Spring 5-20-2024

Indigenous Land Back in Malaysia: Capturing Orang Asal resistance through #KembalikanTanahAdat

Tarchithaa Chandra Sekharan

Indigenous Land Back in Malaysia: Capturing Orang Asal resistance through #KembalikanTanahAdat

Tarchithaa Chandra Sekharan

tchandrasekharan@fordham.edu

B.A. International Studies, Global Affairs Track

Fordham University

Thesis Advisor:

Dr. Johanna S. Quinn

Seminar Advisor:

Dr. Katherine Wilson

January 24, 2023

Table of Contents

Abstract

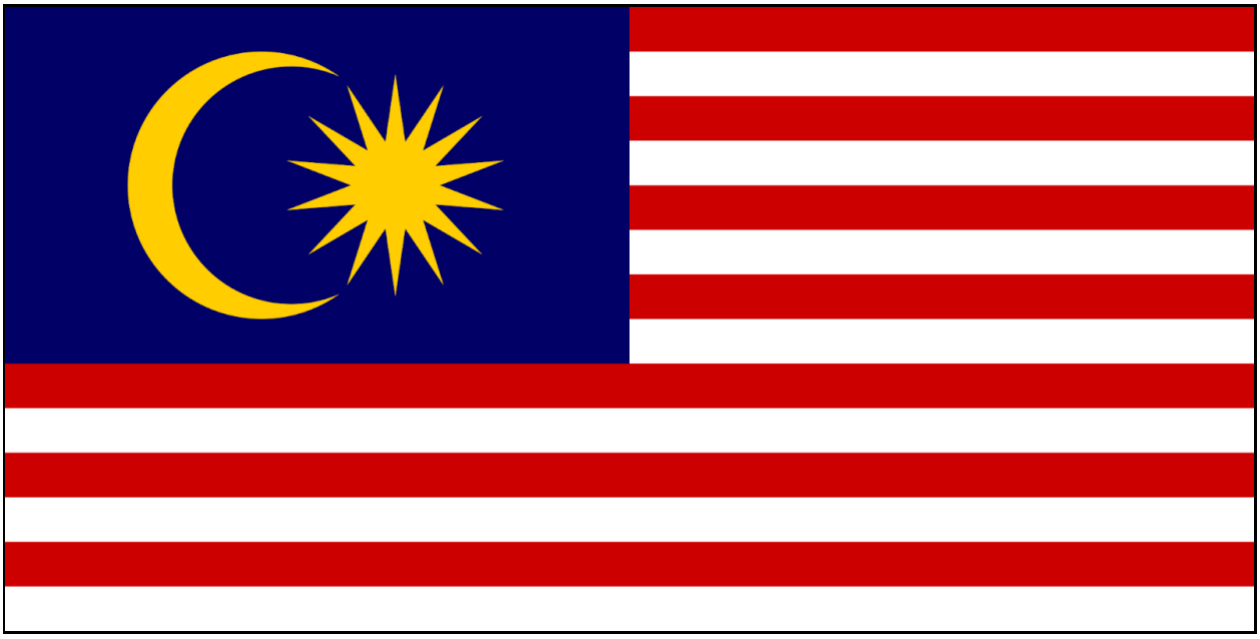
The rise of a pan-indigenous network has been empowered by digital media in the 21st century. Universal concepts such as “landback” have traveled beyond the boundaries of language and borders. For indigenous peoples in Malaysia, the Orang Asal, online resistance is a reclamation of space long suppressed historically and physically. With actions like spreading local news on land rights court cases and development projects, indigenous reclamation from within the Orang Asal as well as indigenous allyship from citizens and diasporic Malaysians alike is possible. *#KembalikanTanahAdat* in Malay, #ReturnCustomaryLand is one of the many hashtags for a move towards increasing awareness on the stripping of Orang Asal land rights. A connection to land rights and legal battle, customary law directly addresses Indigenous land rights in most British postcolonial Southeast Asian nations. Through an analysis of tweets under the hashtag of *#KembalikanTanahAdat*, this study noted factors such as language, rhetoric, interactive features such as quote tweets or retweets, the purpose of the tweet, user accounts, and more. The most impactful use of hashtags exists on Twitter; On Malaysian Twitter specifically, the use of Malay hashtags allows for discourse to still be grounded within Malaysia but the adapted use English within the body of the tweets act as an invitation to international onlookers. With collectives such as @MSolidariti and @OrangAsal as results of activists coming together, the increased activity on Twitter shows promise for momentum in land rights for the Orang Asal. This paper seeks to explore the intricacies and contributions of Malaysian discourse on Twitter toward a growing collective movement of securing indigenous land rights, as a local movement aligns with a universally experienced fight.

Introduction

Recognition of indigenous rights in Malaysia comes from a rocky history. Still, a long way to go, they are collectively known as the *Orang Asal*, *orang* meaning human, and *asal* meaning of origin. Part of Malaysia exists on the Malayan peninsula and the Orang Asal of the peninsula are mainly recognized as the *Orang Asli*, original or native human. The name *Pribumi* is often given to the indigenous people of Indonesia but due to the other part of Malaysia located on Borneo Island, there are also records of the Malaysian indigenous peoples as Pribumi there.

Figure 1

Flag of Malaysia, Jalur Gemilang (Stripes of Glory)



Note. By Malaysian Government, 1963, Wikimedia (https://upload.wikimedia.org/wikipedia/commons/6/66/Flag_of_Malaysia.svg). In the public domain.

Established as a federation of thirteen states after Singapore's departure, the flag still has 14 stripes and 14 points on the star now representative of the thirteen states and the federal territories of Kuala Lumpur, Labuan, and Putra Jaya that act as administrative regions. Two of

the states are located on Borneo Island and the other 11 states are located in Peninsular Malaysia: Perlis, Kedah, Penang, Perak, Selangor, Negeri Sembilan, Malacca, Johor, Pahang, Terengganu, and Kelantan (Malaysia: Country Review, 2023). The government is recognized as a parliamentary democracy with a federal constitutional monarchy. Islam is the dominant religion which is expressed through the existence of the sharia court system, the sultanate hierarchy that provides for the monarchy that is Muslim royalty.

A multiracial country, Malaysia boasts diversity with various ethnic groups: Malays, Chinese, Indians, Orang Asal, and more. Within the Chinese, Indians and Orang Asal more subdivisions are present. Orang Asal existence evidences a historical understanding that Malaysia is a settler nation, filled with ancestors of immigrants. Malay people are the highest demographic and also the hegemonic representation. A Malay person is also defined in the Constitution as a practicing Muslim which blurs the lines of identity. With the presence of the Malay sultanate for centuries before British arrival, other ethnicities such as the Chinese and Indians are considered closer to the immigrant identity by the state.

As a born and raised citizen of Malaysia, with Indian parents who were also born and raised in the country, my identity as a Malaysian-Indian brought me to this thesis. Specifically, I am of Tamil descent and due to my upbringing away from the public Malaysian school system I lack fluency in the national language: Malay. In 2014, I moved to the United States with my parents' dream of attaining an easier education but as I grew up here, I became involved with the diaspora that existed online while keeping in touch with cultural happenings and people from Malaysia. Various political movements and an understanding of American history challenged my perspective of race, ethnicity, religion, and immigration. As someone who only lived in Peninsular Malaysia, my views were also skewered regarding the difference in Orang Asal

experience in the states of Sabah and Sarawak. My time in Malaysia and my fellow peers' education within the school system had failed us in the history of the Orang Asal leaving the internet to be the first time I had heard any indigenous perspective on our national history.

While I am a minority in Malaysia, I am also descendant of settlers in Malaysia. It is every settler-descendants responsibility to be aware of the history of the nation they live in, and to acknowledge the indigenous peoples that were here before us. It is important to take the time and space to honor all of the Orang Asal. The collective of Orang Asli includes groups such as the Temiar, Semai, Lanoh, Semnan, Sabum, Kensiu, Batek, Kentaq Bong, Jehai, Medrique, Tonga, Temuan, Jakun, Orang Kanaq, and Orang Selitar (Minority Rights Group, 2021). Indigenous groups in the state of Sarawak include the Iban, Bidayuh, Kenyah, Kayan, Kedayan, Lunbawang, Punan, Bisayah, Kelabit, Berawan, Kejaman, Ukit, Sekapan, Melanau and Penan. In the state of Sabah, there are 39 different ethnic groups known as the Anak Negeri; some of them are the Dusun, Murut, Paitan and Bajau (IWGIA, 2022).

In this thesis, I explore how the global land back movement has empowered the indigenous fights in Malaysia. I found that there was a grassroots strategic turn to the courts for recognition of customary land rights which lead to headlines made within Malaysia even through censorship laws. International recognition of the violations of the Orang Asal along with my personal learning as a now diasporic Malaysian also compelled me to research Twitter activism as well.

Background

Geography and Industry

Located in Southeast Asia, Malaysia is divided geographically into Peninsular (or West Malaysia) and Bornean, more commonly known as East Malaysia. While there are many islands connected to each of these landmasses, this thesis will primarily focus on West and East Malaysia. Close to the Equator, both landmasses have mountain ranges, tropical rainforests, and coastal regions which are also prone to climate disasters such as flooding (World Bank Group, 2021). West Malaysia stands between Thailand and Singapore on the Malay Peninsula while East Malaysia is located on the Borneo Island that is shared with Brunei and parts of Indonesia. The indigenous people of Malaysia on each landmass of Malaysia share different histories and experiences with the state due to the geography.

While a relatively small nation, the resources found within the lands have propelled Malaysia into a vibrant economy due to "decades of rapid industrialization and political stability" (*Malaysia: Country Review*, 2023). Economic success in Malaysia derives from industries based largely on natural resources. One of the largest exports is petroleum, which influences development policies the most, a result of which is land acquisition (U.S. Department of Commerce, 2022). Many of the resources were exploited by colonial powers through plantation systems on land that was often appropriated from the indigenous peoples. After independence, the plantations were taken over by the state (Kaur, 2014). With the continuation, exports that have contributed to the development of the nation include palm oil, electronic products, timber, rubber, coffee, and zinc.

Figure 2

Snippet of Malaysia from Physical Southeast Asia Map

Note. Adapted from "The World Factbook," by Central Intelligence Agency, 2021 (https://www.cia.gov/the-world-factbook/maps/world-regional/) In the public domain.

Population Demographics

Statistically, the indigenous population of Malaysia, Orang Asal, makes up a little over a tenth (14%) of the total population (IWGIA, 2022). *Orang Asal* is the umbrella term used for the indigenous peoples but different names exist for the people in West and East Malaysia. West Malaysia is referred to as the more used term of Peninsular Malaysia, unlike East Malaysia which is more popular in comparison to the Borneo states. Orang Asal in Peninsular Malaysia have been historically recognized as the *Orang Asli* by the state and comprises more ethnic groups than the Orang Asal in East Malaysia. There is no collective term just for the Orang Asal of the states of Sabah and Sarawak, and the umbrella term itself is a newer categorization that is rooted within the Indigenous movement in Malaysia (Idrus, 2022). *Pribumi*, however, is a term used for the indigenous Indonesians and thus also used for the Orang Asal of East Malaysia due to the states' location. Higher populations of Orang Asal reside in East Malaysia: the Dayak and

Orang Ulu of Sarawak make up 70.5% of the state's population and the Anak Negeri of Sabah make up 58.6% of the state's population. In comparison, the Orang Asli only account for about 0.7% of the Peninsular population (IWGIA, 2020).

The highest ethnic population of Malaysia is the Malay people (~55%) who hold a slight majority. The people who migrated from Borneo and Indonesia upwards to the Malay Peninsula and also throughout Southeast Asia within the last 1500 years have been anthropologically determined as making up the ancestry of the Malay people today (Britannica, 2023b). The most recent massive wave of migration occurred throughout the 19th century, as traced through the population census of Malay demographics (Vlieland, 1934).

Minorities of various ethnicities other than Orang Asal constitute approximately three-tenths of the population. Over one-fifth of the Malaysian population is Chinese (22**.**8%), who are mostly descendants of merchants and laborers within the agricultural and mining fields that migrated in several waves. A smaller minority of the Malaysian population is Indian (6.6%), mostly Hindu, and also mostly descended from both older migrations of laborers. Chinese Malaysians became wealthier over time leading to their influence over the Malaysian economy in the present day. More recent arrivals of Chinese and Indian workers also contribute to the descendant majority populations. Other ethnicities fall into the remainder 0.7% of the population (Statista, 2022).

Tensions Over Identity

The multiracial nation's government classifications have contributed to conflicts over social identities; the biggest demographics recognized legally are Bumiputera, Chinese and Indian peoples. *Bumiputera*, meaning " son of the earth," is a legal classification that has made

indigeneity unclear. A generally newer term of racial classification that was promoted by the mid-20th anti-colonial communist movement, the protection of the *Bumiputera* demographic was recognized in the 1957 Malaysian Constitution (Dentan, 1997, p.108). The term itself was promoted by the ruling Malay state beginning in the 1950s, recognizing Malay people as legitimate inheritors of Malaysian land (Derichs, 2016). The term in the present includes not only Malay people but also the Orang Asli, the Orang Asal of East Malaysia, a Thai ethnic group within the states of Kedah and Kelantan, and even descendants of the Portuguese Eurasian community (Idrus, 2022). Races such as the various Chinese or Indian ethnicities are not included in the label; the promise of indigeneity lies within the definition of Bumiputera and thus the privileges of birthrights to a land.

However, when *Bumiputera* protections were first defined (Article 153 of the Federal Constitution of Malaysia 1957), the Orang Asli were not included, and instead, the Malays were recognized as the natives of Peninsular Malaysia along with the Orang Asal of East Malaysia. It took until the census in 1991 for the Orang Asli to be officially counted as Bumiputera and thus be considered "native". The exclusion of the Orang Asli seems to be an intentional action by the state when considering former Prime Minister Mahathir bin Mohammed's views on the rightful heir to indigeneity:

> "I contend that the Malays are the original or indigenous people of Malaya…Malays have always been the definitive people of the Malay Peninsula. The aborigines were never accorded any such recognition" (Mahathir, 2008, p. 93, p.162 -163).

Initially published in a book in 1970, Mahathir's words reflected *Ketuanan Melayu*, Malay Supremacy, which can be understood as, "the lordship claim of the Malays on the Tanah Melayu - the land belonging to the Malays and everything in/on it" (Liow, 2015). The hegemonic belief

that the Malays are to be considered the indigenous peoples of Malaysia was protected by the protection of Malay rights within articles 89 and 153 of the Constitution and also ushered in economic benefits such as employment quotas, land reservations, and licenses for the Bumiputera (Whah and Guan, 2017, p. 340). Policies in the present day still undermine the Orang Asli and hinder their access to *Bumiputera* benefits in part due to their former exclusion from the state-assigned *Bumiputera* label.

The cultures of the Orang Asli in the Peninsula differ starkly from the other indigenous populations in East Malaysia, yet under the last years of the British colony, the Malaysian government inscribed them under the same umbrella term, *Orang Asal* (Jegatesen, 2019). The East Malaysian states of Sabah and Sarawak have a more dispersed Orang Asal population and a culture intertwined with the sea while the Orang Asli of Peninsular Malaysia have been historically associated with the forest. They also differ in language use as the Orang Asli do not have a written alphabet for their spoken languages but some of the Orang Asal in East Malaysia (such as the Iban) do. Geographical distance has also contributed to the differentiations in the historical marginalization of the Orang Asal. Even in each landmass of Malaysia, there are various ethnic groups that both the British and Malay played a role in lumping together; in Peninsular Malaysia for example, the Orang Asli consists of 18 ethnic groups, all of whom have distinct traditions and histories.

Power of the State and Orang Asal Relations

Understanding the development of *Ketuanan Melayu* involves tracing the formation of Malaysia's government. The Malacca Sultanate era led by a Malay ruling class within the Malay Peninsula lasted from 1400 to 1511 and was described in various narratives from other regions due to the trade with the state of Malacca (Bakar, 1991). The arrival of the Portuguese in 1511

began the slew of European colonization which slowed down the spread of Islam but promoted Malay as the lingua franca. Colonization continued with the Dutch overtaking in 1641 after the surrender of the Portuguese in the Siege of Malacca. The Anglo-Dutch Treaty of 1824 marks the transition of colonial power to the British. While the Japanese occupied Malaya, 1941 to 1945 in WWII, it was the British that Malaysia gained its independence from. The Malayan Emergency (1948-1960) that the British declared due to the rise of communism delayed efforts made by Malaya organizers to be an independent state as it reinstated British control. In the years of the Malayan Emergency, the leaders representative of the colonies of Malaya, Singapore, Sabah, and Sarawak came together to form Malaysia in negotiations with the British for autonomy; Independence day, *Merdeka Day*, falls for the first time on 31 August 1957.

Malaysia maintained much of the British legal system as well as aspects of the Sultanate system post-independence. The federation of Malaysia, when adopted in 1957, established three branches of government: legislative through Parliament, executive led by the Prime Minister, and the judicial branch led by the Chief Justice. As a constitutional monarchy, the chief of state known as "*Yang di-Pertuan Agong*" is also the head of the Islamic faith with recognition as the King or Monarch of Malaysia (Nexus, 2013). The justice system operates on a dual court system, one set by parliament for the nation and another based on Shariah, *Syariah*, law for Muslims. Due to each state's own constitution that must also align with the federal constitution, the amount of Syariah law enforcement varies with each state.

Establishment of the requirements for Malaysian citizenship was initially formed in the 1957 constitution which was officially ratified in 1963 with the British recognition of independence. Citizenship law impacted Orang Asli discriminately because of the initial

recognition of Bumiputera status under the responsibility of the King of Malaysia– Malays and East Malaysia's Orang Asal – inscribed in Article 153 of the 1957 constitution.

> "It shall be the responsibility of the Yang di-Pertuan Agong to safeguard the special position of the Malays and natives of any of the States of Sabah and Sarawak and the legitimate interests of other communities in accordance with the provisions of this Article" (Federal Constitution of Malaysia 1957).

Even article 10 of the Constitution regarding the freedom of speech has a special clause regarding based off of this definition where it is mentioned that, "parliament may pass law prohibiting the questioning of any matter, right, status, position, privilege, sovereignty or prerogative established or protected by the provisions of Part III, Article 152, 153…" (Federal Constitution of Malaysia 1957). The Orang Asli are not named directly in the Constitution but the one possible allusion recognizes them under the term, "aborigines" that is also not mentioned in the articles 10 and 153. Even with the directly recognized Orang Asal of East Malaysia, there was a status disparity with the Malays that was not changed until the Constitution Amendment Act of 1971.

As a parliamentary democracy, Malaysia has two houses: the senate and the house of the people. Within the Parliament, there are indigenous political parties such as the *United Pasokmomogun Kadazan Dusun and Murut Organisation* for Sabah and *Parti Bansa Dayak Sarawak* for Sarawak (Bulan 2010). However, they still fell in the minority in decision-making as they have been in the Barisan National coalition, which is led by the Malay party, Malay United Malays National Organisation (UMNO). Malay majority within the parliament was established with UMNO which then along with Malay nationalism institutionalized *Ketuanan Melayu*. Regardless of other Orang Asal representations, the Orang Asli of Peninsular Malaysia have never had their own party. The first Orang Asli member of parliament, Ramli Mohd Nor,

was elected in 2019 in the house of the people as the speaker for Cameron Highlands, which has Orang Asli as the second highest population in the district within the state of Pahang (Rashid, 2020).

Religion in Malaysia

In official documents, the definition of "Malay" is always entwined with Islam. According to Article 160 of the Malaysian constitution, a person born in Malaysia or Singapore is considered Malay if they are in Muslim adherence, habitually converse in the language of Malay, and practice Malay customs (Jegatesen, 2019). Even before independence in 1957, under British colonialism, the Malay Reservations Act of 1913 defined Malay people according to Islam. (Kratoska, 1983). Nationalism, aligned with *Ketuanan Melayu*, post-independence also increased with the introduction of Rukunegara: a pledge of allegiance towards the nation inclusive of religious language in accordance with loyalty towards the nation and royalty. Specifically, the first of the Rukunegara – "Belief in God " – depicts the proselytization of those who practice theistic faiths (Edo and izil, 2016). With the Rukunegara implementation in the 1970s, the continued rise of Islamification led to varying actions by the government in the 1980s that promoted the representation of Malaysia as a Malay-Muslim nation (Jegatesen, 2019). Malays are dominant demographically thus attributing the Malay-Muslim demographic to be hegemonic.

Malay peoples are the majority of the Malaysian population and are homogenous in practicing Islam. Various ethnic and racial minorities in Malaysia practice religions such as Christianity, Chinese Buddhism, and Hinduism. The Orang Asli are mixed in religious adherence. The mix of religions within Orang Asli is best exemplified within the Mendang

community, an ethnic Asli group, whose members follow animism, Christianity, and Islam, giving rise to conflict (Edo and Fadzil, 2016). A majority follow animistic and shamanistic traditions still practiced by elders within the communities but about a fifth of Orang Asli are also Muslim, with numbers increasing due to integration promoted by the state (Minority Rights Group, 2021).

The recent rise in Islam within Orang Asli can be attributed to a need for survival due to the benefits of being a Muslim even if they are already counted under the Bumiputera categorization in the present day. State policies implemented after independence incorporated benefits such as scholarships for Muslims which appealed to Orang Asli who could not afford higher education (Dentan, 1997, p.144). However, even with the push, Islamization efforts were not as successful, leading to Orang Asli resistance efforts such as not sending children to school. About a tenth of the Orang Asli population is Christian, the history of which can be traced back to Christian missionaries. While Catholic efforts aiming for the Orang Asli in the late 1800s failed, heavy efforts by Methodist missionaries in the 1930s and till the Japanese invasion had allowed Christianity to sink its roots into indigenous communities through “humanitarian and educational work” (Means, 1986). There were Orang Asli then that opted for Christianity as means of resistance against converting to Islam and for the opportunities provided by the churches for modernization that the state did not give easily. The state's fear of the religious threat to an Islamic Malaysia is also exemplified by an attempt with the traditional animistic celebration Mengulang; When the Orang Asli petitioned for its recognition as a state holiday, the state denied the request due to its “unislamic” nature of it (Edo and Fadzil, 2016, p.262). Unfortunately, indigenous attempts to maintain animistic traditions and achieve recognition of holidays have been scuffed by the government.

Oppression of Orang Asli

The history of oppression in Peninsular Malaysia for the Orang Asli is more strongly rooted in settler colonialism and even slavery. The spread of Islam and the establishment of a Malay ruling class through the Sultanate pre-European colonization had critical implications for the Orang Asli particularly. The circulation of a slave trade within the peninsula subjected the Orang Asli in a position of enslavement – economic and labor exploitation – by Malay aristocrats due to their religious adherence to non-Islam traditions and ethnic differences (Endicott, 1983). Orang Asli were regarded as "Kaffir": an Arabic derogatory term signifying uncivilized infidelity and within Islam, a non-believer (Jegatesen, 2019). True slaves, defined as people who were captured and sold in open systems, were used mainly in their agricultural sector, as chattels for tasks such as harvesting, planting, and weeding (Vink, 2003, p. 135). Differing from true slaves, debt slaves had more legal protection as they were considered free persons and could also be Muslim but the distinction between true and debt slaves was minimal. Other forms of labor carried out by slaves included household labor and tin mining (Endicott, 1983, p.217). *Sakai* is a derogatory term, meaning "barbaric" which contributes to the dehumanizing narratives of the Orang Asli but also the denigration of Orang Asli. Some Orang Asli were addressed in Malay as *Sakai Jinak*, tame Sakai, a twist on an already derogatory term; These Orang Asli were involved in contributing to slave raidings, to consumers were mostly Malays (Endicott, 1983, p. 223). In 1833, the British colonial administration criminalized slave raiding and possession. However, research cataloged by both Malay and Western academics shows that the raiding did not disappear well until the 1920s (Jegatesen, 2019). Although Orang Asal as a whole experience oppression, the Orang Asal of East Malaysia have a more

autonomous history in comparison to the Orang Asli, many of whom were lost to assimilation and slavery.

The colonial government took actions such as resettling the Orang Asli to reservations, camps, and jungle forts. Along with that, the intentional exclusion behind the original distinction of Bumiputera as Malay and *Pribumi* peoples, the Orang Asli stand victim to *Ketuanan Melayu*, Malay Supremacy even to this day. The legacy of slavery and higher rates of indigenous displacement in Peninsular Malaysia leaves a smaller population and thus significantly much less land owned by Orang Asal in Peninsular Malaysia. The population disparity between the Orang Asal majority in East Malaysia and less than a percent of Orang Asal in Peninsular Malaysia has only added to the difference in state oppression experienced by all Orang Asal.

Law: Customary, Islamic and Land

Religion's significance in the political affairs of Malaysia is best identified with the existence of the *Yang di-Pertuan Agon* who serves as both Head of Islam and the military (*Malaysia: Country Review*, 2023). The constitutional monarchy in place, while largely ceremonial, follows and implements the social expectations of Islam. The mixed legal system in place to this day consists of Common Law, Customary, and Islamic Law. The *Common Law* system relies on precedents formed on rulings and in Malaysia British colonial era changed the Malayan and Islamic customs, leaving behind a common law most influenced by them (Faruqi, 2017). *Customary law* is based on socially accepted customs that take validity from the traditions of whatever community already lives in the state, reflecting traditional cultural values. In Malaysia customary law is unwritten but there is the existence of Malay customs due to religious dominance as well as recognized customary laws in Sabah and Sarawak (Faruqi, 2017).

Islamic Law shares similarities with the common law in terms of being unwritten but follows precedence based on the principles of Islam, specifically *Syariah* Law (Noordin and Shuaib, 2009). Due to each state's power to have its own written constitution along with a state legislative assembly and chief minister, Islamic law is often varied in enforcement within each state *(Malaysia: Country Review*, 2023). In Malaysia, Muslims can be tried in the *Syariah* court, differentiating in cases involving matters such as family planning and abortion, as well as civil courts. Non-Muslims are tried only in civil courts due to the protection of freedom of religion promised in Article 11 of the Constitution. [1]However, trials in civil court can be affected by Islamic law, as in cases involving homosexuality and sedition. The power of Islamic law on civil courts came to bear on Orang Asli: cultural erasure as mentioned previously with the Mengulang celebration and on Orang Asal social media resistance, which will be discussed in the case analysis.

The competition for indigeneity in Malaysia has been exacerbated by Malay agendas but recent international discourse on indigenous rights has allowed the Orang Asli in particular to claim their history to the land. Orang Asal battles over the legality of land ownership invoke an understanding of multiple types of law mentioned above. With customary law in Malaysia recognized as *adat*, the unwritten traditional laws also apply to land. Customary land then is often passed down through generations and stands as a foundational aspect of indigenous life and in Malaysia *Tanah Adat*, customary land is the acknowledged term when regarding indigenous

[1] Legal implements that have taken Syariah law into consideration in Malaysia have impacted more than Muslims, an example being a 2021 decision by the state of Terengganu to bar female entertainers in front of male audiences regardless of religion (Office of International Religious Freedom, 2021). The effect of Syariah law has contributed to the image of Malaysia as a Muslim nation, another example being the implementation of sedition laws criminalizing speech against religion, often the state religion: Islam.

land. Opposing customary land is statutory land which was introduced with British colonization and helped prioritize Malay dominance through land. Due to Malays' fear of losing land claims, the British government amended the land code in 1891 to recognize customary land rights for anyone Muslim and Malay (Means, 1986, p. 639). Statutory land tenure is often written in the law and derived from the process of transferring land rights to someone through means of land title and deed documents. Malay reservations were recognized legally as statutory while aboriginal lands were not extended any sort of protection as customary land and thus were considered unoccupied with no title.

Disputed Land

The transition from the British colonial system to independence signified a re-defining of power dynamics but certain protections of indigenous rights remained as legal precedent. The Aboriginal People's Act of 1954 (APA) established the gazettement of aboriginal inhabited land, the land of Orang Asli, as customary land, *Tanah Adat*. Benefits of the Act included the protection against Malay acquisition of the gazetted land and payment of compensation for any loss of territories gazetted as aboriginal. However, APA also had negative implications as it also included declarations such as the state's ability to degazette land for public intentions and restriction of Orang Asli engagement in any commercial transaction based on the land without state authorization. In many states, the land inhabited by the Orang Asli that was left ungazetted also meant that records were not reflective of Orang Asli land tenure.

Most significantly, the Orang Asli are considered tenants of what they consider their own land according to not only the APA but also indirectly in the 1965 National Land Code and 1984 Forestry Act that provide the state ultimate authority of land even if gazetted (*Part 5: Orang Asli Customary Land Rights in Peninsular Malaysia*, 2021). In Sabah and Sarawak however, the

National Land Code assigns customary land rights under the authority of each state's land legislation and departments. The Sarawak Land Code of 1957 and the Land Ordinance of 1930 allowed for Orang Asal in East Malaysia to gain native customary rights to land in varying methods (*Part 2: Federal Constitution and Landmark Judicial Decisions*, 2021).

Figure 3

Estimated size of Orang Asli Customary Territories in Hectares

	State	With gazetted status or documentary land title • Aboriginal area • Aboriginal reserve • Private documentary land title	Without gazetted status or private documentary land title • Aboriginal inhabited place	Size
1	Johor	5,046	3,676	8,722
2	Kedah	173		173
3	Kelantan	247	22,844	23,091
4	Melaka	81	480	561
5	N. Sembilan	5,019	60	5,079
6	Pahang	5,540	52,593	58,133
7	Perak	11,992	33,922	45,914
8	Selangor	1,383	6,228	7,611
9	Terengganu	1,402	455	1,857
	TOTAL	30,883	120,258	151,141

Source: JAKOA. Website of the Ministry of Rural and Regional Development [http://www.rurallink.gov.my/].

Note: The data for the table is sourced from estimations made by JAKOA. Website of the Ministry of Rural and Regional Development in 2012. From *Indigenous customary land rights and the modern legal system* by Sahabat Alam Malaysia, 2021, (https://foe-malaysia.org/wp-content/uploads/2022/03/221001-Blog-5_Table-1.jpeg). Copyright 2023 by Sahabat Alam Malaysia.

The unwritten nature of customary law and the lack of written recognition of customary land regarding the Orang Asli bore heavily on the validity of the indigenous land disputes. The procurement of land documents that had never existed before for the Malay reservations then dismissed Orang Asal customary land rights. *Native title* is a term initially originating from Australia's and Canada's indigenous customary law.

> "Native title is the right of indigenous peoples to their traditional lands, waters, and territories. It is a collective right that exists irrespective of any formal recognition" (Aiken and Leigh, 2011b, p. 837)

The recognition of native title, identified in the Sarawak Land Code of 1957 and the Land Ordinance of 1930 as the official term of "native customary rights" led to state recognition of Orang Asal customary land rights first found within the Constitution. Precedents on native title set by Australian and Canadian governments were mentioned in a Malaysian High Court ruling that officially made Orang Asli land rights from customary to also common law: the 1997 ruling *Adong bin Kuwau* v *Kerajaan Negeri Johor* established native title doctrine (Bulan, 2007, p. 54). In other words, recognition of native title ensured recognition of customary rights towards indigenous peoples as well. Due to Orang Asli land rights falling fully under APA, the delay in recognizing native customary rights has staggered Orang Asli progress.

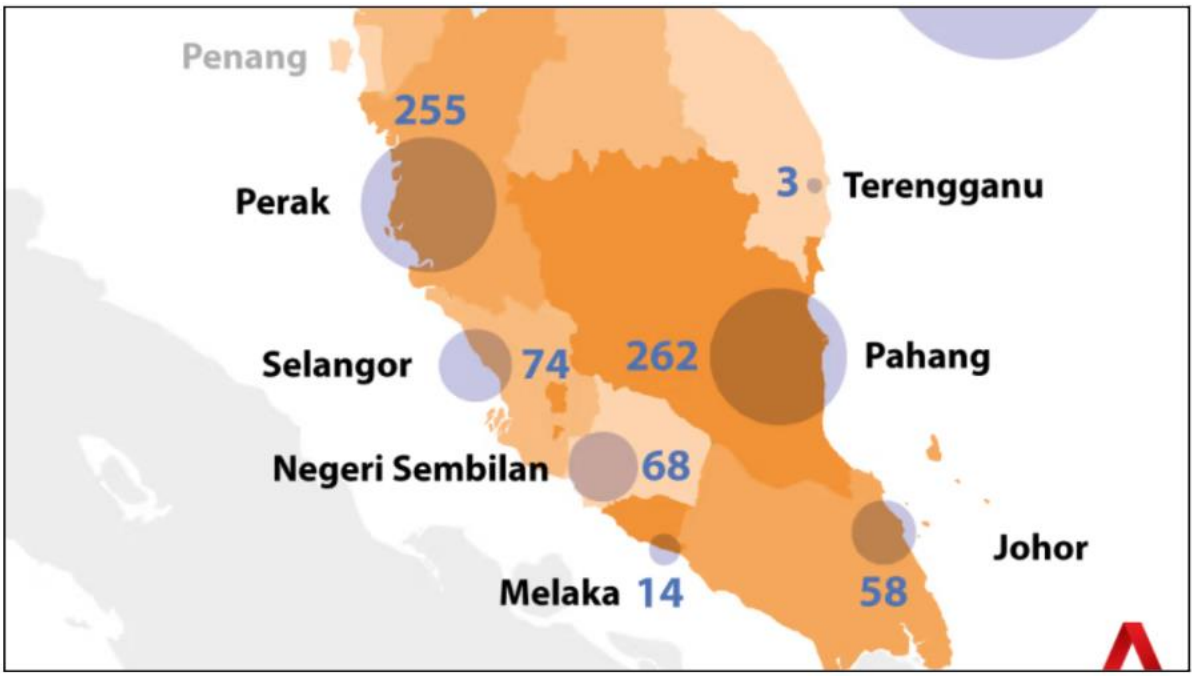
Leadership in government regarding aboriginal development has benefits and consequences for Orang Asli resistance. Post-independence, Orang Asli efforts for indigenous rights were to codify any customary law at all into common law, which would also actively contradict the established Malay state occupation of land recognized by the British. Article 13 of the constitution in particular speaks of property rights that the Orang Asli have strategized on:

> "No person shall be deprived of property save in accordance with law. No law shall provide for the compulsory acquisition or use of property without adequate compensation." (Federal Constitution of Malaysia 1957)

Within the constitution, customary land rights can be found within six articles (5, 8, 8(5)(c), 13, 45, and 153) on which, Orang Asli have centered action through court rulings. Malaysian limited recognition of native title within common law has been expanded through rulings that recognize that native title arises from traditional customs rather than legislative, executive or judicial origins. First established in 1950 as the Department for the Welfare of the Aborigines, the Department of Orang Asli Development (Malay abbreviation of JAKOA), is the official representative organization of the Orang Asli recognized by the government (Means 1986, p. 644). JAKOA's involvement has been a double-edged sword as it is an attempt by the government to acknowledge Orang Asli affairs, but due to the lack of actual indigenous leaders in the department, efforts have been lacking.

Figure 4

Map of Orang Asli Villages per State by Number



Note. From *Malaysia's indigenous tribes fight for ancestral land and rights in a modern world* by Tan, Channel News Asia, 2019 (https://www.channelnewsasia.com/asia/malaysia-orang-asli-ancestral-land-rights-1317616). Copyright 2023 by Mediacorp.

The history of lack of mapping has contributed to Orang Asli degazettement flying under the radar. In 2019, JAKOA announced that the 12th Malaysian Plan (2021-2025) included the mapping and surveying of Orang Asli lands. Across the 11 states in Peninsular Malaysia, Orang Asli are most concentrated in the states of Pahang, Selangor, and Negeri Sembilan (SyedHussain et al., 2017). However, around 70% of all Orang Asli live within Pahang and Perak. While the number of hectares belonging to the Orang Asli is approximated to be over 1,38,862.2 hectares, not all the land is lawfully owned by them (Kardooni et al., 2014). With the use of a JAKOA database and extensive research from a study, researchers found that in 2014 across Peninsular Malaysia there were about 852 villages; Orang Asli community members in 37% of those

villages resided in remote areas with 3% of Orang Asli also living “in the vicinity of existing townships” (Saifullah et al., 2021). For the states of Sabah and Sarawak statistics are also difficult to garner, due to the sheer higher populations of Orang Asal with protected Native Customary Rights established much earlier on within the Constitution.

Moving Forward

Decades of Orang Asal oppression has led to land disputes led by the indigenous peoples justifiably. Even with the disparity in protected rights between Orang Asli of the Peninsula and Orang Asal of Sabah and Sarawak, dismissal of native title and customary land rights impacts all Orang Asal. The influence of Islam on Malaysian affairs has strongly redirected the course of Orang Asal development within, for the worse; even with state produced departments meant to acknowledge the Orang Asal, secured protection for Orang Asal youth and livelihood has stagnated due to a lack of political and economic indigenous representation.

In recent years, the use of social media has skyrocketed within Malaysia for the purpose of Orang Asal resistance. To push for a change that the Orang Asal desire, resistance becomes key due to the government’s inadequate response to the violations of protected indigenous rights, the few that do exist. International organizations such as Human Rights Watch, and the Office of the United Nations High Commissioner for Human Rights have put out reports advising the state to improve treatment of indigenous peoples, increasing global awareness of the Orang Asal mistreatment. Various languages surrounding the movements regarding indigenous land globally permeated the growing online presence of activists who are Orang Asal and pro-Orang Asal. While state efforts have been made to suppress resistance efforts both in person and now virtually, Orang Asal adaptation has persisted and continued the conversation.

Review of Literature

This study draws from the scholarship in the fields of media activism, indigenous resistance, and land rights. Due to little research available that combines these fields in Malaysia, this Review will discuss each field. An understanding of each specific field will be applied to the indigenous peoples of Malaysia, the Orang Asal.

Studies of Orang Asal and State Oppression

Studies on the indigenous peoples of Malaysia, both peninsular and east Malaysia are limited in comparison to nations such as the United States or Brazil. Many of the studies on indigenous Malaysians are also often separated – Orang Asli of Peninsula and Orang Asal of Sabah and Sarawak – due to the relatively recent formation of the federation of Malaysia. However, some scholars to acknowledge for historical records of fieldwork that have propped up the study of Orang Asal oppression. To name a few that are mentioned in this thesis, have been frequented in the research of other scholars mentioned, or frequented in personal research are Robert Dentan, Paul Schebesta and H.D Noone.

One of the foundational scholars of Malaysian Indigenous Studies is Kirk Endicott, with much of his life's work on the Orang Asli, specifically the Batek peoples, within peninsular Malaysia. One of Endicott's journal articles, "Orang Asli Land and Resource Rights in the Malay States", in collaboration with Yogeswaran Subramaniam (2020), historicizes the British colonial system of land ownership. Endicott and Subramaniam concluded that the system protected Malay privatization while diminishing the Orang Asli's rights to their resources. Endicott also edited the collection, *Malaysia's Original People: Past Present and Future of the Orang Asli* (2016), which is the most recent overview of the Orang Asli of Peninsular Malaysia. This anthology focuses on ongoing Indigenous turmoil stemming from rights lost due to development,

religious fervor, indigenous resistance, and even theories regarding the group's emergence during the neolithic era. Endicott as a foreign scholar himself acknowledges this positionality and that "until recently most of the anthropological research with the Orang Asli was done by scholars" (Endicott, 2016, p.12). Followed by his recognition of Malaysian scholars on the matter, such as Russalina Idrus whose work was foundational for this thesis, he expresses his faith for the future of the study to be more authentic than ever. With representation of Orang Asli scholars such as Juli Edo and Anthony Williams-Hunt, representations of Orang Asal scholars on the matter shows promise of increasing.

In their chapter in Endicott's book (2016), "Folk Beliefs vs. World Religions: A Malaysian Orang Asli Experience," Juli Edo and Kamal Solhaimi Fadzil explain the consequence of mainstream Malay religion on the indigenous minority. Tracing the 1970s-80s religious fervor that solidified the Malay-Muslim identity, Edo and Fadzil discuss the Rukunegara, a pledge of allegiance invoking a religious vow, to show the state-based national identity on theism, a belief in one God. Islam became more entwined with political leadership, legislation, and court rulings. Edo and Fadzil also identify the religious differences within the Orang Asli catapulted a variety of fights to move forward to the full development of communities within Indigenous towns and states. While not addressing activism, this chapter explains the tension giving rise to resistance due to religious shifts.

Studies on Orang Asal Land Rights

Both S. Robert Aiken and Colin H. Leigh, working in the intersection of land rights and government action in both Peninsular and East Malaysia, have contributed several articles about the Orang Asal. In a *Geographical Review* article (2019), "In The Way Of Development: Indigenous Land-Rights Issues In Malaysia", they delve into the overlapping of development,

indigenous Malaysians, and non-governmental organizations in the 2000s. Aiken and Leigh examine the discourse of "backwardness" through state-endorsed documents such as Vision 2020 agenda, and Universal Periodic Reviews of Malaysia by the United Nations Human Rights Council. The government's policies regarding modernizing the nation include economic development in historically "half-developed" regions, mainly the Orang Asal's. Aiken and Leigh highlight the lack of return in economic profit to the Orang Asal considering their land lost to that justification. They articulate how, due to a historical understanding of Orang Asal as "backward," the discourse of a modernized Malaysia necessitated the demolition of Orang Asal land and thus their right to their lands and livelihoods as well.

Yogeswaran Subramaniam, mentioned above, is another scholar who has focused on the Orang Asal and land rights. In a chapter from Endicott's 2017 anthology, "Orang Asli, Land Rights, and the Court Process: A "Native Title" Lawyer's Perspective," Subramaniam narrates the strategic move of Orang Asal, particularly the Peninsular Orang Asli, toward the courts. He historicizes the acknowledgment of native title and customary land rights on which rulings are being based. In the article, "Affirmative action and the legal recognition of customary land rights in peninsular Malaysia: The Orang Asli experience," Subramaniam analyzes the government's language on Orang Asli land rights from the Constitution to legal reports. He tackles the question of whether customary land rights are truly acknowledged through land and development policies. In collaboration with another Malaysian Orang Asal scholar, Subramaniam and Edo (2016) scholars contextualize the promise of a religious and traditional resurgence of the Orang Asli.

Studies of Digital Activism

Studies of indigenous resistance in the age of social media draw from studies of digital activism in general. One of the scholars in digital political media is Lance Bennet a political

scientist who specializes in digital media, social movements, and civic engagement. His 2012 journal article, "The Personalization of Politics: Political Identity, Social Media, and Changing Patterns of Participation," identifies the rise in individualized politics that is changing the course of collective action organized through digital media technologies. He proposes a framework that individual and isolated actions are successful in collective movement as it allows for the individual to maintain varying interests but still contribute with the isolated action. With the framework, he explains how digital activism has transformed using an analysis of hashtags from the Wall Street movement in North America originally researched with Alexandra Segerberg.

With Segerberg, Bennet conducted a study focused on economic justice activist phrases stemming from the 2011 Occupy Wall Street movement, "We are the 99%" and "Eat The Rich" that is explained in detail in a 2013 book by both scholars, *The Logic of Connective Action: Digital Media and the Personalization of Contentious Politics*. They argue that the foundation of organizing was no longer dependent on leaders due to a rise in individuality rather than collective identity in personal politics. Rather, they highlight that due to social media platforms, one-on-one communication allows for the flexibility of the individual's politics to support a mass movement. In the study, they identify "We are the 99%" as a *personal* action frame as most people regardless of their social identities can relate to this slogan; lower barriers to relate to the slogan increases participation by more individuals. Bennet and Segerberg compare "Eat the Rich" as a *collective* action frame as it requires an alignment with a claim based on experiences surrounding injustice. Bennet attributes the success of large-scale actions such as the Occupy Wall Street movement to personal action frames.

Bennet identified the dense networking of indigenous people and labor workers as an example of the framework. Both are identities that often overlapped in the early twenty-first

century. Bennet details the networking as consisting personal action frames that led to conflicts over their collective identities and yet were rooted in identity politics to resist oppression. He and Segerberg explore the benefits of *connective* action over *collective* action as the former allows for personal expression that can be linked to protest networks rather than joining a political movement that could reflect some aspects unrelatable to the individual. In "The Personalization of Politics," Bennet also expresses his fears of the downside of the personal action frames displacing collective action frames; the possibility of an end result that does not bring enough fundamental change due to limitations on the severity of the crises.

Studies of Indigenous Resistance in Media

Due to globalization, the internet and continued resistance, both scholars working on Indigenous peoples and Indigenous scholars have theorized about the power of a pan-indigenous identity in recent years. Gerald Vizenor, a contemporary writer of Anishinaabe ancestry, historicizes the representations of Indigenous identity through media such as political documents and film in North America with an exploration of postmodern theories in Indigenous literature in his 1999 book, Manifest Manners: Narratives on Postindian Survivance. Within the title itself is a term he coined in the context of Indigenous American, *survivance*. Reassembling the definition of two words, Vizenor articulates survivance in opposition to the victimization of Indigenous peoples - as survival and resistance at once.

Scholars have also examined indigenous activism and resistance translated online with the rise of social media applications. In a collection of symposium papers, Cutcha Risling Baldy's chapter, "Radical Relationality in the Native Twitterverse: Indigenous Women, Indigenous Feminisms, and (Re)writing/(Re)righting Resistance on #NativeTwitter", delves into the contributions Indigenous women have made in social media movements in North America.

Baldy focuses on the hashtag #NoDAPL, used in the movement against the Dakota Access Pipeline that skyrocketed in April 2016, and traces the mobilization of worldwide support through the visual media and anecdotes shared on Twitter under the hashtag. Baldy identifies that the creation of new spaces beyond just reclamation through Twitter provides the ability to displace dominant narratives as an act of survivance; this "radical relatability" allows for local movements to reverberate a global ripple effect. She directs the recognition towards solidifying her argument that social media platforms, Twitter, in this case, allow for Indigenous activism to flourish without having to lose the reclamation of an Indigenous space. Baldy asserts that the engagement of hashtag activism allows Twitter to stage a unique expansion of space not possible before. Though less represented in English-language scholarship like Baldy's work on North American indigenous movement, indigenous mobilizations in the global south also contribute to the pattern of social media rise in indigenous activism by both indigenous youth and allies alike.

Karen Heikkilä, and Anthony Williams-Hunt, in a chapter from Endicott's 2017 book, "Spaces of Self-Determination: Divining Contemporary Expressions of Indigeneity from Orang Asli Blogs," discuss the promise of social media as a tool of activism for the Orang Asli. They identify the struggle over language as a marker of identity: accepting the use of Malay versus adhering to the use of individual indigenous languages. However, as Malay is the lingua franca for all Malaysians, it is the universal and standardized Malaysian indigenous language used on social media to facilitate strategies for Indigenous rights. Successful attempts of censorship by the government are acknowledged by Heikkilä and Williams-Hunt as a marker of the power of social media activism but also of the implications of lack of the freedom of the press. They refer to activism on platforms such as Myspace, Facebook, and Twitter (some of which have since surged).

Methods

The case study involves looking at one hashtag (#KembalikanTanahAdat) across tweets. A chapter from the SAGE Handbook of Social Media Research Methods defines hashtags as tools that, "can propel small-scale tweets or minority messages to extremely large publics, and galvanize disparate people around issues of shared interest" (Stewart, 2016). The benefits of focusing on a more general hashtag rooted the research in Malaysia and allowed me to explore multiple groups and individuals using the same hashtag. Various works on media protests particularly on Twitter were taken into consideration; Momeni's chapter on the Green Movement on, along with Grieve-Williams's chapter in the same book on Aboriginal resistance in Australia were particularly helpful (Guntarik and Grieve-Williams, 2021). Baldy, an indigenous scholar's work on the importance of Twitter in Indigenous resistance as platformed by Indigenous women in Canada stands as an example of the research within the field of indigenous media studies, particularly on Twitter (Baldy 2021). With the increased assimilation of digital practices, the field of hashtag ethnography has been recognized as a rational next step within anthropology particularly (Horst and Miller, 2012). Various studies done with a case study on hashtags on Twitter on the matter of civilian resistance identified the significance of hashtag ethnography (Bonilla and Rosa, 2015; Trillò, 2018; Belotti et.al, 2020). I chose Twitter as the social media platform out of the other contenders such as Instagram and Facebook due to the strength of attributes such as anonymity, tagging a person, and hashtags on the platform.

Defined as "Return Customary Lands," in English, the hashtag itself is in the Malay language. The Malay language is recognized as an official language within various Southeast Asian nations such as Singapore, Brunei, and Indonesia (Adelaar, 2000). In Malaysia, Malay is recognized as the *lingua franca* and the national language. Malay is used within schools,

government processes, and identification documentation along with English. The Orang Asli speak Aslian languages, about 18 dialects, with Indigenous East Malaysians also often sticking to their ethnic languages, such as the Iban peoples (Ting and Rose, 2014). However, due to the various ethnic groups and differences with the written languages of Indigenous East Malaysians as compared to the unwritten nature of Indigenous Peninsular Malaysians, Malay is used as the language of communication within all Orang Asal as well as social media activism. English is the second most popular language in Malaysia due to its international significance and former British colonial impact.

Language is also significant because Twitter was chosen. The use of the word customary in Malay signifies a connection to land rights and the legal battle; customary law directly addresses Indigenous land rights. There is also a higher use of the word customary, *adat,* in Malay when it comes to landback rather than indigenous, *asli*. Due to the similarity of Malay to Indonesian however, the Malay hashtag #KelbalikanTanahAdat also garnered some tweets regarding indigenous rights in Indonesia. Hence while a total of 207 tweets were initially extracted under the hashtag, 15 were not concluded in the final analysis as they were Indonesian.

A total of 195 tweets under the hashtag related to the Indigenous land back movement in Malaysia were gathered. All tweets were taken into account. As discussed in the case study, some of the tweets were "ghost tweets" as well, containing only the hashtag which meant not all tweets generated discourse. The tweets were accessed on a desktop from October 2022 till December 2022. The time span of these tweets began on 3 September 2017 and ended on 22 August 2022 (for now). Once again, even though there was earlier and later use of the hashtag beyond the timespan, as they were in Indonesian they were not taken into account.

The project used a combination of qualitative and quantitative analysis. Each tweet was checked for categorizations such as type of account, dialogue formality, language use, specification of issues, and purpose. Features such as whether the tweet was part of a thread, a response, a quote tweet, or had images, links, tagged people through the "@" feature, or multiple hashtags were also recorded. Overarching tracking such as the frequency of each account throughout the timespan, as well as the dates of each tweet, were also noted. Qualitative analysis was used mostly at the very end of the research to make tables concluding percentages of overlapping categories which contributed to tangible conclusions.

Any tweets that were deleted before I began sourcing in late September 2022 would not be included in this case study due to my lack of access to tools that might keep a record of every tweet made even if deleted. Due to my location in the United States at the time of extraction, popular tweets could vary hence my decision to gather all tweets rather than a top percentage of the tweets. It is crucial to note here that at the time of beginning data extraction for the case study, the implications of Elon Musk on Twitter were unpredictable. Twitter may no longer be as effective in garnering grassroots movement support online but I hope that the work done so far through Twitter still remains relevant.

Case Study

State Oppression Against Customary Land and Indigenous Representation

A patriotic effort to narrate the future of modernization in Malaysia stands on the Orang Asal oppression and especially the historical denigration of the Orang Asli. Orang Asal have expressed the desire to move along efforts in any of their villages that abandoned in the pursuit of development by the government as a means to tackle dangerously low rates of poverty (Aiken and Leigh, 2011a). However, state action in contrast has promoted the course of development as the end goal of modernizing Malaysia sustained by the exploitation of indigenous land and resources. State-sponsored development projects in Malaysia have impacted both East and Peninsular lands.

The government continued denying customary land rights to various Orang Asal communities living in recognized towns well past the 1997 ruling of native title recognition. The state modernizing plans involved building dams, which meant displacing Orang Asal communities. In Peninsular Malaysia, the Sungai Selangor dam and the Kenyir dams are a few of many development projects; In Sabah, there is the Babagon dam and in Sarawak the Bakun dam example. Besides dams, the state also targeted forests for its modernizing development project. Logging that has depleted forest resources has impacted the Penan community living in Sarawak. Clearing of forest lands for oil palm plantations is yet another state effort that has impacted the Cawang community in Perak and communities in East Malaysia as well (Aiken and Leigh, 2011b, p. 839-840). Resource extractions benefit the economic growth of the nation, whether it be through the building of dams in Johor to transport water to Singapore or the conversion of forests to plant oil plantations for one of the nation’s biggest exports - Petroleum. However, the

economic growth for modernizing Malaysia has been achieved by demolishing customary land, *Tanah Adat*.

The state limited attempts by Orang Asal to attain direct political representations unless the representation was approved by Malay leadership. Often even Orang Asal political leaders had learned to switch up in an attempt to promote economic endeavors. In Peninsular Malaysia, the election of the first Orang Asli parliament member, Ramli Mohd Nor was bittersweet. Appointed as a member of [2]UMNO, Ramli in his own words expressed that *Barisan National* was the only coalition party that had offered a seat for an Orang Asli candidate in the 2018 general election (Bernama, 2022). [3]JAKOA, the Malay-led department for indigenous affairs in Peninsular Malaysia has also been formally recognized by the state for any representations of Orang Asli concerns and development. Various members of JAKOA that were Orang Asli eventually branched out in attempts to form more independent and indigenous-led organizations in the 1990s (Nicholas, 2002). JAKOA itself, however, limited progress as Orang Asli was not leading it.

The Orang Asal Fight Back Through Political Tactics

The Orang Asal began mobilizing for political representation by seeking unity. [4]The Indigenous Peoples Network of Malaysia (abbreviated as JOAS from *Jaringan Orang Asal SeMalaysia*) established in 1992 by Orang Asal organizers now boasts an "umbrella network for

[2] Mentioned in the background, UMNO is a Malay led party, the Malay United Malays National Organisation that is part of Barisan National. BN is a right-wing political coalition, with historical allegations of corruption (Britannica 2023a).
[3] Also mentioned in the background, JAKOA is the Department of Orang Asli Development and the official state representative organization of the Orang Asli (Means 1986, p. 644).
[4] JOAS is a part of the Asian Indigenous Peoples Pact. Some member organizations of JOAS as found on their blogpost are Borneo Research Institute, Center for Orang Asli Concerns, and Sarawak Dayak Iban Association (Jaringan Orang Asal SeMalaysia, 2012).

21 community-based non-governmental organizations that have indigenous peoples' issues as the focus" according to their blog post. Particularly in Peninsular Malaysia, *Parti Orang Asli*, an Orang Asli Political Party has yet to be recognized even though Orang Asli have been mobilizing since the 1990s for their own party (Dennison, 2007). Led by Shafie Apdal, the Warsian Party in Sabah garnered much indigenous support leading up to the 2018 general election. However, coastal Orang Asal in Sabah has expressed their fears of exclusion from elected politicians choosing to switch political parties for economic opportunities or endorsing policies from the government that discriminated against maritime community members (Somiah, 2022, p.95). The concerns of exclusivity and political betrayal expressed by the coastal Orang Asal of Sabah is not an exception and exists throughout Malaysia.

Orang Asli also established other formal organizations as well with the purpose of mobilizing political action and having a forum for indigenous community members to go to. The Peninsular Malaysia Orang Asli Association (abbreviated as POASM from *Persatuan Orang Asli Semenanjung Malaysia*), was the first of an Orang-Asli-led political organization established in 1976. Even with Orang Asli community members' concerns regarding differences between ethnic groups, a whopping 15,000 members were part of POASM two decades later. In 1998, POASM formalized political participation by joining JOAS (Nicholas, 2002). Most organizations, however, are based in each federal state such as the Indigenous People's Network of Kelantan but within Peninsular Malaysia due to the spread of Indigenous peoples, the Orang Asli Association of Peninsula Malaysia has come to be the most dominant grassroots organization. Non-governmental organizations such as the Borneo Project, for example, have provided training and funding to Orang Asal activists for projects such as community mapping (The Borneo Project, 2016).

Some Orang Asals supported court litigation as a tactic of trying to work within the state system in contrast to demonstrations that have been met with state force and surveillance. Due to the threat of losing indigenous territories and resources to the state, Orang Asal activists and allies strategized around the increased need for indigenous autonomy arose as a response. In an overview on indigenous organizing in Peninsular Malaysia, Nicholas identified that the Orang Asli were spread out united over land rights and thus mobilized around the easily identifiable and universally experienced issue (Nicholas, 2010). One of the methods includes a judicial recognition of customary law as common law as explored previously. The *Adong Kuwau* case (1997) in particular was a landmark win for the Orang Asli as it established native title for the first time (Bulan, 2007). Another tactic in the courts aims to rectify any government breaching of an already existing statute. A case that acts as a precedent is *Amit bin Salleh* where the High Court ruled in favor of the" plaintiffs seeking compensation for loss of customary land rights" (Aiken and Leigh, 2011b, p.851). Indigenous communities have sued respective states over plans to demolish their homes and in winning land rights through the courts, power is given directly to the Orang Asal community rather than the state and JAKOA.

Adapting to State Censorship through Evasion

The government has attempted to suppress indigenous social media action on various occasions throughout the years. The censorship laws in Malaysia have contributed to efforts taken by Orang Asal activists to evade prosecution from the state through digital platform changes. In 2008, the government cracked down on Orang Asli bloggers under charges of subversion that breached Malaysia's Internal Security Act (Heikkilä and Williams-Hunt, 2016). Malaysian indigenous resistance media – such as blogs and nongovernmental internet news portals – were surveilled for anti-government and anti-state content. The Prime Minister at the

time of the crackdown that began in 2006, Abdullah Ahmad Badawi, had incited the 1988 Broadcasting Act, The Official Secrets Act, and the Sedition Act for the censorship of any spreading of “untruths and slander" on the internet (Freedom House, 2007). The Sedition Act – which was initially imposed under British rule – now bans any expression that disrespects the government and the Malay royalty (Article 19, 2003). Even an anti-censorship act, the 1998 Communications and Multimedia Act – which guarantees the protection of internet freedom of expression – was violated by Prime Minister Badawi as well the former Prime Minister Mahathir and the latter Prime Minister Najib Razak. The Malaysian government’s history shows a pattern of online media surveillance adapted regardless of changing administrations.

Beginning in the late 2000s, blogging was highly popular within the Orang Asli in particular. Heikkilä and Williams-Hunt identified that individuals navigated forums with pseudonyms and forums were designed in Malay rather than English. Both factors were uniquely significant for the Orang Asli to create an expanding network of internal grassroots power intentionally critical of government and international human rights news from their perspective (Heikkilä and Williams-Hunt, 2016, p.447). Often referred to by the acronym MCMC, the Malaysian Communications and Multimedia Commission investigates users online, and thus has played a role in preventing the freedom of expression in the nation. As new apps such as Facebook, Instagram, and Twitter became popular with the Orang Asal in general, frequency of blogposts dropped especially after government crackdown on media censorship in 2008. However, the posts on the new platforms have also become subject to censorship leading users to fear being charged with the Sedition Act for their content. Hence, Orang Asal activists have refrained from posting or being involved online.

Digital journalism has expanded beyond formally recognized reporters and journalists to avid writers and more local journalists in the Orang Asal sphere of [5]news. In particular, portals meant to encourage dialogue have become the key to building solidarity among the Orang Asal and also between the Orang Asal and allies inside and beyond Malaysia. In 2013, the Asia Indigenous Peoples Pact set up Indigenous Voices in Asia (IVAN) as an online platform publicized for critical discussions by, "indigenous rights activists, indigenous media professionals and non-indigenous media professionals in Asia who support the aim of the network" (Asia Indigenous Peoples Pact Foundation, 2020). In comparison, the non-governmental organizations of Jaringan Orang Asal SeMalaysia focused on training people in the production of media, such as articles and videos, which was a strategized move towards maximizing digital tools. Whilst the 1998 Communications and Multimedia Act and the 1948 Seditions Act have been used to shut down sites of allegedly anti-Malaysian content, not every online post made by activists can be caught, leaving behind what is visible online.

Digitizing Local Activism Brings Allies and International Support

Non-indigenous Malaysians and international activists became invested as allies from efforts by the Orang Asal to advocate for their own representations. Local protests and demonstrations received attention from non-indigenous Malaysians and eventually led to youth-led efforts to increase awareness on social media platforms. The rise in indigenous cultural production such as art and written publications, while mostly internal also allowed for the Orang Asal to reel in allies. Research in the case study revealed various paper publications of Orang Asal community work often posted online. One of those examples was a 2021 tweet by activist Wendi Sia who is involved with Gerimis Art Project.

[5] Examples of digital journalism include the Sarawak Report website, Malaysiakini, publications by the Centre for Orang Asal Concerns, and in more recent years MISI Solidariti.

Figure 5

A newspaper clipping of zine publications posted on Twitter.

Note. The image captures printed copy of the newspaper article, originally titled "Where community Spirits Matter," Archived online as "Here are great stories about Orang Asli culture to add to your bookshelf," by The Star (https://www.thestar.com.my/lifestyle/culture/2021/06/27/a-collaborative-archiving-project-to-keep-indigenous-stories-and-memories-alive). From *Twitter*, by @wendiwentress, 27 June 2021, (https://twitter.com/wendiwentress/status/1409112719224033280). Copyright 2021 by @wendiwentress.

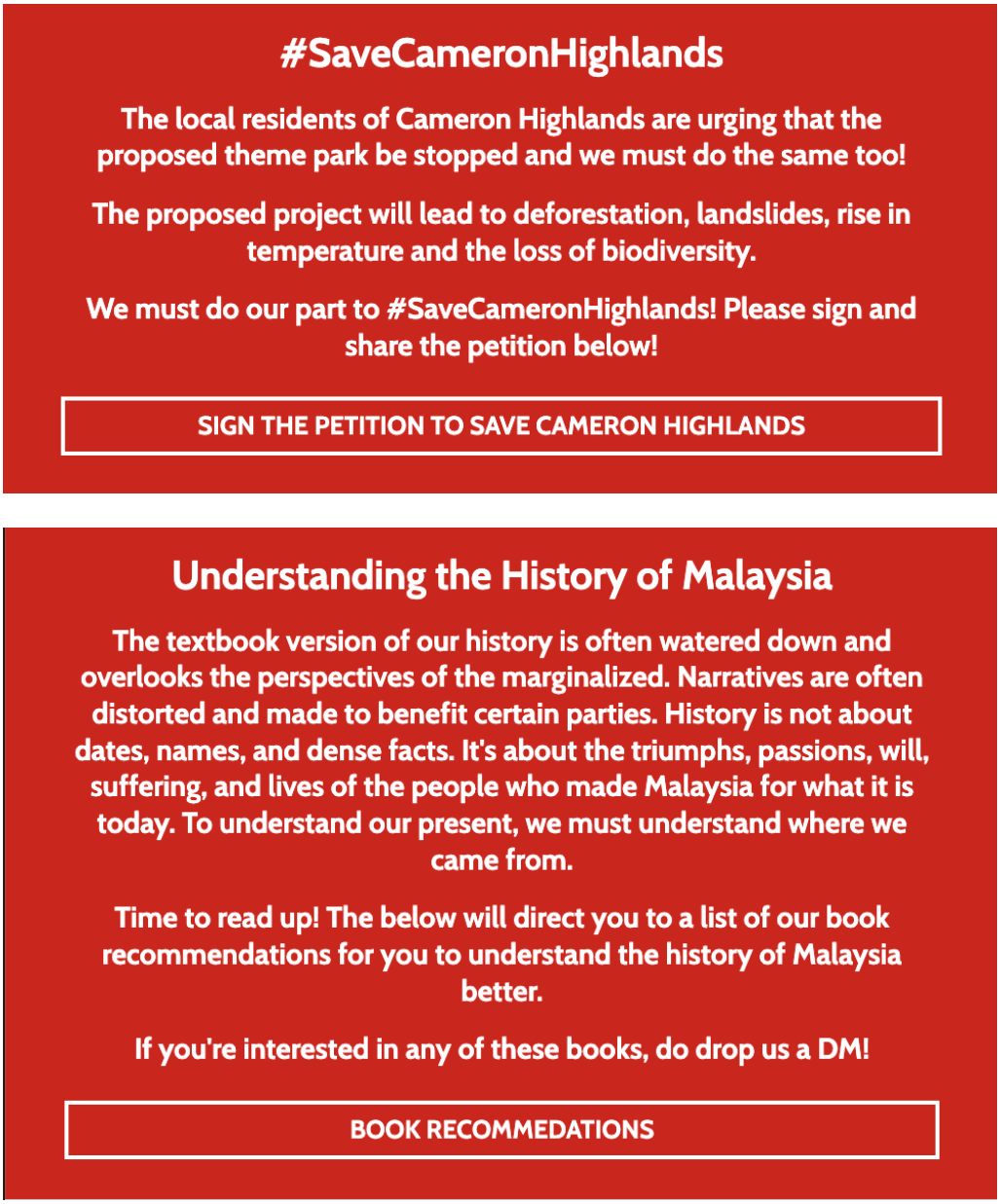
The tweet stands as an example of indigenous activism aimed to preserve cultural identity that garnered support from allies, both local and international as captured by the accounts that retweeted the post. Even personally as a Malaysian within the diaspora, I had witnessed tweets

like Wendi's as well as many others. Cultural representation within the communities publicized the need to advocate for change to outside allies as well.

After years of traditional activist tactics such as publishing and demonstrations, the Orang Asal brought activism online due to state plans to continue demolition even with international disapproval of the government's actions. Youth especially harnessed social media such as Facebook and Myspace in the 2000s and in recent years have mobilized across Instagram and Twitter as well. Hashtags such as *#JagaHakOrangAsli* (Protect Orang Asli Rights), *#KembalikanTanahAdat* (Return Customary Lands), and even *#KitaJagaKita* (We Take Care of Us) – a general term – have been used to propel awareness of indigenous reclamation and recognition. MISI Solidariti is an example of an online forum created by youth that focuses on direct action and intersectionality. Some resources they provide are ways to help the Orang Asal in their fight against demolition and opportunities to relearn history and unpack hegemonic disillusion.

Figure 6

Screenshots of Resources from the Webpage of MISI Solidariti



Note: From *Resources*, by MISI: Solidariti, 2022. (https://msolidariti.carrd.co/#resources)

The youth base is powering the movement with book recommendations of accurate records of history, to petitions that are meant for parliament. Like many other local collective organizations, MISI Solidariti also uses international standards for human rights to increase awareness of

indigenous violations in Malaysia through their webpage as well as their social media accounts on platforms like Twitter.

Indigenous activists in Malaysia, like Indigenous activists elsewhere, have turned to Twitter as a powerful platform to promote individual action. A recurring indigenous tweeter (see Figure 7) from the case study, Shaq Koyók, is a "Malaysian contemporary Indigenous Temuan activist, artist, and traveler" according to his profile (Koyók 2022). One of his tweets asks for the reader of the tweet to sign a petition on the halting of a mining project in Pos Lanai, a town where Orang Asli had maintained their livelihood for generations.

Figure 7

Tweet Sharing a Petition to Stop a Development Project

Note: Tweet Translated as "KeTSA Minister, MB Pahang: Save Post Lanai Natives from Lanthanide Mining! - Sign the Petition!" From *Twitter*, by @ShaqKoyok, 3 July 2021, (https://twitter.com/ShaqKoyok/status/1411366544286785540) Copyright 2021 by @ ShaqKoyok.

Many tweets by local Indigenous activists are then often retweeted by allies or their links will be reposted by other users. The vast majority of tweets also include a show of solidarity. Along with solidarity there is often discussion such as back and forth conversations under the initial Twitter threads as well. Hashtags by themselves are a significant part of tweets. [6]Some hashtags are more general labels such as #orangasli or #Indigenous that simply show association of the tweet with Malaysian indigenous struggles or pan-indigenous collectivity. Others hashtags are more label-based such as #poslanai, an Orang Asli town where the state pushed for mining or #KLNFR, the demolition of the Kuala Langat National Forest Reserve for a development project.

Land Back Movement Reaches Malaysia

Orang Asal activism eventually came to be inspired by indigenous movements happening globally as well. The language for land rights found within the indigenous achievements in North America and Aboriginal Australia not only was used in court citings by the state but also by online users (Bulan, 2007). Other mobilizations in the Global South also contribute to pan-indigenous inspiration. The 2022 anti-Bolsonaro protests in Brazil, indigenous resistance against the former President of Brazil, is an example of the unity of indigenous peoples regardless of varying ethnic groups over land rights such as the protection of the Amazonian rainforests (I-D Staff, 2022). However, the Orang Asal activists likely drew inspiration from the first peoples' online activism in Canada with the #LandBack movement. The term "Landback" used online can be traced back to the indigenous reclamation movement in Canada and as the slogan directly suggests, asks for the stolen indigenous land back as the first economic step towards indigenous reparations. The term was coined in 2018 in an Instagram post by a member of the Kainai Tribe

[6] General Orang Asal tweets with hashtags such as #Indigenouspeoples have pro-indigenous denotations and connection to pan-indigenous movements. Contents of the case study for this thesis also aligned with this observation.

of the Blackfeet Confederacy of Canada, Arnell Tailfeathers, who was a memer responding to the mass mobilization of Indigenous demands from the Canadian government. “LandBack” quickly became a reproduced tagline on posters, beadwork, clothing, artwork, and other physical means of expression (Bender, 2022). Inscribed in the LandBack manifesto drafted in 2020, the aspiration of the LandBack movement is the uplifting of Indigenous communities. The promotion of indigenous culture is outlined in the manifesto through long-term demands from the state such as the education of their respective languages, sustainable housing, engagement in traditional livelihoods of farming and hunting as well as secure access to clean water. Indigenous activists began circulating the Canadian label as a hashtag on Instagram, TikTok, Twitter, and other platforms, which then gained recognition among other indigenous movements in other countries. Multiple slogans stemmed from the LandBack movement as it traverses throughout the Americas, from more location-based tags such as #NoDAPL or [7]#StopthePipelines, but the most crucial slogan was perhaps #ReturnIndigenousLands, another saying that now existed online as a coined hashtag as well. Presenting as a demand for the government in many of the tweets tagged with #landback, the slogan took off globally and contributed to the continued empowerment of a pan-indigenous identity. The political ask to #ReturnIndigenousLands resonated across languages and nations to most indigenous peoples including the Orang Asal. -

Certain features of social media enable evading censorship. One-way online users have dodged censorship is by using infographics, allowing for political communication to fly under the radar. According to Baldy, Twitter enabled the indigenous movement in North America to expand local discourse into international news. Scholars such as Barker and Tupper identifying the “significance of Twitter as a novel mechanism for communicating Indigenous issues and

[7] #StopthePipelines has been used in conjunction with various pipeline projects such as the Keystone XL, Enbridge’s Line 3 Replacement, Coastal GasLink and Transmountain Expansion (Howlett, 2021).

engaging in protest," also supports Baldy's case study of the #NoDAPL movement (Popham and VanEvery, 156). The microblogging approach of Twitter expressed through tools such as retweeting and quote tweeting has benefitted the Orang Asal activists as well. Day-to-day average activists and non-leaders have engaged in communication and networking over Orang Asal rights through retweeting and quote-tweeting which spreads awareness on topics such as degazettement that the state has a history of censoring through avoiding releasing the news at all.

In Malaysia, the LandBack movement uses the exemplar of #ReturnIndigenousLand in their demands for a return of customary land: #KembalikanTanahAdat. In a nation following the common law system, customary land law is applicable and is affirmed in judicial developments especially moving beyond the 1990s. Unfortunately, with the Aboriginal Peoples' Act's precedent used to exempt the Orang Asal from other protections regarding land taken by the government; acts such as the National Forestry Act or the National Land Code, for example, do not have any effect on the customary land of the Orang Asal as backed up by the Aboriginal peoples' Act. The Orang Asal and specifically the Orang Asli of Peninsular Malaysia live rather as tenants of their own land due to the state's view of their customary land as state property, a property that the state has access to based on the laws passed for land in general that have drastic implications for customary, indigenous land.

The turn to the courts, while always an effort, reached a breakthrough in 2019. With the strategic move towards using customary land laws Orang Asli communities sued their states over plans to demolish their homes. #ReturnCustomaryLand, customary understood as indigenous due to the turn to the courts' strategy, in prompt rise on Malaysian social media, as defined by the Malay translation of the idea is seen most visibly in May 2021 and onwards. While the oldest tweet on the platform present at the time of extraction in October 2022, is from 2014, tweets

tagged with #KembalikanTanahAdat picked up pace after May 2021. However, due to the similarities in language with Indonesian, the tweets pertaining to Malaysia actually begin in May 2021.

Arriving at the Analysis of Data: #KembalikanTanahAdat

Within an activist toolkit, various formats exist. One crucial tool in the Orang Asal struggle is mapping. Mapping is especially significant since the government still partakes in demolishing Orang Asal homes, often without consent from community members themselves. After all, "maps have the power to include and exclude people and places (Aiken and Leigh, 2011a). While attempts to map the loss of Orang Asli land are visible, they are not as accurate. Carrd.co, a simple and one-page platform often with linked tabs, is a tool built in 2017 that popularized within the summer of 2020 when political change became more globalized than ever. Another tool is infographics, as they provide the ability to mimic real life posters and offer streamlined information and change-inducing tasks for the average individual who might not have the time to research a cause.

For activists, infographics had the benefit of being able to evade censorship machinery instated by a state government as they often are an image – such as a png or a jpg – without alternative text [8](alt-text). The lack alt-text also means that a digital analysis that could capture all the words of f hashtags or words from a Twitter search would miss the content of these images. Significantly low amounts of alt-text within many of the images throughout the tweets from the data sample as well as in other tweets relating to the Orang Asal, then also

[8] A digital accessibility page by Harvard defines alt-text as a tool, "meant to convey the "why" of the image as it relates to the content of a document or webpage. It is read aloud to users by screen reader software, and it is indexed by search engines. It also displays on the page if the image fails to load, as in this example of a missing image" (Harvard University, 2023).

becomes much more significant. Higher use of infographics by online users holds promise for evading censorship laws as the words on these images still communicated information on actions individuals could take.

In this sample about 31.8% of tweets have images through the actual tweeter, the quote tweet or the link they attached. Within these images, a supermajority of 78.7% of them were able to depict a message beyond the words of the tweet itself as they included words in the image. While social media as a whole offers various platforms, twitter as a platform necessitates different tools than other platforms would. Tools such as infographics, or carrd.co's work particularly well but the biggest tool is the use of the hashtag. These tools could also be used simultaneously within one tweet or thread as well.

Within the sample of 192 tweets, multiple variables were cataloged in the data collection. Variables included factors such as type of individual or collective account, frequency of accounts, dialogue, language, and purpose of the tweet. Categorized features of the tweet included visual media and links attached, people mentioned using the tagging feature, as well as interaction features such as the quote tweet and thread continuation. Numerical comparisons across these variables concluded these findings. The attempt to understand the perspectives and impacts of discourse regarding the land back movement in Malaysia showed surprising results. As a reminder - the data was extracted during the months of October until December of 2022, and this data set includes all tweets at the final point of extraction under the hashtag.

Categorizations of accounts fell into individuals and collective owned accounts. Within the collective owned accounts, I checked distinctions for international non-governmental organizations, and local non-governmental organizations. A vast majority, 80.7% of the tweets came from individuals. The most frequent hashtag user was an individual who accounted for 31

tweets; 20% of all individual tweets came from user @climateaidil, who stands out as an active and recognized user on the platform for many involved in the Orang Asal movement. While @climateaidil's identity to the movement seems to be of allyship, the user who comes second in frequency of the hashtag, @ShaqKoyok, is indigenous.

Within collective owned accounts only 1 account was identifiable as an international NGO, leading 97.3% of the category to be local NGOs. Out of the local NGO category though, 75% of them were from the account @OrangAsal, leaving a supermajority of 73% of all collective owned accounts to be by @OrangAsal. This account does not have any organization or person mentioned in its bio but rather exists as a news source and a toolkit of all things Orang Asal on Malaysian Twitter. A remarkable phenomenon, the use of an identity-based account name by a collective of activists coming together to run an account, is fairly recent. One of the most successful examples of collective youth activism in this manner is the account on Instagram by the user handle of @muslim. Created and conceptualized by now 23-year-old Ameer Al-Khatahtbeh in his college years, the account grew from his phone to a collective of youth activists running the account (Saad, 2021). Just as @muslim reflects content made for Muslims, @OrangAsal on twitter reflects content made for Orang Asal members first, allies second.

Figure 8

Comparison Table of Tweet Formalities by Number

	@climateaidil	Rest of individuals	@OrangAsal	Rest of Local NGO	International NGO
Formal	32	23	8	18	1
Informal	36	6	1	8	0
None	56	2	0	1	0

Note. The table demonstrates how many tweets by each type of account on the header row were formal or informal. Formality was by diction and syntax, as any expletives used automatically determined the informality of a tweet. Header row names with "@" each reflect one user account.

Dialogue was categorized by the diction and syntax, punctuation and capitalization and any markers of insults from the body of the tweet in an attempt to determine formality levels. The punctuation and capitalization oftentimes did not impact the understanding of the tweet and due to the increasing nature of foregoing these attributes on twitter especially by youth, when seen fit a tweet was categorized as formal even if it lacked a period or a capital letter. The other reasoning for why punctuation was not prioritized as much as diction and syntax in determining formality was due to the 140-character limit on the platform. It is a popular tactic with familiar tweeters to avoid punctuation unless absolutely necessary in order to express their full thoughts.

Names used whether in hashtags or in the general body of a tweet go beyond individual names to location names as well as the labels used for the indigenous peoples of Malaysia with variations from, "Orang Asal " to the acronym "OA" . Having pointed that out, most tweets by all collective owned accounts followed formality in language, however punctuation was not standard. @OrangAsal stood to be mostly formal in language, with variation in punctuation as oftentimes the account used the feature of twitter to tag people thus breaking up proper punctuation. Most individual tweets were formal in language but in that category, tweets

following standard punctuation and capitalization were mostly held by celebrities with follower counts that reflected a platform more interacted with than that of the average Malaysian citizen. The one exception to this rule was @climateaidil, whose tweets reflected lack of capitalization across the board but still was formal overall as a tweet. Individual accounts tweeted informal tweets only a little more than formal ones, evidencing that there was not much of a difference. Organizational accounts from the sample include but are not limited to My Hutan, Hakan Youth, Australian Religious Response to Climate Change, and MISI Solidariti. Some state-recognized Orang Asli accounts with an online presence include the Kadazan Dusun Cultural Association, POASM (the Orang Asli Association of Peninsula Malaysia), Dayak Cultural Association, and Indigenous People's Network of Kelantan, while they did not show under this hashtag. About 42.7% of the tweets are formal, and about 26.6% reflect informal language. That leaves behind 30.7% of tweets that have no ability to determine formality as they only had hashtags. It is significant to note here that 95% of only hash tagged tweets are from individual users, meaning that most individual users are passive. They spread information and express their support to Orang Asal discourse on land rights even if they do not actively engage in the discourse.

A majority of the sample data that showcase non-standard punctuation align with the majority that are from individuals. These tweets depict attributes such as a lack of capitalization, excessive use of exclamation marks or question marks, and lack of periods. Reasons for these non-standard punctuations include an expression of anger and disbelief, swapping characters to fly under the radar of censorship, and a minimizing words into shorter keywords to add more content with the 140-character limitations of Twitter. The imperative of the tweets by individuals, except for the platformed individuals – identified as user @climateaidil and user @ushardaniele – all did not have a tangible individual task as the organizational tweets did.

By a tangible individual ask, I allocate the definition to actions such as signing a petition, contacting a politician, attending a protest or donating to a mutual aid fund. Regardless of whether they were expressive of an ancestral indigenous connection or of allyship through the language of solidarity, the tweets were anecdotal and thus personal at their core. Due to the inability to fully validify anecdotal accounts of historical events as factual, the higher rates of interactions as calculated through the number of likes, retweets or quote tweets alongside the organizational tweets might also be explained.

Linguistics over time of the data reflects the global change in digital activism, with almost every tweet. The unfortunate nature of twitter, censorship and time of data extraction have led to the unique time chamber of these tweets from May 2021 till present day. Still, the fact that their presence begins in 2021 and continues, shows promise that Orang Asal momentum aligns with an increased presence of activism online meant to engage Malaysians from homeland to the diaspora. An effort to open up the discourse on the indigenous land back movement in Malaysia towards a connection globally could be understood as the reasoning behind the use of English in these tweets. However, the use of the hashtag, a Malay slogan used frequently by Orang Asal activists, as well as the use of the word “adat”, customary, still centralizes these tweets back to Malaysia, towards an audience and community online of people most aligned with the intersection of Malaysian politics and indigenous land rights. Language of the body of the tweet was taken with the exception of the hashtag language as the language of the hashtags on each tweet was also cataloged. With 41.1% of the tweets fully in English, about half that amount, 21.4% of the tweets were in Malay. Around 10% of the tweets included both languages and about 30.7% had no language on the tweet (the hashtag only tweets). Out of all the tweets, since all of them had at least the one #KembalikanTanahAdat hashtag each, a supermajority of 91.7%

of all tweets only had Malay hashtags, leaving behind only 8.3% of the tweets to have hashtags in both English and Malay. With the highest number of tweets posted in English and the highest number of tweets tagged with a hashtag in only Malay, there seems to be no change in using the lingua franca for tagging the tweets. However, actual content itself holds its dominance in discourse in English.

All tweets signified a spreading of awareness and allyship to the movement of Orang Asal landback. Some purposes identified were imperative such as the individual asking for an action like signing a petition or attending a protest, or a more general and vague depiction of allyship through the use of the hashtag. About 87.5% of all the tweets were passive, meaning that only 12.5% of the tweets had an individual ask the viewer of the tweet. Due to the nature of the movement, 76.6% of all tweets had a negative connotation as they tagged information that spoke of the current injustices still faced by Orang Asal. About 11.5% of the rest were positive, often celebrating Orang Asal wins and cultural heritage. The platform's means of sharing all relate back to learning about the unrightful land rights events happening in Malaysia as well as a relocation of the lost history of the Orang Asal.

Twitter's features allow for an understanding of intercommunications work. Reposting on Twitter, a sharing rather than personal anecdotes or personal research, occurs through methods such as retweeting, quote tweeting, reposting of images produced by a different account, or even direct links of articles or carrd.co's attached to a tweet to say the least. Within this hashtag sample, 29.2% of the tweets were responses meaning someone replied under a thread or responded with a quote tweet. Overall, 37.5% of all tweets were quote tweets. About 12% of the sample were tweets that were a part of a continuing thread by accounts; familiarized with users such as @OrangAsal and @climateaidil to have their entire thread filled with information pop up

under the hashtag. Another ability of twitter, also as a social media platform is the ability to share links and approximately 10% of all tweets has a link attachment. Types of links varied from news articles, op-eds, petitions, websites built for a specific issue, and anecdotal media such as fictional stories, grassroots podcast episodes, Facebook posts, and even a YouTube profile in one tweet. Most popular however were news articles, often tweeted with the hashtag to promote the often-buried Orang Asal news.

Considering the mass of activity within the past year and a half, specific tweets share similarities based on locations. Specifically, certain tweets share categorization due to the use of #KembalikanTanahAdat due to events happening in Malaysia to the Orang Asal community. Some clumps from the data set point to events such as logging activity in Pos Lanai, deforestation in Cameron Highlands, damages to the environment by lake Tasik Chini due to mining, and the degazettement of the Kuala Langat North Forest Reserve (KLNFR) for a developmental project by the state. Most significantly, the KLNFR campaign found in the tagged tweets, had real-life implications that evidenced the thinning boundaries between digital action and legal accountability. A campaign, with a strategic focus on debunking government narrative and justification, yet connected to the realities of so many other events that pertaining to customary indigenous loss, might not have stopped the degazettement itself but succeeded in spurring movement online and in real life to the point of pressuring Selangor government to respond at all (Liu, 2022).

The power balance in discourse shows up more through a historical analysis of the data rather than an everyday interaction with the platform and the hashtag. However, addressing these specific users is necessary as they stand in a unique position of being understood as often a more valid ally or as a person with revered acceptance in regards to the topic of Indigenous land rights

for the audience of Malaysians, indigenous allies, or both. In social media comprehension, verification is often considered an attribute of validity due to the power of an individualized popular platform. The most interacted with individual user from the data set @climateaidil also stands out to be an anomaly – can also stand to be a case study of the successful use of digital activism – who does not fall under the categorization outlined above and this stands to be an individual tweeting with the use of formal language. The user is also most interacted with along the other tweets in the sample data in the form of quote tweets, evidencing that their platform has power in comparison to the other individual accounts. @climateaidil's platform shows promise of an intentional decision in the use of formal language, repeated retweeting of international actors, local news articles, and the utilization of a cardd.co – in his case, providing a list of links pertaining to the cause of Orang Asal land protection – that gives their account validity as a reputable activist and justifiable opinions among other active Malaysians in the intersection of indigenous rights and land back.

To conclude the findings, the hashtag provided for a safe space of pro-landback and pro-Orang Asal discourse. While the hashtag was Malay, due to the general nature, it was more likely that the discourse produced was also welcomed for non-Malay speaking people as well with about 69.17% of all tweets with a body including English. About 30% of the tweets only having hashtags also evidence the possessive nature of most tweeters, which shows engagement was possible even without the commitment of being an organizer like Temian user @ShaqKoyok. Lance Bennet's theorizations of personal action frames seem to be proved with this overarching passive tweet amount. Language of the Palestine movement was found in various tweets, from map comparisons to the use of "Zionist" as insults, which also shows the overlapping of different social issues and the ability for personal action frames to contribute to a

collective action frame of #KembalikanTanahAdat. Some tweets also expressed personal through from youth that identified the recognition of U.S. indigenous movements as a catalyst for the need for Orang Asal recognition within Malaysia as well.

Conclusions

Self-determination for the Orang Asal of Malaysia proves to be complicated even moving forward. The diversity of the indigenous peoples within Peninsular and East Malaysia has been solidified within law and judicial rulings historically which will impact online dialogue as well. However, the push for the umbrella term of *Orang Asal* has risen with increased grassroots movements within Malaysia (Idrus, 2022). Personally, I grew up only hearing the term Orang Asli. Having only lived in states in Peninsular Malaysia – Penang, Kedah, and Johor – Orang Asal was a term I heard until I began engaging with social media as a teenager. The role of the state in interfering with the education system contributed to fatal consequences for undermining self-determination as well. Consequences included the furthering narratives of modernization that dismiss the Orang Asal, promoting *Bumiputera* benefits towards Malays exclusively, and fostering sponsored texts for the public in legal institutions and for schools that attribute birthright claims to the Malays.

Recent developments show the threat of minimizing the indigenous struggle for recognition of Orang Asal land. Particularly within Peninsular Malaysia, the state possessions of Orang Asli lands have been exposed for development projects that actively bring harm to the lived indigenous communities while profits remain hidden. With the unfortunate history of Malaysian Prime Ministers actively engaging in controversial actions aimed to censor content regarding race and religion, censorship has negatively influenced information on land gazettement and indigenous resistance. Religious influence protected by the constitution and the state has also impacted the freedom of expression and thus the type of content that was targeted for censorship. Gaps in the social media research that reflected the periodic censorship

crackdowns in Malaysia also further explain the active role of the state in affairs regarding the recognition of customary land rights.

Indigenous struggles, while impacting location-based communities, have a resounding global community and thus increasing the unique identity of pan-indigeneity. The land back movement places Malaysia along with other indigenous peoples around the world. The pan-indigeneity of the call to return indigenous lands was a call too familiar to the Orang Asli of Malaysia and with the global movement towards networking through social media, Orang Asal have transferred their indigenous resistance onto various platforms including Twitter. Hashtag ethnography was foundational to the analysis made in this study due to Twitter research but the development of social media and thus indigenous action in a digital world will hopefully increase the methods of virtual spatial tracing for the betterment of society.

Orang Asal mobilization has transformed over the years and this paper only focused on the convergence of land rights and social media that contributed to the work toward a space for indigenous self-determination. Indigenous peoples have always adapted to state oppression. In Malaysia, this has meant turning to the courts for the recognition of customary land rights to combat demolition projects exploiting the historical lack of mapping or turning to a different online platform for local journalism to seek an accurate representation of Orang Asal realities. Sometimes it is even intentional anonymity through the use of Malay to evade digital surveillance by the state. More documentation of efforts made by the Orang Asal for self-determination will further the cause of indigenous reclamation and resistance. While limitations existed even within the research for this paper and will exist moving forward, Orang Asal survivance will continue; *#KembalikanTanahAdat* is one of many of the efforts. As scholars of indigenous resistance or Malaysian history, supporting mobilization efforts and furthering

studies of Malaysian indigenous history as well as supporting indigenous scholars and activists is a torch to carry on.

References

Adelaar, K. A. (2000). MALAY: A SHORT HISTORY. *Oriente Moderno, 19 (80)*(2), 225–242. http://www.jstor.org/stable/25817713

Aiken, S. R., & Leigh, C. H. (2011). In The Way Of Development: Indigenous Land-Rights Issues In Malaysia. *Geographical Review*, 101(4), 471–496. http://www.jstor.org/stable/23208635

Aiken, S., & Leigh, C. (2011). Seeking Redress in the Courts: Indigenous Land Rights and Judicial Decisions in Malaysia. *Modern Asian Studies, 45* (4), 825-875. doi:10.1017/S0026749X10000272

Article 19. (2003, July). *Memorandum on the Malaysian Sedition Act 1948*. Refworld. https://www.refworld.org/pdfid/4754187fd.pdf

Asia Indigenous Peoples Pact Foundation. (2020, March 4). *Indigenous Voice In Asia Network (IVAN)*. Asia Indigenous Peoples Pact. https://aippnet.org/indigenous-voice-in-asia-network-ivan/

Bakar. (1991). Foreign documents and the descriptions of Melaka between A.D. 1505-1511. In *UNESCO* [PDF]. Malacca Seminar, Melaka, Malaysia. https://en.unesco.org/silkroad/knowledge-bank/foreign-documents-and-descriptions-melaka-between-ad-1505-1511

Baldy, C. R. (2021). Radical Relationality in the Native Twitterverse: Indigenous Women, Indigenous Feminisms, and (Re)writing/(Re)righting Resistance on #NativeTwitter. In B. Carlson & J. Berglund (Eds.), *Indigenous Peoples Rise Up: The Global Ascendency of Social Media Activism* (pp. 125–139). Rutgers University Press. https://doi.org/10.2307/j.ctv2v55gwx.11

Belotti, F., Comunello, F., & Corradi, C. (2020). Feminicidio and #NiUna Menos: An Analysis of Twitter Conversations During the First 3 Years of the Argentinean Movement. Violence Against Women. https://doi.org/10.1177/1077801220921947

Bender, A. (2022, January 21). *The LandBack movement is decolonizing Indigenous land across the Americas*. People's World. https://www.peoplesworld.org/article/the-landback-movement-is-decolonizing-indigenous-land-across-the-americas/

Bennett, W. L. (2012). The Personalization of Politics: Political Identity, Social Media, and Changing Patterns of Participation. *The ANNALS of the American Academy of Political and Social Science*, 644(1), 20–39. https://doi.org/10.1177/0002716212451428

Bennet, W,L. & Segerberg, A. The Logic of Connective Action: Digital media and the personalization of contentious politics. Information, Communication & Society, 15 (5), 739–68.

Bernama. (2022, October 14). *Only BN gave Orang Asli chance to contest in last election: Ramli Nor*. The Vibes. https://www.thevibes.com/articles/news/74248/only-bn-gave-orang-asli-chance-to-contest-in-last-election-ramli-nor

Bonilla, Y. and Rosa, J. (2015), #Ferguson: Digital protest, hashtag ethnography, and the racial politics of social media in the United States. American Ethnologist, 42: 4-17. https://doi-org.avoserv2.library.fordham.edu/10.1111/amet.12112

Britannica, T. Editors of Encyclopaedia (2023, January 15). Dato' Onn bin Jaafar. Encyclopedia Britannica. https://www.britannica.com/biography/Dato-Onn-bin-Jaafar

Britannica, T. Editors of Encyclopaedia (2023, January 17). Malay. Encyclopedia Britannica. https://www.britannica.com/topic/Malay-people

Bulan, R. (2007). Native Title in Malaysia: A ‘Complemetary’ *Sui Generis* Proprietary Right Under the Federal Constitution. *Australian Indigenous Law Review*, *11*(1), 54–78. http://www.jstor.org/stable/26422991

Bulan, R. (2010). Indigenous peoples and the right to participate in decision making in Malaysia. In *International Expert Seminar on Indigenous Peoples and the Right to Participate in Decision-Making*. Office of the United Nations High Commissioner for Human Rights. https://www.studocu.com/my/document/multimedia-university/malaysian-legal-history/university-malaya-indigenous-peoples-and-the-right-to-participate-in-decision-making-in-malaysia-ramy-bulan-phd-associate-professor-director-centre-for-malaysian-indigenous-studies-university-of-m/18225375

Central Intelligence Agency. (n.d.). *Physical Southeast Asia*. The World Factbook. https://www.cia.gov/the-world-factbook/static/35ffc797934a80da7d944dfa89624581/southeast_asia_phy.pdf

Dennison, A. (2007). EVOLVING CONCEPTIONS OF NATIVE TITLE IN MALAYSIA AND AUSTRALIA – A CROSS NATION COMPARISON. Australian Indigenous Law Review, 11(1), 79–91. http://www.jstor.org/stable/26422992

Dentan, R. K. (1997). The Persistance of Received Truth: How the Malaysian Ruling Class Constructs the Orang Asli. In 2111834334 1458483054 R. L. Winzeler (Author), *Indigenous peoples and the state: Politics, land, and ethnicity in the Malayan Peninsula and Borneo*. New Haven, CT, Connecticut: Yale Univ. Southeast Asia Studies.

Derichs, C. (2016). A Step Forward: Malaysian Ideas for Political Change. *Journal of Asian and African Studies*. https://doi.org/10.1177/002190960203700103

Edo, J., & Fadzil, K. S. (2016). Folk Beliefs vs. World Religions: A Malaysian Orang Asli Experience. In K. Endicott (Ed.), *Malaysia's Original People: Past, Present and Future of the Orang Asli* (pp. 251–268). NUS Press. https://doi.org/10.2307/j.ctv1qv35n.15

Endicott K. M. (2016). *Malaysia's original people: past present and future of the orang asli*. NUS Press.

Endicott. KM. (1983). The effects of slave raiding on the Aborigines of the Malay Peninsula [Print].In A. Reid (Ed.), *Slavery, Bondage and Dependency in Southeast Asia* (pp. 216–245). University of Queensland Press.

Faruqi, S. S. (2017, November 27). *Malaysian Legal System - An Introduction* (H. Khaleeda, Ed.). University of Malaya Law Review. https://www.umlawreview.com/lex-in-breve/malaysian-legal-system-an-introduction

Freedom House. (2007, May 2). *Freedom of the Press - Malaysia (2007)*. Refworld. https://www.refworld.org/docid/478cd52f28.html

Guntarik, O., & Grieve-Williams, V. (2021). *From Sit-Ins to #revolutions: Media and the Changing Nature of Protests*. Bloomsbury Academic.

Harvard University. (2023). *Write good Alt Text to describe images*. Digital Accessibility. https://accessibility.huit.harvard.edu/describe-content-images

Heikkilä, K., & Williams-Hunt, A. (2016). Spaces of Self-Determination: Divining Contemporary Expressions of Indigeneity from Orang Asli Blogs. In K. Endicott (Ed.), *Malaysia's Original People: Past, Present and Future of the Orang Asli* (pp. 469–492). NUS Press. https://doi.org/10.2307/j.ctv1qv35n.25

Howlett, R. (2021, April 23). *Pipelines in Canada: Keystone XL, Line 3, Coastal Gasline & TMX*. Shake up the Estab. https://www.shakeuptheestab.org/post/pipelines-in-canada-keystone-xl-line-3-coastal-gasline-tmx

Idrus, R. (2022). Competing for the 'Indigenous' Slot: Layered Histories and Positionings in Peninsular Malaysia. *Sojourn: Journal of Social Issues in Southeast Asia*, *37*(1), 58–84. https://www.jstor.org/stable/27120335

IWGIA. (2020, May 11). *Indigenous World 2020: Malaysia*. International Work Group for Indigenous Affairs. https://www.iwgia.org/en/malaysia/3605-iw-2020-malaysia.html

IWGIA. (2022, April 28). *The Indigenous World 2022: Malaysia*. International Work Group for Indigenous Affairs. https://www.iwgia.org/en/malaysia/4653-iw-2022-malaysia.html

I-D Staff. (2022, June 20). *Brazil's Indigenous activists on their fight for the planet's survival* (By Vice Media Group). i-D. https://i-d.vice.com/en/article/3adzz9/brazils-indigenous-activists-on-their-fight-for-the-planets-survival

Jaringan Orang Asal SeMalaysia. (2012). Home. *Jaringan Orang Asal SeMalaysia*. http://orangasal.blogspot.com/

Jegatesen, G. (2019). *The Aboriginal People of Peninsular Malaysia: From the Forest to the Urban Jungle* (1st ed.). Routledge.

Kardooni, R., Kari, F. B., Yahaya, S. R. B., & Yusup, S. H. (2014). Traditional knowledge of Orang Asli on forests in peninsular Malaysia. *Indian Journal of Traditional Knowledge*, 13(2), 283–291.

Kaur, A. (2014). Plantation Systems, Labour Regimes and the State in Malaysia, 1900-2012. *Journal of Agrarian Change*, *14*(2), 190–213. https://doi.org/10.1111/joac.12061

Kratoska, P. H. (1983). “Ends That We Cannot Foresee”: Malay Reservations in British Malaya. *Journal of Southeast Asian Studies*, *14*(1), 149–168. http://www.jstor.org/stable/20174324

Liow, J. (2015, January 4). *Ketuanan Melayu: What’s in a name?* The Straits Times. https://www.straitstimes.com/opinion/ketuanan-melayu-whats-in-a-name

Liu, M. (2022, May 27). What it took to save Kuala Langat North Forest Reserve. Retrieved December 13, 2022, from https://www.macaranga.org/lessons-learned-hutanpergimana-kuala-langat-forest/

Low, C. C. (2017). Report on Citizenship Law: Malaysia and Singapore. In *European University Institute* (RSCAS/GLOBALCIT-CR 2017/3). Global Citizenship Observatory. http://hdl.handle.net/1814/45371

Mahathir bin Mohamad. (2008). *The Malay Dilemma: With a New Preface*. Singapore: Marshall Cavendish Editions.

Malaysia: Country Review. (2023). CountryWatch. http://www.countrywatch.com/intelligence/countryreviews?countryid=107

Malaysian Government. (1963). *Flag of Malaysia*. Wikimedia Commons. https://commons.wikimedia.org/wiki/File:Flag_of_Malaysia.svg

Means, Gordon P. (1986) "The Orang Asli; Aboriginal policies in Malaysia', Pacific Affairs 58: 637 52.

Minority Rights Group. (2021, February 5). *Orang Asli*. https://minorityrights.org/minorities/orang-asli/

Nexus. (2013, May 8). *Government in Malaysia*. Commonwealth of Nations. https://www.commonwealthofnations.org/sectors-malaysia/government/

Nicholas, C. (2002). 5. Organizing Orang Asli Identity. In G. Benjamin & C. Chou (Ed.), *Tribal Communities in the Malay World: Historical, Cultural and Social Perspectives* (pp. 119-136). Singapore: ISEAS Publishing. https://doi.org/10.1355/9789812306104-007

Nicholas, C. (2010, April 2). *Orang Asli Self-Determination and the Control of Resources*. Cultural Survival. https://www.culturalsurvival.org/publications/cultural-survival-quarterly/orang-asli-self-determination-and-control-resources

Noordin, S. M., & Shuaib, F. S. (2009, March/April). *Researching Islamic Law: Malaysian Sources*. GlobaLex. Retrieved September 29, 2022, from https://www.nyulawglobal.org/globalex/Researching_Islamic_Law_Malaysian_Sources.html

Office of International Religious Freedom. (2021). 2020 Report on International Religious Freedom: Malaysia. In *United States Department of State*. United States Department of State. https://www.state.gov/reports/2020-report-on-international-religious-freedom/malaysia/

Part 2: Federal constitution and landmark judicial decisions: Indigenous customary land rights and the modern legal system. (2021, November 8). Sahabat Alam Malaysia. https://foe-malaysia.org/articles/indigenous-customary-land-rights-and-the-modern-legal-system-2/

Part 5: Orang Asli customary land rights in Peninsular Malaysia: Indigenous customary land rights and the modern legal system. (2021, November 29). Sahabat Alam Malaysia. https://foe-malaysia.org/articles/indigenous-customary-land-rights-and-the-modern-legal-system-5/

Popham, James, and VanEvery, Latasha. (2018). *The Annual Review of Interdisciplinary Justice Research*. (Volume 7). Centre for Interdisciplinary Justice Studies. https://www.cijs.ca/_files/ugd/3ac972_83a65f68166f4054b5ee638ee818bb3e.pdf

Rashid, Z. (2020, October 7). One Orang Asli in Parliament just the start, activist says. *The Vibes*. https://www.thevibes.com/articles/news/2209/one-orang-asli-in-parliament-just-the-start-activist-says

Resources. (2022). MISI:SOLIDARITI. https://msolidariti.carrd.co/#resources

Saad, S. K. (2021, April 26). *How the 22-year-old who owns the @Muslim Instagram handle used it to launch a disruptive media company*. Insider. https://www.insider.com/muslim-instagram-video-social-media-publication-founder-ameer-al-khatahtbeh-2021-4

Saifullah, M. K., Masud, M. M., & Kari, F. B. (2021). Vulnerability context and well-being factors of Indigenous community development: a study of Peninsular Malaysia. *AlterNative: An International Journal of Indigenous Peoples*. https://doi.org/10.1177/1177180121995166

Koyók, Shaq [@ShaqKoyok]. (2021, July 3). *Menteri KeTSA, MB Pahang: Selamatkan Orang Asli Pos Lanai daripada Perlombongan Lanthanide! - Sign the Petition!* [Tweet; attached link]. Twitter. https://twitter.com/ShaqKoyok/status/1411366544286785540

Somiah, V. (2022). The Sea is Indigenous ‘Land’ Too: Negotiating Presence and Rights of Indigenous Maritime Communities in Sabah, Malaysia. Sojourn: Journal of Social Issues in Southeast Asia, 37(1), 85–112. https://www.jstor.org/stable/27120336

Statista. (2022, October 5). *Breakdown of population Malaysia 2019-2022, by ethnicity*. https://www.statista.com/statistics/1017372/malaysia-breakdown-of-population-by-ethnicity/

Stewart, B. (2016). Twitter as method: Using Twitter as a tool to conduct research. SAGE Publications Ltd, https://dx.doi.org/10.4135/9781473983847

Subramaniam, Y., & Endicott, K. (2020). Orang Asli Land and Resource Rights in the Malay States, 1874–1939. *Journal of the Malaysian Branch of the Royal Asiatic Society* 93(2), 87-114. doi:10.1353/ras.2020.0033.

Subramaniam, Y. (2016). Orang Asli, Land Rights and the Court Process: A "Native Title" Lawyer's Perspective. In K. Endicott (Ed.), *Malaysia's Original People: Past, Present and Future of the Orang Asli* (pp. 423–446). NUS Press. https://doi.org/10.2307/j.ctv1qv35n.23

Subramaniam, Y., & Edo, J. (2016). Common Law Customary Land Rights as a Catalyst for the Resurgence of Orang Asli Shamanism in Peninsular Malaysia: Some Lessons from the Semai and Temiar Peoples. *Shaman*, *24*(1–2).

SyedHussain, T. P. R. S., Krishnasamy, D. S. K., & Hassan, A. A. G. H. (2017). Distribution and Demography of the Orang Asli in Malaysia. *International Journal of Humanities and Social Science Invention*, *6*(1), 40–45. Retrieved from https://www.ijhssi.org/papers/v6(1)/Version-2/F601024045.pdf

Tan, V. (2020, December 14). Malaysia's indigenous tribes fight for ancestral land and rights in a modern world. *CNA*. https://www.channelnewsasia.com/asia/malaysia-orang-asli-ancestral-land-rights-1317616

The Borneo Project. (2016, May 20). *Our History - The Borneo Project*. The Borneo Project -. https://borneoproject.org/who-we-are/our-history/

Ting, S.-H., & Rose, L. (2014). Ethnic Language Use and Ethnic Identity for Sarawak Indigenous Groups in Malaysia. *Oceanic Linguistics, 53*(1), 92–109. http://www.jstor.org/stable/43286371

Trillò, T. (2018). Performing Feminist Resistance on Twitter: The case of# ParliamoneSabato in the Italian Twittersphere.

U.S. Department of Commerce. (2022, November 23). *Malaysia - Agricultural Sector*. International Trade Administration. https://www.trade.gov/country-commercial-guides/malaysia-agricultural-sector

Vink, M. (2003). "The World's Oldest Trade": Dutch Slavery and Slave Trade in the Indian Ocean in the Seventeenth Century. Journal of World History, 14(2), 131–177. http://www.jstor.org/stable/20079204

Vizenor, G. R. (1999). *Manifest Manners: Narratives on Postindian Survivance*. Univ. of Nebraska Press.

Vlieland, C. A. (1934). The Population of the Malay Peninsula: A Study in Human Migration. *Geographical Review, 24*(1), 61–78. https://doi.org/10.2307/209494

Welsh, B. (2020, August 18). *Malaysia's Political Polarization: Race, Religion, and Reform*. Carnegie Endowment for International Peace. https://carnegieendowment.org/2020/08/18/malaysia-s-political-polarization-race-religion-and-reform-pub-82436

Wendi [@wendiwentress]. (2021, July 27). *It's extremely meaningful to us to have this story up because it means that the wonderful work our Orang Asli friends are putting into keeping their art & culture alive are out there too. (2/2)* [Tweet; attached images] Twitter: https://twitter.com/wendiwentress/status/1409112719224033280

Whah, C. Y., & Guan, B. T. C. (2017). Malaysia's Protracted Affirmative Action Policy and the Evolution of the Bumiputera Commercial and Industrial Community. *Sojourn: Journal of Social Issues in Southeast Asia*, *32*(2), 336–373. http://www.jstor.org/stable/44668419

World Bank Group. (2021). *Malaysia - vulnerability*. Climate Change Knowledge Portal. https://climateknowledgeportal.worldbank.org/country/malaysia/vulnerability