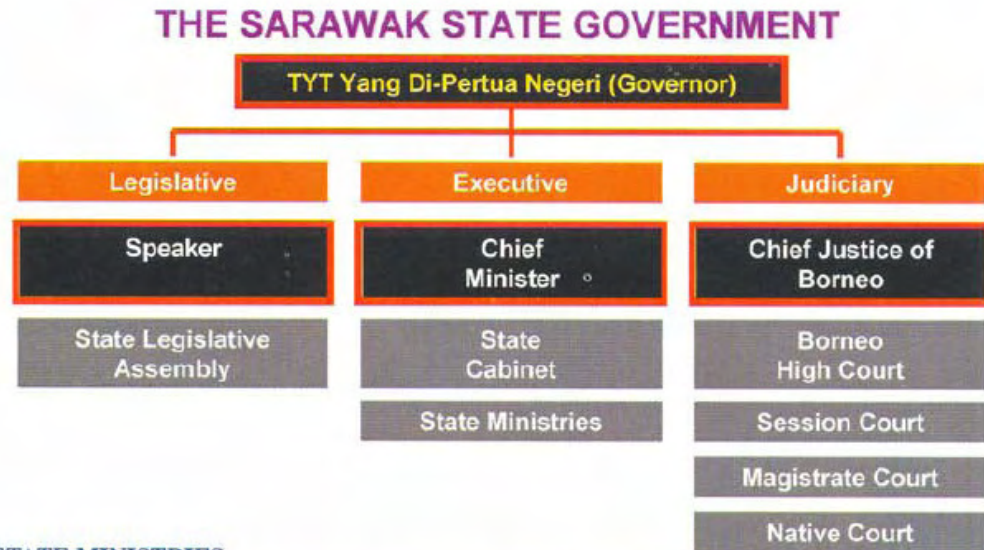
However, the good prospects will not materialise if there is no assistance from the government, especially the Ministry of Modernisation of Agriculture of Sarawak. A market has to be created for the productions when they do materialise because, as this research has shown, networks and marketing are the biggest hurdles to the settlers to sell their agricultural products. The productions could easily go to supermarkets and local shops if it had been certified by the Ministry as organically produced. Organic fruit can be marketed even as far away as West Malaysia, considering that the demand for organic food is continuously increasing due to public awareness of the effects of pesticides on their health.

On the settlers' part, horticulture will have a warm welcome because it involves planting of crops that can utilise their three acres of land efficiently. Training by doing is a very efficient way for the settlers to learn the horticultural knowledge, even though many of them do not have many qualifications. All they need are skills and seeds to start their project.

IV. Finale

Reflecting upon his country before and after independence, well known Indonesian intellectual Sutan Takdir Alisjahbana, wrote '*Dulu tiada, rasa mendapat; kini dapat, rasa menghilang*' (Previously we had nothing, yet we had a sense of gaining something; now we have, yet we sense a loss). While his expression related to another context, it is nevertheless extremely relevant to the condition of the settlers studied in this research. Nevertheless, this sense of loss can be improved by helping settlers to feel at home at their new home with diverse opportunities to improve their livelihood. People often say that 'one feels home when one does not worry about what to cook for the next meal'. This remark has many references, especially to resources and livelihood.

APP. 1: SARAWAK STATE GOVERNMENT



STATE MINISTRIES

- Ministry of Planning and Resource Management
- Ministry of Finance
- Ministry of Public Utilities
- Ministry of Rural Development
- Ministry of Land Development
- Ministry of Industrial Development
- Ministry of Modernisation of Agriculture
- Ministry of Housing
- Ministry of Infrastructure Development and Communication
- Ministry of Environment and Public Health
- Ministry of Social Development and Urbanisation
- Ministry of Urban Development and Tourism

APP. 2: TORRENS SYSTEM

Torren title is a system of land title where a register of land holdings maintained by the state guarantees indefeasible title to those included in the register. The system was formulated to combat the problems of uncertainty, complexity and cost associated with old system title, which depends on proof of an unbroken chain of title back to a good root of title. The Torrens title system was introduced in South Australia in 1858, formulated by then colonial Premier of South Australia Sir Robert Torrens.

Then, all Malaysian land registration is under Torrens system originated from South Australia. It finds present statutory expression in the National Land Code, 1965 (NLC) in Peninsular Malaysia, the Sabah Land Ordinance, in the state of Sabah and the Sarawak Land Code, in the state of Sarawak.

Extracted from http://en.wikipedia.org/wiki/Torrens_title

APP. 3: ATTACHMENT TO RESEARCH APPROVAL LETTER

ATTACHMENT TO RESEARCH APPROVAL LETTER
REF: (50) UPN/S/G11/II/10.1 Vol.16 dated 30/9/04

NOTES OF DISCUSSION HELD ON 6th SEPTEMBER 2004 BETWEEN SPU AND MS. WELYNE JEFFREY JEHOM ON RESEARCH PROPOSAL ENTITLED "DISPLACEMENT: INDIGENOUS PEOPLE AT BAKUN RESETTLEMENT SARAWAK, MALAYSIA" .

1. The SPU has impressed upon the researcher in this discussion on the need to approach the research from a neutral starting point. In this respect, the researcher is required to:
 - a) Replace any word or phrase which can give a negative connotation, particularly in the discussion of the IRR Model and the study assumptions (page 11) as well as in the research approach and framework (pages 10-15);
 - b) Look into the possibility of rephrasing or replacing such words as "displacement" by "relocation"; "loss of access to traditional common property and space" by "access to traditional common property and space"; "social and community disarticulation" with "social and community impact", etc. ; and ,
 - c) Change appropriately any other words/terms/phrases in the research proposal that have or can give negative connotations.
2. The researcher is to submit a revised Project Proposal to the SPU for approval.

Recorded by:

Assistant Director (Social Development)
State Planning Unit
Chief Minister's Department

September 2004



In a report to World Commission on Dams in 1999, The Coalition of Concerned NGOs on Bakun (GABUNGAN) claimed that the Malaysian authorities (including Sarawak state

government, of course) have a number of laws available to prevent access to information and to public debate. They have been used to ensure that the BHP and the resettlement project have proceeded with little or no transparency or public accountability. GABUNGAN also stated in their report that the Official Secrets Act, for example, has been used to classify the many official studies done on the project where at least 17 studies on the project have been officially commissioned. The State government has commissioned studies specifically relating to the resettlement but none of these studies should be publicly available. For example, Jerome Rousseau, a Canadian anthropologist was asked by State Government to conduct a research prior to resettlement of the indigenous people and stated that part of his contract included a confidentiality clause. However, he refused to sign and his report is available on the Internet, is a highly instructive one with reference to the issues, needs and flaws in the planning of the resettlement. Nevertheless, how true this information can only be verified by the researcher, as nothing has been made public about his refusal to sign the confidentiality clause. GABUNGAN also claimed that permits have been refused to groups hoping to organise public forums on BHP, passports of indigenous and other representatives have been impounded to prevent them giving their input at regional or international forums. It was also stated that Government agents were warning people about listening and responding to the views of the few non-government organizations active in the area where signposts were even erected stating these organizations were unwelcome.

During the fieldwork, I encountered many difficulties as well, especially in getting official documents particularly related to land and survey, compensation and the resettlement. All of the officers I met who were supposed to be responsible for specific matters have been transferred to another region in another department. Therefore, I got nothing from any of the officers I met as they are new in the position and they do not know where and how to get the resources I needed. However, through network amongst the local indigenous people, I managed to get hold of some important reports and collected the original claims and offers of compensation. I also have problems in obtaining the permit for my research because my research proposal and theoretical framework did not suit the expectation of State Planning Unit Sarawak. However, after some advises from their part in a discussion, by

taking a more neutral ground by not including the theoretical framework⁴⁷ in the new research proposal, I managed to get a research permit. The reason the resettlement is a high sensitive case because it is the project of development directly under State Planning Unit Sarawak. State Planning Unit Sarawak could have given me all the official documents if there were nothing can be reviewed as case sensitive matters but that would be too easy for my fieldwork research. Via email and web search, I managed to get hold the rest of the reports from their original researchers or posted articles on NGOs website⁴⁸. And as far as it concerning groups and NGOs, there was a group that has been identified not only by State government but also by the settlers as creating more chaotic situation than it has been. The settlers claimed that this group came to organise protests and demonstrations but none of them were there, standing side by side with the settlers when they face problems.

⁴⁷ The theoretical framework can be used as assumptions or hypothesis. However, the theoretical framework was more to discover what was the reality at the grass root level and could always be contested.

⁴⁸For examples: <http://www.dams.org> Also, <http://www.idsnet.org> Also, <http://irn.org>

APP. 3A: LETTER FROM SPU



STATE PLANNING UNIT
CHIEF MINISTER'S DEPARTMENT
6th & 7th Floor, Wisma Bapa Malaysia
93502 Kuching
Sarawak, Malaysia

Our Ref: (50) UPN/S/G1/I/10.1 Vol.16

Date : 30 September 2004

Tel : (6)082 – 492276/492285

Fax : (6)082 – 449481/442536

Website : <http://www.spu.sarawak.gov.my>

Ms Welyne Jeffrey Jehom
No. 351, Kpg. Paya Mebi Baru
Jalan Landeh, Kota Padawan
93250 Kuching.

Dear Ms Welyne Jeffrey Jehom,

APPLICATION TO CONDUCT RESEARCH IN SARAWAK

I am pleased to inform you that approval is hereby for you to conduct a research in Sarawak entitled “**Indigenous People At Bakun Resettlement Sarawak, Malaysia**” from **11 October 2004 to 11 May 2005 (7 months)**.

This approval is subject to your acceptance of the following terms and conditions:-

- (i) The research will not involve any financial aid from the State Government of Sarawak;
- (ii) You are to complete your research within the stipulated time indicated in this letter of approval;
- (iii) The Government has the right to withdraw this approval should you deviate from the original scope of your research based on the application form submitted to us. In this respect, the notes of discussion held between this Office and your goodself on 6th September 2004 regarding your research proposal, and the necessary modifications / amendments that are required to be made thereto, are attached herewith for your necessary attention;
- (iv) Before leaving Sarawak you are required to present a summary of your findings to this Office; and
- (v) Upon completion of your research, you are required to submit one copy of the final report, free of charge, to this Office, the Sarawak State Library (that is designated as the State Depository Centre), the Ministry of Social Development and Urbanisation, the Council for Social Development and Urbanisation, the Council for Customs and Traditions Sarawak, and the Sarawak Museum Department respectively.

Thank you.

“BERSATU BERUSAHA BERBAKTI”


(RODZIAH HAJI MORSHIDI)
Deputy Director
State Planning Unit
for State Secretary Sarawak

APP. 4: COMPENSATION PAYMENT LETTER

BORANG F

PENGAMBILAN BALIK TANAH UNTUK PROJEK HIDRO ELEKTRIK BAKUN

No. Rujukan Jabatan: LS/BKN/9192

No. Kerja Survei: 168A/95

Tarikh: 13/11/97

725.90
- 217.77
508.13

Kepada,

OKANG LEPUN (BIC.K.0061107)

LONG GANG

Datuk/Datin/Tuan/Puan,

Per: Keputusan Penguasa, Arahan Tanah (Penghapusan Hak - Hak Adat Bumiputera) (Kawasan Bakun/Kawasan Kebanjiran Bakun) (No. 1/4/26), 1997

Menurut peruntukan di bawah seksyen 5(3) dan (4) Kanun Tanah (*Bab 81*), jumlah pampasan yang ditetapkan seperti di bawah akan dibayar kepada Datuk/Datin/Tuan/Puan:

	RM
(i) Jumlah Keseluruhan Pampasan	725.90
(ii) Bayaran Pertama	217.77

(Untuk Keterangan Lanjut, Sila Rujuk Kepada Lampiran F(a)).

- Untuk makluman, Datuk/Datin/Tuan/Puan akan dibayar 30% daripada jumlah keseluruhan pampasan tidak termasuk pampasan bangunan dan kos gangguan seperti disenaraikan di Lampiran F(a) sebagai pembayaran permulaan. Baki 70% lagi akan dibayar apabila ditetapkan oleh pihak kerajaan kemudian.
- Datuk/Datin/Tuan/Puan mestilah memberi jawapan sebaik sahaja menerima surat ini dengan mengisi Borang G yang dilampirkan bersama untuk menyatakan samada Datuk/Datin/Tuan/Puan bersetuju dengan jumlah pampasan yang ditawarkan.
- Jika Datuk/Datin/Tuan/Puan tidak bersetuju dengan jumlah pampasan dan ingin merujuk perkara ini kepada timbangtara (arbitration), Datuk/Datin/Tuan/Puan hendaklah memberitahu pejabat ini dalam tempoh *dua - puluh satu (21) hari* dari tarikh penerimaan surat ini. Dengan ini, jumlah pampasan tersebut akan dideposit ke Mahkamah Tinggi terlebih dahulu sementara menunggu keputusan prosiding timbangtara (arbitration).

“BERSATU BERUSAHA BERBAKTI”

Yang benar,

(Mohamed Omar Basri)
Penguasa Tanah dan Survei
Bahagian Kapit.



APP. 4A: COMPENSATION PAYMENT SHEET

PROJEK HIDRO ELEKTRIK BAKUN										Lampiran F(a)
JADUAL PAMPASAN										
<p>No. Kerja Sukat: 168A/95 Nama Rumah Panjang: UMA BADANG Nama Penuntut: OKANG LEPUN No. Kad Pengenalan: BIC.K.0061107</p>										
BUTIR-BUTIR PAMPASAN										
a	b	c	d	e	f	g	h	i	j	
No.	No. Field Lot	Keluasan Tanah (Hektar)	Tanah (RM)	Bangunan (RM)	Tanaman (RM)	Kebun (RM)	Lain-lain (RM)	Gangguan (RM)	Jumlah Pampasan (RM)	
1	E59/44		0.00	0.00	725.90	0.00	0.00	0.00	725.90	
Jumlah		0.00	0.00	0.00	725.90	0.00	0.00	0.00	725.90	
<p>Bayaran Pertama = RM 217.77 30% daripada (d + f + g + h)</p>										

APP. 5: INVITATION LETTER FOR FIRST MEETING WITH SOLID OIL PALM PLANTATION

SOLID OIL PALM PLANTATION SDN BHD (564906 - D)

NO.17, 2nd Floor, Jalan Wong Nai Siong,
P.O.BOX 1228, 96008 Sibul, Sarawak East Malaysia.
Tel :084335335 (6 lines), 336803, 330782, 339062
Fax:084-318380,Telex: MA 72396 SOLID

SITE OFFICE
ATUR NO; 011 - 251286

Rujukan kami: 1st Meeting

Rujukan tuan:

Tarikh : 14 DISEMBER 2004

Kepada, UKANG LEPUN
Uma Badang, Sg. Koyan, 96900 Belaga.

Tuan,

Perkara : Jemputan ke Perbincangan Penilaian Penat Lelah di Lot 8 Punan Land District:

Merujuk kepada perkara di atas, tuan dijemput hadir untuk taklimat berkenaan dengan penat lelah tuan di tempat seperti berikut di bawah:-

Tempat : Pejabat Solid Oil Palm Plantation Sdn Bhd.

Tarikh : 18 December, 2004

Waktu : 9.00 am.

2. Kehadiran tuan amatlah dialu-alukan bagi mengurangkan kemuskilan yang sama-sama kita hadapi ketika ini.

Sekian, terima kasih.

Yang benar,



Sinos @ Lisle Teddis
Pengurus Ladang

s.k. Director,
General Manager
Pemasca Umek Jano
Encik Jack Paran Langat
File
SAC Albania Linus Lukong

APP. 6: PROVISIONAL LEASE OF STATE LAND DOCUMENT



L. & S. 22
Section 28
(Rev. 2/82)

PROVISIONAL LEASE OF STATE LAND

Whereas I, **MOHAMED OMAR BIN BASRI**.....
the Superintendent of Lands and Surveys **Kapit**.....
Division, (hereinafter called "the said Superintendent") have agreed to lease to **SARAWAK ENTERPRISE CORPORATION BERHAD**, a Company incorporated and registered in Malaysia under the Companies Act, 1965, in consideration of payment of a premium of dollars **Three million eight hundred and fifty (RM3,088,750.00) only**.
all that parcel of land situate in the **PUNAN LAND**.....
District and known as Lot Number **8**.....
(in Block / Section Number **-**.....)
containing approximately **5,000**..... hectares
and whereas a lease in accordance with the provision of the Land Code, cannot be given because the immediate survey of the land ~~has not yet been practicable~~ **is impracticable** now therefore I, the said Superintendent, hereby agree to the said **SARAWAK ENTERPRISE CORPORATION BERHAD**.....
entering into possession of the said land and holding it as ~~tenant~~ **lessee** from the **Sixteenth** day of **June**, 19**97** subject to the payment therefor of the annual rent of dollars **Twelve thousand and five hundred (RM12,500) only** or to the payment of such revised rent as may hereafter be determined under section 30 of the Land Code, and subject to the following terms and conditions:

(1) Upon the completion of a proper survey of the land the holder of this provisional lease will be given a lease in accordance with the provisions of the Land Code, and subject to the following express conditions and restrictions (including any modifications of implied conditions and restrictions):

(i) to (xiii) (See annexure please)

(2) The term of years for which any such lease shall be granted shall be the balance then remaining of the term of **Sixty (60) years**..... year from the date of this provisional lease.

(3) The holder of this provisional lease shall not be entitled to a lease of an area equal to the area above stated but only to such an area as the survey shows to be available.

In witness whereof I the said Superintendent have hereunto set my hand and seal of office this **Sixteenth** day of **June**, One thousand nine hundred and **ninety-seven**.



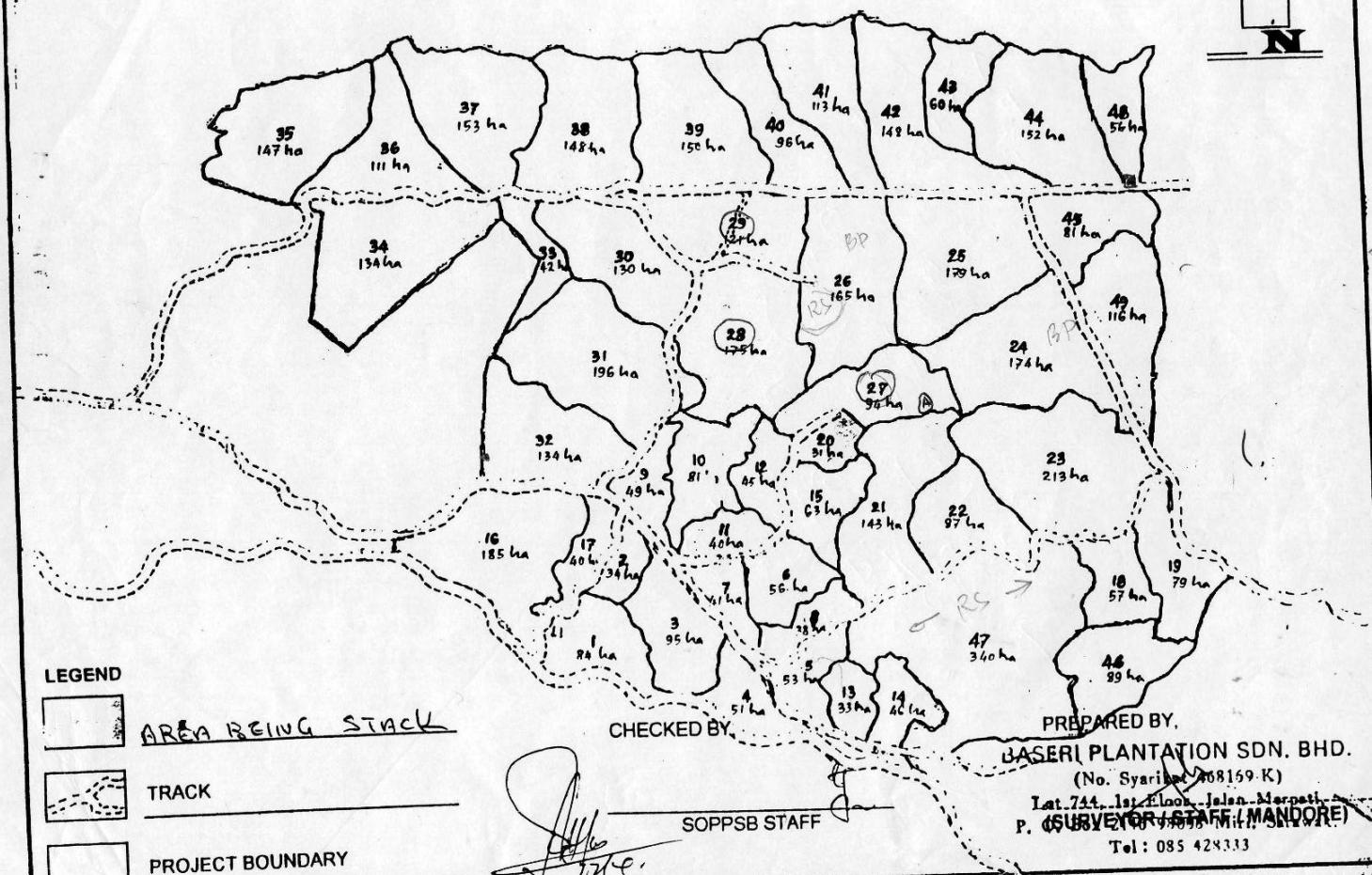
[Signature]
Superintendent of Lands and Surveys
Land Registry Office this **16th**

REGISTERED at the **Kapit**.....
day of **June**..... 19 **97**



[Signature]
Asst. Registrar

SOLID OIL PALM PLANTATION SDN BHD (J64906 - D)



LEGEND

- AREA BEING STACK
- TRACK
- PROJECT BOUNDARY

CHECKED BY:
SOPPSB STAFF

PREPARED BY:
BASERI PLANTATION SDN. BHD.
(No. Syarifah 268159-K)
Lot 744, 1st Floor, Jalan Mernath,
P. (SURVEYOR / STAFF / MANDORE)
Tel: 085 424333

APP. 6A: SOLID OIL PALM PLANTATION AREA

L & S. 134A

CONTINUATION SHEET
NO. 1

0	8		
Block/Section TRN : 07-LCPLS-090-0000	Lot No. PUNAN LAND	Storey No.	Parcel No.
DISTRICT			

J. Klunzi
Asst. Registrar
Date: 26.7.2002

RESTRICTIONS AND SPECIAL CONDITIONS
(including any modification of implied conditions and restrictions)

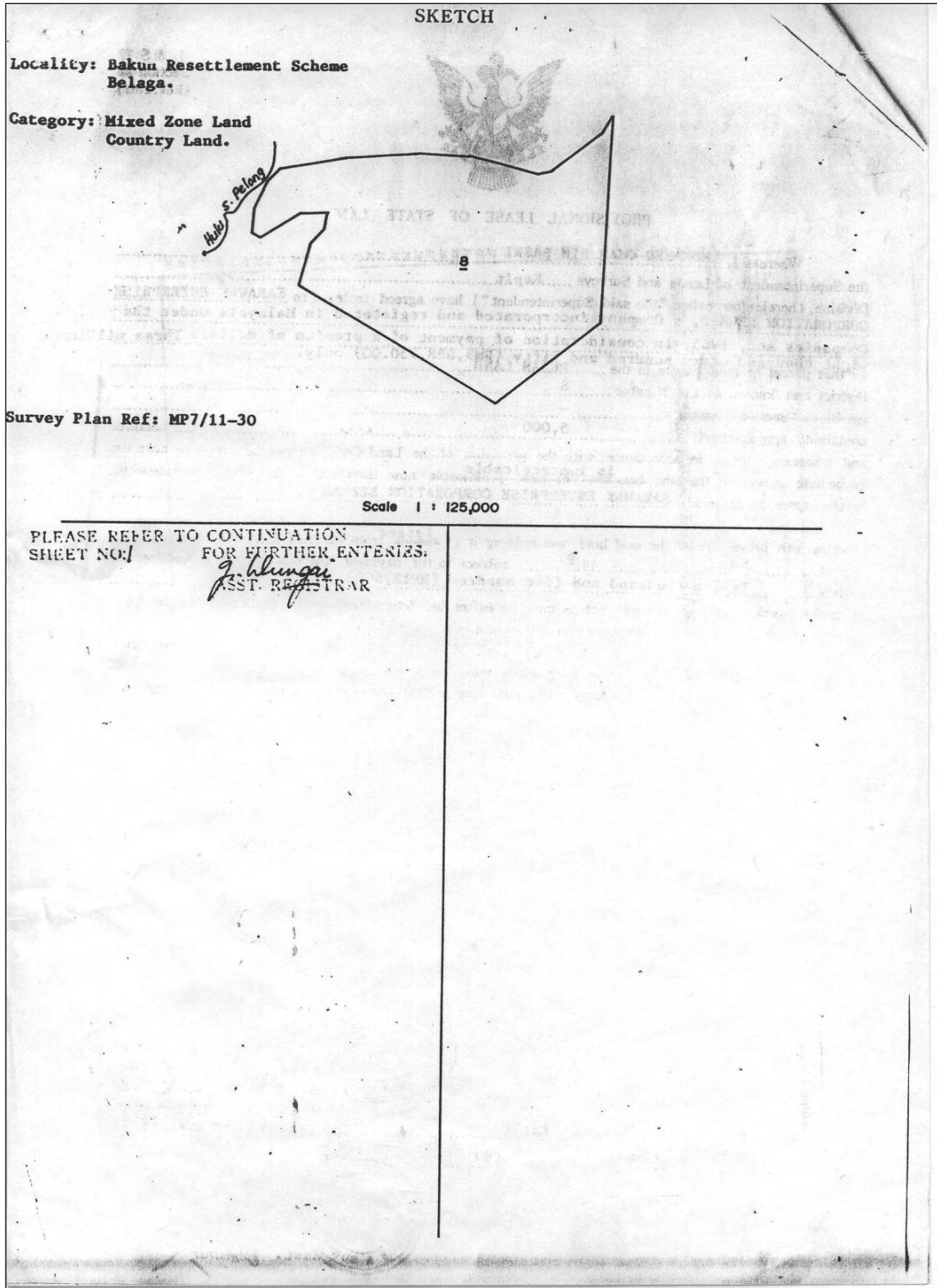


Restriction, Easement, Etc. & Annotation	Signature of Registrar/Asst. Registrar

Transfer, Power of Attorney, Sublease, Charge, Caveat, Etc

	Signature of Registrar/Asst. Registrar
1 CAVEAT lodged by SOLID TIMBER HOLDINGS SDN. BHD. vide Kapit No. L.610/2000 of 8.12.2000.	Sgd. John Dungai Asst. Registrar
2	
3	
4 Caveat No.L.610/2000 WITHDRAWN vide Kapit No.L.489/2002 of 26.07.2002.	<i>J. Klunzi</i>
5	
6 TRANSFERRED to SOLID TIMBER HOLDINGS SENDIRIAN BERHAD for RM6,177,500.00 vide Kapit No.L.490/2002 of 26.07.2002.	<i>J. Klunzi</i>
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	

APP. 6C: BAKUN RESETTLEMENT SCHEME



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