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ECONOMIC EMPOWERMENT OF INDIGENOUS COMMUNITIES THROUGH THE GAZETTEMENT OF LAND OWNERSHIP

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Abstract

Most of Malaysia's indigeneous (Orang Asli) population continues to live according to traditional customs, especially when it comes to business. The subsistence farming practices and natural resources are the main sources of income for the Orang Asli community in Malaysia. However, certain tribes have also engaged in various commercial economic endeavours, like the production of durian, rubber, cacao, and palm oil. The Orang Asli community generally views these economic activities as a new opportunity to improve their standard of living and income stream. Unfortunately, many of them are incapable of transforming their tanah saka (customary land) to more productive and organized agriculture that could potentially be commercial due to many limitations, particularly those associated with property ownership not being officially recognized in Malaysia. Accordingly, this study aims to develop economic empowerment plans that can be effectively executed through the gazetting of the Orang Asli's tanah saka. This study uses a qualitative method by applying an ethnographic approach through fieldwork at 14 Posts of the Temiar community in Gua Musang, Kelantan. The results of this study show that there are several potential economic empowerment plans that can be implemented if the land gazetting proposal is approved. Among the economic empowerment opportunities are the development of organised settlements, economic development of subsistence agriculture, commercial economic development, entrepreneurship development, rural tourism, guidance and training. In order to safeguard the well-being of the Orang Asli in Malaysia, especially the Temiar tribe, gazetting tanah saka (customary land) is crucial to the implementation of the RMK12 plan.

Keywords: Empowerment, Economy, Orang Asli, Tanah Saka Gazetteer

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INTRODUCTION

Orang Asli plays an important role in Malaysia's cultural diversity and heritage. The majority of the *Orang Asli* people live in forest areas and practice a traditional way of life that is strongly influenced by the environment (Carey, 1976). This includes life skills such as hunting, gathering, and farming for their livelihood. Malaysian law gives recognition to the position of *Orang Asli* in the Constitution. The definition of *Orang Asli* enshrined in Article 160(2) and the *Orang Asli* Act 1954 explains who is considered as an *Orang Asli* (Ramle, A, Hafis, S, Asmawi, I, Sahar, S, H., & Hairulnizam, M.K., 2020). JAKOA (2022) divides the *Orang Asli* into three main groups, namely Negrito, Senoi, and Proto Malay (Indigenous Malay). In the three main groups, there are six tribes categorised in each race; the Negritos represented by Kensiu, Kintak, Lanoh, Jahai, Mendriq and Bateq, the Senoi represented by Temiar, Semai, Semoq Beri, Jahut, Mahmeri and Che Wong, and the last race, the proto-Malays represented by Orang Kuala, Orang Kanaq, Orang Seletar, Jakun, Semelai and Temuan. This division was made based on their physical characteristics, language, and customs (Hafis, Ramle, Asmawi, Sahar, & Abdullah, 2020). According to JAKOA (2022), the total number of *Orang Asli* communities in Peninsular Malaysia until 2022 amounts to 209,575. The composition of the population according to race is, the Negrito race totalling 6,322 people (3.02%), the Senoi race group totalling 115,712 people (55.21%), and the Proto Malay race group totalling 87,541 people (41.77%). They live in 852 *Orang Asli* villages across the states in Peninsular Malaysia, except Penang and Perlis (JAKOA, 2022). The statistics in 2022 show that the population has increased from the previous year. The *Orang Asli* races and population in Malaysia are shown in Table 1.

Table 1: Race and Indigenous Population in Malaysia

Races			Total Number
Negritos	Senoi	Proto Malay	209,575
6,322	115,712	87,541	

Source: JAKOA (2022)

This study focuses on the Temiar tribe. The Temiar tribe is made up of *Orang Asli* population from the Senoi tribe. The Temiar tribe is an *Orang Asli* tribe that mostly lives in the interior and highlands of the states of Kelantan and Perak (Ramle, Hafis, Asmawi, Hairulnizam, & Faizol, 2019). The Temiar tribe is the largest tribe, as compared to the other *Orang Asli* communities in Kelantan. Traditionally, the Temiar tribe carries out economic activities of subsistence agriculture (e.g. cassava, paddy huma, fruit orchards), collecting forest produce, and hunting (Ramle et al, 2020). However, due to the current economic

development, their economic activities have also changed from traditional agriculture such as hill paddy to modern agriculture such as rubber (Hafis et al, 2020). The population of the Temiar tribe in Kelantan has reached 16,168 (JAKOA, 2022). The detailed population of the Temiar tribe in Kelantan is as follows:

Table 2: Total Population of the Temiar Tribe in Gua Musang, Kelantan

Settlement	Heads of Household (KIR)	Household Members (AIR)	Total
Pos Broke, Pos Hendrop, Pos Hau, Pos Bihai, Pos Balar, Pos Simpor, Pos Belatim, Pos Pasik, Pos Blau, Pos Tohoi, Pos Gob, RPS Kuala Betis and Kampung Kuala Wook	4135	12033	16168

Source: JAKOA (2022)

According to Ramle et al. (2020), the Temiar tribe frequently faces difficulties such as poverty, socioeconomic problems, encroachment on customary territory, and environmental impacts resulted from development. Therefore, understanding and supporting their rights and interests, as well as empowering the potential socio-economic opportunities of the Temiar tribe are important in ensuring their well-being in the future. In light of this, the researcher has conducted research to determine the socioeconomic prospect of them receiving gazetted clearance for their *tanah saka* (customary land) in Gua Musang, Kelantan.

PROBLEM STATEMENT AND RESEARCH OBJECTIVES

The *Orang Asli* community is one of the vulnerable groups that consistently garners attention from the government. Since Malaysia's independence, the government has drawn up various comprehensive socioeconomic development plans to improve the living standards of the *Orang Asli* community. The plan covers aspects of increasing income, education and well-being up to the basic infrastructures for them. However, the efforts implemented have only reached some *Orang Asli* tribes. There are still many people in the *Orang Asli* tribes who are facing severe poverty. The majority of *Orang Asli* households are B40 with a high poverty rate, which is 33.6 percent in 2019 (Hairulnizam, Hafis, Asmawi & Abdullah, 2023).

According to Md Rami, A. A., Ibrahim, A., Ismail, I. A., Nazuri, N. S., & Ahmed Olaitan, A. (2023), *Orang Asli* community is a major component of the Malaysian people, whom we must encourage to grow along with the nation under

the 12th Malaysia Plan. In order to accelerate the socioeconomic growth of the affected population, the government is working to guarantee that the *Orang Asli* community receives high-quality education. There will be more opportunities for *Orang Asli* pupils to complete their education up until Form Five. There will be an addition and a partial upgrade to Comprehensive Special Model School 9 (K9) to Comprehensive Special Model School 11 (K11). Aspects of education are enhanced, encompassing the calibre of educators and school infrastructure.

Nonetheless, it is also evident that attention needs to be paid to government's initiatives to support the socioeconomic growth of the *Orang Asli* community through development, educational empowerment, and recognition of land ownership rights. Among the primary causes for their inability to raise their socioeconomic standing are exactly these. These limitations prevent their potential from being realised. This study is conducted with the aim to determine the possibilities for economic empowerment that can be implemented through the gazetting of the *tanah saka* of these indigenous people.

THEORETICAL FRAMEWORK

In this study, the cultural ecology theoretical approach is used to show the Temiar tribe's very close relationship to nature, especially the land. This relationship explains the formation of their beliefs, traditional economic activities and cultures, which all rooted from the influence of environment. The entire Temiar tribal group, from the earliest generation to today, engages in the process of application and self-adjustment as established in these beliefs, traditional economic activities, and cultures. The influence of environment in the life of the Temiar tribe can be seen from various elements including their traditional knowledge, beliefs, economic activities, arts, daily activities and taboos. Therefore, environment and beliefs are important in the traditional land management process for them.

Basically, this traditional land management exists in tandem with the dependence on the environment and the economic activities traditionally carried out by the Temiar tribe, which is subsistence farming. The process of land selection and land use is also seen to be influenced by the adaptation to the environment by the ancestors of the Temiar tribe in the past such as traditional knowledge, beliefs, customs and taboos. Following that, the new generation directly adapts to the local environment along with the culture inherited from the previous generation. Since its introduction, the theoretical approach has been widely used by researchers to explain the role of the environment in human life, especially the *Orang Asli*. Among the researchers are William (1983), Gomes (1986), Hasan, (1991), Ramle (2001:2014), Faizol (2019), Iqbal (2020) and Nik Nidzam (2020).

According to William (1983), the *Orang Asli* tribes cultivate the land inherited from their ancestors to carry out agricultural activities, such as rubber production, and growing fruit orchards and *huma* rice. This opinion is also seen to be in line with Hasan (1996) who explains that ever since immemorial time, the *Orang Asli* community has participated in various agriculture activities. This, according to Ramle (2014), can be seen through a series of successes of some *Orang Asli* communities engaging in subsistence as well as commercial agriculture. Additionally, Gomes (1986) and Hasan (1991) explain that the Semai tribal community only did *berhuma* work, which was the traditional activity that they had inherited from generation to generation and was their main source of income, but now only some of them stay with this upland rice economic activity while others have changed to more modern agriculture. This shows that the *Orang Asli* tribes rely on land use for their economic activities and subsistence.

Recent researchers such as Ramle (2001), Faizol (2019), Iqbal (2020) and Nik Nidzam (2020) explain the type of land used for the traditional Semaq Beri crops, of which are divided into two types of crops, short-term crops and long-term crops. Short-term crops cover a wide variety of crops. Among of them that are often given attention are bananas, corn, cassava, sugarcane, chilies and vegetables. Long-term crops involve commercial crops implemented in collaboration with JAKOA, RISDA and FELCRA to generate income for the *Orang Asli*. Based on the theory of cultural ecology, the researcher is of the view that the influence of the environment, traditional economic activities and culture had by the Temiar tribe has the potential to be developed in order to help them to get a more prosperous and secure life.

METHODOLOGY

This study uses a qualitative method in obtaining data. The use of the qualitative method is appropriate here as it helps the researcher to obtain data comprehensively, clearly and more accurately, and allows the researcher to make descriptive relation to the aspects studied (Ramle, 2001). An ethnographic approach that requires fieldwork over a relatively long period of time is needed to understand and explore the real situation in order to get a clear picture of the phenomenon being studied (Asmawi, Ramle, Wan, Wan, & Ahmed, 2023). The researcher took a period of 12 months to complete the fieldwork process. This ethnographic approach is found very helpful in providing a real picture of the available opportunities to be offered to the Temiar tribe for economic empowerment. The researcher has spent time in the field to carry out interacting and interviewing activities, observing this community's activities and documenting in detail to get accurate information and insight. Throughout the fieldwork process, the ethnographic approach was used as a process to collect data from a number of villagers consisting of penghulu, JPKKOA chairman,

JPKKOA members, JAKOA officers, PENERAK teachers, Indigenous Religious Teachers (GAOA), and some local residents. A total of 37 informants were responsible in providing information for this study. Throughout the study, data was successfully collected through interview technique and participant observation. The interview technique is the main data collection technique in this study. The researcher obtains research information directly from the informants through the interview process (W. Ariffin, W. J., Shahfiq, S., Ibrahim, A., Mohd Pauzi, H., & Md Rami, A. A., 2023). Through this technique, the researcher conducted a series of interviews with the local community, particularly the local leaders, Penghulu, Chairman of JPKKOA, local (elderly) residents and implementing agencies. Through this technique, the researcher obtained detailed information related to the potential of economic empowerment in the Temiar tribe. The researcher also collected data using the participant observation technique. During the study, the researcher observed and participated in activities, including economic activities and daily activities of the local community, in order to obtain detailed and accurate data. Data collection through the document analysis technique was also used to help the researcher in obtaining an overview and initial understanding of the issues being studied. All information collected through the three techniques are analysed to obtain a complete picture of the phenomenon studied. The data was analysed using QSR NViVO 12 software through several processes, namely transcription, data organization, conditioning, themes, coding, triangulation and reports.

FINDINGS

i. Potentials of the Organized Settlement Development

The Organized Settlement Program consists of several programs such as Regrouping Plan “Rancangan Pengumpulan Semula” (RPS), Village Reorganization “Penyusunan Semula Kampung” (PSK), Natural Disasters, New Village Plan “Rancangan Kampung Baru” (RKB) and Land Development. The development of these organized settlements can help to place the *Orang Asli* community who are scattered across various locations in one area that is developed in an integrated manner, which would involve the development of land, facilities, infrastructure and public facilities as well as residential areas. Accordingly, based on the results of the study, the Temiar community is very interested in developing their *tanah saka* (customary land) to be recognized as an organized settlement. By establishing this, they would find it easier to manage life activities, especially those related to infrastructure development and economic activities. This is explicitly stated by some of the informants:

"If our *saka* land can be gazetted, we can live in better conditions than we do now because we have seen other villages that have been gazetted and they are all good and organized. House facilities, electricity and water are easy for us to get when the land is gazetted."

Informant 1

"We really want our *tanah saka* (customary land) to be recognized so that we can turn it into a village. When it is recognized, it will be easy for our village to get help and facilities from the government."

Informant 3

In addition, the gazettelement of *tanah saka* (customary land) to be used as an organized settlement can also facilitate the government's planning of assistance and basic needs for the Temiar tribe. This is because an organized settlement would have a better leadership and organization system. Planning to develop the education system by building schools for the new generation would also be easier to execute. The following informants have clearly pointed this out:

"When we have a gazetted village, we will be able to establish a better leadership system in line with the wishes of the villagers who want development, assistance and so on. So this penghulu who will be appointed will represent us to convey our wishes to the government."

Informant 2

"With the recognition of organized settlement, we can apply for a school for our children. Right now, our children go to school far away from home and have to live in a boarding school despite of them being very young. We have no choice but sending them off to the boarding school as we believe that education is one of the ways for the new generation to live better in the future."

Informant 18

In addition, the reorganization of *Orang Asli* villages without moving the residents can also be implemented if the gazetted process is through. We will be able to plan developments for the community in the villages, which are concentrated on the outskirts of the city and rural areas. Various public and basic facilities in the existing Temiar tribal settlements can be implemented without any issue.

"The importance of the publication or granting of this title to us is that we can enjoy various basic facilities in our settlement such as electricity and water. Right now, we are depending on solar energy and generators for electricity and clean water. When our settlement is gazetted, it will be easy for us to get these basic facilities."

Informant 3

ii. Economic Development Potentials of Subsistence and Commercial Agricultures

Ever since Malaysia's independence, the government has been making efforts to promote rural economic development, especially for the *Orang Asli*. Various plans have been drawn up and made, and the results have been very good. Many rural communities have been helped and supported economically by the government. However, the *Orang Asli* communities, especially the Temiar tribe, there have been several issues obstructing the government's plan including the issue of land recognition. Due to the unresolved gazetting issue, the economic development of the *Orang Asli*, especially the Temiar, is stunted, as explained by one of the informants:

"Now the land we sit and work on is still not gazetted. We don't even know why this is still not resolved. Now we want to expand our plantation and we are worried that later when we get the produce, it will be taken by other people or the government. We will not be entitled to compensation, so we lose."

Informant 16

For the Temiar tribe, they are very interested and competent in farming activities. They are skilled in short-term cash farming activities, such as cassava, sweet potato, lemongrass, pineapple, banana, corn and vegetables. This works for them as they are also very dependent on the produce for their own food supply. The results of the study show that with the traditional skills that this Temiar tribe has, it would have a great potential to be developed into an income-generating activity if the *tanah saka* (customary land) gazetting could be realised. Related statements were made by some informants as follow:

"We have been doing this planting work for generations. We used to grow a lot of cassava and bananas. But now we already know how to grow vegetables, pineapple, corn, pepper and more. We only grow these vegetables in small gardens by our houses for us to use for daily meals."

Informant 18

"Traditionally, we find food by farming. We learned this from our parents. We grow cassava, bananas, and other fruits. We also learn from the Malays and Chinese who come to our village. Right now, there are many vegetables that we can grow, but we can only use them for our own meals."

Informant 2

In addition to that, the Temiar tribe is also very interested in carrying out commercial agricultural activities on their *tanah saka*. Before this, they have been carrying out commercial rubber farming activities on a small scale, but in an unorganized and unsystematic way. They have also shown interest in other commercial agriculture such as the cultivation of palm and durian. However, due to several factors including the land recognition issue, financial problems and lack of skills, the interest stops there. This was as stated by some of the informants:

"We are aware that our village is far inland, so we really hope that our *tanah saka* (customary land) will be gazetted or given ownership so that we can develop our land for better economic activities with the guidance and assistance from the government and JAKOA."

Informant 17

"This gazetted process cannot be executed quickly because there are many problems involved, from the problem of financial allocation to that of payment for land survey and site planning."

Informant 31

"Actually, we are really interested in getting involved in the cultivation of palm, rubber and *musang king* (durian), but because we do not have an ownership right to the land, it is difficult for us to pursue it as the capital is also large. If we do it now, we will have to face the difficulty when an outside party suddenly comes and takes our land. "

Informant 16

iii. Potentials of Entrepreneurial Development

The results of the study also show that there are many Temiar people who are interested in business. However, there are constraints in their efforts to enter the field. For them, capital, equipment, guidance and facilities are seen as constraints that cause them to be afraid and unable to carry out business activities. They are aware that the demand for agricultural resources and selected forest products is very high but due to these constraints, they are afraid to venture into business. Their statements suggested this:

"I do sell herbs and tree roots. There are requests from outside but I can't afford to leave the village every day. Usually when there is a demand for wood roots, I will ask the buyer to come to my house to take it himself."

Informant 28

"In terms of business, there are actually a lot of villagers who are interested, but they know they will not be able to last long in the business because of insufficient capital, lack of facilities, and lack of knowledge. I have seen so many people trying to do business here but were unable to last long."

Informant 2

"We have tried to do business, but could not survive because of the small capital that we had and very high operating costs. Can you imagine how it is for us to live in the forest? To get goods, you have to go out to the city and buy goods in large quantities, so you would need a large amount of capital. Plus, the transport costs are high. That's why we cannot survive in business."

Informant 17

iv. Potentials of Rural Tourism

The approval for the gazettement of the Temiar tribe's *tanah saka* (customary land) is very important in order to increase their income. Through the recognition of *tanah saka*, the Temiar tribe will be able to plan various activities to generate income. The results of the study show that among the aspects that have the potential to be developed as a source of income is rural tourism. The Temiar tribe will be able to provide a potentially interesting holiday and recreation destination in their locality. This activity can help increasing their economic income. They can give cultural performances, sell forest products, be tourist guides and the like. For the Temiar community itself, they are very interested in making their settlement a tourist hotspot and there are already a number of villages such as Pos Tuel and Kampung Dakoh in Pos Balar that have started to get involved in rural tourism activities by offering homestays and holiday services near the waterfall area. This is seen as having great potentials to be further developed, especially if their *tanah saka* (customary land) is gazetted. One informant states this clearly:

"Actually, in this Orang Asli village, there are many places that we can develop to be tourist hotspots such as waterfalls, caves, forest tracks and others. For example, at Pos Tuel and Kampung Dakoh at Pos Balar, they have built traditional Temiar houses by the clean and clear river and built some facilities with allocations from the people's representatives here to help us generate income. The reception has been good. On weekends, there are usually many foreigners coming to stay and picnic there."

Informant 16

v. Willingness to Receive Guidance and Training

From the results of the study, it is obvious that the majority of Temiar people want to better their lives financially. Majority of them are very interested in venturing into new fields of agriculture to increase their income. They are ready to be guided and trained to gain new knowledge on how to carry out more profitable modern economic activities. This was expressed by the following informant:

"I am very interested in venturing into new fields of agriculture or programs if given the opportunity guidance. I am aware that life is becoming more challenging day by day. If we do not change, we will be left behind."

Informant 20

Programs that give exposure and increase the knowledge of farmers and breeders on modern and commercial techniques or technologies can potentially help the Temiar community to develop their *tanah saka* (customary land) for them to generate higher income.

CONCLUSION

This study shows the importance of gazetting *tanah saka* (customary land) in an effort to advance the economic development of the *Orang Asli*, especially the Temiar tribe. Based on the results of this study, it is clear that the issue of land recognition should be resolved either through gazette or the granting of ownership rights. Once this land recognition issue is resolved, potential economic development projects for the *Orang Asli* can be planned and implemented successfully and their income will also be increased. It is therefore hoped that this study can be used as a reference and guide for the interested parties to get involved and resolve this issue so that the welfare and well-being of the *Orang Asli* will be improved.

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