

## MY LAND, MY HERITAGE: ENHANCING *ORANG ASLI* AWARENESS OF THEIR INDIGENOUS LAW RIGHTS THROUGH EDUCATION

**Jamilah Shaari<sup>1</sup>, Marzudi Md Yunus<sup>2</sup>, Nur Yuhanis Mohd Nasir<sup>3</sup>,  
Farha Alia Mokhtar<sup>4</sup>, Muhamad Khairul Zakaria<sup>5</sup>, Hailan Salamun<sup>6</sup>,  
Kais A Kadhim<sup>7</sup>, Hamdan Aziz<sup>8</sup>, Firdaus Khairi Abdul Kadir<sup>9</sup>,  
Che Wan Ida Rahimah Che Wan Ibrahim<sup>10</sup>, Abdul Mutualib Embong<sup>11</sup>,  
Muhd Rizq Abdul Aziz<sup>12</sup>, Kasyfullah Abd Kadir<sup>13</sup>,  
Ahmad Masdil Fazli Mohamed<sup>14</sup>, Nazatul Syima Mohd Nasir<sup>15</sup>**

<sup>1</sup>Speech Pathology Programme, School of Health Sciences, Universiti Sains Malaysia Health Campus, Malaysia

<sup>2</sup>Academy of Malay Studies, University of Malaya, Malaysia

<sup>3</sup> Faculty of Modern Languages and Communication, Universiti Putra Malaysia, Malaysia

<sup>4,5,6,7,8,9,10,11,12,13</sup> Centre for Fundamental and Continuing Education, Universiti Malaysia Terengganu, Malaysia

<sup>14</sup>Institute of Teacher Education, Ipoh Campus, Malaysia

<sup>15</sup> Faculty of Language Studies and Human Development, Universiti Malaysia Kelantan, Malaysia

### *Corresponding authors:*

mutalib\_embong@umt.edu.my

rizq.aziz@umt.edu.my

### **Abstract**

This study examines the level of awareness among *Orang Asli*, the indigenous peoples in Malaysia regarding their land rights as stipulated in the Indigenous Peoples Act 1954 (Act 134), including rights related to development negotiations, access to justice through the courts, their related body and NGOs, as well as the fundamental implications for the continuity of traditional life. This study employs a mixed-method approach involving a questionnaire survey of 47 respondents from four Indigenous communities and in-depth interviews with seven informants. Descriptive analysis reveals that awareness of land rights remains low, particularly regarding negotiation rights in development and legal avenues for seeking justice. Most of the respondents were aware of the existence of certain bodies and NGO but their understanding of the actual function of these agencies in protecting land rights was very limited. The findings identified seven main themes, namely: (i) Understanding of land rights, (ii) Perceptions of government agencies related to them, (iii) Challenges in preserving customary land, (iv) Experiences of land loss or encroachment, (v) Awareness of development negotiation rights, (vi) channels for obtaining justice through the courts, and NGOs, and (vii) The Future of their land. Overall, the findings indicate that respondents' awareness remains low, particularly regarding negotiation rights and legal mechanisms for defending customary land. This study recommends that education be used as a strategic tool to raise awareness among indigenous peoples through the integration of school curricula in community areas, legal literacy programmes, and community development modules that emphasise land rights. Systematic educational interventions are believed to be capable of strengthening understanding, reducing vulnerability, and empowering Indigenous peoples to defend their rights in the future.

**Keywords:** *Knowledge* , *Customary land*, *Legal literacy*, *Indigenous governance*, *Community empowerment*, *Policy impact*

### **Introduction**

The *Orang Asli*, which means "original people" in Malay, are the native people of Peninsular Malaysia. They make up about 0.7% of the national population, and are divided into three main ethnolinguistic groups: Negrito, Senoi, as well as Proto-Malay. Each group has its own set of cultural, linguistic, and socio-economic traits. These communities predominantly inhabit the interior and forested regions of Peninsular

Malaysia, specifically within the states of Perak, Pahang, Kelantan, Selangor, Negeri Sembilan, and Johor. Over many generations, the Orang Asli have thus formed deep spiritual and economic ties to their ancestral lands. These ties are, hence, the basis of their cultural identity, customary law, and community governance systems.

In the Orang Asli worldview, land occupies a central role as it is sacred heritage, a source of food, and a place where ancestors' memories are kept. Therefore, land rights are important not only for economic survival but also for keeping traditional knowledge, spiritual beliefs, and social cohesion alive. Despite this strong connection, Orang Asli land claims are unfortunately still not secure under Malaysian law. Although the Aboriginal Peoples Act 1954 (Act 134) governs their affairs and allows for the creation of aboriginal reserves, it does not give them ownership or long-term security. The Act gives the state extensive discretionary powers, including the authority to take away reserves without permission or compensation. This puts Orang Asli land tenure at risk from state-led development and private encroachment.

Orang Asli tribes' ignorance of their property rights, particularly with regard to negotiation processes, legal recourse, and redressal mechanisms, is a more urgent problem that makes this legal ambiguity worse. Many communities continue to have little knowledge about their constitutional rights, court decisions that uphold traditional land rights, or the roles played by government organisations like the Department of Orang Asli Development (JAKOA) and the Human Rights Commission of Malaysia (SUHAKAM). Due to a lack of legal literacy and advocacy skills, many Orang Asli face the possibility of being displaced without meaningful participation or compensation, and their voices have been silenced in land disputes.

The discrepancy between official land policy and the lived reality of the Orang Asli has put their material well-being, traditional ways of life, religious practices, and collective identities in jeopardy. Along with the land, centuries-old traditions, languages, and ideologies are also lost or alienated. Thus, cultural survival, environmental stewardship, and intergenerational justice all depend on stable land tenure. However, despite the issue's critical importance, Orang Asli awareness of their legal rights is still not well studied in Malaysian academia or discussed in policy, especially when it comes to empowerment and educational interventions.

This article therefore attempts to bridge that knowledge gap by examining the extent of Orang Asli knowledge and understanding of their indigenous land rights—more specifically, their ability to negotiate rights, understand legal frameworks, and engage with justice mechanisms. Using interdisciplinary methods, this study investigates how perceptions, opportunities, and issues influence Orang Asli experiences with land rights in Malaysia. By highlighting the importance of education as an empowering tool, the article aims to highlight the urgent need for rights-based, culturally sensitive legal literacy programs that can enhance agency and participation among Indigenous people. Eventually, this viewpoint contributes to the development of a more inclusive framework for the governance of Indigenous land in Malaysia.

## **Literature Review**

Malaysia's Constitution implicitly protects the Indigenous Orang Asli through Article 153, which protects indigenous special interests, and Article 8(5), which permits

differential treatment for the advancement of welfare. However, because the constitution does not specifically recognise indigenous land rights, these protections tend to be undermined. The National Land Code of 1965 treats land primarily as state-owned unless otherwise noted, endangering Orang Asli customary claims. Act 134, also known as the Aboriginal Peoples Act 1954, grants the state discretion over Orang Asli issues. Despite the fact that "aboriginal reserve" is a term that is philosophically accepted to refer to indigenous territory, land rights are unclear due to the Act's lax enforcement provisions. In relation to this, the Strategic Plan for Socioeconomic Development of Orang Asli and the National Policy on Indigenous Peoples are two existing examples of policy frameworks. Nevertheless, studies argue that these policies lack effective implementation strategies aimed at community-level education or legal empowerment and are largely top-down.

JAKOA, the primary government agency in Malaysia dedicated to the well-being of Orang Asli, is in charge of land distribution, socioeconomic projects, and infrastructure. Conflicts of interest can arise, though, as studies reveal that it can also serve as a mediator and a controlling authority. When making decisions, state-defined development goals are usually prioritised over rights-sensitive approaches and traditional land tenure. In this regard, SUHAKAM has raised awareness of human rights issues, particularly indigenous land rights, through investigations and reports. Its 2016 report on indigenous land rights strongly affirmed that customary land tenure is unclear under the law and that existing laws do not sufficiently shield Orang Asli from development encroachment. SUHAKAM's recommendations are often not carried out because of the commission's limited enforcement authority. Non-governmental organizations like SUARAM, the Center for Orang Asli Concerns (COAC), and indigenous grassroots organisations are indeed essential for activism, awareness-building, and legal assistance. Their efforts highlight successful court cases where customary rights were protected, despite the fact that their limited resources make it difficult for them to reach larger populations. Notwithstanding efforts by NGOs to increase community awareness, a persistent shortcoming is the lack of systematic educational programs aimed at enhancing legal literacy in Orang Asli communities.

The literature contains copious documentation of land loss as a result of infrastructure development, plantation expansion, and logging. Sometimes, Orang Asli traditional territory is overlooked in state-approved rezoning and land mapping projects. Numerous case studies, show that land titling is still not available and that Orang Asli are routinely displaced without receiving fair compensation or being able to participate in the legal system. The Malaysian legal system does not give customary tenure the same status as statutory land rights, despite the fact that Orang Asli groups rely on it for cultural authority. Therefore, Orang Asli are more marginalised as a result of the resulting distorted power dynamics due to the fact that they have to navigate complex bureaucracies to assert their claims. Language barriers, low educational attainment, and geographic remoteness are other challenges that restrict community members' access to legal information and state services. Marginalisation in decision-making processes further erodes agency.

Interestingly, Indonesia has made progress with the 2013 Customary Forest acknowledgment law and the constitutional recognition of indigenous communities,

despite the fact that bureaucratic barriers hinder the regularisation of claims. On the other hand, the Indigenous Peoples' Rights Act (1997), which formally acknowledges ancestral domain rights and provides legal avenues for land claims, is another advancement for the Philippines, notwithstanding its haphazard implementation.

Comparative studies demonstrate that community awareness of how to exercise indigenous rights rises dramatically when legislative frameworks specifically protect those rights and offer procedural support. Therefore, these examples show how official recognition enhances indigenous agency and ability to subvert state interests when combined with community legal empowerment and public awareness campaigns.

Empirical research clearly indicates that when indigenous communities are legally empowered through specialised training on land rights, negotiation strategies, and claim procedures, their level of involvement and resilience increases. However, Malaysia glaringly lacks organised legal literacy programmes tailored to Orang Asli communities. Native negotiators with legal knowledge and advocacy training can successfully navigate consultations and obtain substantial participation. Although workshops are occasionally held by NGOs in Malaysia, they are not planned or integrated into a broader public education framework.

The literature on Orang Asli rights is rich in anthropological and legal analysis, but there is a shortage of studies on educational interventions. Research on the impact of awareness campaigns on community outcomes is in fact scarce, and even less is known about the effectiveness of education-based initiatives to enhance the legal and negotiating knowledge of Orang Asli. This points to a serious gap: although poor rights awareness is acknowledged as a problem, empirical research hardly ever maps or quantifies it, leaving policymakers without evidence-based suggestions for reform. The convergent literature provides compelling evidence of persistent gaps in Orang Asli populations' awareness of their rights, based on structural, legal, institutional, and informational deficiencies. Furthermore, research to date has not evaluated or tested educational strategies aimed at bridging that gap. This study could therefore address a neglected area and influence educational policy and practice.

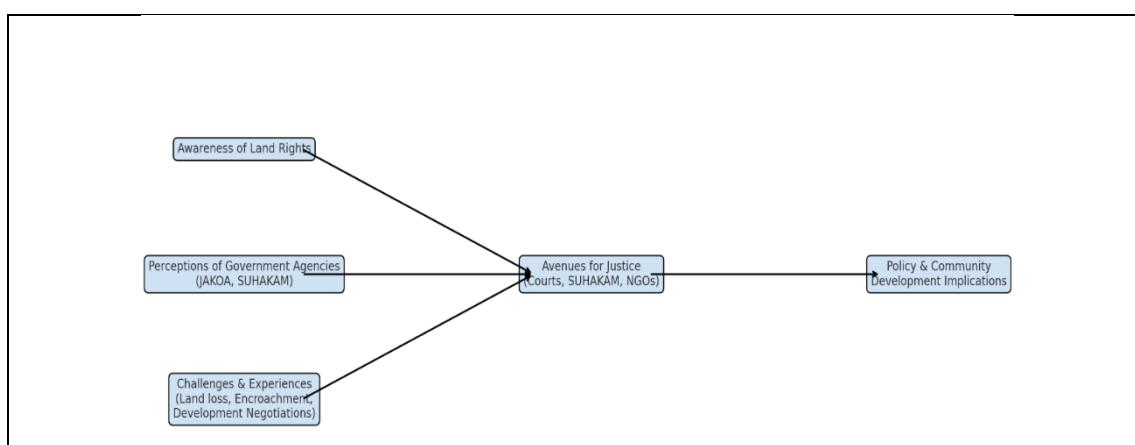


Figure 1: Conceptual Framework: Indigenous Land Rights Awareness

Building upon the review of indigenous land rights literature and the research objectives of this study, a conceptual framework was developed to guide the analysis. This conceptual framework illustrates the interrelated factors influencing the *Orang Asli*'s awareness of land rights in Malaysia. The framework begins with three primary domains: (i) awareness of land rights, (ii) perceptions of government agencies such as JAKOA and SUHAKAM, and (iii) challenges and lived experiences, including land loss, encroachment, and development negotiations. These domains directly shape how *Orang Asli* communities engage with available avenues of justice, such as the courts, SUHAKAM, and NGOs. By mapping these linkages, the framework provides a structured understanding of how gaps in awareness and institutional trust influence indigenous communities' ability to safeguard their customary land rights.

### **Significance of the Study**

This study provides critical insights into the realities faced by the *Orang Asli* in Malaysia with respect to their land rights, which remain an underexplored area in indigenous studies. By highlighting the limited awareness of legal avenues, negotiation rights, and the role of agencies related to them, the findings contribute to both academic discourse and policy development. The study underscores the urgent need for education and legal literacy as strategic tools to empower indigenous communities in safeguarding their customary lands.

### **Objectives**

- (i) To assess the level of awareness among *Orang Asli* communities regarding their customary land rights.
- (ii) To explore indigenous perceptions of government agencies, including JAKOA and SUHAKAM, in safeguarding land rights.
- (iii) To identify challenges and lived experiences related to land loss, encroachment, and development negotiations.
- (iv) To suggest the potential role of education and legal literacy in strengthening *Orang Asli* capacity to defend their land rights.

### **Methodology**

This study employed a mixed-method approach, combining a questionnaire survey with 47 respondents from four *Orang Asli* communities and in-depth interviews with seven key informants. The survey measured levels of land rights awareness and was analysed descriptively, while the interviews provided richer insights through thematic analysis. By integrating quantitative patterns with qualitative perspectives, the study enhances reliability and offers a holistic understanding of indigenous land rights awareness.

### **Finding**

This study took place at four places which are identified as Study Area "A", Study Area "B", ,Study Area "C" and Study Area "D". The exact places are anonymous for protecting from disclosure to other parties. The details of the areas are as follow:-

### **Section A : Demography of the Study Areas and Interviewed Respondents**

#### *Study Area "A"*

The place is not far from a big town; 25 kilometres away with 700 people of *Orang Asli*. There are electricity and water supply with limited internet coverage. There is

also a nursery and a primary school with 179 pupils. Most of the people work at the quarry sites with an income of USD 150 to USD600. Others work at the palm oil plantation, collect forest sources and farming with USD100 to USD200 monthly income. Almost 90% of the population finish the primary education and the rest finish high school. A few have a college degree and diploma. 75% of the population is Muslim, 15% is Christian and the remaining 10% practices Animism.

#### *Study Area "B"*

The place is about 70 kilometres from the nearest settlement as most people are scattered in the jungle. The road is accessible only through four-wheel drives via timber routes and rivers. There is about 450 *Orang Asli* who work as paddy planters and in fruit vegetation. They earn around USD 150 monthly but it can be more during fruits season. As there is a tourist attraction quite a distance, some of youngsters work at the resorts. 60% of the population is Christian, 30% is Muslims, 5 % each Baha'i and Animism. Almost 50% of the parents completed the primary study, 30% went to high school and 20% did not go to school at all.

#### *Study Area "C"*

The place is about 19 kilometres to the nearest town. Somehow, it is the most rural area in the concerned state. There are around 550 *Orang Asli* who still rely on the jungle for ends meet which they use and sell to the villagers. It means they have no income. They have a very less intact to their outside world. They have electricity and water sources with limited internet coverage. 95% of the population is Muslim and the remaining practices Animism. Only 30% of the adults finish the primary education , the rest either did not complete the study or did not go to school at all.

#### *Study Area "D"*

The *Orang Asli* in this area still practise nomadic life and stay in the inner forests of a big lake in the Peninsular of Malaysia. There are all together around 600 of them and they rely on the lake which is about 80 kilometers to the nearest town. The nomadic ways are not entirely gone. Many still make a monthly journey to the jungle to find sandalwood to sell, and small amounts of food, though it is a long and arduous walk and their profits are never enough to live off. Most of them are Muslims, and some are very pious with the teaching. There is a school near by their settlement but the attendance is very poor as the parent spend most of the time in the jungle and the children would follow them . The average lifespan of the tribe barely pushes 50, they have the lowest literacy rates in the country. The death toll among this people was high during the pandemic which led them to isolate further from civilisation.

Table 1: Details of the Interviewed Informant

Code	Gender	Age (years)	Education	Occupation
R1	Male	51	Degree	Teacher
R2	Female	18	Higher School	Student
R3	Female	23	Certificate	Kitchen Helper
R4	Female	43	Higher school	Nursery Assistant
R5	Female	33	Certificate	On line selling
R6	Male	63	Primary school	Collecting Jungle herbs
R7	Male	71	No formal education	Middle wife

## Section B : Results

### Part I: Demographics of Respondents

The survey involved 47 respondents, almost equally split between males (47.9%) and females (52.1%). Age distribution was broad, with the largest groups aged 15–20 and above 70 (17% each), followed by those aged 31–35 (14.9%) and 36–40 (12.8%). Smaller percentages fell in other age brackets, with no respondents between 21–25 and 56–60 years.

Educational backgrounds varied: 14.9% had no formal education, 40.4% completed elementary school, 21.3% reached high school, and 23.4% attained college or university studies. Most respondents were married (66%), while 23.4% were single and 10.6% widowed.

Occupationally, 31.9% were unemployed, 25.5% worked in government or private sectors, and smaller proportions engaged in farming, forest product collection, or other informal work. Income levels were low overall, with two-thirds earning below RM500, 21.3% between RM501–RM1000, 8.5% at RM1001–RM2000, and only 4.3% above RM4000.

### Part II

#### (i) Understanding of Land Rights

The findings reveal that awareness of the Aboriginal Peoples Act 1954 (Act 134) is universal across the community, with all 47 survey respondents (100%) indicating that they have heard of it. However, the depth of understanding is considerably weaker, only 14.9% (7 respondents) stated that they truly understood the content of the Act, while 42.6% (20 respondents) admitted to having only a limited understanding and another 42.6% (20 respondents) reported not understanding the contents at all. This gap between awareness and comprehension was also echoed in interviews. For example, Respondent R2, an 18-year-old student, explained that while JAKOA plays an important role in education through school support and programmes, she had never received clear information or explanation about land matters. Similarly, Respondent R7, a 71-year-old midwife with no formal education, stated that he only knew of JAKOA's occasional visits when aid such as food or kitchen supplies was distributed, but had little understanding of their broader role in land issues. In contrast, Respondent R1, a 51-year-old teacher, demonstrated clearer knowledge, recognising JAKOA's function as a liaison between *Orang Asli* communities and the central government, including on sensitive issues such as land. Yet, even he emphasised that JAKOA's role in land rights advocacy and enforcement could be significantly enhanced.

Formal exposure to information on land rights remains limited. The survey results show that only 3 individuals (6.4%) had ever attended briefings, workshops, or courses on *Orang Asli* land rights, while the vast majority of 44 respondents (93.6%) had never participated in such initiatives. Instead, information is mainly obtained through traditional and community-based channels. More than half of the respondents (53.2%, 25 individuals) reported family and community members as their primary source of knowledge, followed by JAKOA (36.2%, 17 individuals) and the village head or *Tok Batin* (34%, 16 individuals). Smaller proportions cited TV (6.4%, 3 individuals), social media or the Internet (6.4%, 3 individuals), and radio (6.4%, 3 individuals), while none reported receiving information from NGOs or newspapers. This reliance on close networks and institutions like JAKOA is further illustrated in

interviews. Respondent R3, a 23-year-old kitchen assistant, described JAKOA and the indigenous people as inseparable, always present when help is needed. Likewise, Respondent R6, a 63-year-old forest product collector, noted that JAKOA communicates with village leaders to address problems, though sometimes their responses are slow. Respondent R4, a 43 year-old-nursery assistant, mentioned that JAKOA occasionally organises lectures, food aid, and trips for children, showing a presence that is not constant but still felt during major programmes.

Despite these gaps in understanding, perceptions of legal protection remain generally positive. A large majority of survey respondents (91.5%, 43 individuals) expressed confidence that *Orang Asli* land rights are well protected by law, while none selected “No” and 8.5% (4 individuals) reported uncertainty. This sentiment is mirrored in interviews where respondents generally view JAKOA’s presence as supportive, even if their role in land rights is not always clear. Respondent R5, for instance, described a friendly and informal relationship with JAKOA staff, facilitated by a WhatsApp group for villagers. He appreciated their willingness to help with issues like delays in aid or school documentation, but stressed that effective communication often depends on individual staff members’ initiative. He recommended more consistent field visits and open dialogues to ensure broader understanding across all levels of the community.

When asked about the best way to raise awareness of customary land rights, the majority of survey respondents (59.6%, 28 individuals) identified education in schools as the most effective channel. Another 31.9% (15 individuals) pointed to NGOs, SUHAKAM, or JAKOA, while 8.5% (4 individuals) preferred community talks or workshops. None considered mass media (social media, TV, radio, or newspapers) to be effective. Interview narratives reinforce the importance of education and institutional involvement. Respondent R1 highlighted JAKOA’s educational contributions, such as motivational programmes, school supplies, and extracurricular support, but also pointed out the need for stronger advocacy on land matters. Similarly, several respondents underscored that while JAKOA is accessible, their engagement often focuses on welfare and education rather than land rights education. In terms of community needs, survey results show that the most critical form of assistance is customary land mapping, identified by 34% (16 respondents). This is followed closely by legal education and literacy programmes (31.9%, 15 respondents). Financial assistance and support from NGOs were each mentioned by 17% (8 respondents), while interestingly, none considered direct legal assistance to be a priority. These findings align with the interview accounts, which repeatedly pointed to the importance of strengthening knowledge, improving communication, and enhancing field engagement. Respondent R1 specifically stressed that JAKOA’s advocacy on land issues needs reinforcement, while Respondent R5 hoped for more consistent visits and open dialogues.

Taken together, both the survey and interviews suggest a paradox. On one hand, awareness of Act 134 is universal and confidence in legal protection is high. On the other hand, real understanding of land rights is shallow, exposure to formal training is limited, and engagement on land issues often lags behind welfare and education programmes. The community strongly values education, documentation, and knowledge-building efforts, with many respondents calling for more sustained involvement from JAKOA and other institutions in the area of land rights.

## **(ii) Perceptions of Government Agencies such as JAKOA**

The survey results indicate that JAKOA is widely perceived as the primary authority on matters related to *Orang Asli* land. A majority of respondents (59.6%, 28 people) stated that JAKOA has the authority to recognise customary lands. In contrast, only 6.4% (3 respondents) attributed this authority to the State Government, while 8.5% (4 respondents) pointed to the *Tok Batin*. None (0%) identified the Federal Government as holding such responsibility, and 25.5% (12 respondents) admitted they were unsure. These findings suggest that the community overwhelmingly recognises JAKOA's role as the key agency in land matters, even above state or federal institutions. This trust was reinforced in responses to questions about conflict resolution: 48.9% (23 respondents) stated that making a report to JAKOA is the most effective step during a land dispute, while 31.9% (15 respondents) preferred to meet the *Tok Batin* or village headman. Only 6.4% (3 respondents) suggested taking disputes to court, and 2.1% (1 respondent) considered NGOs or lawyers. However, 19.15% (9 respondents) were unsure about the best course of action, highlighting some uncertainty.

These patterns align with interview narratives that describe JAKOA as deeply embedded in *Orang Asli* life, though often with uneven reach. Respondent R3, a 23-year-old kitchen assistant, described JAKOA and the indigenous people as "inseparable," noting their presence during important issues and their willingness to provide help. Similarly, Respondent R6, a 63-year-old forest product collector, stated that JAKOA communicates with village chiefs when problems arise, even if responses can sometimes be slow. Respondent R4, a 43-year-old nursery assistant, highlighted JAKOA's occasional presence through food aid, lectures, and children's trips, which, although not constant, are still valued. In contrast, Respondent R2, an 18-year-old student, noted that while JAKOA provides educational support, she remains unclear about its specific role in land issues, suggesting a lack of communication or explanation in that area.

Confidence in JAKOA's effectiveness is particularly high. An overwhelming 91.5% (43 respondents) agreed that JAKOA is effective in protecting *Orang Asli* land rights, while only 8.5% (4 respondents) disagreed, and none (0%) were unsure. These results are consistent with personal testimonies. Respondent R1, a 51-year-old teacher, emphasised JAKOA's important role in protecting the welfare of the *Orang Asli*, especially through education and welfare assistance. He also recognised their function as a liaison with the central government on sensitive matters such as land, health, and economic opportunities. At the same time, he expressed the view that JAKOA's role should be strengthened, particularly in advocacy and enforcement of land rights, which remain pressing concerns. Respondent R5 shared a more informal perspective, describing his personal relationships with JAKOA staff. Through tools like WhatsApp groups, he explained that he could easily reach out to officers for help with delays in aid or school documentation. While he valued this approachable and friendly style, he also stressed that the quality of engagement depends heavily on the individual officer. His hope was for more consistent field visits and open dialogue sessions to ensure all community members can understand JAKOA's true role.

While JAKOA enjoys strong confidence, perceptions of other agencies and institutions are more mixed. When asked whether SUHAKAM plays an important role in helping *Orang Asli* defend customary lands, only 6.4% (3 respondents) agreed, 19.1% (9 respondents) disagreed, and a large majority of 74.5% (35 respondents) admitted they were not sure. Similarly, confidence in the state government's role was divided, 57.4% (27 respondents) agreed that the state government is committed to

recognising and protecting *Orang Asli* lands, but 25.5% (12 respondents) disagreed and 17% (8 respondents) were uncertain. Perceptions of the federal government were even more ambivalent, with 48.9% (23 respondents) agreeing that it gives serious attention to land rights, while 27.7% (13 respondents) disagreed and 23.4% (11 respondents) were not sure. These findings suggest that while JAKOA is seen as the central authority, the roles of SUHAKAM, state government, and federal government are less well understood or trusted.

Other actors, such as NGOs and the courts, were viewed with even lower confidence. Only 6.4% (3 respondents) agreed that NGOs provide effective support in advocating for *Orang Asli* land rights, while 61.7% (29 respondents) disagreed and 31.9% (15 respondents) were unsure. Similarly, when asked if the court system can be trusted to resolve land disputes, just 6.4% (3 respondents) agreed, compared to 27.7% (13 respondents) who disagreed and 66% (31 respondents) who were not sure. These findings reveal deep scepticism toward external or formal institutions outside of JAKOA.

Interestingly, while trust in government and NGOs varies, there was unanimous recognition of the importance of traditional leadership. All respondents (100%, 47 individuals) agreed that the *Tok Batin* or village headmen play a critical role in defending customary lands. This unanimous result underscores the central role of traditional leaders in the protection and defence of *Orang Asli* land, suggesting that any formal engagement by agencies such as JAKOA is most effective when aligned with community leadership structures.

Together, the survey and interview results highlight a strong reliance on JAKOA as the principal authority on *Orang Asli* land matters, coupled with deep respect for traditional leadership through the *Tok Batin*. While JAKOA enjoys broad confidence for its welfare and advocacy roles, the interviews point to unevenness in communication and a need for stronger focus on land rights. By contrast, other institutions like SUHAKAM, state and federal governments, NGOs, and the courts, command significantly lower levels of trust or clarity.

### **(iii) Challenges in Preserving Customary Land**

Land loss and encroachment are pressing concerns for the community. Survey findings reveal that 68.1% (32 respondents) reported having experienced land loss or encroachment, compared to 14.9% (7 respondents) who stated they had not faced such issues and 17% (8 respondents) who were unsure. This underscores that a significant proportion of *Orang Asli* households face direct challenges to their land security. The severity of these experiences is compounded by barriers to redress. Among those who faced encroachment, the most common difficulty was a lack of legal knowledge, cited by 90.6% (29 respondents). Other challenges included fear of retaliation (31.3%, 10 respondents), lack of financial support (28.1%, 9 respondents), and lack of access to lawyers, legal aid, or support from authorities, each mentioned by 12.5% (4 respondents). None of the respondents identified other challenges. This strongly suggests that limited legal awareness and inadequate institutional support remain the most significant obstacles in addressing land disputes.

The threats to customary land are also clearly defined. Every respondent who had faced encroachment (100%, 32 individuals) identified plantation activities particularly palm oil and rubber as the most significant threat. A smaller proportion, 12.5% (4 respondents), pointed to logging activities. None reported threats from development projects, natural disasters, pollution, invasion by outsiders, or lack of legal aid. These

responses highlight that industrial-scale land use, particularly plantations, is seen as the primary pressure undermining customary land security.

When asked about immediate steps to protect customary lands, the majority of respondents (40.4%, 19 individuals) emphasised the importance of raising community awareness through educational initiatives. A further 34% (16 respondents) believed assistance from NGOs or SUHAKAM was necessary, while 25.5% (12 respondents) prioritised customary land mapping. Notably, none considered engaging in dialogue with the government or pursuing legal action through the courts as effective immediate steps. This shows a strong preference for grassroots empowerment and external advocacy rather than formal state or legal mechanisms, likely reflecting the community's lack of trust and capacity in those channels.

The interviews provide deeper insights into these survey patterns. Respondent R1, a 51-year-old teacher, highlighted legislation and lack of legal knowledge as the main challenges, noting that this vulnerability exposes the community to exploitation by individuals, companies, and even government bodies. He added that some community members themselves sell land for immediate monetary gain, without considering future generations, while large-scale development projects such as clearing fields, constructing highways, and building factories further diminish customary land. Because these lands lack official grants or recognition, families are sometimes forced to move deeper into the forest. Respondent R4, a 43-year-old nursery assistant, echoed this concern, stressing that land is often taken without full community knowledge and only certain individuals receive compensation. She criticised the tendency of some villagers to sell land for short-term benefits, such as buying cars or renovating houses, warning that such actions ultimately harm the community by weakening their inheritance for future generations.

For some younger respondents, however, the urgency of customary land preservation appears less pressing. Respondent R2, an 18-year old-student, stated that she feels comfortable with the land her family currently owns but has not thought deeply about land matters. Her focus is on education and the possibility of working in the city after finishing her studies. Similarly, Respondent R3, a 23-year-old kitchen assistant, felt that her land rights were secure through her parents. She expressed a preference for city life, where she hopes to buy her own land and house, rather than depending on customary land whose status she views as uncertain. Respondent R5, a 33-year-old online business owner, also noted the declining interest of the younger generation in traditional livelihoods such as gathering forest products. She observed that without sufficient legal knowledge or awareness of procedures, many villagers do not know how to respond when faced with government development projects, leaving them vulnerable and unprepared.

Older respondents, by contrast, spoke with greater urgency about the erosion of customary land. Respondent R6, a 63-year-old forest product gatherer, recalled how in his childhood land was abundant and newly married couples could easily clear plots. Today, however, much of the land has been taken for roads, fields, and government projects, while many young people migrate to the city. He stressed that elders are still trying to defend customary land, but without money or power, they are unable to resist outsiders who claim ownership. Legal assistance, when available, is often slow and complicated, leaving the community defenceless. He voiced concern that if younger generations do not value the land, the community will eventually "have nowhere to stand." Respondent R7, a 71 year-old with no formal education, described how land loss has fractured the community, forcing some families to

relocate deeper into the forest. Those who stayed behind became fewer and weaker, as forest resources declined due to illegal hunting and reduced territory. For him, these pressures have made life harder and the future of the younger generation increasingly uncertain.

Taken together, both survey and interview findings underscore the scale of challenges in preserving *Orang Asli* customary land. Land loss and encroachment, driven primarily by plantation activities and development, are widespread experiences. The community identifies lack of legal knowledge, financial support, and institutional backing as major barriers to resistance, and expresses little faith in government or legal remedies. While elders voice strong concerns about land security, younger respondents often see their futures in urban environments, reflecting shifting priorities across generations. Despite these differences, the call for awareness-raising, education, and external advocacy remains clear, signalling that empowerment through knowledge and documentation is seen as the most immediate and realistic strategy to safeguard customary lands.

#### **(iv) Experiences of Land Loss or Encroachment**

Land loss and encroachment are deeply embedded in the lived realities of the community. Survey findings reveal that among those who experienced land loss, most (75%, 24 respondents) reported the matter to JAKOA, while 25% (8 respondents) took no action at all. None pursued formal avenues such as negotiating with developers or the government, taking cases to court, or seeking help from NGOs. Similarly, when asked directly whether they had ever tried negotiating with developers or government authorities regarding land acquisition or development, none reported doing so (0%). Instead, 65.6% (21 respondents) stated outright that they had not, while 34.4% (11 respondents) were unsure. These findings indicate a clear absence of engagement with formal or alternative redress mechanisms, pointing to a reliance on JAKOA as the only perceived authority and a general reluctance or lack of capacity to pursue other channels.

The impacts of land loss are felt strongly. A majority of respondents (68.1%, 32 individuals) stated that land loss or encroachment had affected their lives, while 31.9% (15 respondents) were unsure of its impact. None (0%) believed it had no effect. Among those affected, displacement was the most critical consequence: all respondents (100%, 32 individuals) identified the loss of residence as the main impact. No one cited other potential consequences such as loss of food sources, disruption to customs and culture, or relocation. This reflects how displacement from homes and ancestral lands is experienced as the most immediate and tangible effect of encroachment, overshadowing other dimensions of livelihood or cultural loss.

The interviews echo and expand on these findings, giving a human face to the statistics. Respondent R1 recalled how land was gradually lost when a preacher initially built a small mosque in the village. Over time, his family expanded cultivation around the mosque until much of the community's land was quietly taken, leaving villagers feeling "oppressed" yet unable to resist due to the preacher's respected position. Respondent R2, an 18-year-old student, described how her grandfather recounted the vast lands once held by the community, much of which was taken for roads and development. She reflected uncertainty about what would remain for her generation, noting that the area today is far smaller than in the past. Similarly, Respondent R3, a 23-year-old kitchen assistant, spoke of her family's land being divided among siblings after they were relocated from Jabur, leaving her without a share and unsure of where she might build a home in the future.

Some respondents highlighted exclusion in land distribution. Respondent R4 expressed frustration at being unable to secure affordable land for her children, pointing out that when the government opened applications for new land, many Malays applied, leaving her uncertain whether indigenous people would benefit. For her, rising prices and uneven access to distribution systems leave the community feeling marginalised. Respondent R5 also recounted how land was sold to a Chinese businessman without the wider community's knowledge, only to discover later that the land had already been transferred and planted with durian trees. This created a sense of shock, helplessness, and lack of recourse, as there was "*no one to complain to.*"

The lack of legal recognition further compounds these issues. Respondent R6 noted that although his land had been recognised by JAKOA for more than 40 years, it has yet to be formally gazetted as Indigenous Land. This exposes them to the risk of eviction, as outsiders claim they are trespassing. The absence of "*black and white*" documentation leaves the community feeling insecure despite decades of occupation. Respondent R7, an elder, recalled being relocated when their original land was taken for plantations. While some compensation exists in the form of small payments from oil palm produce, he described an enduring sense of loss: the land of origin, rich with memories and history, is gone, and younger generations now grow up disconnected from it.

Together, the survey and interviews paint a consistent picture: land loss and encroachment are common, displacement is the primary impact, and there is limited recourse to formal systems of justice or negotiation. Instead, communities depend largely on JAKOA, yet even then their sense of security remains fragile without gazettlement. While compensation or resettlement is sometimes offered, it does little to ease the deep sense of marginalisation, uncertainty, and intergenerational loss that accompanies the erosion of customary lands.

#### **(v) Awareness of Development Negotiation Rights**

The survey results reveal that none of the respondents (0%) had ever engaged in direct negotiations with developers or government authorities on land matters such as acquisition or development. A majority, 65.6% (21 respondents), stated "No," while 34.4% (11 respondents) were uncertain. This indicates that formal negotiation channels are rarely pursued by the community, possibly due to structural, social, or legal barriers. Among those who reflected on potential challenges, the most significant barrier was a lack of legal knowledge, identified by 90.6% (29 respondents). Other obstacles included fear of retaliation (31.3%, 10 respondents), insufficient financial support (28.1%, 9 respondents), as well as the absence of legal aid or authority support, each reported by 12.5% (4 respondents). Interestingly, none of the respondents (0%) identified additional challenges beyond these categories. These findings underscore that limited legal awareness is a central impediment to effectively addressing land-related disputes.

Interview data illustrate these nuances more vividly. R1 appreciated scholarships and food aid for students but criticised restrictions on traditional economic resources such as forest products, which have undermined the community's autonomy. R4 highlighted the persistent gap between policy promises and implementation, particularly in land and forest development, where plans look progressive on paper but often disrupt livelihoods in practice. R5 pointed out inequality in welfare access and noted that favouritism sometimes determines who receives aid, creating divisions within the community. Elders such as R6 and R7 stressed that traditional subsistence

economies had been severely weakened by shrinking forests and regulatory constraints, even as education opportunities expanded for younger generations.

Overall, these reflections reveal a trade-off: while formal education access has improved, traditional economic security has declined. This duality reflects the broader tension between integration into mainstream development and preservation of indigenous livelihoods. Policies have enabled *Orang Asli* children to access better schooling, scholarships, and basic welfare, thereby supporting social mobility. However, the simultaneous erosion of customary economic practices has reduced self-reliance, leaving communities increasingly dependent on state welfare or wage labour. Unless policies find a balance between educational advancement and the protection of traditional economies, the long-term sustainability of *Orang Asli* culture and livelihoods will remain at risk.

#### **(vi) Channels for Obtaining Justice (Courts, SUHAKAM, NGOs)**

The survey findings reveal contrasting levels of confidence in different institutions tasked with safeguarding the land rights of the *Orang Asli*. The Department of *Orang Asli* Development (JAKOA) received the strongest endorsement, with 91.5% (43 respondents) agreeing that it is effective in protecting land rights, while only 8.5% (4 respondents) disagreed and none were unsure. This indicates that JAKOA is generally regarded as a reliable institution within the community.

However, perceptions were less positive regarding other actors. Awareness of the Human Rights Commission of Malaysia (SUHAKAM) appears limited: only 6.4% (3 respondents) agreed that SUHAKAM plays an important role in defending customary lands, while 19.1% (9 respondents) disagreed and 74.5% (35 respondents) were unsure. Similarly, the role of NGOs was viewed with scepticism, as just 6.4% (3 respondents) agreed that NGOs provide effective advocacy, compared to 61.7% (29 respondents) who disagreed and 31.9% (15 respondents) who were unsure. These findings suggest that both SUHAKAM and NGOs lack strong visibility or direct engagement with *Orang Asli* communities on land-related issues.

Government institutions were perceived with mixed confidence. At the state level, 57.4% (27 respondents) agreed that the government is committed to recognising and protecting customary lands, although 25.5% (12 respondents) disagreed and 17% (8 respondents) were uncertain. Perceptions of the federal government were even more divided: 48.9% (23 respondents) agreed that it gives serious attention to *Orang Asli* land rights, while 27.7% (13 respondents) disagreed and 23.4% (11 respondents) were unsure. This suggests that while there is some recognition of government efforts, doubts remain about the consistency and sincerity of these commitments.

Confidence in the legal system was strikingly low. Only 6.4% (3 respondents) believed the courts could be trusted to resolve land disputes, while 27.7% (13 respondents) disagreed and 66% (31 respondents) expressed uncertainty. This aligns with interview accounts that highlighted structural challenges, such as a lack of legal knowledge (as 90.6% reported earlier), limited financial resources, and regulatory barriers. Elders such as R6 and R7 emphasised that legal processes often feel inaccessible, particularly when combined with shrinking forests and constraints on traditional livelihoods.

The interview data further contextualise these findings by showing how institutional trust, or lack thereof, plays out in daily life. R1 acknowledged that scholarships and food aid programmes often channelled through government institutions were helpful, but also criticised restrictions on forest resources that undermined economic autonomy. R4 stressed the persistent gap between policy promises and

implementation, noting that land and forest development plans, while progressive on paper, often disrupt livelihoods in practice. Similarly, R5 pointed out inequality in welfare distribution, suggesting that favouritism sometimes determines access, which erodes trust in state mechanisms.

Taken together, the findings reveal a complex landscape. JAKOA is perceived as an effective protector of land rights, but reliance on a single institution may limit broader avenues of support. State and federal governments are seen as partially committed, though their credibility is weakened by inconsistent follow-through. Meanwhile, courts, NGOs, and SUHAKAM are viewed as largely ineffective or distant, leaving communities with few trusted external allies. These perceptions resonate with the broader tension identified in the interviews, while education and welfare access have expanded, traditional economic security has eroded. Without more inclusive and accountable institutional support, *Orang Asli* communities remain caught between the promise of integration and the loss of customary autonomy.

#### **(vii) Their Future Land**

Government policies are widely recognised within the community as having both positive and negative effects, particularly in the areas of education, welfare, and access to traditional economic resources. On the one hand, policies directed at education and welfare have been described as transformative. Several respondents emphasised that without government provision of schools, boarding facilities, food aid, and scholarships, many *Orang Asli* children would not have been able to continue their studies. Respondent R1 highlighted the role of basic support such as books, food, and scholarships in enabling school participation, while R3 stressed that government schools allowed her to reach secondary education, which would not have been possible otherwise. Respondent R4 echoed these points, noting that more *Orang Asli* children are now able to pursue secondary and even university education, while programmes such as BR1M assistance, JKM monthly aid, and public housing have eased financial burdens. Even older respondents, such as R6 and R7, who did not personally benefit from schooling, expressed satisfaction that their children and grandchildren can now access education through government initiatives.

Yet, while education and welfare policies are generally praised, frustrations emerge regarding traditional economic livelihoods and the broader implications of development policies. Respondent R1 observed that although welfare provisions exist, traditional economic activities such as harvesting forest products, rattan, and rubber are heavily restricted, requiring permits that complicate survival strategies. Respondents R4 and R5 expressed concern that while policies appear favourable on paper, in practice they erode traditional economic sources through land acquisition and forest development, threatening both livelihoods and identity. R5 in particular pointed to inequality in welfare access, alleging favouritism, and highlighted the broader loss of cultural identity that follows land dispossession. Meanwhile, elders such as R6 and R7 lamented the shrinking forests and new laws that prevent them from gathering food or forest materials as they once did, leaving them increasingly dependent on state assistance rather than traditional ways of living.

This tension between progress in education and welfare, and decline in traditional economies, reflects a broader gap between policy design and lived realities. Policies are acknowledged for enabling upward social mobility through schooling and limited welfare aid, but they are simultaneously seen as undermining customary livelihoods and restricting autonomy.

Survey findings reinforce the importance of empowering the younger generation as agents of continuity and change. When asked about involving *Orang Asli* youth in defending customary land rights, the majority of respondents (42.6%, 20 respondents) suggested involving youth in community meetings, while 34% (16 respondents) favoured awareness workshops or courses. Smaller groups recommended leveraging social media (8.5%, 4 respondents) or providing youth leadership training (8.5%, 4 respondents), with only 6.4% (3 respondents) highlighting scholarships or incentives for education. These results highlight a community-driven vision that emphasises direct engagement, awareness, and capacity-building, suggesting that while education policies are valued, there is also a strong desire for complementary initiatives that reconnect young people with their roles as protectors of land and tradition.

This combination of quantitative and qualitative findings indicates that education alone cannot protect customary lands without parallel legal and policy reforms. Recommendations emerging from the study include reviewing and strengthening the Aboriginal Peoples Act 1954 to provide secure, irrevocable tenure; aligning JAKOA's mandate toward advocacy and rights protection; and equipping *Tok Batin* with negotiation and legal skills. Integrating legal literacy into school curricula and community education programmes would empower future generations to engage confidently with legal and institutional processes.

Overall, the findings reveal a paradox: *Orang Asli* communities strongly believe in their right to customary land but lack the knowledge, resources, and institutional access to defend those rights effectively. Quantitative data show widespread symbolic awareness but low procedural understanding, while qualitative narratives highlight the emotional toll of land loss and the urgent need for empowerment. Education and legal literacy emerge as the most promising tools for bridging this gap not as standalone solutions, but as part of a comprehensive strategy involving policy reform, institutional accountability, and intergenerational engagement.

## Visual Summary of Findings

Figure 1: Key Quantitative Findings

This figure summarises key percentages from the survey, highlighting overall awareness, trust levels, and preferences for youth engagement and education.

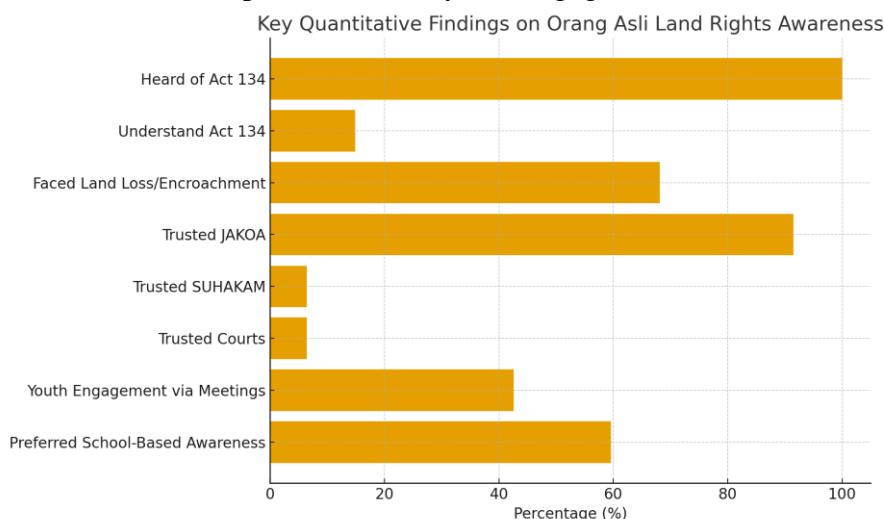
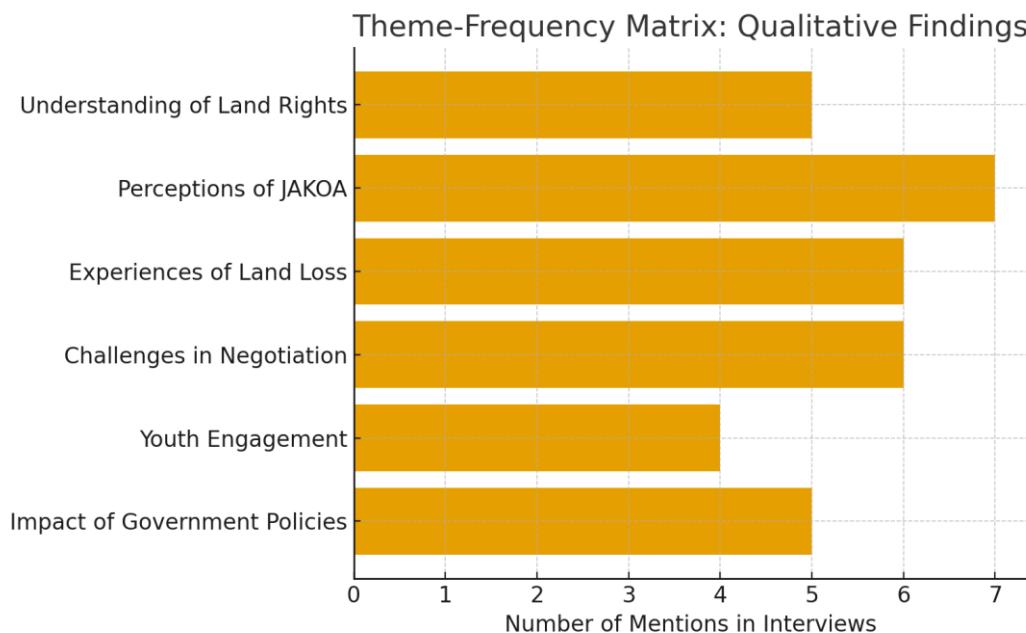


Figure 2: Theme-Frequency Matrix

This matrix shows how frequently key themes appeared in qualitative interviews, illustrating which issues were most prominent in participants' narratives.



Overall, the integration of survey and interview findings across Themes 1 to 7 reveals that *Orang Asli* communities have a strong sense of entitlement to their land, yet this belief is undermined by low legal literacy, dependence on JAKOA, limited trust in courts and NGOs, and generational shifts in priorities. Education and sustained awareness programmes emerge as the most consistent recommendations for strengthening future capacity.

### Discussion

The findings of this study provide a comprehensive view of *Orang Asli* awareness of land rights in Peninsular Malaysia, highlighting promising areas of recognition but also significant gaps in legal literacy, institutional trust, and youth engagement. Survey data combined with interview testimonies reveal a paradoxical situation: while most respondents expressed a strong belief in their entitlement to customary land, their knowledge of the legal frameworks and mechanisms available to defend these rights remains shallow, reflecting broader historical and structural dynamics that have long marginalised indigenous voices within Malaysia's governance system (Nicholas, 2010; Juli, 2018). Awareness of the Aboriginal Peoples Act 1954 (Act 134) was universal, with all respondents acknowledging familiarity, but understanding was limited, as small percentage of respondents claimed to truly grasp its contents while the majority admitted little or no comprehension. Interview evidence reinforced this gap, where younger participants associated JAKOA mainly with welfare and schooling rather than land rights, leaving communities vulnerable to dispossession and exploitation, consistent with SUHAKAM's (2016) conclusion that legal ambiguity and inaccessible information hinder *Orang Asli* from safeguarding their rights. Although 91.5% of respondents affirmed their belief in customary land rights, many were unsure which authority holds legal responsibility for recognition, with most attributing this power to JAKOA, only a few identifying the state government despite land matters constitutionally falling under state jurisdiction, and none recognising the federal government. This confusion illustrates institutional opacity, leading to reliance on intermediaries such as *Tok Batin* or JAKOA officers, even

when those actors lack the legal mandate (Colchester et al., 2019). Perceptions of institutions further highlight this tension, as respondents expressed strong confidence in JAKOA, with 91.5% believing it to be effective, largely due to visible welfare programmes, scholarships, and aid distribution, but this confidence may be misplaced since JAKOA's statutory authority in land is limited and conflicted by its dual mandate of development and welfare (Nicholas, 2010). Conversely, awareness of SUHAKAM's role was extremely low at 6.4%, echoing critiques that SUHAKAM's recommendations rarely translate into grassroots impact (SUHAKAM, 2016). Confidence in courts was also minimal at 6.4%, as interviews highlighted prohibitive costs, complex procedures, and lack of indigenous legal representation, suggesting that even landmark decisions such as *Sagong bin Tasi v. Selangor* (2005) remain disconnected from community realities (Aziz & Rahman, 2022). The lived impact of these institutional gaps is reflected in land loss: 68.1% of respondents reported encroachment, overwhelmingly citing plantations as the main threat, with all affected respondents identifying loss of residence as the most serious consequence. Interviews added emotional depth, with elders recalling state-sanctioned encroachment, younger villagers fearing the lack of land for future homes, and several highlighting feelings of betrayal, marginalisation, and cultural erosion, reflecting critiques of Malaysia's development model that prioritises plantation, logging, and infrastructure expansion over indigenous tenure security (Nicholas, 2010; Mohd, 2021), a trend mirrored in Indonesia and the Philippines (Colchester et al., 2019). Barriers to defending land rights are severe, as most identified lack of legal knowledge, followed by fear of retaliation, financial limitations, and absence of legal aid, with 25% of those affected by land loss taking no action and none attempting negotiation, demonstrating structural exclusion reinforced in interviews where respondents described helplessness when confronted with legal or bureaucratic processes (Yusof & Hashim, 2020). In contrast, traditional leadership remains highly trusted, with all respondents affirming the Tok Batin's importance in defending land, and interviews describing chiefs as mediators between state and community, though limited in legal authority without training or external support. Youth engagement is another critical concern, as surveys showed preference for involvement in community meetings and workshops with few favouring scholarships, social media, or leadership training, reflecting cultural reliance on oral traditions and direct dialogue (Dentan et al., 1997), yet raising doubts about preparedness for modern advocacy. Interviews highlighted generational gaps, with youth drawn to urban life while elders lamented declining commitment to land, though teachers like R1 stressed the importance of framing land as heritage and identity (Nicholas, 2010). Education thus emerged as the most consistent solution, with 59.6% of respondents favouring school-based initiatives, supported by interviews emphasising schools, teachers, and even digital platforms in fostering legal literacy. This resonates with global evidence that tailored education and literacy programmes improve negotiation capacity (Colchester et al., 2019; Tufekci, 2017), as seen in the Philippines where indigenous negotiator training improved outcomes (Buendia, 2018). Comparative lessons from Indonesia and the Philippines highlight that while Malaysia's Act 134 provides limited recognition, enforceable protections and institutional accountability remain absent (Aziz & Rahman, 2022). Policy implications are clear: Act 134 must be reformed to guarantee secure, irrevocable ownership, JAKOA's role should shift from welfare to advocacy, SUHAKAM and NGOs must enhance culturally relevant outreach, *Tok Batin* leaders should be equipped with advocacy training, and youth must be empowered through

education and digital leadership initiatives. In sum, this study shows that *Orang Asli* awareness of land rights remains basic and shaped by structural, educational, and institutional constraints. While belief in JAKOA and traditional leaders remains strong, lack of legal literacy and limited access to formal justice perpetuate vulnerability. Land loss is both material and cultural, youth engagement fragile, and education emerges as the most powerful pathway to empowerment, bridging tradition with modern advocacy. With integrated reforms combining grassroots knowledge, institutional accountability, and educational empowerment, *Orang Asli* communities can be better positioned to defend their customary lands and preserve their heritage for future generations.

### **Embarking Education to Orang Asli for their Land Right**

Education is very important in fostering the Indigenous people's love for the land, as it strengthens cultural identity while increasing awareness of laws and the natural environment (Nicholas, 2010; Colchester, 2004). Limited knowledge of land laws remains a major obstacle, making legal literacy through schools and community programmes essential (Aziz & Rahman, 2022). Education also bridges traditional knowledge with modern systems (Berkes, 2012), fostering responsibility for the natural environment and empowering youth leadership (Kamal et al., 2019). Ultimately, it provides Indigenous communities with cultural foundations and practical tools to sustainably defend their land rights (United Nations, 2009).

Teachers and the Ministry of Education must play an important role in raising awareness among Indigenous children about their rights through the teaching and learning process (PdP). First, teachers need to integrate knowledge about Indigenous lands, cultures and rights into the curriculum. For example, in History or Moral Education lessons, teachers can include topics such as the importance of customary lands, stories of the struggles of Indigenous peoples, and court cases.

The methods based on experiences such as outdoor learning can be used. Activities such as visits to forest areas, traditional resource mapping projects, or maintaining school gardens can connect theory with practice, while instilling a love for the land and the surrounding environment (Pretty et al., 2009). Teachers can also invite community leaders or village elders as storytellers to bring to life the oral traditions that are part of their identity (Battiste, 2002). To strengthen legal awareness, the Ministry can develop special legal literacy modules appropriate to the students' level. These modules can explain the basics of the Indigenous Peoples Act, customary land rights, and the role of institutions such as JAKOA. In this way, children will not only understand their rights, but also how to defend them legally.

In addition, youth leadership and communication skills programmes need to be implemented in Indigenous schools. Through debate workshops, writing, or digital media projects, students can be trained to voice their views with confidence (Smith, 2012).

Overall, the efforts of teachers supported by the ministry's foundation will create a comprehensive PdP which combining cultural knowledge, law, and the natural environment to produce a generation of Indigenous people who are aware of their rights and able to defend their ancestral lands with dignity.

### **Conclusion**

This study shows that the indigenous *Orang Asli* awareness of their land rights remains low, particularly in terms of negotiation and legal literacy. Although

confidence in JAKOA is high, dependence on a single institution creates vulnerability, while trust in the courts, NGOs and other agencies remains weak. Education is seen as a strategic means of empowering this community, which in turn can connect their cultural identity with legal knowledge, finally it can protect their land as a heritage for their future generation.

## Reference

Aziz, N. A., & Rahman, A. A. (2022). *Indigenous land rights and the Malaysian legal framework: Challenges and prospects*. Journal of Southeast Asian Studies, 53(2), 215–233.

Buendia, R. G. (2018). *Indigenous peoples, legal empowerment, and development negotiations in the Philippines*. Asian Journal of Comparative Law, 13(1), 65–92. <https://doi.org/10.1017/asjcl.2018.3>

Colchester, M., Anderson, P., Firdaus, A. Y., Hasibuan, F., & Chao, S. (2019). *Independent review of the social impacts of oil palm plantations in Southeast Asia*. Forest Peoples Programme.

Dentan, R. K., Endicott, K. M., Gomes, A. G., & Hooker, M. B. (1997). *Malaysia and the “original people”: A case study of the impact of development on indigenous peoples*. Allyn Juli, E. (2018). *Customary land and indigenous identity: The Orang Asli in Peninsular Malaysia* Kajian Malaysia, 36(2), 57–82. <https://doi.org/10.21315/km2018.36.2.3>

Mohd, H. A. (2021). *Land rights and Orang Asli marginalisation in Malaysia: A policy critique*. Jurnal Undang-Undang dan Masyarakat, 25(1), 45–61.

Nicholas, C. (2010). *The Orang Asli and the contest for resources: Indigenous politics, development, and identity in Peninsular Malaysia*. International Work Group for Indigenous Affairs

SUHAKAM. (2016). *Report of the national inquiry into the land rights of indigenous peoples in Malaysia*. Human Rights Commission of Malaysia.

Tufekci, Z. (2017). *Twitter and tear gas: The power and fragility of networked protest*. Yale University

Yusof, A. M., & Hashim, N. H. (2020). *The digital divide and indigenous communities: Challenges for Orang Asli in Malaysia*. Journal of Information and Communication Technology, 19(4), 557–575. <https://doi.org/10.32890/jict2020.19.4.5>

Battiste, M. (2002). *Indigenous knowledge and pedagogy in First Nations education: A literature review with recommendations*. Ottawa: Indian and Northern Affairs Canada.

Berkes, F. (2012). *Sacred ecology* (3rd ed.). New York: Routledge.

Colchester, M. (2004). *Indigenous peoples and protected areas: Rights, principles and practice*. Nomadic Peoples, 8(2), 33–50.

Kamal, A. S. M., Kamarudin, N., & Mustapha, R. (2019). *Empowering indigenous youth through education: A pathway to leadership*. Journal of Education and Human Development, 8(2),

Nicholas, C. (2010). *The Orang Asli and the UNDRIP: From rhetoric to recognition*. Center for Orang Asli Concerns (COAC).

Pretty, J., Adams, B., Berkes, F., Ferreira de Athayde, S., Dudley, N., Hunn, (2009). *The intersections of biological diversity and cultural diversity: Towards integration*. Conservation

Smith, L. T. (2012). *Decolonizing methodologies: Research and Indigenous peoples* (2nd ed.). London:

United Nations. (2009). *State of the world's Indigenous peoples*. New York: United Nations.