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New Media and Civil Society: A Study of Native Customary Rights (NCR) Land and Community-based Organisations (CBOs) in Sarawak, Malaysia

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List of Sarawakian Glossary

<i>adat</i>	Customary
<i>bechara</i>	Longhouse hearing
<i>Bumiputera</i>	Literally prince of the soil; referring to a status entitled for social privileges due to his or her indigeneity
<i>CBO</i>	Community-based organisation
<i>Datu Patinggi, Datu Bandar, Datu Temenggong</i>	Titles bestowed by the Brunei sultan to local Malay aristocrats in the 19 th century
<i>Dayak</i>	Non-Muslim indigenous groups
<i>Dewan Rakyat</i>	House of Representative
<i>Dewan Negara</i>	Senate
<i>DUN</i>	Dewan Undangan Negeri [State Legislative Assembly]
<i>Gawai</i>	Harvest Festival
<i>jajahan</i>	Sarawak districts during the Brooke era
<i>Ketua Kaum</i>	Village chief by ethnic group
<i>Ketua Masyarakat</i>	Community leaders in general
<i>Ketuanan Melayu</i>	Malay supremacy
<i>Konsep Baru</i>	New Concept (a government agriculture project that invited joint-venture from native landowners)
<i>long</i>	The confluence of two rivers
<i>MA63</i>	Malaysia Agreement 1963
<i>Majlis Adat Istiadat</i>	Council for Customs and Traditions
<i>maren</i>	Kayan's aristocrat
<i>NCL</i>	Native customary land
<i>NCR</i>	Native customary rights
<i>Operasi Lalang</i>	Literally Weed Operation; referring to a nationwide political clampdown in 1987
<i>Orang Ulu</i>	Dayaks who live in the interior of Sarawak
<i>panyin</i>	Kayan's commoners
<i>pemakai menoa</i>	Territorial domain
<i>Pemanca</i>	High official title given to community leader by District
<i>Penghulu</i>	Headman or chieftains. A title given to Dayak district chiefs
<i>pulau galau</i>	Communal forest, reserved virgin forests
<i>reformasi</i>	Reform
<i>sumpit</i>	Blowpipe
<i>Temenggong</i>	A high official title given to community leader by Division
<i>temuda</i>	Cultivated land
<i>Tuai Rumah</i>	Longhouse chief
<i>YB</i>	Yang Berhormat; a protocol title for elected representatives
<i>Yang di-Pertua Negeri</i>	State Governor

Abstract

Civil society generally refers to a sphere where individuals exercise their freedom and rights through voluntary, independent associations. Spurred by world political events, the discourse of civil society shifted to a democratising mission against the tyranny of the state. It was also during the 1980s in Malaysia, middle-class non-governmental organisations (NGOs) blossomed and advocated for human rights issues such as feminism, labour and environment. In the late 1990s, the Internet was hailed as the platform to widen the public sphere in the oppressive environment of media in Malaysia, especially its broadcasting industry. The following two decades witnessed how websites, blogs and social media became the staple platform to influence public opinion especially before general elections.

This thesis explores the relationship between civil society and new media using the study of native customary rights (NCR) land community-based organisations (CBOs) in Sarawak, Malaysia. Sarawak, the largest state of the Bornean Island, formed the Federation of Malaysia with Sabah in 1963 bound by an agreement that secured their oil royalty and native status as *Bumiputra* (prince of the soil). Sarawak is rich with natural resources, flora, fauna and cultural heritage with over 27 ethnic groups residing on the land. However, over the years, Sarawak lost much of its assets due to illegal deforestation and native land grabbing. Since the 1970s, environmental groups and activists have fought hard to reinstate the definition of NCR against state-given provisional leases (PLs) awarded to logging and palm oil manufacturing companies.

This research uses the analytical framework from Italian social theorist Antonio Gramsci's notion of civil society to understand the potential of new media in expanding the NCR land advocacy in Sarawak. Gramsci sees civil society as an arena of struggles between ruling and ruled classes to achieve hegemony, referring to cultural domination by shaping consent. To Gramsci, this consensus has to be constantly maintained through superstructural institutions such as religion, education, media and tourism. Therefore, civil society is the complex sphere where the state exerts its authority without having to resort to military forces, unless the hegemony is broken.

The current state of literature suggests that the contribution of new media to Malaysian political changes is more to do with instantaneous online activities and rarely related to ongoing organising processes. Academic research studies about native customary land in Sarawak are largely technical, focused on geological mapping and land laws. By taking on the Gramscian framework, this thesis rejects the liberal paradigm that defines civil society as an autonomous sphere that unanimously aims for the common good, participated in by rational individuals. There is more to explore beyond the celebratory claims of freedom brought about by NGOs and new media. Characterising civil society as a complex arena of conflicting interests and actors is a more realistic way to understand the CBOs' empowerment efforts related to Sarawakian subalterns and their interests. Interviews with the CBOs personnel and web-based analysis of their online platforms showed deep-seated distrust not only toward the state and new communication technologies, but among NGOs, indigenous ethnic groups, and churches. The Gramscian civil society framework allows the research to synthesise the potentials of new media in the CBOs' organising activities as separate yet interrelated entities against the background of the lower status of Sarawak indigenous people. The research further contributes insights into the sturdy trenches of civil society that protect the state – officially sanctioned media systems, education, religion and national identities. By way of conclusion, the research suggests that the CBOs should consolidate their advocacy and venture into the site of hegemony to establish and normalise their cultural image.

Chapter 1: Civil Society and New Media – Introduction

1.1 Background and Context

The idea of civil society originated from Western political theory and is associated with ‘voluntary’ private associations, autonomous from the state and aiming for the ideal life of citizens or the common good (Verma, 2002). Following political changes in the 1980s and 1990s, the concept of civil society is linked with pursuing democratisation, either by causal or correlation (Brown, 2004). For Malaysia, the discourse revolving civil society and democracy may not have taken place so drastically without the proliferation of advocacy-based non-government organisations (NGOs) in the 1980s (Rodan, 2014), and national popularisation of new media since the 1990s (Weiss, 2013).

Under the pretext of a developing Asian nation, the post-colonial government had had stringent control on media and human rights movement. The multi-racial nature of Malaysian society serves as a legitimising tool for authority to limit the influence of Opposition and non-governmental organisations (NGOs). It is not uncommon that the Barisan Nasional (BN, National Front) government perceived them as a hindrance to national development and stability, therefore have to be monitored closely (Mohd. Azizuddin¹, 2011). For instance, the Minister of Home Affairs has full authority in deciding the establishment and activities of any association under the Societies Act 1966 (1998). This has seriously impeded the development of movements in the areas of labour unions, students and oppositional political parties in the country.

Similarly, expression platforms faced strict legislations in the name of national security. Under Emergency rule, the colonial government enacted laws such as the Sedition Ordinance of 1948 and the Printing Presses Ordinance of 1948 (Mustafa, 2002). The communist threat also helped bring into existence the Internal Security Act (ISA) of 1960 (Zaharom, 2002a). As Means elaborates, “[t]he Act empowers the home affairs minister to impose preventive detention without trial on anyone acting in a manner prejudicial to the security of Malaysia” (1991; in Zaharom, 2002a: pp. 123-124). New communication technologies were promoted in the 1990s as a means to propel Malaysia’s competitiveness in the world economy. The government even promised not to censor the Internet in the pursuit of this. Counter-hegemonic parties thus saw this opportunity and pushed the boundary by setting up websites and later blogs to provide alternative information and discussions. NGOs that represented marginalised communities like refugees and indigenous people also started to utilise the online space to spread their advocacy (Zaharom and Gayathry, 2016). The then ruling

government was initially sceptical toward alternative news administrators and independent bloggers, intimidating them with arrests and lawsuits (Zaharom, 2007). It was not until the 12th Malaysia's general elections results in 2008 where the Federal government lost five states to the Opposition coalition that the former acknowledged the influence online activism had over citizens' voting patterns (Mohd. Azizuddin, 2014).

Although state apparatuses still strictly regulate the nature of NGOs and expression, alternative media systems, which sprang from online platforms, played a considerably important role in shaping public opinion regarding citizenry issues. In evaluating some seminal works regarding civil society in Asia, Weiss (2008) and Salmenkari (2013) pointed out several weaknesses – hardly engaged with public sphere, a realm where public opinion can be formed; uncritical rehash of Western liberal civil society theories and overall inadequacy in theorising civil society (see Chapter 2). Taking these into consideration, this thesis has more to explore in the relationship between civil society and new media – is civil society defined by new media use? What happens to the 'old' media? Which theoretical approach can best provide an analytical framework?

Over time, some Malaysian studies showed how the Internet and social media elevated political consciousness among the people, creating a 'virtual' civil society (Tan, 2010; Tan and Zawawi, 2008). Lee and colleagues (2018, p. 1949) stated the possibility of the Internet and new media being a "subaltern public sphere that served the interests of minorities and the marginalised". Public sphere is a German philosopher, Jürgen Habermas' conception of a sphere characterised by rational discourses and the formation of public opinion. Fuchs (2014), in his critique of an idealistic Habermas' public sphere, argued that unless the structural limitations to political participation are addressed, social media cannot be a public service sphere. Recently the transformative role of new media in the political arena has been discussed in a more contextual approach beyond technological determinism, meaning technology as the pivotal driver of change. Weiss (2013) and Lister et al (2010) argued that 'new' media may not be entirely new, afterall. 'Old' media, especially broadcasting, when introduced to developing nations in the 1960s were celebrated as social catalyst or social multipliers, which in turn served as a justification of government regulations (Ronny, 1977; Glattbach and Ramanujan, 1978). Media, in general, are social constructions and conditioned by economic and political contexts. For example, a 2016/17 survey among 2,042 Internet users in Malaysia showed that the highest Internet adoption was by those possessing at least tertiary education, earning more than RM5000 monthly and residing in urban areas (MCMC,

2017). On the other hand, according to this survey, 'lack of confidence' and 'lack of interest' were the main reasons for not using the Internet, followed by 'having no access to Internet connection or device'. In studying the relationship between digital media and Malaysia's electoral reform movement, Lim (2017, p. 214) argued that "[d]igital media does not have an intrinsic power to change politics. What has changed are the ways in which people participate and engage with and through media." Lee and colleagues (2018) found that social media use in Hong Kong was more associated with political stance previously marginalised in the mainstream media than the role of social media in itself.

The current state of literature showed that the relationship between new media and civil society has to be contextualised by cultural, economic and political factors. Lee et al (2018) stressed that the effects of social media on offline political participation and social movements should also be studied. As Yung and Leung (2014, p. 85) added, "[a]lthough social activism is an undeniable part of civil society, it is far from being a complete picture." Such dynamic relationship between media and civil society leads to the research gap where the extent to which 'new media' have contributed to the processes of sustained civil society activity is rarely explored (Keane, 2001). The processes of civil society mean "the formal and informal mechanisms or procedures by which interest groups and individuals seek to pursue advocacy" (Keane, 2001: p.785). Effective civil society movement takes not only in the online contexts, but its contribution in the entire organising processes, which include seeking policy impact (Weiss, 2013). While it is convenient to assess the viral user-centric activities of certain events or websites as the success of civil society, the latter could be driven more by the 'safe' feeling of expressing dissent online without real-world participation (Weiss, 2013).

Figure 1 Map of Malaysia



Source: Operation World

The research gap inspired this research to explore the extent to which the new media provide opportunities for expression of alternative discourses to community-based organisations (CBOs) in Sarawak, Malaysia. These organisations run on a small scale and engage local communities with specific needs (Sundari, 2003). As far as human rights are concerned, unlike NGOs in Peninsular Malaysia, Sarawakian CBOs deal directly with the dispossession of customary rights land of the indigenous people (SACCESS, 2008). Sarawak is the largest state of Malaysia, rich with indigenous cultures and natural resources. Since the 1970s, Sarawak has been plagued by native land encroachment abetted by the state government. CBOs and foreign NGOs that attempted to advocate against land grabbing were labelled as anti-development and anti-government. The indigenous people's scope to sustain a share of the public sphere was further circumscribed by illiteracy (Hamdan, 1990) and mainstream media portrayal of them as backward (Mustafa, 1994). Placing the research gap in the context of Sarawak, studies on the activities of CBOs (e.g. Aeria, 2010; Majid-Cooke, 2003) hardly touched on their media perspectives, experience or activism. Specific writings on the NCR land are mostly technical on geological classification, agriculture, land laws and related court hearings (e.g. Sahabat Alam Malaysia, 2019; Majid-Cooke et al, 2017; Aiken and Leigh, 2011; Hong, 1987). On the other hand, literature on media in Sarawak focuses on either its electoral effect (Mohd. Zuwairi and Normah, 2016; Hah, 2018), ethnographic media consumption patterns (Horn and Rennie, 2018) or media production of ethnicity (Postill, 2002). The literature available indicated a gap between new media activism and the CBOs' organising process in pertaining to Sarawak NCR land issues. This research project investigates the extent to which new media offer potential in the processes of 'grassroots' NGOs or CBOs in Sarawak. It explores the ways CBOs have worked around a controversial topic since the 1970s to try to empower marginalised communities against oppressive modern interpretation of their ancestral land customs.

1.2 Theoretical Framework and Research Questions

To address the research gap, Italian scholar and activist Antonio Gramsci's understandings of civil society are utilised as an analytical lens. The Gramscian approach, with its Marxist roots, is potentially useful to understand new media and civil society from a critical questioning of citizenry political participation. Gramsci argued that civil society is an arena where the state is engaged in cementing popular ideas, norms and values as a way of domination. Civil society is the site for hegemony where the state sustains power through

legitimising tools such as media and education. Gramsci's approach to civil society is relevant in the Southeast Asian context because of strong state influence in blurring the distinction between public and private spheres. In this region, the state, Weiss (2008, p. 145) wrote, "tends to exert more ideological and programmatic control than in democracies with a sturdier tradition of individualism." Gramsci's term of subaltern will also be used to shed light on how the marginalisation of civil society land rights groups has been naturalised through media images. Quoting Alessandro Manzoni's novel, *The Betrothed*, Gramsci was especially interested in why common people are depicted by Manzoni with 'a severe gaze' where "the majority of those do not belong to the people"; only in some of the upper classes had 'noble thought' (2012, Q7§50: p. 292). Therefore, the Gramscian framework (see Chapter 2) is perceived suitable to analyse the relationships between new media, subalterns and civil society in the Sarawakian context through the following research questions:

Media, in the Gramscian approach, produce 'common sense', which refers to the uncritical, traditional perceptions that form our social realities. During the time of Gramsci's writing, he identified the press as "the most dynamic part" that was able to influence public opinion, which directly or indirectly shaped how we view other institutions such as education and religion (2000, Q3§49, p. 381). It was also against this systematic formation and normalisation of 'ideological structure' that Gramsci asked "What resources can an innovative class set against this formidable complex of trenches and fortifications of the dominant class?" (2000, Q3§49, p. 381). Within the context of this research, new media provide a platform for user-generated contents (Lister et al, 2009) and Malaysian NGOs have started to utilise new media to mobilise their advocacy (Zaharom and Gayathry, 2016). This leads to the first research question:

RQ1) How do NCR land CBOs represent themselves using new media platforms?

The second research question explores how the CBOs perceive the social role of both hegemonic (mainstream) and counter-hegemonic (alternative) media. It refers to the expectations that the CBOs have in the Malaysian media systems – the frequency and nature of portrayal of their activities and the indigenous people, media regulations and ownership. This question is important because in the era of user-generated content from independent media practitioners, mainstream media in Malaysia are still the strong actors of the "most dynamic" public opinion mechanism. Based on the Reuters Institute Digital News Report 2019's findings, 14 out of 16 brands of TV, Radio and Print were mainstream media. On the other hand, 3 mainstream media were in the top 5 online platforms. A 2017/2018 nationwide

study conducted by a Malaysian university among 2,551 respondents ranked microblogging site, Twitter, as the least credible source for news, while television topped the preference list, followed by radio (Zurairi, 21 Feb 2018). The latest survey by Reuters Institute for the Study of Journalism found that RTM is the most trusted media organisation in Malaysia, ahead of other TV, print and radio brands (Bernama, 9 November 2019).

RQ2) What do the CBOs think of the current media environment in Malaysia pertaining to their land rights advocacy?

CBOs in this research represent the idea of a revolutionary party, by the Gramscian framework, the platform in leading and educating the subalterns to rise above their status. The role of intellectuals, besides leading the organisation, is to be knowledgeable of and passionate about the current situation of the subalterns (Gramsci, 1999). To contextualise the CBOs' internal organising operations, it is crucial to understand that civil society consists of the state and other 'private', non-state actors. Gramsci perceived civil society as a "very complex structure", like the "trench-systems of modern warfare" (2000, Q13§24, p. 227). This means the emphasis on the CBOs' leadership is not only limited within the organic intellectuals, but as organism. It refers to the relations of the parts to the whole – institutions like the state, religion, regulatory bodies – that reinforced the hegemonic position of the dominant group and conditioned the marginalisation of subalterns. The integral relationship between state and civil society, therefore, forms the third research question:

RQ3) How have the CBOs' internal and external organising processes improved using the new media?

In adopting the Gramscian notion of civil society, Hall (1987) warned scholars to think in the Gramscian way instead of expecting Gramsci to offer solutions to issues beyond the time and geography of his writing. As Salmenkari (2013, p. 691) emphasised, "the purpose of research is not to dismiss social phenomena that do not fit a theory, but to reject or reformulate theories that fail to explain what we find in the physical or social world." Therefore, drawing from the empirical data and literature review, the fourth research question asks:

RQ4. How would the Gramscian framework assist in understanding new media and civil society based on the NCR land CBOs' organising processes?

The aim of this research is to provide an enriched understanding of Malaysian civil society and media activism through an exploration of Sarawak NCR land CBOs. The research

outcome contributes to media studies in exploring the extent to which new media offer potential to civil society organisations (CSOs)' processes and advocacy strategies. The research places the use of new media by the CBOs within their internal and external factors, which include organisational direction, funding, legal restrictions and social status of audiences. The research also provides another perspective – media literacy – to the studies of Sarawak's land rights CBOs. In the Gramscian term, the research links both disciplines in a non-conjunctural setting as neither new media nor land rights is entirely new. On the one hand, what is next for the CBOs after the hype of new media activism in Malaysia? On the other, where do the Sarawak's CBOs see themselves and the indigenous communities after the peak of land rights advocacy in the 1980s and 1990s? By applying a Gramscian perspective of civil society, the contribution of this research is a critical understanding of the contexts that structure both new media experiences and organising strategies.

Objectives:

1. To establish a conceptual understanding of the relationships between new media strategies and Sarawakian NCR land CBOs' activism.
2. To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes.
3. To establish NCR land CBOs' perspectives toward Malaysian mainstream and alternative media organisations' performance in representing their advocacy.
4. To determine the extent to which the NCR land CBOs' organisational processes improved using the new media.
5. To investigate if the new media enhanced the NCR land CBOs' networking strategies.
6. From the empirical data, to provide a systematic understanding of the nature of CBOs' use of new media within the Gramscian framework.

To achieve the research objectives, this thesis employed semi-structured interviews and web-based analysis of the CBOs. Interviews allowed the researcher to gain rich data on how the CBOs utilise the new media in their advocacy including their potential and challenges. These – were not evident through analysis of their web-based platforms. The latter method enables the researcher to analyse the CBOs' websites, blogs and Facebook pages from the perspectives of user interface design and the themes of posts to the sites. The purpose is to understand how the CBOs communicate their advocacy to the general public, among

themselves and to policymakers. Data from these complementary methods are then drawn together and organised through thematic analysis.

1.3 Scope of the Research

This thesis agrees with Feldman (1997) and Lang (2012) that NGOs do not define civil society per se. Civil society is a realm where different actors have conflicting interests to pursue own definition of common good. As will be elaborated in Chapter 2, Gramsci's notion of civil society encompasses the formal (political society) and informal (media, religion, education) structures of the state that collectively establishes and naturalises the hegemony of ruling groups. Sarawak NCR land CBOs are selected because they have been the sole force in organising the indigenous people against violation of land losses and customary rights (Aeria, 2010). The CBOs sampled in this research are those whose main agenda is to empower the indigenous people of their NCR land rights. The height of NCR land advocacy in the 1980s and 1990s drew a division between CBOs as such and the state government (with related apparatuses such as police) that promoted economic development through logging, palm oil plantations and building dams. Conceptually, Gramsci would term the CBOs as counter-hegemonic organisations because they challenged the development status quo by defending the indigenous people's relationships with their lands. The CBOs are assumed to fit Gramsci's emphasis on getting organised in a revolutionary party, provided that "one takes organisation and party in a broad and not a formal sense" (Gramsci, 1999: p. 536). For the purpose of this thesis, the CBOs refer to the Gramscian term of the 'Modern Prince' or revolutionary party within his wider conception of civil society.

Therefore, the Gramscian civil society extends beyond voluntary and private organisations such as trade unions, churches, cultural clubs, political parties, and media. Nevertheless, the literature on civil society covers the proliferation and advocacy initiatives of non-governmental organisations (NGOs) in Malaysia. Regardless of the terminology between civil society organisations (CSOs) and NGOs, this thesis adopts Weiss and Saliha (2003, p. 4)'s scope of the organisations as "groups of citizens engaged in collective action for self-help or issue advocacy outside the aegis of the state".

This thesis relied initially on literature reviews and news reports to build the list of CBO personnel to be interviewed. The list consisted of personnel who led land rights advocacy in the 1980s and 1990s. These informants are valuable to the research because since they have also experienced the 'old' media, they could provide comparative insights on media and

organisational strategies. Younger CBO personnel were also interviewed because it is assumed that they have different exposures, and hence opinions toward new media uses.

The BN government elevated the social and economic positions of *Bumiputera* (literally prince of the soil) in Malaysia through affirmative policies. The New Economic Policy in 1971 aimed to eradicate poverty across ethnic lines; and to reduce and eventually eliminate the identification of race with economic function, followed by the National Development Policy in 1991. Although the term *Bumiputera* is neither mentioned nor defined in Malaysia's Federal Constitution, Article 153 stipulates the reservation of quotas in respect of services and permits for Malays and natives of Sabah and Sarawak. Another indigenous group in Malaysia is the *Orang Asli* (literally Original People) from Peninsular Malaysia, constitutionally referred to as 'Aborigine' (Article 160(2)), and they are excluded from the *Bumiputera* cluster. The terms 'native' and 'indigenous people' in this research refer to those of Sarawak. In Clause (7) of Article 161A of the Federal Constitution, the races to be treated for the purposes of the definition of "native" in Clause (6) indigenous to Sarawak are the Bukitans, Bisayahs, Dusuns, Sea Dayaks, Land Dayaks, Kadayans, Kalabits, Kayans, Kenyahs (including Sabups and Sipengs), Kajangs (including Sekapans, Kejamans, Lahanans, Punans, Tanjongs and Kanowits), Lugats, Lisums, Malays, Melanos, Muruts, Penans, Sians, Tagals, Tabuns and Ukits.

Interviews were conducted in the second half of May 2018, a week after Malaysia's 14th general elections. The election results were phenomenal in marking a change of federal government for the first time since 1969. Nevertheless, the data and subsequent analysis refers to the time when Sarawak was under the Chief Ministers Taib Mahmud (1981-2014) and Adenan Satem (2014-2017), while Malaysia's federal government was the Barisan Nasional (National Front) coalition. Studies showed that the peak of land activism took place during Taib's administration where native lands were leased to plantation and logging companies (e.g. Straumann, 2015; Suter, 2015).

Unless otherwise stated, the term 'broadcasting' refers to terrestrial transmission. By the end of October 2019, Malaysia including Sarawak fully transitioned to digital television broadcast following the termination of analogue television broadcasting (The Star, 31 October 2019).

Alternative media (AM) are regarded as an alternative source of information to mainstream media (MM). UNDP-SAM (2004) and Yung and Leung (2014) differentiated alternative media from mainstream media in several characteristics: 1) nature of organisation – AM being independently owned while MM ownership is by government or close political

associates; 2) character of content, AM advocate specific communities or public interests while MM are 'neutral', non-critical of government policies; 3) type of production process, AM have smaller scale and more participatory staff member, while MM have a more formal, bureaucratic organisational board of directors, shareholders and professionals; and 4) features of distribution, AM encourage widespread distribution by language and access, usually low-priced or free while MM are well-integrated, involving revenues from other investments or part of a larger conglomerate. Based on these four suggested characteristics, Yung and Leung (2014) categorised AM as counter-hegemonic for prioritising egalitarian values in human rights.

Lister and colleagues (2009) characterised new media as digital, networked and interactive. In Malaysia, the framing of new media inevitably was parallel with media activism (Weiss, 2013). The government promoted Information and Communication Technologies (ICT) in the 1990s through modem dial-up and personal computers (PCs) (see Chapter 4). Alternative websites, blogs and online forums were the initial platforms for Internet users to seek information and expression amidst distrust toward Malaysian mainstream media, Asian economic meltdown and the sentiment of *Reformasi* (reform) in the late 1990s (Rodan, 2004). According to the online survey by the Reuters Institute Digital News Report (2017) for Malaysia, the most used device for news was smartphone (65%), through social media site and messaging (86%), the most popular being Facebook (58%), followed by WhatsApp (51%).

1.4 Structure of the Thesis

Chapter 2 commences by undertaking a critical analysis of key ideas in the literature of debates surrounding the relationship between the state and society. The debates are then placed in the characteristics of Southeast Asian civil society – developmentalist (achievement by economic means), ascriptive (ethnicity and religion shaped the society) and culturalist (a claim that the West is decadent). With the discussions, the chapter explains Antonio Gramsci's perspectives of civil society as the analytical framework. The Gramscian perspective offers a holistic approach to locating the new media use of the CBOs in a wider aspect of social identity and politics. Through the establishment and justification of the framework, the chapter provides a basis to allow the empirical data gathered on the role and position of Sarawakian CBOs to be analysed and understood.

The discussion of Gramsci's state and civil society led to the writing of Chapter 3 that outlines the Malaysian state's formal structures. Gramsci's integral state discusses the

'coercive' side of the state on the one hand, and the 'consensual' nature of civil society on the other. Chapter 3 introduces the political system in Malaysia to provide an understanding on how the NCR land issue has been administered through the state apparatuses – executive, legislation and judicial. The chapter also provides insights to Malaysia's federalism and the extent to which it affected the dynamics of Sarawak politics and its pursuit of power surrounding the lucrative business of land-related industries. It then outlines the cultural and political aspects of Sarawak. The chapter shows how, like Peninsular (West) Malaysia, Sarawak's social and political identification runs along the communal line as a result of the colonial government's divide-and-rule policy. The last part of the chapter touches on the controversial land code that places the responsibility to apply for land titles under the indigenous people. Illiteracy, community divide, and frustration over the lack of state land surveyors led to the indigenous people raising blockades, police arrests and confrontations with plantation and logging companies. That is the background within which the CBOs advocate for land dispossessed indigenous people through human rights empowerment and legal support. Chapter 3 provides contexts to the disputed institutionalisation of the indigenous people's *Adat* (custom) that resulted in them being entangled in the political and economic magnitude of their lands, which had been self-governed for many generations.

Chapter 4 is a discussion of, in the Gramscian framework, the most dynamic mechanism in shaping public opinion or common sense. Common sense here refers to not only how the indigenous people have been portrayed in everyday life, but the exclusion of them from the dominant culture. Media belong to the Gramscian civil society as a sphere that legitimises power through consensual means. The chapter begins with the development of RTM from the political, cultural and economic perspectives. It proceeds with the environment of strict regulations, the questionable National Cultural Policy and political ownership of media during the privatisation policy in the 1980s. Such contexts rendered the government of low credibility in shaping the societal role that media could play, which contributed to new media activism in the late 1990s. The excitement of new media activism may not carry similar weight for rural longhouse indigenous residents who lack basic amenities, have low (digital) literacy level and dependency on the government-operated broadcasting (RTM) channels. RTM is the only media organisation that has programmes and channels catered to the Sarawakian indigenous people. The purpose of the chapter is to outline, besides the transformative role of new media in democracy, the big picture of media systems in Malaysia.

Chapter 5 justifies the research design based on the Gramscian framework and the existing knowledge on new media and community-based organisations (CBOs) in Sarawak. Recent literature showed that the relationship between new media and the democratising role in shaping civil society has to be contextualised with surrounding factors. Furthermore, to be effective in mobilisation, online activities need to be parallel with processes such as policy influence, networking and leadership training. Interpretivism was adopted to explore this relationship between new media use and the organising processes among the CBOs by understanding that each subject matter has different social reality. Semi-structured interviews enabled the researcher to gain a rich account from the CBO personnel on their perceptions toward new media and their operations, future of land advocacy and external stakeholders. The interview data complemented the CBOs' web-based platforms through the unity of user interface experience from content analysis. Thematic analysis was employed to construct themes from both the interview and content analysis data to answer the research questions. Chapter 5 aims to show the logical processes operationalised in the project to address the research gap.

Chapters 6, 7 and 8 present and discuss the empirical data by research objectives. They represent the aspects of civil society to be discussed in relation to the role of new media. They are discrete yet complementary; they contribute to an integrated discussion of civil society shaped by new media use and the CBOs' organising processes.

Chapter 6 presents in combination the data that explore how the CBOs created their own content using the new media and what they thought of the current media environment in Malaysia. For the first part, the purpose is to gauge how the CBOs represented themselves through their web-based platforms and if they perceived literacy as significant in their grassroots mobilisation. Chapter 6 displays, from the interviews, the extent to which their content creation skills and communication methods benefited from new media. This complements the empirical data from their official pages' graphic and navigation design. Chapter 6 also discusses the CBOs personnel's opinion toward the media industry in Malaysia, the social role they expected from RTM and the type of media reform they wished to see. This chapter, overall, aims to explore the CBOs' opinions and evidence in the "most dynamic" aspect of creating common sense, referring to the media.

Chapter 7 explores the drive that the CBOs opined new media have in mobilising their sustained operations – funding, recruitment and policy influence. This chapter discusses evidence provided by CBOs about their organisational structure and their outlook on the

future of land rights CBOs. With the focus of CBOs on grassroots empowerment, the challenges of their conscientisation efforts among the younger generation and longhouse communities are also discussed. The answers are triangulated with evidence from the CBOs' web-based platforms through upward information flow such as calls for volunteers and their Facebook posts' responses. This chapter aims to provide an understanding of the role of CBOs from the perspective of Gramsci's the Modern Prince and organic intellectuals, and the extent that new media played a part in this activity and its characterisation.

Chapter 8 discusses the CBOs' relations with external stakeholders that influenced their internal operations. Civil society is an arena of interrelated – both conflicting and complementing – interests from different parties, including the state. This chapter displays key civil society actors from the interviews and how the CBOs personnel perceived their roles in regards to land advocacy. It also discusses the state of networking among local CBOs and international NGOs. This chapter triangulates the interview data through their web-based interactivity features and experiences. The purpose of this chapter is to explore the “complex trenches” of the NCR land sphere and if new media widened or circumscribed any alliance opportunities.

Chapter 9 draws together the empirical findings and the Gramscian framework for analysis. The analytical framework constructed in Chapter 2 discusses the data from concepts such as organic intellectual, state, common sense and subaltern. The existing knowledge of the subject matter of Chapters 3 and 4 add dimensions to the analysis of the summaries of findings from Chapters 6, 7 and 8. The last section discusses the limitations of the Gramscian framework in interpreting the data. This chapter aims to provide an informed understanding of the CBOs' advocacy within the contexts of media, indigenous culture and politics.

Chapter 10 concludes the thesis by reiterating the research questions and explain how they have been answered. It then gives suggestions for future research based on the research's limitations and achievements. Some practical recommendations for the CBOs are stated. It concludes with some personal reflections on the research.

Chapter 2 Civil Society as the Analytical Framework

2.1 Introduction

The transformative role that new media can play in expanding civil society for democracy has been discussed by many scholars. Malaysia similarly experienced this excitement against a stringent media environment and political upheavals in the late 1990s. This research contextualises the normative relationship between new media and civil society by asking to what extent Sarawak environmental community-based organisations improved their empowerment and networking through new media. In doing that, the first section of chapter draws together a range of literatures that provide an explanation of the importance of the concept, organisation and practices of civil society. It outlines and discusses two major school of thoughts of civil society – liberal and Marxist. Since the idea of civil society originated from Europe, the second section locates the summary of the debates within the broader context of Southeast Asia. The chapter then moves on to explain why the Gramscian notion of civil society is perceived to be suitable as the analytical framework for the thesis. This is followed by a discussion of Antonio Gramsci's significant terms such as hegemony, intellectuals and subaltern that add totality to civil society. Through the discussion, this chapter aims

RO1) To establish a conceptual understanding of the relationships between new media strategies and Sarawakian NCR land CBOs' activism.

2.2 Key Perspectives of Civil Society

Civil society is a classic social idea from Europe, which extends back into the work of nineteenth and twentieth thinkers such as Hobbes and Hegel. The general use of civil society is to conceptualise a space that exists between the state and associations in pursuit of the common good of society (DeLue and Dale, 2017). The different contexts supply multiple connotations to how each scholar envisioned the boundaries between state, society and market should be.

The liberal democratic approach sees civil society as an arena with potential freedom outside the state, mediated through a vibrant range of voluntary associations and guaranteed by 'formal democracy' that has evolved in the West. All citizens are to participate in defining the rules and norms, which each will be governed according to, on behalf of the common good (DeLue and Dale, 2017). The common good refers to a variety of possible items, including but not limited to the provision of basic rights, public safety, education, systems of

communication, roads, and national parks. People enter the public as individuals, with their own interests and needs. Individuals are free to pursue a variety of life experiences made possible by different institutions such as families, religious organisations, trade unions, self-help groups, charitable associations, neighbourhood organisations, private clubs and organisations. Mirsky (1993) described civil society as “a social sphere in which no single locus of authority predominates where the groups involved may or may not be engaged in ‘political’ activities (in Rodan, 1997 p. 159). Democratic participation in major institutions would help develop the greatest potential of deliberating with others on behalf of determining the common good.

Aristotle and Plato’s idea of civil society is one of the first instances of theorising civil society in relation to the state (Ncube, 2010). Aristotle (384-322 BC) argued that civil society is a realm for human beings to reach the greatest moral height. For Aristotle, civil society was the politically constituted community that organised separate spheres of life in the state and permitted them to express the full measure of their limited ethical potential (Ncube, 2010). Plato’s (428-328 BC) ‘just society’ started from a search for truth with justice and courage, emulating Socrates’ dialectical method. He criticised democracies because too often they became tyrannies. To achieve the just society, a special class of citizens (the guardians) is important where they demonstrate political leadership in mediating different views. The guardians ought to guard the society from the dangers of private interest (Brown, 2004). They should possess proper education, rational self-command and a moral level to act always and only for the common good. They self-regulate, hence finding them will be a society’s greatest challenge (DeLue and Dale, 2017). Aristotle criticised Plato for his tendency to impose an absolute philosophical conception of truth. To Aristotle, democracy is the ‘most moderate’ among the worst regimes and thus the ‘least bad’ among unjust regimes (Ncube, 2010).

John Locke’s (1632-1704) social contract places authority for making laws in the people who elect their representatives to the legislative branch. To secure a civilised society, a representative political order was needed (Ncube, 2010). Locke’s Parliament was the main source of authority in government while power of both the legislature and the executive are limited. To Locke, separation of powers was important where the legislature enacts rules and the executive enforces the legal system (Held, 1983). The concept of political authority enables the state to make laws that bind the whole of society for the public good (DeLue and Dale, 2017). He saw civil society as an alternative to the state of nature, which is a synonym of anarchy (Tanvir 2010).

Alexis de Tocqueville (1805-1859) argued that voluntary associations function as intermediary links between the state and the people through providing services expected from the former (Tanvir, 2010). Tocqueville wrote during the monarchic reaction to the French revolution based on the Scottish enlightenment political economy. He looked to American democracy as a successful example of strong society represented by robust civic associations against a weak state (Ncube, 2010; Brown, 2004). Tocqueville drew from the late 18th century Scottish Enlightenment political economists who conceived civil society as a separate sphere from centralised administrative state (Tanvir, 2010; Miorelli, 2008). Tocqueville agreed with John Locke's contractualism but he conceived civil society as the result of a contract from rational individuals. Tocqueville's civil society comprised a set of voluntary associations that could limit state despotism, allow political participation and also provide services expected from the state. This said, such idea of civil society promoted democratic equality among individuals and at the same time being autonomous from the state (Miorelli, 2008).

Wood (1990) pointed out that civil society encompasses a very wide range of institutions and relations including the market, indeed the whole capitalist economy. Due to the emergence of capitalism and market economy in the late 18th century, Adam Smith (1723-1790) considered civil society as a self-regulating realm of economic relations and social transactions (Tanvir 2010). Smith's "invisible hand" refers to those free market rules that indicate the ways of life individuals must adopt as a condition to succeed in one's interests. In doing so, individuals also need to recognise the existence of constraints toward attaining self-interests (DeLue and Dale, 2017). Adam Ferguson (1723-1816) conceived of civil society as networks of self-governing and self-regulating voluntary associations which help increase civility – the basis of social cohesion (Tanvir 2010).

The 17th and 18th centuries marked an era of Enlightenment in Europe. It was also during this era that a more systematic conceptualisation of civil society took place as a response to increasingly bureaucratic forms of absolute monarchical rule (Tanvir, 2010). The civil society term envisioned a utopian society free from authoritarian and absolutist state. Tanvir (2010) added that further evolution of the concept has to be contextualised in the new emerging mercantilist and industrial societies in Europe that witnessed a rise of individual pursuit of wealth. The classical theorists of the French, Scottish and German Enlightenment attempted to resolve the dichotomy "between mutually antagonistic self-seeking individuals and the concern for public good and interests" (Tanvir, 2010: p. 151). Jean-Jacques Rousseau (1712-1778) was a scholar who despised the French Enlightenment that made the pursuit of wealth

and luxury more important than virtues that secure the common good of the whole community (DeLue and Dale, 2017). His social contract is a critique of Locke where he looked into ways to reduce the corrosive effects of social and political inequality on politics. Rousseau believed that Locke put the desire for rights to seek own happiness to the detriment of civic virtue. Similarly, Cicero (106-43 BC) proposed a constitutional framework to safeguard the rich and the poor. The main purpose was to prevent abuse of state power and to prevent the mutation of economic interests and conflicts into political affairs, further referring civil society as civilised political society (Ncube, 2010; Tanvir 2010). With the fall of the Greek empire, Cicero reinforced Plato and Aristotle's republican ideals of the rational human being and the profanity of self-centred economic gains.

From the Anglo-Scottish and French traditions, civil society is seen as the opposite of despotism and barbarism (Tanvir 2010). As a separate sphere, civil society acts as a buffer against the power of the central government and in this role, encourages an atmosphere that allows various groups' interests to flourish without fear of government intervention (DeLue and Dale, 2017). Baron de Montesquieu (1689-1755) and Immanuel Kant (1724-1804) opined that civil society can be a watchdog to curb state absolutism. Kantian and utilitarian views of liberalism have maintained that humans are universal beings. Such individuality means nation and nationalism had no place in liberal theory (Knapman 2006). De Montesquieu viewed civil society as a site for negotiation of the absolute power of the monarch (Tanvir, 2010: p. 150).

In contrast, Thomas Hobbes (1588-1674) called for an absolute monarchy based upon citizen consent, which was important to fend off 'civil war' (Held, 1983). Hobbes' *Leviathan*, an all-powerful state establishes a social contract the sake of protecting personal freedom and obligations, the basis for liberalism. For Hobbes, civil society cannot exist without the state (Tanvir 2010). Hobbes' civil society protects freedom by maintaining justice, gratitude and rights for all, where the state will have a central role in promoting those virtues. He favoured monarchy for several reasons. First, the monarch is more likely to empathise and to work toward the realisation of the public interest. Second, the monarch has only to listen to experts and make the best decision possible. Third, the monarch can maintain consistency of policy directions over time (DeLue and Dale, 2017).

Georg W. F. Hegel (1770-1831) offered an interesting view where civil society includes "intermediate institutions between the familial and the political relations of the state" (Tanvir, 2010: p. 153). The institutions, which include executive, bureaucracy, and state assemblies, are higher than individual but lower than the state. Although the state and society are

interdependent, the relationship is conflictual and needs to be balanced out (Tanvir, 2010: p. 154). The state is the highest form of ethical life that monitors private interests from becoming the root cause of poverty. Hegel equated civil society with the bourgeois society because the emergence of a new class could guarantee both individual freedom and the 'universality' of the state, hence a distinct and autonomous 'economy' (Ncube, 2010; Wood, 1990). The term bourgeoisie refers to "the economically dominant class which also controls the state apparatus and cultural production" (Bottomore, 2001: p. 56).

Karl Marx (1818-1883) agreed with Hegel that civil society is a 'system of needs' that is separate from the state (Ncube, 2010). However, he criticised Hegel for including bureaucracy or executive in the state (Tanvir, 2010). According to Marx, it was not the state which conditions and regulates civil society, but civil society which conditions and regulates the state. To Marx, those were mechanisms to promote the interest of the ruling class, not private (individual) interests. Employing an historical material analysis, the state could not be theorised independent of civil society because the latter is an illusion of individual freedom that masks conflicts, class exploitations and alienation (Ncube, 2010). Marx rejected the argument that civil servants in the state bureaucracy were a universal class in civil society. To abolish class exploitation, both civil society and the state have to be abolished by the proletariat revolution (Ncube, 2010). In Marx's class analysis, bourgeoisie and proletariat (the working class with manual skills and low wages) are two conflicting classes. Marx transformed Hegel's distinction between the state and civil society by denying the universality of the state and insisting that the state expressed the particularities of 'civil society' and its class relations (Wood, 1990 p. 62).

Antonio Gramsci (1891-1937) aligned with Hegel and Marx in arguing that civil society is equivalent to political society and highlighted its inequalities rather than its harmony. He embraced Hegel on the importance of intermediary bodies in mediating between civil society and the state; and Marx that civil society existed in relation to the state. Gramsci defined civil society as a realm of the private citizen and individual consent, and placed civil society between the coercive relations of the state and the economic sphere of production, referring to industrial capitalism (Tanvir, 2010). However, Gramsci opposed Hegel's idea that state was the realm that could supersede inequalities in civil society. He also disagreed with Marx that a revolution would inevitably emerge from the development of the economic structure and thus put an end to those inequalities. He opposed the location of civil society in the economic base, as compared to the superstructure as a site of contestation for hegemony. For Gramsci,

civil society was an arena in which the state constructs, via a variety of institutions, the hegemony that sustains state power (Miorelli, 2008).

Gramsci was much influenced by Niccolo Machiavelli (1469-1527) whose main concern was how to get and to keep power. Men, to Machiavelli, are apt to behave toward one another worse than beasts. In one of his works, *The Prince*, a leader should address his subjects by appearing what he is not, but must be flexible enough to change directions. He should serve well the vital interests of the citizens to sustain the importance of civic virtue. However, if a prince cannot be loved, it is best for him to be feared (DeLue and Dale, 2017). Gramsci thus appropriated the concept of civil society to demonstrate how domination is maintained not only through coercion but also through consent in the form of everyday life's cultural and ideological roots. Civil society is a terrain intertwined with the state and political society and at the same time, is both the space of domination and the space of potential emancipation (Wood, 1990).

At this point, the concept generally connotes society distinct from the state's authority in either supportive or opposing ways between the bureaucratic state and the voluntarily organised realm of civil society (Wood, 1990). A civil society can be characterised by a "tension between an individualist viewpoint that is guaranteed by the provision of basic rights and the communal dimension of society that reflects a need to respect the civic virtue requirements" (DeLue and Dale, 2017: pp. 3-4). This section has discussed the key perspectives of civil society with the purpose to place their main arguments in the context of Southeast Asia. With that, the next section aims to shed light on the perspective that could best be adopted as the explanatory framework to understand new media and CBOs in Sarawak.

2.3 Conceptualising Civil Society in Southeast Asia

The end of the Cold War and the collapse of various authoritarian regimes in Eastern Europe, Latin America and East Asia in the late 1980s had led to academic arguments for neoliberal ideas about reducing the state's role in social service provision (Salmenkari, 2013). Dramatic economic development in much of East and Southeast Asia since the 1960s has given rise to new middle classes² seeking transparency in government and the curtailment of corruption. The emergence of a differential mix of organisations representing labour, women, environmentalists, and human rights is seen as crucial ingredient in 'democratisation' (Rodan, 1997). This projection and the theoretical sources which underlie it, however, are open to contest from a variety of perspectives. For example, Weiss (2008, p. 145) questioned the

applicability of the liberal definition of civil society by Larry Diamond (1996) in Southeast Asian countries:

Civil society ... is the realm of organised social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules. It is distinct from "society" in general in that it involves citizens acting collectively in a public sphere ... Civil society is an intermediary entity, standing between the private sphere and the state. Thus it excludes individual and family life, inward-looking group activity ..., the profit-making enterprise of individual business firms, and political efforts to take control of the state ... [C]ivil society not only restricts state power but legitimates state authority when that authority is based on the rule of law.

While studies of civil society in Asia were abundant in the empirical sense, most were inadequate in wider theoretical debates or have rehashed the liberal perspective without contextual deliberation (Weiss, 2008; Salmenkari, 2013). Weiss and Saliha (2003) pointed out that the more relevant area of concern is civil society's place in non-democratic or semi-democratic politics. The composition of civil society in its ideal form is hardly what is found in most developing states, or for that matter, in developed states (Weiss and Saliha 2003; Salmenkari, 2013). As Sudipta and Sunil (2001) argued, "Actual processes in the Third World are mostly very different from political life in the West; yet strangely, the language used to describe, evaluate, and express the experiences of politics are the same everywhere" (in Weiss, 2008: p. 145).

The liberal tradition in associating civil society with democracy draws criticism where 'uncivil' behaviour within a set of shared rules goes unaddressed. As Whitehead (1997) noted, religious fundamentalists and mafia organisations could form the arena of 'uncivil interstices' (in Brown, 2004). In reality, civil society is a fragmented and divided realm, with internal conflicts and uncivil features. Normative expectations often replaced analyses of the complexities of actual civil societies, nor do their internal organisational structures demonstrate democratic or egalitarian principles (Salmenkari, 2013; Rodan, 1997). Therefore, since civil society can both expand and contract democratic space, a strong civil society is not automatically a democratic one (Salmenkari, 2013: p. 689). As Weiss and Saliha (2003; in Azeem Fazwan, 2011: p. 93) added,

Civil society in Malaysia does not fit the theoretical ideal of democratic, grassroots-oriented, politically transformative organisations for building social capital and keeping the government in line. Too few of them are truly independent, self-financing, and racially and linguistically inclusive.

Another criticism of the liberal perspective lies in the supposition of civil society's autonomy from the state. It is more useful to recognise that neither contemporary society nor the state is a simple entity—both are complex, heterogeneous, and fragmented (Salmenkari, 2013). It is unrealistic to expect a clear-cut, zero-sum game demarcation of seeing the state as coercive on the one hand and civil society as a realm of freedom on the other (Rodan, 1997). Good relationships with the state bring resources in the form of recognition, information, funding and policy influence opportunities. Hence, associations may well be seeking co-optation with the state. Likewise, the relationship with the state depends on how beneficial or threatening the associations are where the government controls associations flexibly and selectively, where scholars termed such relationships as 'governed interdependence' (Kitley, 2003; Weiss, 2008; Salmenkari, 2013).

Instead of focusing on the state, various social institutions such as churches and donors can limit civil society actors' independence. The civil society approach is suitable for examining relations not only between associations and the state, but also between associations' relations to each other, the media, the legal system, and other social forces (Salmenkari, 2013). Hence the state, private (corporate and non-corporate) sectors in modern, complex economies is typically interpenetrated and to some extent dependent on other sectors. The private family sphere, for example, is linked closely to the state through health, education and welfare programmes which in many instances are managed by the corporate sector (Kitley 2003). This thesis agrees with Salmenkari (2013) to perceive the idea of civil society in a more dynamic way. Rather than as a fixed set of structures, civil society should be seen as actors, processes, interactions, and negotiations that blurred the distinction between public and private spheres (Salmenkari, 2013).

Generally, civil society in Southeast Asia is weaker by the Western standard because they operate within the boundaries set by the state, not grown out organically (J. Saravanamuttu, 1997; Rodan, 2014). Voluntary and private organisations from golf clubs, trade unions, churches, cultural clubs, political parties, and media serve as a mechanism to perform civil societal roles (Mitlin, Hickey and Bebbington, 2007). They are "institutions and associations operating at an intermediate level between the economic structure, on the one hand, and the state apparatus, on the other" to debate and contest ideas of social life (Girling, 1984: p. 385). As of 2007, civil society organisations (CSOs) in Malaysia, between national and state levels, ranged over 10 categories, amounting to 109,266 organisations (*New Straits Times*, 26 September 2007; in Azeem Fazwan, 2011).

Table 1 Categories of Civil Society Organisation in Malaysia (2007)

	National	State	Total
Religious	7,203	1,400	8,603
Social welfare	5,629	1,533	7,162
Social/recreational	6,158	567	6,725
Women	372	1,142	1,514
Culture	1,716	1,428	3,144
Mutual benefit	2,121	8	2,129
Trade	3,360	767	4,127
Sport	3,226	379	3,605
Youth	3,157	6,421	9,578
Educational	367	171	538
Political	46	51,129	51,175
Employment	1,104	515	1,619
General	7,100	2,247	9,347
Total	41,559	67,707	109,266

Source: *New Straits Times* (26 September 2007)

Only from the late 1980s that advocacy-based non-governmental organisations (NGOs) focusing on human rights in Malaysia gained momentum following the economic and political crises (Weiss, 2004). This thesis focuses on Sarawakian community-based organisations (CBOs) that advocate for native customary land rights. They fall under the category of advocacy-oriented or political NGOs, which are defined by Saliha (1998) as “those that engage in public debates and dissemination of information relating to civil liberties, democratic rights, good governance, accountability of the government to the people, people oriented leadership – all of which relate to the central issue of democratic participation” (in Weiss, 2004: p. 18).

Malaysian NGOs’ relationship with the government ranges from collaborative to confrontational. NGOs that focused on welfare or recreation complement the government by providing social services (Weiss and Saliha, 2004). NGOs generally are monitored for fear that they may become overly politicised (Miles and Croucher, 2013). Associations and societies are heavily regulated by the Registrar of Societies (RoS) which is responsible for monitoring the activities of voluntary associations (Azeem Fazwan, 2011). Any organisation with seven or more members, regardless of business or social nature, are required to register with the state via the RoS, which is empowered to approve or reject the application. The government even attempted to pass the Societies Act 1981 amendment that would categorise NGOs as either “political” or “friendly” (Azeem Fazwan, 2011). After facing opposition from NGOs, the government dropped the intent and amended the Official Secrets Act (OSA) in 1983 to include mandatory jail sentence for journalists or officers that gained and leaked materials from

government sources (Azeem Fazwan, 2011). In 1988, the Printing Presses and Publications Act was amended “to disallow judicial review and the Home Minister’s decision was final if the Minister revoked or suspended a publishing permit on the grounds that the publication was prejudicial to public order” (Mustafa, 2004: p. 41). The Sedition Act prohibits acts with a ‘seditious tendency’ that could be committed in any of the following ways: “inciting disaffection against any Ruler or government; inciting unlawful changes to any lawful matter; inciting contempt for the administration of justice; raising discontent amongst the people; promoting ill-will between races or classes; questioning any ‘sensitive issue’ i.e. citizenship, the national language, special privileges of Malays and natives of Sabah and Sarawak and the status of the Malay Rulers” (Shad Saleem and Ramanathan, 1998: pp. 5-6). The Malaysian mainstream media have been under the ownership of ruling political elites who, Zaharom (2000) wrote, wished to benefit from cultural control on the one hand, and corporate gains from the other. It is not uncommon for Malaysian government to regard national interests as public interests especially through state-run media (Kitley, 2003; Umi, 2006; Weiss, 2008).

Another common pitfall of conceptualising Southeast Asian civil society comes in the form of arguments about the existence of an ‘Asian alternative’ to ‘Western liberalism’ (Rodan, 1997). The Western ideal of liberalism is deemed inappropriate because the ‘West’ is too culturally decadent for ‘Asian values’. This argument has been criticised for its culturalism – for “using culture as an explanation rather than as something to be explained” (Sim, 2006: p. 147). Nevertheless, the government assigns to itself the role of protecting local values, traditions and norms. The Malaysian and Singaporean regimes led by Mahathir Mohamed and Lee Kuan Yew respectively in the 1990s discredited initiatives from civil society particularly those of human rights advocacy, by alleging that local NGOs are aping ‘The West’ and being used by western agents jealous of the nation’s success (Khoo, 2002; Weiss and Saliha, 2003: p. 11). In this definition of a post-colonial relationship, “the Asian subject is seen ... as the victim of Westernization, and the West become a space of which Asia is not, morally and culturally” (Yao, 1994; in Tai, 1997: p. 487).

Such culturalist approach has been widely criticised as a disguise to legitimising state hegemony and as a hindrance to greater democracy (Khoo, 2002). The structures of political economy and the inequalities they bore were smoke screened using ‘perceived’ ethnic differences (Rodan, 2014). As a consequence, in this perspective Malay NGOs focus on religious teachings while the Chinese and Indian focus on bonding cultural and educational rights (Azeem Fazwan, 2011). The ascriptive nature of Malaysian NGOs such as religion and

ethnicity is deemed a polarising force that does not bode well for addressing inequality (Azeem Fazwan, 2011). Those that tried to cut across ethnicity to address class problems are more often than not are perceived as pro-Opposition. It is also because of the resistance against the 60-year Barisan Nasional (BN) hegemony that NGOs and the Opposition find support in each other (Fann, 2018). The communitarian nature of Malaysian civil society has impeded genuine nation-building, where Azeem Fazwan (2011, p. 103) said it is indeed beset by a great deal of “mistrust”. Khoo (2005) wrote that from the colonial to the post-colonial period, Malaysian political economy was “Janus-like: its ethnic aspect constantly exposed while its class aspect was hidden. As Weiss and Saliha (2004, p. 10) elaborated:

“The failure of these alternative constructs really to take root suggests the structural and ideational similarities between Malaysian associational life and that elsewhere. While comprised also of elements from ‘peripheral’ groups, the old middle class and communities defined by ascriptive characteristics, Malaysian social movements, like new social movements in other states, are rooted in the new middle class and imbued with a sense of their own agency to bring about socio-political change. The politics of this class fragment ‘is typically a politics of a class but not *on behalf of* a class’ (Offe 1985: 833, emphasis in original). While issues of redistribution and economic justice may be significant, the demands expressed are not class-specific and activism involves broad, cross-class alliances.”

Azeem Fazwan (2011) also noted that since independence, the government effectively blocked NGOs from providing direct services to the masses especially those of rural areas. For example, the dominant ruling party UMNO provided assistance to the rural poor and peasants and self-portrayed as the protector of the Malays. In addition, despite offering constructive criticisms rooting for more socially and environmentally sustainable economic development, NGOs as such did not manage to exert great pressure in policymaking (Weiss and Saliha, 2004).

For the state to exert such ideological control is through “one of [liberal] civil societies’ most definitive contemporary ideals and institutions – that of media freedom” (Rodan, 2003: p. 455). In many developing countries, regulations of broadcast media are stricter than that of print media (Glattbach and Ramanujan, 1978). Malaysia’s national broadcaster, Radio Televisyen Malaysia (RTM) was established in 1963 and regulated directly by the government until present day. The rationale is premised on fears that an uncontrolled media environment will be detrimental to public interest, which are synonymous with nation building goals (Umi, 2006). This may explain why in the era of more open media markets and advancing electronic technologies, Asian states still claim ownership and control over broadcasting media (Kitley, 2003: p. 11): “While the regulation of television can be understood as a technical and legal

discourse, it can also be understood as a discursive form of domination of cultural and thinking practices. We see regulation very much in terms of its cultural dynamic as a sphere of governance and cultural normalisation.” Zaharom (2000) termed the situation as ‘regulated deregulation’ where private media in Malaysia, like TV3, were controlled by the ruling elites through political ownership, legislation and Malay-Muslim cultural normalisation. This is the environment of mainstream media where the Sarawak NCR land CBOs operate – limited room for alternative expressions or legitimate dissents over modernization from the indigenous people’s point of view.

Mahathir Mohamad’s premiership since 1981 witnessed the occurrence of volatile economic transformation, leadership crises, financial scandals and the extensive use of security legislation. Political disputes arose within and between political parties over ‘sensitive’ issues pertaining to the banking scandal of the Bumiputra Malaysia Finance (BMF), Chinese education, and government award of highway tender (Means, 1991; Mustafa, 2004). These developments led to *Operasi Lalang* [Weed Operation], the 1987 political clampdown where more than 100 individuals were detained under the Internal Security Act (ISA). Local and international press critical to the events were suspended. Although the operation temporarily stunted the expansion of public interest NGOs, they proliferated by the 1990s (Rodan, 2014). The government’s control over the media in the 1980s and 1990s was both for political and economic reasons (Zaharom, 1991). Amidst the political scandals, Mahathir also introduced a number of economic transformation policies that would propel Malaysia to greater successes such as the Look East Policy and heavy industrialisation. As in other developing states, the privatisation of education and communication systems as well as the increasingly secure middle-class status in Malaysia have fostered a rise in critical engagement with the state (Weiss and Saliha 2003). Beginning in the 1980s, middle-class NGOs based in Kuala Lumpur and Penang emerged to play distinct political role that championed human rights, social justice, environmental, feminist, and governance, among other causes (Rodan, 2014). Middle-class NGOs cut across ethnic categories, centred in major cities and usually led by English-speaking, if not highly educated activists (Rodan, 2014; Weiss, 2004).

Rodan (2014), however, warned that the role of middle-class NGOs should not be overstated. Annual growth rates for Malaysia topped 8 per cent from 1987 to 1996 as compared to 5.4 per cent per year between 1980 and 1985 (Zaharom, 2000). The economic growth had also encouraged consumerist habits and political stability, which means the Malaysian middle class is by no means homogenous – some are highly supportive of the state

while some are more advocational of social changes (Azeem Fazwan, 2011). Furthermore, middle-class activists appeared not to be engaging enough with aspirations and needs of the masses beyond the middle class (Rodan, 2014: p. 838): “Conspicuously absent are intermediary organizations linking working and middle classes in social democratic and other reform agendas – historically important to earlier liberal democracies... [The latter] relied heavily on the power of argument and maintained a sense of entitlement to shape reform.”

The development of Internet consumption in the late 1990s marked a major breakthrough in the state-civil society relationship. During the Asian economic and political crises, the Internet has allowed explicit political use by NGOs as a crucial organising tool especially in Indonesia and Malaysia (Rodan 2003). By the end of 2011, domestic Internet users made up 61.7% of the total population in Malaysia (Liu, 2014 p. 388). Political impacts of the Internet contributed to the 2008 general elections in which the ruling coalition, Barisan Nasional (BN) lost for the first time since 1969, its two-thirds majority in parliament, while four state governments fell into the opposition’s hands (Liu, 2014). Both former Malaysian Prime Ministers, Abdullah Badawi and Najib Razak, highlighted how influential the Internet and social media in swinging votes in the 2008 and 2013 general elections, calling them social media elections (Mohd Azizuddin, 2014). The politicisation of Malaysian cyberspace became more intense with counter-offensive actions taken by the authorities with Internet-related laws and the demonization and harassment (through deployment of legal powers) of political bloggers (Zaharom, 2007). Nevertheless, politically concerned activists and NGOs were able to find ‘work arounds’ in the context of the Mahathir administration promising leeway in regulating the Internet as part of investor attraction efforts. The urban population, many of whom are technologically adept; were exposed to the *reformasi* movement in 1998 and alternative websites grew in number (Miles and Croucher, 2013). With the use of new media technologies that coincided with social movements, alternative media once became synonymous with the new media (including the internet, social media) (Rodan, 2004; Yung and Leung, 2014). However, it should be pointed out that mainstream media is also utilising the Internet for greater reach of audiences. Furthermore, authoritarian regimes have also responded by turning to the Internet for official propaganda and ideological dissemination purposes (Rodan, 2003).

It is against this background that M. Alagappa (2004; in Weiss, 2008: p. 150) pointed out, it may be more useful to “consider all sociological change ‘in the direction of open, participatory, and accountable politics’ thus sidestepping the issue whether the states are, or

are becoming, democratic". Weiss (2008, p. 144) further argued that despite the difference in Southeast Asian state-society relations by the Western standard, civil society posed such characteristics even in the 'Asian democratic':

1. civil society may be implicated in all sorts of political change, not just democratisation;
2. organisations based on ascriptive identities (by religion or ethnicity) may constitute a core part of civil society;
3. civil society is viable in a range of regimes, not just in liberal democracies; and
4. civil society activism may transcend the borders of any given nation, even if it is the state that largely constitute civil society.

Of no less significance than formal politics, civil society is an important sphere despite the diverse meanings attached to it, to pursue political engagement and transformation (Rodan, 1997). Rodan (1997, p. 157) added that "[t]he greatest potential of civil society to act as a force for political liberalisation rests in its potential to institutionalise the rights of interested parties – those affected by policy decisions – to influence the decision-making process."

From the discussion above, Southeast Asian civil society is different from the liberal Western variety and approach. Liberal theorists put emphasis on rational, co-operative and moral interactions both among the members of a society and between them and their government (DeLue, 1997; in Weiss and Saliha, 2004). Civil society is seen as a rein on the excesses of state power; a vibrant civil society leads to an accountable state. From the literature, three main characteristics of Southeast Asian civil society are evident: a) there is no absolute autonomy in civil society from the state; b) the division that demonises the state on the one hand and idealised civil society on the other is flawed; and c) just like civil society, the state is a fragmented and complex entity. These features inspire a quest to find an appropriate framework for analysis to understand better the role and position of CBOs in Sarawakian land rights debates.

Given the above features, Gramsci's understandings of civil society – despite having been deployed in a very different place at a very different historical time – are attractive for four reasons. First, Gramsci identifies contradictions in the liberal civil society ideals – market liberalisation, curbing of state absolutism, achieving the highest moral level and equal opportunity in participating in voluntary associations. The Gramscian account of civil society as an arena of contestation is thus simply more sophisticated and convincing than the liberal

account. Gramsci recognised that civil society is not a level playing field of free choice that leads to voluntary and rational participation in political activities autonomous from the state. This leads to the second point; these contradictions are analysed in the totality of society in focus on mass media, education, intellectuals, culture, politics and language. These diverse institutions manufactured our everyday consent that builds the inner protection level of the state. To Gramsci, civil society is the sphere of hegemony that depends on consent where the ruling class extends and reinforces its power through non-violent means. Hegemony is thus contrasted from 'direct domination' exercised from the state's military and judicial apparatuses (Gramsci, 1999). Third, Gramsci is contextually more grounded and he humbly admitted the relativity of his political observation in different historical contexts. Gramsci characterises hegemony as a moving equilibrium – fragmented, contradictory and never rigid (Ransome, 1992). Such vitality provides an understanding of consent beyond classical Marxism' false consciousness as spread by state ideological apparatuses such as religion (Sim, 2006 p. 148): "The question of hegemony is then the question of whose version of reality is being universalised and which alternatives are rendered unthinkable." This then enables understanding of how certain regimes can be immensely popular among the masses, including socially underprivileged masses (Girling, 1984). It relates to Gramsci's term of common sense, the traditional popular conception of the world, often unreflective and uncritical sense. Common sense is neither rigid nor a singular noun, for it is a product and process of history (Gramsci, 1999). Religion, for example, is an element of fragmented common sense. By referring to civil society as a terrain of struggles over meaning and common sense, Gramsci makes the term contextually viable to be applied regardless if a country has 'strong' or 'weak' civil society (Sim, 2006). Fourth, Gramsci, like the Russian revolutionist Vladimir Lenin and Marx, offers solutions to achieve his ideals within contradictions. In studying Malaysian civil society and social movement, Brown (2004) too agreed that the Gramscian approach is in many ways less concerned with definitions and classifications of civil society. Unlike dominant theories that place national political regimes into dichotomised and moralised categories, Gramsci's theory offers us theoretical flexibility that can be utilised equally to understand and criticise authoritarian tendencies (Sim, 2006).

The next section discusses more on Gramsci's ideas on state and civil society before moving on to constructing an analytical framework for the data collected.

2.4 Gramsci's notion of civil society

Antonio Gramsci was an Italian socialist who was intrigued or rather surprised by the rise of fascism in the 1920s. He was banished by Benito Mussolini to the prison who infamously declared the need to stop his brain from working for 20 years. During the hardship of being incarcerated, Gramsci wrote on his reflections on how power could best be sustained and why certain revolution failed. In his bid of doing so, his social and theoretical outlook covered a number of interrelated key themes that each contributed to the totality of Gramsci's concern. Gramsci's notions of the state and civil society were some of his most original ideas in the *Prison Notebooks* (Schwarzmantel, 2015).

To fully appreciate Gramsci's concepts in the *Prison Notebooks*, one has to start from understandings of the State (Sassoon, 1980; in Mercer, 1980: p. 31): "The nature of the state determines the form of the political struggle, the modes of organisation necessary for its transformation, and the breadth and extent of ideological struggle depending on the relative strength or weakness of 'civil society' or the 'apparatuses of hegemony'".

Gramsci extended the traditional definition of the State from a mechanistic and coercive role to one that includes hegemony and civil society. The State plays an educative and formative role to inculcate a sense of belongingness among the masses and even to define civilisation (Gramsci, 1999: p. 502). The role of a State exceeds that of the night-watchman State that relies on military force to gain authority. The State legitimises and publicises law enforcement in differentiating its definition of civilisation from otherwise. Only when "legality" is in danger that the military, as "the permanent reserves of order and conservation, comes into action publicly" (Gramsci, 1999: p. 457). That explains why Gramsci differentiates the school's positive educative role from the courts as a repressive and negative educative function (1999, p. 526). To Gramsci, both functions are complementary with each other to keep hegemony in equilibrium. Those 'private' initiatives and activities lead to the same end, which is to "form the apparatus of the political and cultural hegemony of the ruling classes" (Gramsci, 1999: pp. 526-527). The target is to achieve the ethical or cultural State; one that leads in forming popular perceptions of and moral leadership by the State. In this image, all men are equal, rational and able to accept laws freely not through coercion imposed by another class without coercion (Gramsci, 1999: p. 532). An ethical state also transcends the purely economic-corporate stage, which means pursuing its own economic interests (Gramsci, 1999: p. 532). 'Economic-corporate' interest refers to "the collective interest of a particular

economic category: for instances merchants, or engineering workers” (Forgacs, 2000: p. 421). Gramsci emphasised that any ruling groups cannot retain their power through blatant pursuit of own economic gains. Hegemonic leadership is essential to portray how they are with the masses and their sentiments. The site of hegemony, therefore, is civil society.

This means the State is much broader than governmental institutions that exercise coercion because civil society that elicits consent is also part of the State. To identify State and government as the same is a form of confusion between civil society and political society. Gramsci (1999, p. 532) emphasised that the State is constituted broadly as = political society + civil society, an organic relationship that forms the integral state. In fact, Gramsci identified the State and civil society as one and the same: “hegemony over its historical development belongs to private forces, to civil society—which is “State” too, indeed is the State itself” (1999, p. 531).

Although the coercive side of political society is the most visible aspect of the state, civil society is its most resilient constitutive element (Katz, 2010). As noted earlier, Gramsci placed civil society at the superstructural level, the ensemble of organisms commonly called ‘private’, and that of ‘political society’ or ‘the State’. On the one hand, civil society corresponds to the function of ‘hegemony’ that belongs to the dominant group. Hegemony is executed by intellectuals who are the dominant group’s “deputies” to gain subalterns’ ‘spontaneous’ consent through everyday activities in social life. On the other side of the superstructural level is ‘direct domination’ exercised through the State and ‘juridical’ government. This coercive power “‘legally’ enforces discipline on those groups who do not “consent” either actively or passively” (Gramsci, 1999: p. 145).

The ‘State’ therefore should also be understood as the “‘private’ apparatus of ‘hegemony’ or civil society” (Gramsci, 1999: p. 530). Gramsci argued that to establish hegemony over society, the consensual function of civil society is necessary. Consent must make large parts of subalterns’ own worldview. As Sim (2006, p. 148) put it: “The difference between authoritarian and democratic polities is not the absence of coercion but the presence of consensus. The distinction between domination and hegemony then is a question of whether the state’s ‘outer ditch’ or ‘armor of coercion’ was buttressed by an ‘inner ditch’ (1971, pp. 124, 238, 363) of consensus that legitimises state coercion...”

Hegemony is based on the rich conceptualisation of power – a combination of coercion and consent – where Gramsci drew upon Machiavelli’s metaphor of the ruler as a centaur, “semi-animal, semi-man,” (O’Shannassy, 2008). To exercise power and to maintain it, one

“must know well how to imitate beasts as well as employing properly human means” (O’Shannassy, 2008: p. 90). This dual nature represents for Gramsci “the levels of force and consent, authority and hegemony, violence and civilization, of the individual moment and the universal moment (‘Church’ and ‘State’), of agitation and propaganda, of tactics and strategy” (Gramsci, 1999: p. 634).

This is a contrast to more functionalist approaches that see the state as natural, rational, coherent and beneficial to society (Sim, 2006: p. 148). Hegemony is a system of values, attitudes and leadership that naturalise the status quo in power relations. The state, when it wants to initiate any unpopular policy, creates in advance appropriate public opinion through mobilising mass media and other ideological instruments (Mushi, 2011).

Benedetto Croce (1866-1952), an Italian idealist philosopher, is one of the sources of Gramsci’s hegemony besides Marxist and other leftist activists. Giovanni Gentile (1875-1944) was the Minister of Education under the first fascist government in 1922. They worked together in developing a wide-ranging critique toward the existing education system as ‘instruction’ and ‘narrow’ (Hoare and Smith, 1999). However, they had conflicting philosophical positions toward the State:

“For Gentile history is entirely State history, while for Croce, it is “ethico-political.” In other words, Croce wants to maintain a distinction between civil society and political society, between hegemony and dictatorship; the great intellectuals exercise hegemony, which presupposes a certain collaboration, that is, an active and voluntary (free) consent; in other words, a liberal-democratic regime. Gentile posits the economic-corporative phase as an ethical phase within the historical act: hegemony and dictatorship are indistinguishable, force is no different from consent; it is impossible to distinguish political society from civil society; only the state exists and, of course, the state as government, etc.” (Gramsci 2011c, Q6§10: pp. 9-10).

Croce “functioned for Gramsci rather like Hegel did for Marx” (Boothman, 2008: p. 208) where Gramsci drew Croce’s discourse of ‘ethico-political’ and reinterpreted it to describe the State as an integral state between political society and civil society. Croce contributed to Gramsci’s set of dynamic antinomies as compared to Gentile’s neo-Hegelian positive phase of the State. In fact, Gramsci cautioned us to distinguish civil society from Hegel’s understanding of the term. Hegel understood it from the sense given by Catholicism where civil society is instead political society. For Catholicism, ‘civil society’ is not necessary because “the state is just the church, and it is a universal and supernatural state: the medieval conception is fully preserved in theory” (Gramsci 2011c, Q6§24: pp. 20-21). Gramsci further criticised Hegel’s

universality where all mankind will be bourgeois. For Gramsci, society is unequal. Only through putting an end to the State can end “the internal divisions of the ruled” and create a technically and morally unitary social organism”, hence an ethical State (Gramsci, 1999: pp. 526-527).

Hegemony, however, is not rigid. It requires constant renewal to win consent from subordinates and to ward off challenges from opponents (Ransome, 1992). A “crisis of authority” or organic crisis is the crisis of hegemony or general crisis of the State. According to Gramsci, it occurs when “the ruling class has lost its consensus, i.e. is no longer “leading” but only “dominant” (Gramsci, 1999: p. 556). When the state uses repressive law as the last instant to cement its authority, “this means precisely that the great masses have become detached from their traditional ideologies, and no longer believe what they used to believe previously” (Gramsci, 1999: p. 556; Wilkes 2017). The ruling class has its hegemonic crisis during some failed political undertaking like war or the masses have transited from certain passivity to activity. This may or may not lead to revolution, which Gramsci branded it as a dangerous period of power vacuum “since the various strata of the population are not all capable of orienting themselves equally swiftly, or of reorganizing with the same rhythm” (Gramsci, 1999: pp. 450-451). Any absence of alternative ideas for a new society would be disastrous in response to the organic crisis (Gramsci, 1999: pp. 450-451).

Gramsci therefore differentiated organic crisis from conjunctural ones where the latter consists of much less significant political conflicts that do not threaten or challenge the status quo. It is a grave mistake to confuse conjunctural crisis with organic one, which is a serious underestimation of the resilience of the established order. One has to scrutinise any crisis to be alert to the conditions permissible to challenge status quo without jumping to the conclusion that any particular fluctuation in the political and ideological sphere will lead to drastic structural transformation (Gramsci, 1999). The traditional ruling class with State organism, for example military, mass media, judiciary, has greater capacity and speed to restore their hegemony from conjunctural crisis.

This dangerous period links to Caesarism, a term Gramsci referred to as a situation of power vacuum that leads to a series of events culminating “in a great ‘heroic personality’ to seize control of the state such as Mussolini and Hitler” (Gramsci, 1999: p. 464). Fascism, in Gramsci’s observation, is different from classic Caesarism. Fascism achieved power through parties and mass organisations through exploitation of the weaknesses and inadequacy of the socialist and communist parties. Fascism is a form of reactionary Caesarism when the

achievement of power is through the complex organisations of civil society. On the contrary, progressive Caesarism utilises straightforward military force to triumph, which is outdated (Gramsci, 1999). It no longer had any applicability with modern societies as different techniques of political action are needed in an age of mass organisations and complex civil society due to “the expansion of parliamentarism and of the associative systems of union and party, and the growth in the formation of vast State and ‘private’ bureaucracies (i.e. politico-private, belonging to parties and trade unions)” (Gramsci, 1999: p. 466).

This is the moment where Gramsci pondered upon the failure of revolutionary upsurge that in many ways led to the rise of fascism. Reflecting on this question, Gramsci formulated how subaltern groups could come to power by conquering civil society (Gramsci, 1999). In the case of modern societies, civil society has become resistant to immediate economic crises because the superstructures are similar to “the trench systems of modern warfare” (Gramsci, 1999: p. 489). War could only destroy the outer perimeter of the defensive system whereas a line of defence, which is civil society, was still effective (Gramsci, 1999). Therefore, for Gramsci, the real defence system of a state lies in its civil society:

In the East the State was everything, civil society was primordial and gelatinous; in the West, there was a proper relation between State and civil society, and when the State trembled a sturdy structure of civil society was at once revealed. The State was only an outer ditch, behind which there stood a powerful system of fortresses and earthworks: more or less numerous from one State to the next, it goes without saying—but this precisely necessitated an accurate reconnaissance of each individual country (Gramsci, 1999: p. 494)

Because of the complexity of civil society that contributed to the strength of the State, Gramsci opined that counter-strategy from the subalterns too has to be subtle, well-planned and appears natural as well to conquer new hegemony. Gramsci criticised Rosa Luxemburg (1871-1919) for emphasising strikes as the strategy to bring down social inequality. Luxemburg was a Polish Marxist revolutionist who argued that proletariat mass movement was the revolutionary source to end class exploitation by the bourgeoisie (Geras, 2001). In *The Prince*, Machiavelli wrote that ‘taking the initiative in introducing a new form of government is very difficult and dangerous, and unlikely to succeed’. The reasons for this were that “all those who profit from the old order will be opposed to the innovator, whereas all those who might benefit from the new order are, at best, tepid supporters of him” (Machiavelli, 1988: pp. 20-21). Gramsci insisted that it was through processual actions and political organisations that the project of a new political order could be attempted. Despite being inspired by the

Bolsheviks in Russia in 1917, Gramsci classified their strategy as war of movement, which has to be different from war of position (Gramsci, 1999: p. 481; Wilkes, 2017).

To launch a war of position needs leadership that connects well with the masses. Inspired by Machiavelli's *Modern Prince*, Gramsci metaphorised the Prince as the political party that can pull together a "universal and total" collective will through concrete form: "The modern prince, the myth-prince, cannot be a real person, a concrete individual. It can only be an organism, a complex element of society... which balances the various interests struggling against the predominant (but not absolutely exclusivistic) interest—is precisely the 'political party'" (Gramsci, 1999: p. 323, 517).

This is not an ordinary party but one that has a revolutionary role. Gramsci was particularly interested in formulating the conditions that allow the nature and role of the party to develop creative political leadership and inspire the masses (Gramsci, 1999: p. 555).

Gramsci was far from envisioning a political party living in its own myth or utopia. He used the idea of the myth in the sense developed by the French thinker Georges Sorel (1847-1922). Sorel's myth was that of a constellation of images that do not necessarily embody truth but were able to evoke emotions and to stimulate social movement (Gramsci, 1999). However, Gramsci criticised Sorel for dismissing the importance of mass organisation (Gramsci, 1999). To Gramsci, "Sorel never advanced from his conception of ideology-as-myth to an understanding of the political party, but stopped short at the idea of the trade union" (1999, p. 319). Although through a trade union's activity, such as a general strike, that collective will is achievable, Gramsci thinks that it is a "passive activity...an activity which does not envisage an 'active and constructive' phase of its own" (1999, p. 320). To Gramsci, strikes are not sufficient to change the status quo and to replace it with new politics without proper political preparation of the masses.

Gramsci adapted the concept 'myth' from Sorel, which refers to "a creation of concrete phantasy which acts on a dispersed and shattered people to arouse and organise its collective will" (1999, p. 318). Gramsci extended the meaning to characterising the *Modern Prince* as "a symbol of the leader and ideal condottiere" (1999, pp. 318-319). During the time of Gramsci's writing, condottiere referred to the *Modern Prince* in the form of an organism. Such reference was based on Mussolini's charismatic leadership that filled the void in the already weak Italian civil society, which led to the rise of fascism (reactionary Caesarism). However, since "a Caesarist solution" for Gramsci (1999, p. 464) can take place even without any great, heroic personality, Gramsci turned his attention to the Prince in the form of a revolutionary political

party. To lead the people in founding a new State, the Prince must “[merge] with the people, becomes the people” where they share the same level of expression and identification (Gramsci, 1999: p. 319). Thus, Gramsci credited Machiavelli for pragmatically combining myth and mass-friendly demeanour through a Modern Prince.

The core feature of the concept of the Prince is that it is a “live” work, in which political ideology and political science are fused in the dramatic form of a “myth” (Gramsci, 2000: Q13§1, p. 238). Politics is inevitable because life is politics (Gramsci, 1999). Gramsci’s expansion concept of politics encompasses life, where politics surrounds us all of life. This provides the underlying reason for philosophy of praxis, not only conditioned by the economic structure of society: “In what sense can one identify politics with history, and hence all of life with politics? How then could the whole system of superstructures be understood as distinctions within politics, and the introduction of the concept of distinction into a philosophy of praxis hence be justified?” (Gramsci, 1999: p. 337). Gramsci’s interpretation of philosophy of praxis is influenced by Marx, whom he credited as the founder (Forgacs, 2000). Philosophy of praxis (theory and action) refers to a situation where one achieves his or her self-awareness above common sense and become critical of the world to change it (Gramsci, 1999). Hence, the outcome is a new common sense in the form of moral and intellectual reform.

What sets Gramsci apart from traditional Marxism is his critique of the latter that reduces politics to mere derivative of economic forces (Schwarzmantel, 2015). Gramsci asked if modern theory can be in opposition to the ‘spontaneous’ feelings of the masses. By modern theory he meant Marxism and the ‘spontaneous’ feelings refer to “those which ‘have been formed through everyday experience illuminated by ‘common sense’, i.e. by the traditional popular conception of the world” (Gramsci, 1999: p 735). Gramsci criticised Marxism for not being able to address common sense (2001, Q3§48: pp. 330-31). Gramsci raised concern that to trigger spontaneous movements, conscious leadership and organisation are important for subaltern classes to achieve hegemony. The platform to achieve this is through institutions of civil society. Here Gramsci saw civil society as a point for social change where he emphasises the importance of nurturing critical everyday conception of the world to the masses (through mass media, education, language) instead of launching offensive attack on the hegemonic class. Gramsci admitted that it is a long, painstaking process.

The key idea of Gramsci’s preoccupation with Machiavelli lies in the creative role of political leadership instead of politics as the mere expression of economic forces. Gramsci

again compared Machiavelli with the philosophy of praxis or Marxism as he is very scornful of 'economistic superstition':

"In pure Marxism, men taken as a mass obey economic necessity and not their own emotions. Politics is emotion; patriotism is emotion; these two imperious goddesses merely act as a façade in history. In reality, the history of peoples throughout the centuries is to be explained by a changing, constantly renewed interplay of material causes. Everything is economics... In its most widespread form as economistic superstition, the philosophy of praxis loses a great part of its capacity for cultural expansion among the top layer of intellectuals, however much it may gain among the popular masses and the second-rate intellectuals, who do not intend to overtax their brains but still wish to appear to know everything, etc." (Gramsci, 1999: pp. 377-378).

Nevertheless, Gramsci recognised that to counter against traditional ruling class, the economic factor of production has to be taken into consideration: "Classes produce parties, and parties form the personnel of State and government, the leaders of civil and political society" (Gramsci, 1999: p. 477). For Gramsci, the concepts of State and of class are interrelated in the context of revolution. One has to be able to make sense of both regardless of the attempt to defend or attack the State because to have "little understanding of the State means little class consciousness" (Gramsci, 1999: p. 555). Furthermore, one cannot realise a new political party and leader without a theoretical, "systematic attempt to discover and study the causes which govern the nature of the class represented and the way in which it has developed" (Gramsci, 1999: p. 477). For example, Gramsci wrote that the bourgeois class operates as an organism "in continuous movement, capable of absorbing the entire society, assimilating it to its own cultural and economic level" (Gramsci, 1999: p. 529). This transformed the entire function of the State to become an "educator".

Although Gramsci's conception of the State is an extended one, it is not universal but always refers to particular historical events and contexts (Mercer, 1980; Schwarzmantel, 2015). During his time of writing, Gramsci provided not a general theory of the capitalist state, but an analysis of the weakness of the Italian liberal state and an 'incomplete' bourgeois revolution (the Risorgimento) that led to the rise of fascism (Mercer, 1980: p. 32).

This is where Gramsci emphasised the importance of being in organisations. He wrote that in any society, nobody should be disorganised and without a party (Gramsci, 1999). Even in a multiplicity of private associations, Gramsci acknowledged they are not all equal as some will dominate hegemonic situations more than others. Gramsci therefore criticised Hegel's universal parallelism of the State with the bourgeois class, ignoring the unequal economic

makeup of society (Gramsci, 1999: p. 527). Gramsci then attacked Hegel's conception of the State – (a) formal parties and parliamentary components as the 'private' warp of the State; and (b) people's consent toward the State was derived from election results. In Gramsci's view, such conception is 'vague and primitive' for two related reasons – first, 'private' organisations that strengthen the hegemonic position of ruling social groups also refer to those 'natural', informal type (for instance, schools, social clubs) and thus, second, it ignores the power of the State in manufacturing, and more importantly, 'educating' consent of the governed to remain in power (Gramsci, 1999: p. 527). Gramsci also criticised Marx for being unable to extend his concept of organisation beyond journalistic and secret agitational activities to the masses (Gramsci, 1999: p. 527).

Therefore, it is important to have strong leadership to convince the masses of oppositional ideas and to get them actively involved to pursue progressive political change. Gramsci developed 'war of position' as a strategy to win hegemony by the subalterns. Gramsci used the term 'subaltern' when referring to subordinate social groups like slaves, peasants, women, minority races and proletariat. Gramsci wrote how "subaltern classes are subject to the initiatives of the dominant class, even when they rebel; they are in a state of anxious defense" (Green, 2002: p. 2). To understand Gramsci's concept of subaltern, Green (2002, p. 3) stressed that one must understand how Gramsci studies it in totality with "his political, social, intellectual, literary, cultural, philosophical, religious and economic analyses". In many ways, Gramsci links subaltern with hegemony and the integral state. To counter and rise from subordination, institutions that mediate it on the level of civil society must first be conquered (Maglaras, 2013). It is an ideological struggle to win the hegemony through influencing consciousness (Maglaras, 2013). Gramsci therefore deploys hegemony not only to understand the bourgeois in different historical contexts, but also to analyse how subaltern hegemony can be achieved through creating new relations in the integral state (Whitehead, 2015). Not all changes can be defined as resistance because ruling hegemony still allows space to feel elated from so-called democratic amendments. Only changes that produce real improved outcomes for subaltern classes and class fractions are counter-hegemonic (Whitehead, 2015).

In the formation of a national-popular collective will, the modern Prince must be the active organiser of intellectual and moral reform, one that structures the entire work. The plans should result from discussion with the members (Gramsci, 1999: p. 329).

Gramsci's analysis of intellectuals begins from a question of who is in the group: "Are intellectuals an autonomous and independent social group, or does every social group have

its own particular specialised category of intellectuals?" (Gramsci, 1999 p. 134). The answer lies in the "real historical process of formation of the different categories of intellectuals" (Gramsci, 1999 p. 134). Every social group exists in specific economic production where one or more strata of intellectuals are aware of their own function in the economic, social and political fields. For example, "[t]he capitalist entrepreneur creates alongside himself the industrial technician, the specialist in political economy, the organisers of a new culture, of a new legal system, etc." (Gramsci, 1999: pp. 134-135). Intellectuals who are middle-ranking and have tremendous influence toward rural bourgeoisie reinforce their dislike toward the peasantry, which in turn reinforces non-coercive authority of the state and dominant groups:

From Giulio Marzot's review of the novel *Le catene* (Milan, Mondadori, 193, 320 pp., L12) by Pietravalle: "To those who ask her about her feelings when she participates in the life of the peasants, Felicia responds: 'I love them as I love the soil, but I would not mix the soil with my bread'. There is, then, the awareness of a separation: she admits that the peasant, too, may have his own human dignity, but she keeps the peasant within boundaries of his social position."...In Italy, the "naturalist" element was grafted onto a pre-existing ideological position, as one can see in Manzoni's *The Betrothed*, where there is the same "detachment" from the people – a detachment barely concealed by a benevolent smile that is ironic and has the quality of caricature. (Gramsci, 2011c: Q6§9, p. 6).

Gramsci's distinction of intellectuals from non-intellectuals does not lie in their specific professional category, but their social functions (1999, p. 140). Strictly speaking, non-intellectuals do not exist because all men are intellectuals. Gramsci instead divided intellectuals into two types. Organic intellectuals must have a critical consciousness of the world and have a sense of collectivism to engage the masses to restructure society. Gramsci put high expectation toward organic intellectuals where they must have the capacity to be an organiser of society "to create the conditions most favourable to the expansion of their own class" and bring them into prominence (Gramsci, 1999: p. 135).

On the other hand, traditional intellectuals directly or indirectly legitimise the power of the prevailing institutions (Landy, 1986). They have been assimilated to dominant ideas through extensive and complex elaboration quicker and more efficacious than organic intellectuals (Gramsci, 1999 p. 142). The traditional intellectuals detach themselves from the social grouping, which embodies the most extensive and perfect consciousness of the State (Gramsci, 1999 pp. 547-548).

Gramsci bemoaned that Italian intellectuals dissociate themselves with their mission to free people from their 'humble' and 'wretched' positions (Green, 2002). He likened the

cosmopolitan function of Italian intellectuals as the bourgeoisie in the Middle Ages never moving beyond the economic-corporative phase, which hindered successive attempts to create a national-popular collective will (Gramsci, 2011c: Q6§7, p. 5). Gramsci admitted that it is an uphill task, “unless the great mass of peasant farmers bursts simultaneously into political life” (Gramsci, 1999: p. 327). Again, Gramsci made reference to Machiavelli in explaining how the collective will can be achieved through an artistic yet realistic imagination of the given political objective because political passions need to have a concrete form. To achieve that, Machiavelli represented the process “in terms of the qualities, characteristics, duties and requirements of a concrete individual” (Gramsci, 2000: Q13§1, p. 239).

Gramsci then warned against syndicalism where subalterns pursue their own economic gains instead of developing a long term or organic movement to end their underprivileged positions. Syndicalism, an aspect of free-trade liberalism, refers to the idea that trade union activity is sufficient to challenge the existing order. Syndicalism prevents the subaltern class to rise above the economic-corporate phase to achieve ethical-political hegemony in civil society and domination in the state (Schwarzmantel, 2015 p. 164). Syndicalism is not limited to only trade union or party but of social movements with such idea, which can be applied to analysing the direction and strategy by organisations that advocate for marginalised communities’ interests.

Despite Gramsci’s warning against committing economism, it is a mistake to presume that Gramsci cuts social movements from their economic contexts. Economism is a Gramscian critique towards the idea that the economic base determines directly the political and ideological superstructure. Gramsci wrote that we should not view Marxism as a crude materialism that reduces all political processes to economic means. In fact, Marxism does give due place to the ideological forms and ideas through which human beings see political activity (Gramsci, 1999: p. 373). Gramsci added that any articulation of the dominant group’s interests and values is not an entirely ‘ethical-political’ expression because “[hegemony] must also be economic, must necessarily be based on the decisive function exercised by the leading group in the decisive nucleus of economic activity” (1999, p. 373). Those seeking to establish hegemony must achieve equilibrium between economic necessity and moral leadership (Gramsci, 1999).

Hence, the educative role of the political party as an institution could develop consciousness of the working class from the economic-corporative level to the higher stage of achieving hegemony. It involves the masses to be aware of their subalternity, the

manufactured consent surrounding it and a clear idea on what to replace the existing social system with.

Gramsci's approach to civil society has been credited for focusing on the superstructure and completes Marx's project as he demonstrates the dynamic relationship between subaltern and the dominant political and economic power structure (Girling, 1984; Tok, 2003). Such dynamism is reflected in Gramsci paralleling civil society with "the mode of economic behaviour":

"Every social form has its homo oeconomicus, i.e. its own economic activity...Between the economic structure and the State with its legislation and its coercion stands civil society, and the latter must be radically transformed, in a concrete sense and not simply on the statutebook or in scientific books. The State is the instrument for conforming civil society to the economic structure, but it is necessary for the State to 'be willing' to do this; i.e. for the representatives of the change that has taken place in the economic structure to be in control of the State... Here civil society is in effect equated with "the mode of economic behaviour" (MS, in Hoare and Smith, 1999: pp. 448-449).

Corresponding to the struggle for economic and cultural liberalisation is the development from common sense (a subordinate conception of the world imposed by dominant social groups) to good sense (a critical awareness of society that gives a "conscious direction" to one's activity). Political parties, by recruiting potential leaders from the "working mass" are tasked with leading this cultural battle, a movement from the purely economic to the ethical-political called catharsis (Girling, 1984: pp. 391-392):

The term "catharsis" can be employed to indicate the passage from the purely economic (or egoistic-passional) to the ethico-political moment, that is the superior elaboration of the structure into superstructure in the minds of men. This also means the passage from "objective to subjective" and from "necessity to freedom" (Gramsci, 1999: p. 691).

Gramsci bemoaned the passivity of the general masses, which in his time of writing, referred to peasants and soldiers. However, Gramsci admitted that passivity ought to be analysed differently by case and by country (Gramsci, 1999: p. 458). Machiavelli, in Gramsci's view, wanted to enlighten the mass of the citizenry through political practice so that they could become active citizens rather than subaltern subjects (Gramsci, 1999: p. 458). Gramsci called the political enlightenment "collective will", asking a crucial question, "When can the conditions for awakening and developing a national-popular collective will be said to exist?". Therefore, an historical (economic) analysis of the social structure of the given country is

needed to awaken the will as well as an analysis of successes and failures (Gramsci, 1999: pp. 325-326).

One of the key elements of any hegemony strategy to acquire national-popular collective will is through culture (O'Shannassy, 2008). To be national-popular, culture has to reflect the real development of the people instead of being a culture of caste like Italian literature, in Gramsci's time and perspective (Gramsci, 2011c: Q6\$44, p. 35). Gramsci's concept of culture is far more complex than Raymond Williams' 'whole ways of life' and initially not associated with popular culture at the time of his writing (Merli, 2013a). Gramsci stressed that culture has a political function and has to be understood in the context of hegemony and integral state:

"Culture is defined here as 'a coherent, integral and nationwide 'conception of life and man', a 'lay religion', a philosophy that has become 'culture', that is, one that has generated an ethic, a life-style and an individual and civil pattern of behaviour" (CW 92, Q23, 1, 2185-2186; in Merli, 2013c, p. 441).

"Culture was seen as a tool of self-transformation through a discipline of one's inner self which would lead to the attainment of a higher awareness and understanding of one's role, rights and obligations." (Merli, 2013b: p. 434)

Gramsci's stand on culture invites us to ponder upon the changing, legitimating or oppositional role intellectuals have played in hegemony (Landy, 2008). The diverse character of intellectuals is neither fixed nor isolated from existing social relations of production (Landy, 2008). To be culturally prepared, intellectuals need to break the dominant hegemony by creating subaltern consciousness through non-violent means (Buttigieg, 1995). Gramsci again emphasised that his approach to cultural reform is indeed parallel with economic reform:

"Can there be cultural reform, and can the position of the depressed strata of society be improved culturally, without a previous economic reform and a change in their position in the social and economic fields? Intellectual and moral reform has to be linked with a programme of economic reform—indeed the programme of economic reform is precisely the concrete form in which every intellectual and moral reform presents itself" (Gramsci, 1999: pp. 329-330).

A political party's function in civil society is as important as that of the State in political society, only on a different scale (Gramsci, 1999: p. 150). Political party, as a term, for all groups, holds together any form of intellectuals. It is possible to make a mockery out of the presumption that all members of a political party should be regarded as intellectuals. But for Gramsci, he emphasised that it is the function that matters, "which is directive and organisational, i.e. educative, i.e. intellectual" (Gramsci, 1999: p. 151).

Gramsci made it clear that his envisioning of political party is not of the fascist type, “which mobilise the masses not in a democratic way but precisely through ‘messianic myths of an awaited golden age’” (Schwarzmantel, 2015: p. 169). Gramsci (2000, pp. 154-164) formulated three fundamental elements that have to converge – mass membership, leadership and ‘an intermediate element, which articulates the first element with the second and maintains contact between them’. Among these three elements, for Gramsci, it is the leadership element that is the most important. Leadership has to be “‘endowed with great cohesive, centralising and disciplinary powers’, and also ‘with the power of innovation’, which presumably means innovation of a political or policy-making kind, to innovate in deciding strategy and tactics of the party” (Gramsci, 2000: pp. 154-164). Gramsci’s expectation toward the Modern Prince is in a progressive totalitarian function where it becomes a bearer of a new culture, in the sense of diffusing and propagating a ‘total’ or all-embracing view of the world (Gramsci, 2011c: Q6§136, p. 108). This new culture may not be literally new, but in the sense that it has been previously denied by orthodox bourgeois channels of education and culture (Schwarzmantel, 2015). Gramsci harboured hope in educating the masses to govern, which indicates democracy. Political democracy is essential to ensure each non-ruler “a free training in the skills and general technical preparation necessary to that end” (Gramsci, 2000: p. 146).

Gramsci warned against a danger in political parties, that is, bureaucracy. Once bureaucracy is in full force, the party ends up constituting a compact body, detached from the members and becomes anachronist (Gramsci, 1999). Gramsci was fully aware of a party becoming an organisation ruled by elites who are then more reluctant to challenge the wider society. Gramsci, through his writing, addressed Robert Michels’ book of 1911, *Political Parties* about bureaucracy (Schwarzmantel, 2015). Gramsci distinguished bureaucratic centralism from genuinely organic centralism. He described the latter as “a centralism in movement – i.e. a continual adaptation of the organisation to the real movement, a matching of thrusts from below with orders from above” (Gramsci, 1999: p. 364). In fact, the division between rulers and ruled is one of the fundamental, primordial elements of the entire science and art of politics (Gramsci, 1999 p. 347). A healthy form of centralism requires an organic unity between theory and practice, between intellectual strata and popular masses, between rulers and ruled. It creates ‘a united front’, which Gramsci (1999, p. 768) termed crucially as the ‘historical bloc’.

For Gramsci, the state’s strength is a dialectical unity between government power and civil society (Katz, 2010). So, drawing on this idea in the context of the current research focus,

it is less important to ask if the state is less authoritarian in the new media era, and more relevant to explore 'what now' questions for the Sarawakian CBOs in terms of resources or allies. Any particular crisis or event needs to be understood not only in terms of the immediate economic and/or political concerns but also hegemony making as an "incessant and persistent" process (O'Shannassy, 2008). How do the CBOs in Sarawak establish their presence in Malaysia's 'virtual' civil society? Has new media any role in the CBOs' organisational process and relations with other actors? CBOs are known to be small scale and to work closely with their communities. How much of a revolutionary role can CBOs play to lead the masses in economic and cultural reform?

This research neither aims to vehemently search for a genuine Southeast Asian definition of civil society that fits the Sarawakian CBOs nor to claim that Gramsci could unlock all these research questions. The task here is more to think of the situation of Sarawak indigenous people as a whole "in a Gramscian way" to support an intellectual framework for understanding empirical evidence gathered in this project around their use of media. As Hall (1987, p. 16) put it:

We can't pluck up this 'Sardinian' from his specific and unique political formation, beam him down at the end of the 20th century, and ask him to solve our problems for us: especially since the whole thrust of his thinking was to refuse this easy transfer of generalisations from one conjuncture, nation or epoch to another.

Nevertheless, it is posited that the Gramscian totality of civil society, hegemony and subalterns affords analytical insight and 'purchase' in the pursuit of this project's research inquiry.

2.5 Conclusion

This chapter started off by outlining the classical approaches to civil society, predominantly in liberal and Marxist perspectives. Their explanatory insufficiencies were then illustrated by the nature of 'strong' Southeast Asia post-colonial states. The discussion moved to explaining how Antonio Gramsci's civil society could offer a richer means of conceptualisation and understanding of Sarawakian community-based organisations' (CBOs) advocacy for native ancestral land amidst the official rhetoric of modernisation. Susan Leong (2014) in her book, *New Media and the Nation in Malaysia*, wrote that the broader implications of the Internet for civil society in East Malaysia remain an area yet to be explored, a significant gap in knowledge which this research seeks to contribute to closing. The

advancement in communication technologies has prompted scholars to argue that the sphere for common participation in political life has widened and shaped public opinion, paving way for new civil society in Malaysia (e.g. Tan and Zawawi, 2008). Yet this claim is open to question. It is argued that the following framework for analysis, based on the analysis of Gramsci's ideas in this chapter, can assist in providing a contribution to understanding Malaysian civil society and media activism through a specific exploration of Sarawak NCR land CBOs. The specifics of this are set out below.

Table 2 Explanatory Framework

1. Media	<p>Media are part of the civil society (superstructure) that produces common sense – dogma about our reality and how we make sense of the daily happenings without questioning them. This process is consensual where the subalterns willingly accept their own subordination as natural.</p> <p>Within a heavily regulated media environment in Malaysia, the new media provides certain leeway by pushing the gatekeeping boundaries for alternative user-generated contents. The research explores the extent to which the CBOs utilise these technological affordances in their day-to-day operations and to what extent they strategise to win the cultural front as what might be understood as war of position. The perspectives of the CBOs toward how the Malaysian media (mainstream and alternative) have been supportive to their advocacy will be discussed. It is the overall media mechanism that produces or excludes the indigenous people that, in the Gramscian term, shaped the common sense of their subalternity.</p>
2. Revolutionary party	<p>This research applies Gramsci's idea of the Modern Prince to the land community-based organisations (CBOs) instead of political parties. Based on the literature review (see Chapter 3), CBOs have fought against native land injustice since the 1970s. The research asks if the new media platforms provide more ability to execute operations such as recruitment, training and engagement. Organic intellectuals for Gramsci should have a clear idea of what to replace the oppressive system with. Creative and conscientious leadership is important to prevent elitism and mythic visions. To what extent are 'idea contributors' in alternative media and CBOs engaging the masses as well as their own circles?</p>
3. The state and civil society	<p>Gramsci explains the state-society relationship where the state plays cultural and formative roles in private organisations to retain authority. Instead of relying heavily on military means or force, state intervention in the media, religion, education and associations in totality define civilisation and which culture is national-popular. In Malaysia, the Sarawak indigenous people are constitutionally recognised as <i>Bumiputera</i> (prince of soil) and eligible for social privileges through the state's affirmative policies. However, based on evidence from numerous scholarly works (see Chapter 3), the indigenous people are either labelled as backward or in need of being assimilated to the Malay/Islamic culture. Nevertheless, as Gramsci asserted, hegemony is never rigid. Sarawak's dissatisfaction over the encroachment of the Federal government has stirred state nationalism sentiments. Can CBOs reach class consciousness (instead of communal) through their use of media and await the opportunities entailed in the occurrence of a Gramscian crisis of authority?</p>

The discussions and analytical framework in this chapter aimed:

RO1) To establish a conceptual understanding of the relationships between new media strategies and Sarawakian NCR land CBOs' activism.

Gramsci's integral state explains that the state comprises political society and civil society. The next chapter elaborates on the former – Malaysia's political system, the legalisation of the Malay-Muslim culture, and the contested term of indigeneity, *Bumiputera*, which has much bearing on the cultural dissatisfaction of non-Muslim Sarawak indigenous people, especially pertaining to their ancestral land.

Chapter 3: The Federation of Malaysia and Sarawak Indigenous People's Adat (Custom)

3.1 Introduction

This chapter outlines the political system of the Federation of Malaysia and how its centralised federalism evoked the sentiment of Sarawak state nationalism despite being one of the Federation's equal partners. The purpose is to show that Native Customary Rights (NCR) on land in Sarawak is more than the question of the environment as it also concerns cultural identity, politics and economy. The first section is a general view of the governance of Malaysia as a post-colonial country in Southeast Asia that now runs as a constitutional monarchy and parliamentary democracy. The formation of Malaysia in 1963 with Sabah and Sarawak as equal partners culminated in an agreement over several areas of autonomy such as language, religion and land. The placement of the Malay ethnicity and Islam in the Malaysian Constitution resulted in much controversy over the categorisation of *Bumiputera* (prince of the soil) and the special rights afforded to Sabah and Sarawak indigenous people. Despite sharing the *Bumiputera* status with Muslim Malays, the indigenous people of Sabah and Sarawak have expressed feelings of marginalisation in economic and cultural positions, leading to strong state nationalism from their quarters. The second section of the chapter focuses on the ethnic population in Sarawak and how disputes among its people have occurred regarding land issues. The disputes stemmed from the institutionalisation of the indigenous people's *Adat* (custom) through land laws and regulatory bodies that changed the primordial interpretation of land use and territory. The chapter shows that the understanding of what land means to the natives clashed with the contemporary understanding of rights, development and government. The last section discusses the efforts of independent community-based organisations' (CBOs) in highlighting the plights of the indigenous people being displaced from their lands in the process. Overall, this chapter provides an understanding of the political contexts of the federally and in Sarawak province to illustrate the context within which the NCR land CBOs operate.

3.2 The Formation of Malaysia

Malaysia is a member of the Commonwealth of Nations and a former component of the British Empire. Independent Malaysia is now a constitutional monarchy and a parliamentary, Westminster-style democracy although Malaysian democracy has been contested given post-colonial authoritarian government (Case, 2002; in Whiting et al, 2014). Malaysia has territory

on both the mainland and insular regions of Southeast Asia. West Malaysia, also known as Peninsular Malaysia, has an area of 131,313 sq. km, comprises 11 states and the federal territories of Kuala Lumpur and Putrajaya (Abdul Rashid, 2013). East Malaysia, with an area of 201,320 sq. km, consists of the states of Sabah and Sarawak, and the Federal Territory of Labuan (Abdul Rashid, 2013).

The Federation of Malaya achieved independence on August 31, 1957. Tunku Abdul Rahman, the first Malayan Prime Minister, suggested that Singapore, North Borneo and Sarawak unite with Malaya to form a federation. On September 16, 1963, the Federation of Malaysia emerged, composed of 11 states in Peninsular Malaysia (formerly the Federation of Malaya) and Singapore, together with Sabah and Sarawak in the East. Singapore, however, seceded from the Federation on August 9, 1965 and became a sovereign city-state (Abdul Rashid, 2013).

Mass immigration during the colonial era resulted in the creation of a multiracial country and the development of race-based political parties – fostered by both colonial and post-colonial administrations (Whiting et al, 2014). As industrialisation in Europe gained momentum in the late nineteenth century, British dominance over the peninsula grew, beginning with their control in 1874 of the tin-rich state of Perak (Gomez, 1999). Although Malays had been involved in tin mining, the Malay rulers did not have effective control over a large labour force (Jomo, 1990). In addition, most indigenous Malays preferred to remain as peasants rather than to work as poorly paid wage labourers (Jomo, 1990). The colonial government and employers turned to China and India for their source of labour (Gomez, 1999).

Figure 2 Map of Peninsular Malaysia, Sabah and Sarawak



Source: Peace and Tranquillity Blogspot

As of 2010, the estimated population of Malaysia is 23.8 million, consisting of Malays (50%), other *Bumiputeras* (12%), Chinese (22%), Indians (7.3%), Others (0.7%) and non-Malaysians (8%) (Department of Statistics Malaysia, in Chi, 2014). *Bumiputera* literally means 'sons' or 'princes of the soil', a large proportion of whom are Malays. Under Article 160 (Interpretation) of the Federal Constitution, Malay means "a person who professes the religion of Islam, habitually speaks the Malay language, conforms to Malay custom". Article 153 and Article 161A differentiates *bumiputera* comprising Malays and natives of Sabah and Sarawak from *non-bumiputera* (ethnic Chinese, Indians and other non-indigenous peoples) (Vejai, 2007). In fact, the purpose of forming Malaysia with Sabah and Sarawak was to ensure the total number of *Bumiputera* exceeded that of non-*Bumiputera* (Chin, 2015: p. 83).

The special position of natives of Sabah and Sarawak is enshrined in Article 161A of Federal Constitution (Malaysia, 2011). In relation to Sarawak, 'native' means "a person who is a citizen and either belongs to one of the races specified in Clause (7) as indigenous to the State or is of mixed blood deriving exclusively from those races" (Clause (6), Article 161A).

Colonial protective measures for Malays and the natives of Sabah and Sarawak allows the government to establish affirmative policies that offer them privileges to employment in the civil service, educational scholarships, land reservations and business licences. Despite sharing the *Bumiputera* status, it has been made known that Malays are the original inhabitants and rightful leaders of the country, hence the rhetoric of *Ketuanan Melayu* or Malay supremacy (Puthuchery, 2008; in Whiting et al, 2014: p.3). Inevitably, it included Islamic supremacy as constitutionally, a Malay is Muslim by birth (Chin, 2015).

In terms of religion, Islam is the largest religious grouping (61.3%), followed by Buddhism (19.8%), Christianity (9.2%), Hinduism (6.3%) and 'other Chinese religions' (1.3%). More than half of the 2.3 million non-citizen population are Muslims (Department of Statistics, Malaysia 2010; in Whiting et al, 2014: p.3). Article 11(1) in the Federal Constitution stipulates that "Every person has the right to profess and practise his religion..." but Islam has a special position as the 'religion of the Federation' (Article 3). The institutionalisation of Islam through judiciary system and official bodies in Malaysia, however, has been increasingly challenged by Muslims and non-Muslims in recent years.³

In attempt to negotiate and achieve Malayan independence from the British, a coalition of political parties were formed in 1953, comprising the United Malays National Organisation (UMNO), Malayan Chinese Association (MCA) and Malayan Indian Congress (MIC) – called the Alliance. Each political party claims to represent the interests of own community – the Malays,

the Chinese and the Indians. The lead members were from the upper classes of society - aristocrats, businessmen, politicians, westernised in education; where scholars argued that the coalition brought about private interests more than those of race-based community (Means, 1991). As Stenson put it (1976, p. 4):

Of more importance is the symbiotic relationship between Chinese capital and Malay political power which underlay the Alliance. Chinese merchants and miners had collaborated with Malay rajas and sultans in the exploitation of peninsula resources since the fifteenth century. An awareness of common interests and a history of mutual cooperation provided the foundation or joint electoral activity with the object of gaining power in an independent Malaya. It should be appreciated, however, that the Alliance was an arrangement of convenience rather than affection. The relationship was therefore accommodatory or contractual as befits the association of two separate races and quite separate classes. The essence of the contract between the Malay aristocratic and administrative elite and Chinese capital is to be found in the accommodatory bargain which was enshrined in the independence constitution of 1957.

After the racial riot on 13 May 1969, the Alliance was dissolved in 1973, replaced by a wider coalition of political parties called the *Barisan Nasional* (BN, National Front), which governed Malaysia until 2018. From the results of Malaysia's 12th general election in 2008, also popularly known as 'political tsunami', the BN coalition lost its majority in 5 of 12 state legislatures under stake, while the seats won in the federal parliament dropped to 63 per cent as compared to that of 91 per cent in the 2004 election. Not only did BN failed to re-secure the two-thirds majority in 2013 (or 148 out of the 222 seats in the House of Representatives), but the number of seats won dropped from 140 to 133 (Kessler, 2013). What has not been the attention of scholars is the contribution of Sarawak to the results that secured BN narrow win to form a government (Chin, 2015). Sarawak BN contributed 25 seats out of 47 seats from East Malaysia in the 2013 general election (Chin, 2015). In 2008, East Malaysia provided 55 BN seats from a total of 140 seats, despite losing the two-thirds majority in the 222-seat Malaysian parliament (Chin, 2015).

A stark controversy arose from Malaysia's 13th General Election (GE13) results is that BN failed to gain the popular vote with only 47 per cent as compared to the opposition coalition at 51 per cent, yet the former garnered 60 per cent of the parliamentary seats – a phenomenon similar to the elections in 1969 (Johan, 2013). Other issues that cloud GE13 include gerrymandering, electoral fraud, washable indelible ink, alleged swapped ballot boxes, immigrant voters with Malaysian identity cards, 'ungrateful'⁴ Chinese voters and pro-BN coverage by mainstream media. These led to dissatisfaction from concerned members of the

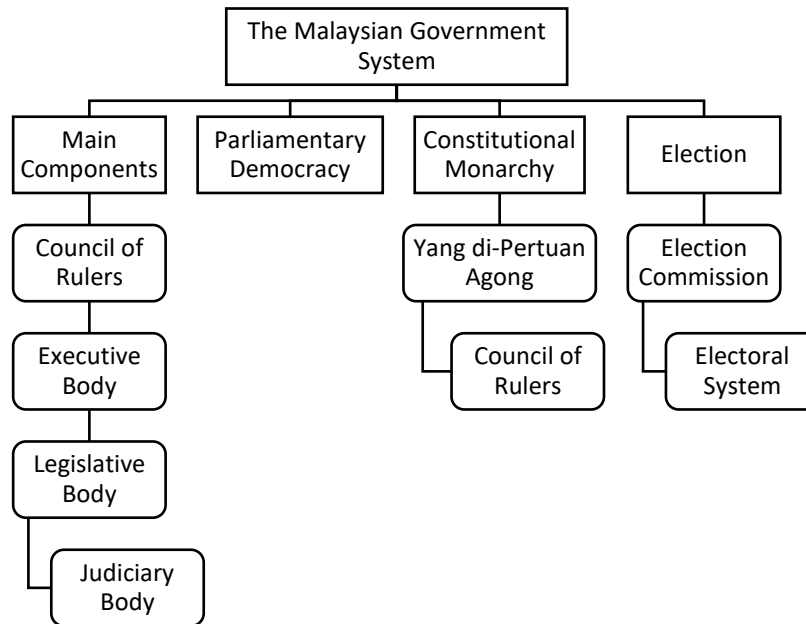
public which was expressed through viral circulation of posts on social networking sites and more remarkably, through rallies organized by the Pakatan (opposition) coalition.

The 14th general elections of Malaysia in May 2018 saw a change of government for the first time in 60 years after Independence. The new government (Alliance of Hope, PH) vowed to clean the country from corruption and transformed the infamous race-based legacy of BN. Chin (2018) contended that the issues that led to changes in voting behaviour differed between Peninsular and East Malaysia. For Sarawak, the dissatisfaction from voters came from the unfulfilled promises to treat Sarawak as an equal partner of the Federation culturally and economically (Chin, 2018).

3.3 The Malaysian Political System

Malaysia is headed by the Yang di-Pertuan Agong, a Malay title translated as “Supreme Head” or “Paramount Ruler”, also referred to as the King. Paramount Ruler and Deputy Paramount Ruler are elected by the “Conference of Rulers” for 5-year terms from among the nine Sultans of the Peninsular Malaysian states. The Conference of Rulers is established by the Constitution, consists of Malay rulers and Governors of Pulau Pinang, Melaka, Sabah and Sarawak. A King is required to seek election to hold office for a fixed period of five years. Since Malaysia is a constitutional monarchy, the role of the Yang di-Pertuan Agong is largely ceremonial. Malaysia has adopted the parliamentary democracy system since independence. The government is formed after an election process, consisting of ministers who enjoy the confidence of a majority in Parliament as elected representatives.

Figure 3 The Malaysian Government System

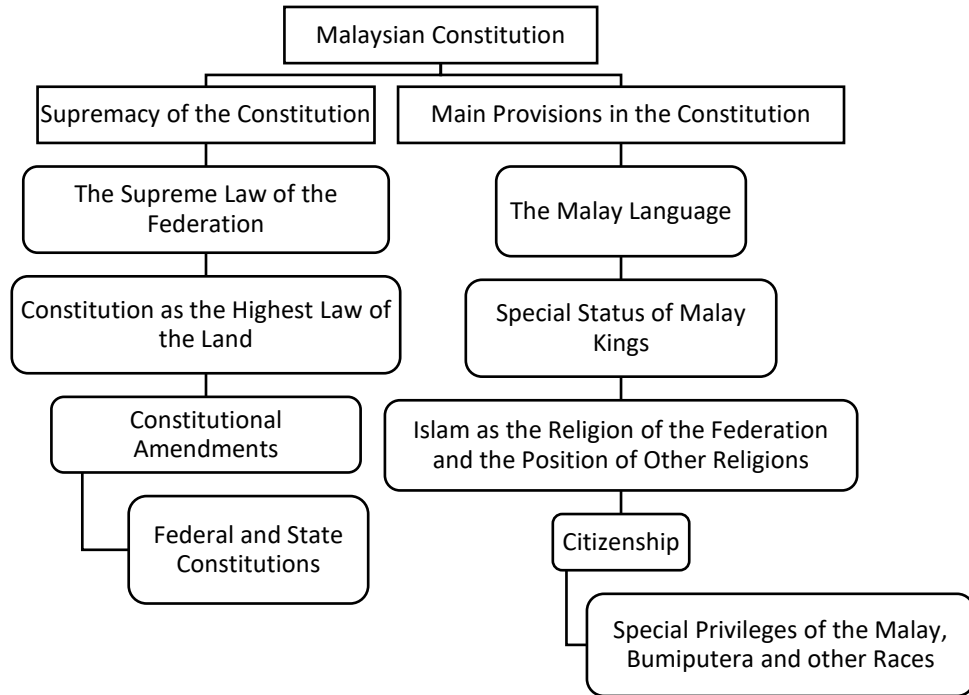


Source: Mardiana and Hasnah (2014)

This Constitution is the supreme law of the Federation, as stipulated by Article 4(1). The Constitution empowers Parliament at the federal level and State Legislative Assemblies at the state level to make laws. Likewise, the executive and judiciary have been assigned powers by the Constitution. These bodies must exercise powers within the confines of the Constitution (Abdul Rashid, 2013: p. 109).

Article 43(3) of the Federal Constitutions states that the King must appoints a Prime Minister who won the general election and is normally the head of the winning political party. The Prime Minister must be a citizen, born in Malaysia, a member of the House of Representatives (Dewan Rakyat) and who commands the confidence of the majority of the House. The King also appoints other ministers based on the advice of the Prime Minister “from among the members of either House of Parliament” (Art. 43(2)(b)). As the Head of the government and the Cabinet, the Prime Minister is responsible to the King for all government matters.

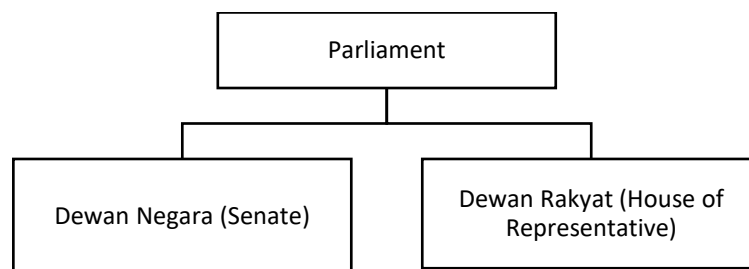
Figure 4 The Malaysian Constitution



Source: Mardiana and Hasnah (2014, p. 221)

The cabinet is collectively responsible to the Parliament for its policies and a minister can be removed from office for his or her individual indiscretion based on the discretion of the King as advised by the Prime Minister (Art 42(3)). The Parliament has two chambers. The lower house, as of the 2018 general election, consists of 222 members, all elected by popular vote in single-member districts (Malaysia, 2020). Elections for the lower house of its Parliament are held at the interval of not more than five years.

Figure 5 Structure of the Malaysian Parliament



The Election Commission of Malaysia (EC) is a commission that supervises, holds and is responsible for elections matters in Malaysia. Article 114 of the Federal Constitution of Malaysia empowers the commission to hold general elections for the House of Representatives and the State Legislative Assemblies as well as by-elections should a vacancy arise (Mardiana and Hasnah 2014, p. 195).⁵ Malaysia does not hold elections for the upper house (Dewan Negara or the Senate). Most of the 70 members are appointed by the

government for three-year terms, while the rest are elected by the states' legislative assemblies.

Figure 6 Malaysian Cabinet (2018)



Source: Borneo Post Online (2 July 2018)

The states in the federation have unicameral legislature, referring to a legislature that consists of only one chamber or house. Dewan Undangan Negeri or State Legislative Assembly holds elections together with Dewan Rakyat (Tunku Mohar, 2013). Sarawak's Cabinet is headed by the Chief Minister. Where there is no hereditary ruler in Sarawak, a governor or the Yang di-Pertua Negeri is appointed by the Yang di-Pertuan Agung to be the state's ceremonial head. Likewise, the state cabinet is the highest coordinating body on all matters of interest in the state (Ahi, 2013).

Executive powers in Malaysia are structured into federal-level administration, state governments and local governments. At the federal level, led by the Council of Ministers, the Cabinet and ministers play important roles in governing and administering the country. The main duties of the Cabinet involve drafting and executing the country's highest policies (Mardiana and Hasnah, 2014: p. 131).

The Chief Minister of Sarawak is the head of the executive branch of the State Government in Sarawak. The Sarawak State is headed by the Yang di-Pertua Negeri (State Governor), who is appointed by the Yang Di-Pertuan Agong (the King). He is appointed for four years. The Yang di-Pertua Negeri is constitutionally obliged to act on the advice of the State Executive Council especially the Chief Minister. Members of the Executive Council are called State Ministers. Section 1(2) of the Constitution of the Federation allows the State Governor to act upon his own discretion in carrying out the following duties (Mardiana and Hasnah, 2014: pp. 172-173):

- (a) Appoint the state Menteri Besar/Chief Minister
- (b) Consent to or declining a request to dissolve the State Assembly
- (c) Approve the appointment of Menteri Besar/Chief Minister among those who led the party that won majority votes in the state-level elections
- (d) Approve the appointment of State Government Meeting Council (EXCO) members/Council of Ministers upon advice by the Minister Besar/Chief Minister

For states in Peninsular Malaysia, administration at district level is led by a District Officer, assisted by several deputy district officers. Several areas in the district are governed by chieftains (*penghulu*). Sarawak, the largest Malaysia's state, posed great challenge to the Brooke government to administer, therefore divided it into divisions (Lim, 16 September 2011).

In 1873, Sarawak was divided into three administrative divisions (Rawlins, 1969). In the 1980s, Sarawak had nine Divisions. Within each Division, there are a number of Districts (Hong, 1987). Sarawak is divided into divisions which are of higher status than districts (Samuel, 12 April 2015). Each Division is under the charge of a Resident who is assisted by a District Officer in each of the Districts. The District Officer assisted by his subordinate Administrative Officers, implements the policy of the government, plans and organises development of the areas (Lim, 16 September 2011). The Administrative Officers manage the day-to-day affairs within the District and the sub-Districts. Districts Officers in Sarawak also sit as Magistrates and preside over court cases on matters pertaining to civil, criminal and customary law in the District (Lim, 16 September 2011). Similarly, Sarawak Administrative Officers are empowered to hear cases at the level of the Native Officer's or Chief's Court and the *Penghulu's* (Chieftain) Superior Court.

Figure 7 Map of Sarawak's 12 Divisions (2018)



- 12 Divisions:
1. Kuching
 2. Samarahan
 3. Serian
 4. Sri Aman
 5. Betong
 6. Sarikei
 7. Sibu
 8. Mukah
 9. Bintulu
 10. Kapit
 11. Miri
 12. Limbang

Sources: SCORE, Sarawak Government (2018)

Before Western colonialism, the states in the Malay Peninsular practised the Malay Customs Laws while in Sabah and Sarawak, the Bumiputera Customs Laws were practised. Today, Parliament is Malaysia's legislative body. The distribution of legislative powers between the Federal and State government is enumerated in the Ninth Schedule of the Federal Constitution under the Federal List, State List and a Concurrent List. In case of inconsistency between federal and state laws, federal law supersedes state law (Abdul Rashid, 2013). The Federal Constitution has certain specialised domains as shown in the following table:

Table 3 Brief contents of the Federal Constitution

List	Matters
Federal	Covers issues regarding foreign affairs, defence, internal security, criminal and civil laws, citizenship.
Shared	Covers aspects which enable the state legislative body to enact laws as long as they do not conflict with the Federal laws. Examples include wildlife protection, study grants, children protection, town and rural planning, public health.
State	Entails matters handed to the state like the Shari'ah laws, individual and family Muslim laws, state holidays, state government machinery.

Source: Mardiana and Hasnah (2014, p. 233)

Under the terms of the Malaysian Federation Agreement, the East Malaysian states of Sabah and Sarawak were accorded certain rights not accorded to the peninsular states including, most importantly, control over their own immigration matters. Any Peninsular-born Malaysian requires a permit if to work or study in the states, and those who are on short visit will have to fill an immigration form for a 90-day visit pass (*The Star*, 16 September 2018). The Concurrent List contains powers such as social welfare, scholarships, protection of wildlife and town and country planning. Both Federal and State Governments are competent to legislate on these subjects. Article 161E of the Constitution provides that with regard to the application of the Constitution to the Borneo States an amendment of the Constitution would require a two-thirds majority in both Houses of Parliament and in a number of specified cases would require the concurrence of the Governors of the Borneo States or the concurrence of the legislature of each of the Borneo States concerned. Article 161(E) stipulates that "Some matters which are important to Sabah and Sarawak can be amended by a two-thirds absolute majority in each House of Parliament but only if the Governors of these states concur" (Abdul Rashid, 2013: p. 109).

Sarawak's State Legislative Assembly is the oldest in Malaysia, established after its first inaugural meeting in 1897. Its first 21-member Sarawak General Council was headed by Rajah Charles Brooke (CPA, 2019). Currently with 82 seats from single-member constituencies through the state, it is the largest state legislature in Malaysia (CPA, 2019). The members of the state legislature are elected no more than five years apart. The state legislature has the autonomy to pass any law so long as it is within the State List as underlined by the Ninth Schedule of the Federal Constitution.

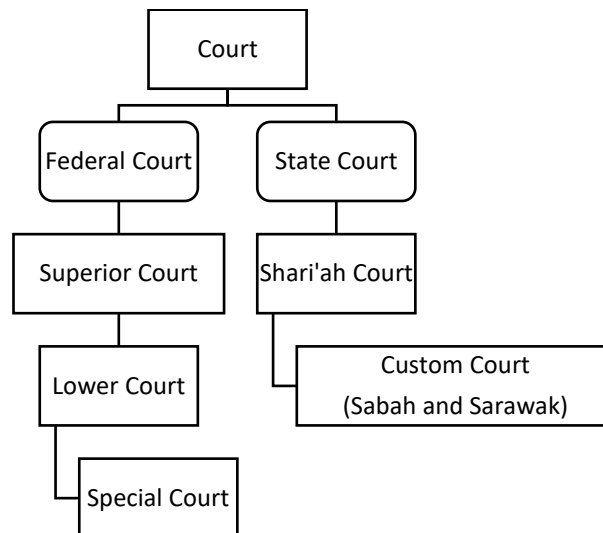
Figure 8 Sarawak State Legislative Assembly Building in Kuching



Photo: Royer Wan

Malaysia's judiciary inherited the British Common Law traditions of an independent judiciary operating within the principle of parliamentary supremacy (Means, 1991). However, unlike Britain, Malaysia's Constitution was assumed to be supreme where judges would be required to examine both statutes and acts of government for their jurisdiction. The powers for judiciary bodies are allocated in Article 121 of the Federal Constitutional of Malaysia (Mardiana and Hasnah, 2014).

Figure 9 Court structure in Malaysia



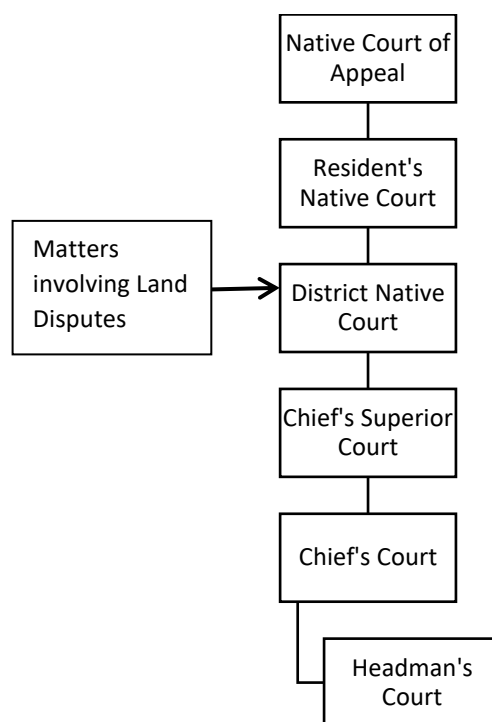
Source: Mardiana and Hasnah (2014, p. 184)

In the 1980s, critics of the Mahathir regime took to the court to keep executive powers in check. Disputes within the UMNO, financial scandals and foreign investigative journalism were deemed disadvantages to the newly minted Prime Minister. Mahathir was keen to introduce economic policies that would propel Malaysia to greater heights – Privatisation, Look East, Vision 2020, heavy industrialisation and Malaysia Inc. In 1986, Mahathir openly chastised 'independent judiciary' after the court overturned the government's order revoking

the work permit of two *Asian Wall Street Journal* correspondents (Means, 1991). On several occasions, Mahathir warned the judiciary about encroaching on executive powers (Means, 1991). In 1988, the Lord President of the Supreme Court of Malaysia, Tun Mohamed Salleh Abas was suspended for alleged misbehaviour by the King, on the recommendation of the Prime Minister (see Lee, 1995). Two other senior judges were also removed from office.

The Judiciary in Sarawak comprises the High, Session & Juvenile Courts, the Sarawak Syariah Judicial Department, and the Native Court. Sarawak’s Judiciary is headed by the Chief Judge of Sabah and Sarawak. He oversees the administration and working of all the various courts (Sarawak State Government, 2018).

Figure 10 The Appellate Structure of Native Courts



Source: Empeni (1998, p. 113)

The Native Court administers the Native Courts System and enforces Native Customs (*Adat*). The Native Courts including the District Native Court are statutory courts established not by the Federal Law but by Sarawak State law (Empeni, 1998). The jurisdiction of Native Courts is regulated by the Native Courts Ordinance 1992 which defines its powers. A Chief Registrar who is the Chief administrator of Native Courts supervises all Registrars, who are District Officers and Sarawak Administrative Officers in charge of sub-districts (Sarawak State Government, 2018). The only appeal cases that are brought to District Native Courts and other higher appellate courts are ones that involve land disputes (Empeni, 1998).

3.4 Ethnic Groups in Sarawak

Sarawak is the largest state of Malaysia and second largest state of Borneo, comprising about 16% of the island. The ancestors of many of today's indigenous people only settled in Borneo about 4,500 years ago (Bowden, 2011). Borneo's flora and fauna are amongst the world's richest; it impressed the great naturalist Charles Darwin that he called it "one great luxuriant hothouse made by nature for itself" (Bowden, 2011: p. 3). Sarawak is also rich with resources such as oil, gas, mineral, and timber. With almost 30 indigenous groups that speak more than 40 different languages and dialects, Sarawak is culturally diverse and unique (Sarawak Tourism Board, 2015). The indigenous peoples have close relationships with rivers, lands, and forest that they relate in order to define their indigenous identities and territories. This predates modern identification of them by ethnic grouping and is an important issue.

The indigenous peoples can be broadly classified into two groups; those who live on the coastal areas (the Malay and Melanau) and the interior peoples or Dayak (Hong, 1987). The term Dayak refers loosely to the non-Muslim indigenous groups, with the largest being Iban and Bidayuh; it refers to all ethnic groups in Sarawak who are largely non-Muslim. The largest indigenous group is the Ibans (30.3%), followed by Malays with 24.3%, then the Chinese comprising 24.2% (see Table 4). In the first quarter of 2013, the Malays surpassed the Chinese as the second largest ethnic group in 2012 by 5,000 people (Borneo Post Online, 8 February 2014). Other major groups include Bidayuh, Melanau, and Orang Ulu (Kayan, Kenyah, Kelabit, Penan). During the 1947 Census of Population, a list was made of the indigenous peoples of Sarawak and 181 different tribes or groups were recorded (Rawlins, 1969).

Table 4 Sarawak's Populations (1960 and 2013)

1960		2013	
Sea Dayak	237,741 (31.9%)	Ibans	745,400 (30.3%)
Chinese	229,154 (30.8%)	Malays	599,600 (24.3%)
Malay	129,300 (17.4%)	Chinese	596,100 (24.2%)
Land Dayak	57,619 (7.7%)	Bidayuhs	205,900 (8.4%)
Melanau	44,661 (6.0%)	Orang Ulus	167,000 (6.8%)
Other indigenous	37,931 (5.1%)	Melanaus	132,600 (5.4%)
Others	8,123 (1.1%)	Indians	7,800 (0.3%)
		Others	8,200 (0.3%)
744,529 (100%)		2,464,600 (100%)	

Source: Rawlins (1969, p. 198)

Source: Borneo Post Online (8 February 2014)

Sarawak's population as of 2017 is 2.7676 million, with a 10% increase from that of 2010 (Sarawak State Government, 2018). According to the 2010 census, most of the population is located in cities and towns, such as Kuching the capital at 707,546 people. Miri and Sibuan came

in second and third although respectively, with about half the Kuching population (Sarawak State Government, 2018).

Milne (1967) once wrote that Sarawak’s ethnic composition was “almost terrifying in its complexity”; a statement that holds true until the current day (in Karolina, 2016: p. 43). The currently most common tripartite division is of Muslim indigenous-non-Muslim indigenous-Chinese (Roff, 1974). Due to the synonymous identification of Muslims and Malays, Muslim indigenous groups are also largely referred to as Malays. Non-Muslim indigenous refers to the vernacular meaning of Dayak (Karolina, 2016). However, all Malays and indigenous people of Sabah and Sarawak are constitutionally *Bumiputera* and subsequently eligible to a wide range of social privileges through affirmative policies.

Table 5 Ethnic Groups in Sarawak, 1970 (%)

The native peoples			
Malay 18.7	} ‘Malay’ 24.9%	Iban (Sea Dayak) 31.0	} ‘Dayak’ 44.2%
Melanau 5.4		Land Dayak 8.5	
Kedayan 0.8		Other indigenous 4.7	
Non-natives			
Chinese 30.1			
Indians 0.3			
Europeans/Eurasian 0.1			
Others 0.2			

Source: Leigh (1974, pp. 1-2)

Ethnographically, the tripartite Muslim indigenous-non-Muslim indigenous-Chinese is much more complex, as categorised by Karolina (2016, p. 28), although this is not an exhaustive list.

Table 6 Dimensions of Ethnic Categories in Sarawak

Dimension	Example
Indigeneity	<i>Bumiputera</i> (prince of the soil), Chinese, Indian
Religious	Muslims, non-Muslims, Christians, Buddhists
Race	Malays, Chinese, Dayaks
Tribal	Iban, Bidayuh, Orang Ulu
Linguistic	Malay, Melanau, Hakka
Regional	Rajang Iban, Bau-Lundu Bidayuh, Saribas Iban

3.4.1 Orang Ulu’s Cultural and Economic Position

While the scope of this thesis is not race exclusive, an introduction to Orang Ulu is necessary. Penan is part of Orang Ulu and in the 1980s, Penan blockades of logging roads gained international attention because of Swiss activist Bruno Manser’s publicity effort. Unintentionally, Penan became the face of environmental activism in Sarawak (Majid-Cooke,

2006). The Malaysian government launched a defensive front by labelling the international pressure as post-colonial imperialism (Brosius, 1999).

Figure 11 Nomadic Penan



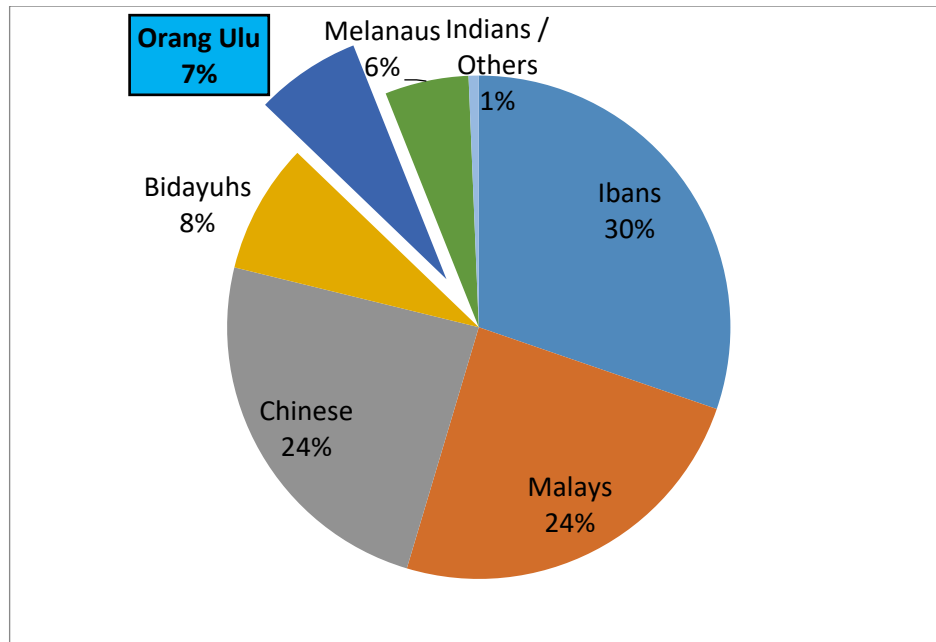
Source: Bruno Manser Fonds

In interior central Borneo, there exist two broad classes of people: longhouse-dwelling swidden agriculturalists and hunting and gathering forest nomads such as the Penan. Swidden systems, once popular in Southeast Asia before the advent of larger scale agricultural practices, consist of temporarily cultivated land (Schmidt-Vogt et al, 2009). Swidden activities are hard to be quantified by government authorities due to their small scale. Therefore, swidden fields often do not appear on land use maps or often categorised as ‘unclassified’ or ‘degraded’ land (Van Vliet et al, 2013). Penan and other hunter-gatherers are found in interior headwaters. Penan is the only tribe to remain nomadic in Sarawak. Unlike their head-hunting neighbours such as the Kayan, Kenyah and Ibans, Penans have no history of head-hunting and are relatively shy and would rather retreat when attacked (Chen, 1990). The Penans of Sarawak are divided into two distinct populations, Eastern and Western Penan (Needham 1972; in Brosius, 1999). Although generally they are very similar, there are significant differences between these two groups with regard to subsistence technology, settlement patterns, and social organisation (Brosius, 1999). For instance, the Eastern Penans are gentler and timider compared to the Western Penans who have a more aggressive disposition (Chen, 1990).

Orang Ulu, prior to their active participation in politics, used to be referred to as “other indigenous” people. The characteristic of “Orang Ulu” is chiefly geographical – people who

originate from upstream, far interior areas of Sarawak, mostly along the Indonesian border (Karolina, 2016: p. 47). There are about 167,00 Orang Ulu in Malaysia as at the third quarter of 2013 (Borneo Post Online, 8 February 2014).

Figure 12 Sarawak's Population by Ethnic Group (2013)



Source: Borneo Post Online (8 February 2014)

The term Orang Ulu is neither legal nor listed in the Malaysian constitution; it categorises 27 very small but ethnically diverse groups (Lian, 2003). The Kayan and Kenyah are the largest Orang Ulu groups. The term 'Orang Ulu' is usually used in cities and suburban Sarawak for collective identification because the names of the smaller sub-groups are hardly known (Tan, 1997).

Table 7 Sub-Groups of Orang Ulu

Orang Ulu Ethnic Group	Sub-category by ethnic group/geography
Kayan	Uma Peliau, Uma Belor, Uma Pu, Uma Bawang
Kenyah	Badeng, Lebu' Kulit, Uma Bakah, Sambop, Urea Pawa, Long Bangan, Bakong, Sipeng.
Kelabit	Ba'kelalan
Kajang	Sekapan, Lahanan, Punan Bah, Kejaman, Tanjung, Kanowit
Penan	Western, Eastern
Lun Bawang	Limbang
Smaller groups – Bhuket, Sihan, Seping, Punan Busang, Punan Bah, Punan Bintulu-Niah, Ukit	

Sources: Chen (1990); Tan (1997); Roselind et al (2015); Sarawak State Government (2018)

Orang Ulu themselves do not use such terms because they identify each other either through district, division or river (Tan, 1997; Karolina, 2016). For example, Kayan Belaga is differentiated from those in Baram.

Figure 13 Faces of Orang Ulu



(L) Kelabit elderly at Bario Highland; (R) Bride and groom in Kayan traditional outfit accompanied by dancers

Photos: Private Collection

The Orang Ulus faced social and economic marginalisation; despite being categorised as *Bumiputera*. The population largely resided in remote areas only accessible via four-wheel drive, boat or airstrips, which posed access difficulty to electricity, clean water, clinics and schools (Chen, 1990). For example, an NGO called Helping Hands (n.d.) sponsored Ms Lonnie Jalong, a Penan, to go to university. During her schooldays, going to school would take 3 hours by boat and another 3 to return home; while walking through jungle took 6 hours such that sometimes she and brother slept in the jungle (Helping Hands Penan, n.d.). Ms Lonnie's case exemplified transportation limitation to education, which Lian (2003) wrote as one of the reasons contributing to high school drop-outs and subsequent unemployment rate among Orang Ulu.

Since the 1980s, due to rapid development (logging, palm oil plantation, dams) encroaching into Orang Ulu's habitat, many have migrated to cities and towns in search for employment and education (Roselind et al, 2015; Faridah, 2014; Lian, 2003). High transportation cost, low commodity prices and weak networking did not spur agricultural interest from the Orang Ulu (Lian, 2003). They were also accused of neglecting the NCR Land Development Projects initiated by the federal government although the payback and resettlement was not worth their relationship to their land (Lian, 2003). Lian (2003) further wrote that the Orang Ulu, despite being categorised as princes, are in reality more like paupers because they do not even have the right to the most basic human possession in nature, namely their own land. The Dayaks lamented that they are only the second class *Bumiputera* (Chin, 2014).

Until 1987, Orang Ulu were well represented in the Federal cabinet by a deputy minister. The number of Orang Ulu representation in the federal government declined to three members of parliament and one senator (Lian, 2003). The negative attention that Malaysia received at the international level due to massive native protests against logging and dam constructions in Sarawak might have alluded to this declined Cabinet representation. In 2018, Baru Bian, from the Lun Bawang sub group, became the first Orang Ulu to be appointed as a Cabinet minister (currently serving as Malaysia's Works Minister). He is a lawyer who achieved prominence for his involvement in many court cases involving NCR land (The Star, 3 May 2018). Dayak professionals and civil servants complained that the Malays have always been given recruitment and promotion preferences in federal civil service (Davidson, 30 November 2014). Malaysia Human Development and Public Service Department statistics showed that from 1970 until 2012, an average of 80% civil service positions, including top government posts, were held by the Malays (Davidson, 30 November 2014).

The ethnic categories of Malay, Chinese, and Indian were portrayed as the main parties and term 'Others' was legitimised in many official government forms and by the Malaysian media. On 30 October 2015, the Cabinet approved the term 'Dayak' (the majority ethnic group from Sarawak) to be added in all official government forms instead of being categorised as 'Others' (Malaysiakini, 31 October 2015). On 16 April 2016, Deputy Prime Minister cum Home Minister, Ahmad Zahid announced that the 'Others' category under ethnic group would be removed with immediate effect. However, a Chinese-language daily, *China Press* reported that there had been no follow up since Ahmad's announcement (*China Press*, 18 April 2016). They visited the National Registration Department in Kuching, Sarawak and found that the 'Others' category was still in the MyKad (Malaysia identity card) application form (*China Press*, 18 April 2016). As of February 2020, this research found no news articles reporting on the issue.

Mainstream media representation of ethnic minority and indigenous groups are less than friendly (Mustafa, 1994; Ponmalar et al, 2010). Besides being the faces of tourism promotional materials, the indigenous people are portrayed from a developmental point of view (Lian, 2003). In news reporting blockades against illegal logging, the indigenous people are branded as 'anti-development', 'anti-government' and demanding (Lian, 5 November 2016). As Postill (2002, p. 107) wrote, both tourism-friendly and development-centric images rarely appear together; "scant allowance is made for various ways in which actual Dayak agents may be making and remaking their social worlds."

Although Orang Ulu was initially coined to identify the community who live in the *ulu* or upper reaches of the rivers of Sarawak, this term is often associated with 'backwardness' (Malaysiakini, 28 January 2009). Many people in West (Peninsular) Malaysia would not even know about the existence of Orang Ulu (Lian, 2003).

3.5 Sarawak's Political History

After an understanding of Sarawak's present administrative system and the complexity of its ethnic groups, this section illuminates Sarawak's sentiments in ethnic politics, nationalism and land rights. It discusses how the pre-colonial divide-and-rule policy shaped land regulations and political division among the Dayaks, which the Federal government saw as an opportunity to exert the Malay-Muslim influence in Sarawak.

3.5.1 Pre-colonial 'Old Sarawak' under the Brunei Sultanate (1476-1841)

The Old Sarawak was an area roughly the size of present-day Division of Kuching before the rule of the Brunei sultans became effective with its first ruler, Sultan Muhammad Shah in 1476 (Jayum, 2006; Faisal, 2013). Under the Brunei Sultanate's administration system, the Old Sarawak is part of its vastly divided areas called *jajahan* (districts).

As one of the appendages called *kerajaan*, the administration of Sarawak was delegated to local Malay aristocrats whose titles bestowed by the sultan – Datu Patinggi, Datu Bandar and Datu Temenggong. They were responsible to maintain law and order and to collect taxes. With Sarawak being the farthest district from the Brunei Sultanate, the Datus were arguably the most powerful persons at high level of independence (Faisal, 2013). Outside the areas, the Sultanate did not have much control as each came under independent local chiefs (Jayum, 2006). In the early nineteenth century, the Sultan of Brunei despatched Pangiran Mahkota to administer the *kerajaan*, which was at the time prospering with antimony trade. Such move was not well received by the local Datus who felt their independence being threatened.

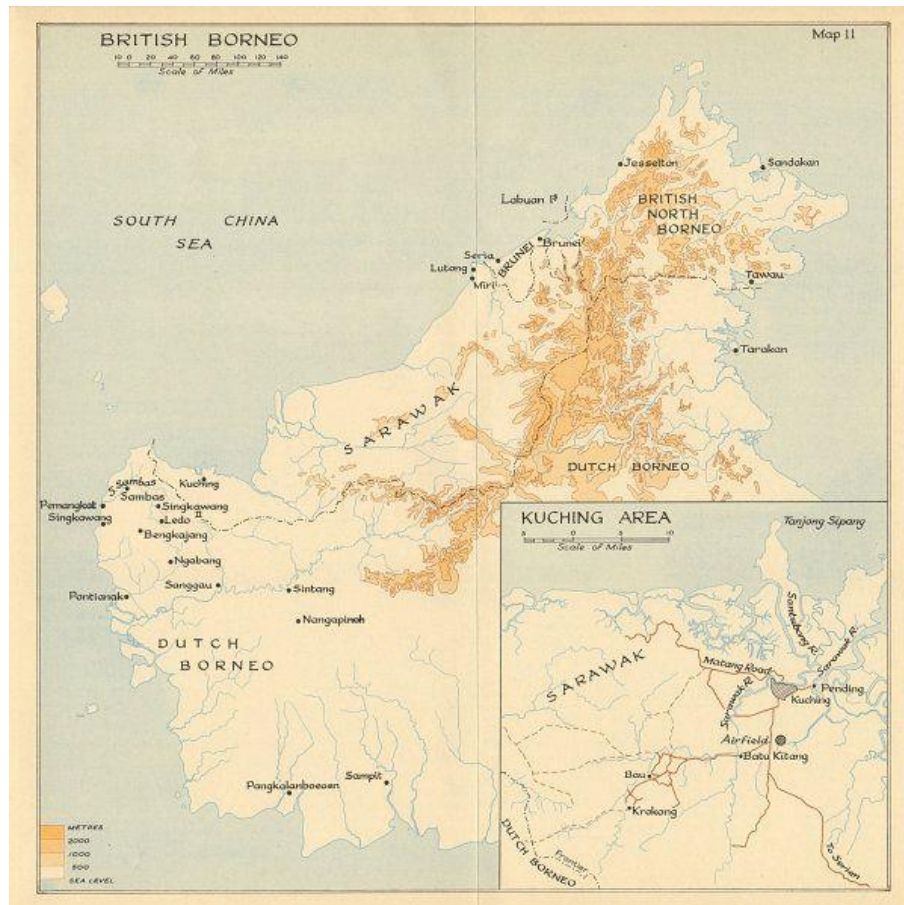
During the mid-1830s, the local Datus, along with their Malay and Dayak followers rebelled against the Brunei authority (Faisal, 2013). The Sultan sent Crown Prince Hashim to put down the revolt, of which he failed before turning to ask for help from James Brooke. In return, Hashim promised Brooke the countries of Sarawak and Seniawan (Jayum, 2006). Brooke succeeded in doing so and on 24 September 1841, Hashim reluctantly made James Brooke the first Rajah of Sarawak. The Sultan gave Sarawak to James Brooke unconditionally

in 1846, allowing the Rajah to stop paying annual tribute and that he was free to leave Sarawak to whomever he pleased (Rawlins, 1969; Faisal, 2013).

3.5.2 'Expansionary' Sarawak under the White Rajahs (1841-1941)

The Brooke rule began in 1841 and lasted for 100 years. In that period, three White Rajahs expanded the Sarawak into the present-day size (Jayum, 2006).⁶

Figure 14 British Borneo 1941



Source: Antiquemapsandprints.com

The first Rajah James Brooke (1841-1868) brought about changes in law and order. His immediate action was to issue code of law, relieve the Land Dayaks of oppression, suppressed piracy and stopped headhunting (Jayum, 2006). Although he encouraged native participation in the government, their positions were only symbolic or subordinate (Faisal, 2013). With no financial backing from major European power and experience in running a government, the natives primarily were useful to Brooke in administering the local residents of Sarawak (Faisal, 2013). He also felt that native customs should be respected but had to conform to the British parameters of justice (Faisal, 2013). As part of the strategy to colonise Sarawak, Brooke

effectively weakened the Datus yet maintained them as a mediation point with the locals (Faisal, 2013).

During the rule of second Rajah Charles Johnson Brooke (1868-1917), the focus of governance shifted towards administrative matters and economic development. The second Rajah introduced the Council Negeri (General Council) where local chiefs and heads of the various communities were appointed. During this period, Britain officially recognised Sarawak and the personal rule of the Brooke family, as stipulated by the Anglo-Sarawak Treaty of 1888:

Table 8 Some Terms of Anglo-Sarawak Treaty of 1888

Security	Britain was to provide protection for Sarawak
Government	Britain will have no right to interfere in the internal government
Foreign Relations	Britain was to control foreign relations
Succession	Sarawak cannot be seceded without the concurrence agreement of Britain

Source: Jayum (2006, p. 18)

To bring about development, the Brooke government encouraged the importation of Chinese labourers for plantation-based agriculture such as rubber. This was done because the Brooke perceived that the Malays were not interested in this venture and better off being junior government officers. The Brooke also found the Dayaks' headhunting useful in raising armies (Jayum, 2006).

A notable achievement during the Third Rajah, Charles Vyner Brooke period was the introduction of the Sarawak Constitution of 1941 to transfer the power of governance from the Rajah to the Council. Before the Constitution could be operative, however, Sarawak was overrun by the Japanese. The government officials destroyed key government documents to prevent them from falling into Japanese hands (Jayum, 2006).

3.5.3 The Japanese Occupation (1941-1945)

In September 1941, people all over in Sarawak celebrated Brookes' centenary rule. The Heads of the Malay, Dayak and Chinese communities made speeches renewing their pledges of loyalty (Rawlins, 1969). By the end of the year, Sarawak fell into the hands of the Japanese without much resistance as the state did not have much military capability (Jayum, 2006; Rawlins, 1969).

As far as possible, the Japanese maintained the pre-war administrative system where Governor remained as the top position while prefectures were subdivided into smaller districts under the control of chief Japanese officers or native officers. In pre-war days, this

post was the equivalent of a District Officer. Due to the shortage of personnel, the Japanese appointed local Malay and Dayak leaders for administrative service (Faisal, 2013).

The Japanese were inclined to be nervous and executed people on the slightest suspicion. At the beginning of 1945, a movement was begun to organise resistance to the Japanese where the Kelabits and Muruts were trained in guerrilla warfare (Rawlins, 1969). Australian forces arrived and the Japanese found themselves attacked from the interior and from the sea (Rawlins, 1969). The Japanese finally surrendered on 10 September 1945 and the Australian forces temporarily took control of Sarawak, which was handed back to Rajah Vyner in 1946. By then, negotiations were already underway for the ceding of Sarawak to the British Crown (Faisal, 2013).

3.5.4 The British Colony (1946-1963)

Rajah Vyner returned to Sarawak in 1946 to explain to the people his decision to cede Sarawak to Great Britain and to secure approval. He decided so because Sarawak needed a huge amount of capital to re-build after the war besides already lagging behind world development. Furthermore, the Rajah had no son as heir and he did not wish his nephew, Anthony Brooke to rule Sarawak. From an initial survey, the Datus and most of the Supreme Council and Council Negeri members supported the cession. Generally, the Chinese favoured the hand over economic prosperity ground. The Malays were against it for fear they would lose the privileged position they had enjoyed under the Brookes. The Dayaks and other races were more ambiguous but would do whatever their Rajah wanted. Although there had been debates in the Council Negeri, the Bill was passed. On 1 July 1946, Sarawak became a Crown Colony (Rawlins, 1969).

As a British colony, Sarawak was administered by a Governor who was assisted by a State Secretary. The British enacted a new constitution in 1956 to replace the 1949 constitution. One of the provisions was to prepare the people of Sarawak for independence such as the introduction of indirect elections of the Council Negeri and the promotion of party formation. The power of the Malay aristocrats was further eroded during the British rule. The colonial government re-structured the administrative service by removing ethnic and class privileges when appointing Native Officers. This paved the way for ordinary Malays, Muslim Melanau and to a lesser extent Ibans to participate in Sarawak politics. Under the British government, the state bureaucracy was enlarged and better equipped to penetrate the population, thus bypassing the traditional Malay aristocrats as the dominant force in society (Faisal, 2013).

The Malay community was divided over being ceded to the British. A number of groups opposed it while some Malay civil servants signed loyalty oaths toward the colonial government. The dispute was violently closed in 1949 when members of a secret anti-cession movement, the Pergerakan Pemuda Melayu (Malay Youth Movement) fatally stabbed Duncan Stewart, the second British Governor, on his first visit to Sibuan. From Singapore, Anthony Brooke condemned the act and urged the Malays of Sarawak to accept the reality of cession and subsequently ended the movement (Roff, 1974).

Relative to West Malaysia, the formation of political parties was a particularly late development in Sarawak, and the process did not start until 1959.⁷ Before that, local political activity was almost exclusively confined to Islamic and Chinese groups (Leigh, 1974). For Muslims, the central question at issue was the Cession of Sarawak from the Brooke Rajah to the British Crown in 1946, which was abruptly ended in 1949. For the Chinese in Sarawak, a conflict erupted between the wealthy and the Left due to political influence from mainland China (Leigh, 1974). In the 1960s and 1970s, non-Muslim indigenous politics was equivalent to “Iban politics” because of political inactivity among other non-Muslim indigenous people until the 1980s. However, the term Dayak was activated to unite all non-Muslim indigenous people under its umbrella (Leigh, 1974; Karolina 2016). Inter-communal rivalries then shifted to internal ones among the political activity of each of the three major racial groups: Chinese, Malay-Melanau Muslim, Dayak (Christian Iban) (Leigh, 1974; Chin, 2015).

3.6 Post-colonial Sarawak: Federalism, Separation of Powers and State nationalism

Federalism assumes that there exist diverse and separate communities who want to unite yet wish to maintain own autonomy. Central and state governments are maintained through constitutional provisions on the distribution of power that also outlines the authority of the courts to resolve federalism disputes (Muhammad Yusuf, 2013). Malaysia is also a strongly centralised federation, with most of the significant legislative and executive power in the hands of the national government. Apart from control over Islamic law, there is indeed very little legislative power left to the states (Ang and Whiting, 2012; in Whiting et al, 2014). Loh (2010, pp.132-133) provided three reasons for Malaysia’s centralised federalism. First, the Ninth Schedule of the Federal Constitution clearly favours the federal over state governments. The Tenth Schedule of the Federal Constitution elaborates on revenue assignment based on the division of jurisdiction spelled out in the Ninth Schedule. While resources-rich states received much less royalty, for example for petroleum production, the federal government

can at its full discretion deny any development funds to state governments. Second, the control of a single political party, the BN (or UMNO in specific) for over 50 years facilitated centralised federalism through blurred separation of powers. Since independence under the BN government, over 1000 amendments have been made to the Malaysian Constitution, among which are detrimental to human rights such as the Internal Security Act (1960), the Sedition Act (1948) and the Printing Presses and Publications Act (1984) (Lim, 1986; in Means, 1991). Not only the BN government abolished local authority elections, but the federal Executive may also invoke party discipline to remove Chief Ministers of constituent states whenever they challenge the prerogatives of the centre. Third, the implementation of the NEP (1971-1990) contributed to the expansion of the federal government through affirmative policies that paved way for *Bumiputera* (Malay) privileged access to wealth accumulation and social mobility.

Chin (2015) has put it crudely that West and East Malaysia have nothing in common by history, culture and demography except for being former British colonies. When Sabah and Sarawak agreed to form the federation of Malaysia in 1963, it was grounded on both a written and unwritten pact that the Borneo states are equal partners. Thus, Sabah and Sarawak have a greater degree of financial and political autonomy as compared to other individual states in the Peninsula. The Malaysia Agreement, better known as MA63 safeguards the rights and autonomy of the East Malaysian states in twenty points with some incorporated into the Constitution of Malaysia (Bong and Wilfred, 16 September 2011):

Table 9 Twenty points of the Malaysia Agreement 1963 (MA63)

1. Religion	11. Tariffs and Finance
2. Language	12. Special position of indigenous races
3. Constitution	13. State government
4. Head of the Federation	14. Transitional period
5. Name of the Federation	15. Education
6. Immigration	16. Constitutional safeguards
7. Right to secession	17. Representation in Federal Parliament
8. Borneanisation	18. Name of Head of State
9. British Officers	19. Name of State
10. Citizenship	20. Land, Forestry, Local Government and Miscellaneous

Source: Office of Malaysia Prime Minister (2019) portal

MA63 was signed in London on 9 July 1963 between Great Britain, the Federation of Malaya, North Borneo (Sabah) and Sarawak (SG Resources, 2014). Being an international agreement, the Malaysian Parliament has no authority to amend the terms of MA63 (AskLegal, 2017).

Sarawak has at present no established state religion and it would not be required to accept Islam as such. Sabah and Sarawak have the right not to use Bahasa Malaysia (national language of Malaysia) in official functions. The Bornean states also have their own immigration law. Despite MA63 being a significant piece of covenant, the peoples of East Malaysia feel that they have been short-changed and marginalised by the federal government, which contributed to their 'historical grievances' (Chin, 2019). It is a popular saying that Sarawak's oil and gas resources contributed a lot to Malaysia's development, yet many parts of the interior of Sarawak are underdeveloped. The East Malaysians also feel unhappy over the popularisation of Malaysia's Independence Day that falls on 31 August instead of Malaysia's Day on 16 September. Furthermore, the official school history textbook magnifies the role of UMNO in gaining Malaysia's independence instead of the processes of forming the Federation (Chin, 2019).

The following three key events exemplified federal intrusion into Sarawak political affairs, which had much bearing on the administration of native customary land.

3.6.1 The 1966 constitutional crisis

When the idea of a Malaysian federation was mooted in 1961, the inter-Malay rivalry continued to intensify. The Iban took advantage of the situation by pressuring the federal government to appoint Stephen Ningkan Kalong as Sarawak first Chief Minister (1963-1966) and Temenggong Jugah as the first Governor. Although Kalong Ningkan was made Sarawak Chief Minister, the federal government appointed a Malay leader, Abang Openg, as Sarawak's first governor (Faisal, 2013). From 1963 to 1970, both Sarawak's chief ministers were Iban Christians, a period that Chin (2015) calls as 'the Iban era'.

Ningkan, from SNAP, was removed as the Chief Minister as the result of direct federal intervention. Ningkan had earlier allowed non-natives (Chinese) to buy land, which upset the local Muslims. Despite not required constitutionally, Ningkan refused to use the Malay language in the state's official functions. Furthermore, he did not promote the natives enough to replace expatriates in the civil service (Chin, 2015).

On 16 June 1966, Abang Openg, acting on behalf of the majority of members in the Council Negeri requested Ningkan to resign. Ningkan urged a reconvening of the Council Negeri but the Governor, on 17 June 1966, deliberately dismissed Ningkan together with other members of the Supreme Council (or State Cabinet). Ningkan resorted to the High Court at Kuching to have his dismissal declared void, and to restrain Tawi Sli, an Iban politician from

acting as Chief Minister (Lee, 1995). The High Court later ruled that the governor did not have the power to unseat a Chief Minister unless a proper no-confidence motion had been passed in the Legislature. Before Ningkan could be reinstated, the Yang di-Pertuan Agong proclaimed a state of emergency in Sarawak. During that period, the federal and Sarawak constitutions were amended to empower the Governor of Sarawak to convene the Council Negeri at his absolute discretion, and to dismiss the Chief Minister should the latter fails to resign after a vote of no-confidence had been passed against him in the Council Negeri. Subsequently Ningkan was dismissed (Lee, 1995). Although Tawi Sli was reappointed, his term was cut short due to the federal government's interference after the 1970 election. The real power lied in two Melanau Muslim politicians with strong connection with UMNO – Abdul Rahman Yakub and his nephew, Abdul Taib Mahmud (Faisal, 2013; Chin, 2015).

3.6.2 The 1970 Election

The 1970 election was the first direct election held in Sarawak after its independence from the British in 1963. BARJASA and PANAS merged in 1966 to form the Bumiputera party while the SCA was dissolved in 1974 to pave way for SUPP as the sole Chinese party (Stanley, 2013). After the 1970 election, PESAKA negotiated a coalition with SUPP and SNAP but it failed. Both SNAP and SUPP feared that the Muslim-dominated Bumiputera party would dominate the new government. Despite that, SUPP decided to form a coalition government with the Bumiputera party (Chin, 2015). The new coalition government resembled the federal coalition where the United Malay National Organisation's (UMNO) role as the dominant party was replicated by the Bumiputera party while the Malaysian Chinese Association's (MCA) supporting role was replicated by SUPP (Stanley, 2013). The then deputy prime minister of Malaysia, Abdul Razak, insisted that Sarawak would remain under emergency unless Parti Bumiputera was part of the state government (Chin, 2015).

Abdul Rahman Yakub from Parti Bumiputera was appointed Sarawak's third Chief Minister, replacing Tawi Sli from PESAKA. Besides direct federal government's intervention, the Melanau-Muslim rule (1970-2013) was made possible through patronage and promise of economic development projects (Means, 1991). Rahman Yakub's appointment on 7 July 1970 coincided with the introduction of the New Economic Policy (NEP) that was designed to Malaysianise the economy and eliminate job positioning by race (Leigh, 1991; in Faisal, 2013). Rahman's government also had advantages over the previous Iban-led governments with dissemination of state propaganda through the civil service and mass media (Faisal, 2013).

Rahman further built his family and cronies' fortunes through timber patronage and privatisation of state companies, besides pitting SNAP against SUPP over native land issues (Faisal, 2013). Another reason that strengthened Rahman's position was the merger of the Bumiputera party and PESAKA, which led to the formation of Parti Pesaka Bumiputera Bersatu (PBB) in May 1973. Through PBB, Rahman's control extended from the Muslim Bumiputera to the Dayaks. In 1981, Rahman was replaced by his hand-picked successor, Taib Mahmud who was then the Deputy President of PBB (Faisal, 2013).

3.6.3 Sarawak under Taib and Mahathir in the 1980s

Taib went on to be the longest serving Sarawak Chief Minister from 1981 to 2013, solidifying the single Melanau-Muslim rule over Sarawak since 1970, a reminiscence of the Brooke family dynasty (Faisal, 2013; Chin, 2015). In the early 1980s, an internal split in SNAP occurred where the Dayak leaders rejected the election of a wealthy Chinese as the party president. For Daniel Tajem, Edmund Langgu and Leo Moggie, SNAP's president must be Dayak, or more precisely an Iban (Chin, 2014). The split witnessed the birth of Parti Bansa Dayak Sarawak (PBDS) in 1983, which had support at both the federal and state levels – from UMNO and PBB (Chin, 2014). In 1987, Yakub at the time the Governor, had a fallout with Taib over Sarawak's natural resources, among other issues. PBDS saw the opportunity and tried to unseat Taib, vowing to revive the heyday of an Iban being the Chief Minister. Yakub formed a new political party, Parti Persatuan Rakyat Malaysia Sarawak (PERMAS) and together with PBDS, attempted to gain no-confidence vote from the Council Negeri to push for Taib's resignation. Before anything, Taib dissolved the Council Negeri and called for a snap election. Although PBDS gained massive support from the Dayaks, the Muslims and Chinese backed Taib for fear of Dayak nationalism (or Dayakism). The Sarawak BN under Taib narrowly beat the PERMAS-PBDS alliance 28-20 out of 48 seats (Chin, 2015). After the 1987 fiasco, Dayak political unity was further dislocated and stretched thinner over a number of new political parties that claimed to fight for Dayak rights. PBDS was subsequently readmitted to BN in 1994 after spending several years as an opposition party (Chin, 2014). Besides Dayak weak political organisation, Chin (2015, p. 88) lists three reasons for Taib's successful control over Sarawak: "his massive wealth, his keeping UMNO out of Sarawak politics and consolidation of the Muslim vote".

These three reasons magnified Taib's political autonomy during Mahathir's reign (Chin, 2004). For personal and political reasons, SUPP's then president managed to influence

Mahathir to back Taib during Yakub's *coup d'état* plan against Taib in 1987. SUPP at the time was increasingly dissatisfied with Yakub for allowing DAP to establish a branch in Sarawak, effectively ending SUPP's position as the sole party that represented Chinese interests. Furthermore, with Taib from the Bumiputera coalition that formed the state government, delivered a promise of Dayak votes, which Mahathir couldn't ignore as they constitute the largest ethnic group in Sarawak. Despite complaints from the Sarawak Malays over the Melanau-Muslim rule, Mahathir found Taib acceptable as the Chief Minister because Taib is Muslim, therefore he qualified as Malay (Chin, 2004). The Malays and Melanau were both of minority ethnic groups. In Malaysia, it is a popular (yet real) practice that to be Muslim is parallel to becoming a Malay. As Chin (2015, p. 90) put it:

“...when one converts to Islam...the convert will have to ditch his or her cultural heritage and adopt Malay culture. Muslim converts can actually become ‘Malay’ in official documents and access the extensive government benefits given to the Malay community. It is a bureaucratic norm to register the children of Muslim converts as Malays at birth. One of the biggest fears among...the Dayak in Sarawak is the loss of their cultural heritage as more and more indigenous peoples convert to Islam.”

The BN/UMNO's hegemony of Malay-Muslim supremacy is to extend their political prowess to East Malaysia (Chin, 2015). Their tactics include backing a Muslim as chief minister and interfering in the Christian affairs of most non-Muslim indigenous people. In the 1980s, the federal government banned the use of the 'Allah' word, among other Islamic terms by non-Muslims in Malaysia. This caused strong reaction from Christian indigenous people in Sarawak because they have been using Allah in church service delivered in the Malay and Dayak language.

Sarawak's rich resources were a guarantee of great contribution to the federal funds, which in turn delivered lucrative federal-supported development projects for Taib's family members and close business associates. This win-win relationship was so tight that Mahathir was willing to seal a no-UMNO deal with Taib, promising that his Bumiputera coalition was the only dominating (Muslim) party in Sarawak (Chin, 2004). Such an unwritten pact had caused ordinary Dayaks their customary rights over heritage lands. With weak Dayak political power and unity in Sarawak politics, it benefitted Taib and his family and close associates to accumulate more wealth (Chin, 2014). An investigative website, Sarawak Report, systematically listed land grabs by Taib as the Chief Minister by surveying and classified lands, many of them under NCR claim and without titles – as state lands. Then the lands were sold

to investors at its true value while the compensation paid to the Dayaks is ridiculously below market value (Chin, 2014).

The NCR land issue is serious in Sarawak as compared to Sabah because of the systematic way lands are taken away from the indigenous people (Chin, 2014).

3.7 Native Customary Rights of Land

3.7.1 *Adat* and the 1958 Land Code

Prior to the Brooke and colonial rule, the Dayak indigenous groups have their respective *adat*, literally custom (Dimbab, 2005). There were already well-established systems of unwritten native customary laws (Empeni, 1998). *Adat* to Dayaks encompasses not only rites and rituals, but almost everything concerning human lives from judiciary, marriage, religion, moral, community harmony, spirituality and, most importantly, land (SACCESS, 2008). The indigenous people also did not define their social identities based on contemporary 'ethnicity' but defined themselves by their geographical space such as river, hill/mountain or watershed areas (SACCESS, 2008).

The Rajahs relied tremendously on native customary laws got local support to strengthen the Brooke regime (Empeni, 1998). After the Brooke administration took over Sarawak, *adat* was institutionalised and constituted as 'customary law' (Empeni, 1998). For instance, the Iban *tunggu* (fines) were systemised and assigned monetary values. Also, the administration introduced courts to replace the Iban *bechara* (hearing) that was usually carried out in a longhouse *ruai* (verandah) and witnessed by the longhouse inhabitants. These new colonial practices then became institutionalised. The *adat* at the local level is administered by the *Penghulu* or chiefs who receive a salary from the state. Important elements from the *adat* such as death penalty for incest, forcible seizure of property, slavery and headhunting were removed. It is now administered by the *Majlis Adat Istiadat* (Council for Customs and Traditions), established in 1974 under the umbrella of the Sarawak Chief Minister (Empeni, 1998; SACCESS, 2008).

Alteration of the *adat* inevitably affected the land use system as well. The Land Order in Sarawak was first introduced in 1863, changed in 1920, and amended to today's Sarawak Land Code 1958 (SACCESS, 2008). During the Crown Colony period, the Brookes faced pressure to maintain the state's economic viability without much colonial support. Therefore, forests became a convenient source of revenue. By declaring all land as state land, the 19th and early

20th century Brooke Land Codes enabled the state to grant lands to a few individuals and foreign companies for economic purposes (Majid-Cooke, 1999).

Following the Forest Reservation Order of 1920 and the passing of the 1924 Forest Ordinance, the work of exploring, demarcation and constitution of forest reserves began. Scientifically, Brooke administrators viewed forest reserves as an essential first step in forest management. On the contrary, the Dayaks feared that their customary access to land would be infringed upon, therefore resisted forest reserves to the extent of culminating in consistent conflict with the state. Although state power is evident in exercising control over material and cultural aspects of economic and political development, it is not always effective (Majid-Cooke 1999).

In some discourses, official or otherwise, Native Customary Land is also referred to as 'Native Customary Rights Land' (Majid-Cooke, 2006). Native Customary Right (NCR) is not defined in the present Sarawak Land Code 1958. Despite that, all orders dating from the era of Rajah Brooke to current legislation have consistently recognised and honoured NCR pertaining to the right of a native to clear virgin jungle, access the land surrounding the longhouse for cultivation, fishing, hunting and collection of jungle produce (Baru, n.d.).

Nevertheless, Native Customary Land (NCL) is in the Sarawak Land Code 1958. Section 2 of the Code defines NCL as:

- (a) land in which native customary rights, whether communal or otherwise, have lawfully been created prior to the 1st day of January 1958 and still subsist as such;
- (b) land from time to time comprised in a reserve to which section 6 applies; and
- (c) Interior Area Land upon which native customary rights have been lawfully created pursuant to a permit under section 10.

What has become a hotly debated issue through the years is the definition under (a) in Section 2. Section 5, of the Code states six methods by which NCL can be created after 1 January 1958:

- (a) The felling of virgin jungle and the occupation of the land thereby created;
- (b) The planting of land with fruit trees;
- (c) The occupation or cultivation of land;
- (d) The use of land for a burial ground or shrine;
- (e) The use of land of any class for rights of way; or
- (d) Any other lawful method.

Under definition (a) above, the area of land claimed as NCL usually has no title. A native can still apply for a title from the Lands and Surveys under section 18(1) of the Code if he can satisfy the Superintendent that he has occupied the said land in accordance with rights acquired by customary tenure (Baru, n.d.). If a title is not issued out yet to a native in such a case, his position is referred to in law as a “licensee” but his right is equivalent to having a title. He has legal rights which cannot be taken away summarily without express provision of the law and that compensation must first be paid in the event his NCL is taken away.

Although the law recognises NCR claim by customary tenure, the burden is on the natives to prove their claim. The difficulty arises when large tracts of the NCL in Sarawak are not issued with titles. Ironically, one of the main reasons given by the government for not being able to issue titles is lack of funds to survey these lands. Therefore, crucially the natives are at a disadvantage when faced with loggers and planters as the natives have no document to prove their claim of NCR (Baru, n.d.).

Since the mid-1990s, *Konsep Baru* (New Concept) was introduced as the large-scale redesign of rural life through plantation agriculture (Majid-Cooke, 2006). *Konsep Baru* targets land claimed under native customary rights where native peoples can become shareholders in palm oil companies working on their land on a joint venture basis (Majid-Cooke, 2006). The current attempt in providing economic value to Native Customary Land through a form of land certification arises from a misinterpretation of unoccupied land as ‘idle’ or ‘waste’ land, originating during the Brooke period in the 19th century and continuing into colonial times between 1945 and 1963 (Majid-Cooke, 2006). In 2000, amendments were passed by the Sarawak State Legislative Assembly, among which, “any other lawful method” to create and acquire native customary land rights was deleted. This one administrative act removed the use of *adat* to create and acquire native customary rights over land (SACCESS, 2008). Although the Malaysian courts have ruled that the native customary land rights survived all the Land Orders, Ordinances and Land Code, the Sarawak state government continued to ignore this judicial enunciation (SACCESS, 2008).

Native opposition to logging is not from their conservatism or alleged mystical attachment to the land but from conflicting interpretations of ‘right’ between their practice and the modern law (Majid-Cooke, 1999; 2003). The government’s definition and/or understanding of NCL claim is only restricted to cultivated area or farmed area locally referred to as *temuda* which must have been cultivated or farmed before 1 January 1958. The natives, however, believe that their NCL claim goes beyond their *temuda*. It includes their communal

lands or territorial domain locally referred to as *pemakai menua* and the “reserved virgin forests” locally referred to as *pulau*. *Pulau* is an area abundant with resources preserved or reserved specifically to meet the domestic needs of the natives (Baru, n.d.). Because of such difference in understanding of what constitutes NCL or NCR, land without titles are claimed to be state land. With logging licensees and provisional leases (PLs) issued by the state that covered *pemakai menua* and *pulau*, the natives have sought court intervention (Baru, n.d.; Lian, 2003). Since the 1980s, both indigenous individuals and communities sought redress in courts through legal NCR land challenges against logging companies, palm oil schemes, state government and other corporate entities (Aeria, 2010; Aiken and Leigh, 2011). These cases are usually handled by community lawyers, almost always on minimum cost basis (Aeria, 2010).

The availability of human rights instruments, national or international, have not effectively addressed the problems associated with the elimination of indigenous peoples’ customary rights to land. In fact, the traditional rights or *adat* conflicted with the contemporary definition of rights, state and citizenship (SACCESS, 2008). Consequently, the absence of *adat* leaves the indigenous people vulnerable to social problems such as unemployment, illiteracy, sexual abuse, landlessness and alienation (SACCESS, 2008). In fact, the rights of the indigenous people have been framed from the economic point of view, which more than often leaves out civil or political rights, for example deciding on ‘how’ to develop (Majid-Cooke, 1997).

Sarawak state law does not recognise Penan principles of land tenure. Sarawak land law which stipulates that communities can only claim land that they cultivated before 1958, many Penan claims to land are void because they settled after that (Brosius, 1999). Furthermore, according to Baru (n.d.), many people believe that since the nomadic Penans do not farm and cultivate for a living, they cannot claim NCR under the Land Code. Baru (n.d.) argues that the nomadic Penans can claim NCR under the laws of Sarawak if they can prove “occupation” of an area, since time immemorial. Although the Penans express overwhelming frustration over their unheard voices, state officials attribute this to the fact that they have been instigated by foreign environmentalists (Brosius, 1999). In fact, the Penan way of life was deemed a ‘problem’ to be fixed at best, and as an obstacle to development at worst. The then Prime Minister, Mahathir Mohamed was quoted saying:

“If you look at their plight, you will understand what will happen to the Penan if they are kept in the forests...to eat monkeys and maggots and caterpillars...We

believe that the Penan are humans like everyone else...So what's wrong with us...feeding them with the kind of culture and will make them like any of us" (8 October 1991; in Majid-Cooke, 1999: p. 108).

Figure 15 Affected Penans Protesting against Murum Dam in 2012



Source: SAVE Rivers

Government policy toward Penan and other indigenous communities in Sarawak is driven by a modernist development (Brosius, 1999; Majid-Cooke, 2006). According to Scott (1998), “developmentalist states assume a direct role in promoting and guiding economic expansion and growth. High modernist ideology generally favours rational engineering of entire social orders in creating ‘realisable utopias’, pervasive planning and rationalised production (in Majid-Cooke, 2006; pp. 27-28). This is evident in consistent official responses about the Penan way of life and the benevolent role of the government in addressing their “plight” as forest dwellers (Scott, 1998; in Majid-Cooke, 2006). Logging has a dramatic effect on the lives of Penan, as Brosius (1999; p. 39) described:

Sago palms, which form the basis of traditional subsistence, are uprooted by bulldozers; fruit trees and rattan are destroyed; game disappears; severe river siltation occurs; and graves are obliterated. Logging not only undermines the basis of Penan subsistence but, by transforming sites with biographical, social, and historical significance, also destroys those things that are iconic of their existence as a society.

Although Penans are almost uniformly opposed to logging, they responded differently. While Western Penan consented to logging, Eastern Penan responded with the erection of blockades (Brosius, 1999).

Police force was used to arrest indigenous communities who launched blockades to protest against mega-dam constructors (NECF, 2013). Police also stopped humanitarian aid from reaching the blockade sites where indigenous families set up camps (NECF, 2013). Affected indigenous communities who were relocated, although not at their own will, feel no more secure about their future. For example, the Bakun dam affected lands where approximately 50 per cent is claimed under customary rights and many of whose residents are Orang Ulu (Sovacool & Valentine, 2011; in Majid-Cooke et al, 2017). The relocated indigenous communities are given a three-acre land per family as compensation (Majid-Cooke et al, 2017). The land, however, is much smaller than their pre-settlement land and infertile even to plant vegetables for their subsistence (Majid-Cooke et al, 2017).

3.7.2 Land CBOs in Sarawak

Dedicated community-based organisations have fought for native land rights for over 30 years (Aeria, 2010). Such groups – whose focus is on land, environmental issues and livelihood – work closely with village groups. Many of their activities are, by and large, linked to grassroots concerns with two major activities – leadership training and awareness raising (Majid-Cooke, 2003).

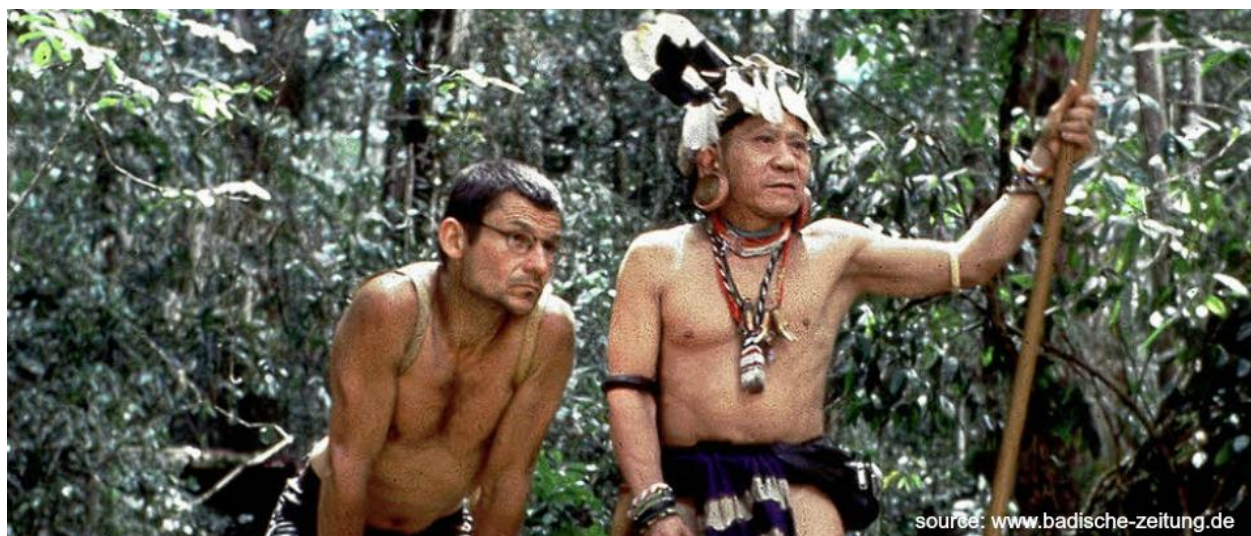
Communal associations formed as early as before the Second World War and more during the logging decades of the 1970s and 1980s (Tan, 1997). Some are patronised by political elites; some are often internally divided. In the 1980s among the Kayan, the groups of *maren* (aristocrat) and *panyin* (commoners) were opposed to each other in their approaches to logging and in their dealings with the state and logging companies (Tan, 1997). The *panyin* saw the *maren* as selling out the Kayan interest and monopolising the compensation paid by logging companies (Tan, 1997).

CBOs' efforts range from peaceful methods such as providing paralegal training, organising press conferences, holding dialogues with logging and plantation companies to defensive blockades and logging demonstrations. According to Mr Peter Kallang, the chairman of Save Sarawak Rivers Network (SAVE Rivers), their involvement with Baram natives is through advocacy – provide the natives legal advice, prepare draft letters, and help lodge police report (Lian, 5 November 2016).

In the 1980s and 1990s, some NGO-linked individuals tried to scale up their advocacy by aligning themselves with opposition political parties (Majid Cooke, 2004). This tactic, however,

did not work when the political parties returned to the government fold after being threatened with withdrawal of state sources of patronage (Tan, 1997; in Majid-Cooke, 2004).

Figure 16 Bruno Manser with a Penan leader



source: www.badische-zeitung.de

Source: Cilisos

CBOs that developed cooperation with international bodies are more often than not labelled ‘traitors’ to the nation or even ‘communists’ (Majid Cooke, 2004). Swiss activist Bruno Manser, who brought the Penan rights to both national and international attention, was indirectly warned by the then Chief Minister, Taib Mahmud, not to interfere in Sarawak affairs. Since the Sarawak state government has liberty over state entry, it is not uncommon that NCR land activists were barred from entering Sarawak.

More drastic state actions against native land activists and NGOs are organisation de-registration, arrest and criminal charges. *Institut Pengajian Komuniti* (Institute of Community Studies, IPK), established in 1988, was de-registered by the government in 1995 (Aeria, 2010). Along the 7 years, IPK mainly provided literacy programmes to the grassroots while maintaining excellent links with international bodies alike (Aeria, 2010). A Kelabit activist, Anderson Mutang Urud, was charged for running an unlawful society – the Sarawak Indigenous People’s Alliance (SIPA), which was forced to stop operating after Anderson’s arrest (Majid Cooke, 1997; Brosius, 1997). Harrison Ngau Laing was a former Member of the Parliament and a native land rights lawyer activist. In 1987, he was arrested during *Operasi Lalang*. He was detained without trial for 60 days (Harrison, 3 September 2009). From 1987 to 1994, a total 478 individuals from various Dayak groups were arrested or imprisoned, 229 of them in 1989 (Manser, 1996; in Majid-Cooke 1999).

The 1987 arrests were followed by amendments to forest and land legislation that made it difficult for native peoples to register protest (Majid-Cooke 1999; 2003). The 1987 amendment (90B) to the Sarawak Forest Ordinance made blockading of logging roads illegal and entitled the state to use police power against such activity. A further amendment in 1993 presumed guilty anyone found or arrested in an area where barricades have been set up, even if he or she did not participate in the blockade (Majid-Cooke, 2003). Another form of risk that activists face now would be assassination. Bill Kayong was a native rights activist and secretary for the oppositional Peoples Justice Party (PKR) in Miri, Sarawak. Bill was very vocal in helping the Sungai Bekelit community in defending their land against a palm oil plantation company (Pearce, 7 March 2017). On the morning of 21 June 2016 while waiting at a traffic light junction, Bill was struck by 2 bullets and killed instantly (Press Release, 22 June 2016).

Due to the challenges, it is a long battle ahead for the NGO movement in Sarawak. Most Sarawak NGOs run on a shoestring budget and have only low number of staff or they take on contract staff (Majid-Cooke, 2003). NGOs provided the technical assistance required in community-mapping through the use of the Geographic Positioning System (GPS) to contest official ones. Although Sarawak NGOs had limited influence on state policy making, they made a significant impact in terms of awareness raising and grassroots capacity building (Majid-Cooke, 2003).

3.7.3 International Pressures and the Malaysian Government's Response in the 1990s

According to the International Tropical Timber Organisation (ITTO) (1990), by the year 2001 most old growth forest in Sarawak would have been logged (Majid-Cooke, 2003). From being a major supplier of tropical hardwoods on the international market in the 1980s, Sarawak now experienced one of the highest rates of deforestation in the world (Brosius, 1999). Today as timber is much depleted, timber companies from Sarawak have moved to Papua New Guinea, Surinam, Guiana, among others. According to Brosius (1999), timber licences are often used to lure party hopping to achieve a majority in the state assembly and thus continue to hold power. The system of political patronage and cronyism in granting timber concessions through the network of former Sarawak Chief Minister Taib Mahmud is well documented in Straumann (2015).

The Sarawak campaign began in 1987 when Eastern Penan hunter-gatherers in the Baram and Limbang Districts of Sarawak erected a series of over a dozen of blockades against logging companies that were encroaching on their lands (Brosius, 1999). The charismatic

figure of Swiss environmentalist Bruno Manser contributed to the Penan becoming icons of resistance for environmentalists worldwide, although briefly (Brosius, 1999). The campaign gained wide support among Northern environmentalists and numerous public figures like Al Gore, and Prince Charles; as well as wide coverage on CNN and *The Wall Street Journal* (Brosius, 1999). At the same time, longhouse indigenous communities were divided. Traditional longhouses in Sabah and Sarawak are made from simple wooden tress, with stilts on it, divided into different sections and can house up to 100 families (Sarawak Borneo Tour, 18 December 2012). There were pro and anti-logging factions within the same long house (Harding 1996; in Majid-Cooke 1999). Although most Penan groups opposed logging, many did not want to take part in resistance action (Brosius 1997; in Majid-Cooke, 1999). In fact, a number of Eastern Penan negotiated compensation packages with timber companies, and some even to work with them, which led to tension between the groups of Eastern Penan (Brosius, 1999).

Although Sarawak's land policy is established entirely at the state level, the federal government was forced to intervene because of the negative international attention raised by the environmentalists. Despite the apparent differences between the state and federal governments, they displayed a unified, 'haphazard' defensive front by claiming that foreign critics were a form of eco-imperialism toward Malaysia (Brosius, 1999). Among criticisms vehemently expressed in editorials in mainstream press were that foreign environmentalists were more dangerous than the communists, they should clean up its own backyard (Brosius, 1999). The Malaysian Timber Industry Development Council (MTIDC) – later shortened to the Malaysian Timber Council (MTC) – was founded as the primary agent to display its international public relations capabilities (Brosius, 1999).

Increasingly through the 1990s, Malaysia began to deploy the "sustainable forest management" rhetoric although it was unclear what that meant (Brosius, 1999). When NGOs raised a concern if the government was including the welfare of indigenous communities in its certification scheme, an official responded, "Remember, this is a green dot, not a pink heart" (Brosius, 1999: p. 47). With concerns of native rights overpowered by the issue of sustainability, the agenda of forest destruction and cultural diversity began to lose momentum overseas (Brosius, 1999). As of February 2020, news search regarding the NCR land CBOs found the topics revolved around petitions to amend the Sarawak Land Code and the use of drones in community mapping.

3.8 Conclusion

This chapter discusses civil society more specifically within the context of NCR land in Sarawak, Malaysia. It started off by examining the formal structures of Malaysian government, or in the Gramscian sense, the political society of the state. Understanding of the apparatuses of both federal and state governments of Malaysia (executive, legislative, and judiciary) illuminates the political and cultural aspects of the case study.

Sarawak agreed to unite to form Malaysia in 1963, after Malaya's independence in 1957. As it is for Sabah, Sarawak was able to negotiate the terms of its entry into Malaysia and therefore, has a considerable autonomy over its internal affairs. Although Malaysia became one of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) signatories in 2007, the notion of protecting indigenous rights can be blurred. Sarawak indigenous people have strong Dayakism because they feel politically and culturally disadvantaged despite being having special status as *Bumiputera* as stipulated in Article 161A of the Federal Constitution.

The historical background of the formation of Malaya as a post-colonial country and subsequently the federation of Malaysia indicates, although indirectly, that the concept of a civil society is heavily based on 'national development'. This strong theme in shaping the nation and its people has had great impact on the indigenous interpretation of custom, including their relationships with ancestral lands. The indigenous people were urged to adapt to the official rhetoric of national development as the common good.

Against this background, the movement of NCR land community-based organisations (CBOs) was discussed. In the context of such controversial issue, the liberal paradigm of civil society might conclude that the CBOs have the same aim – to advocate justice for affected natives and to keep government abuse in check. However, as discussed in this chapter, the fragmented and conflicting nature of civil society is reflected not only in the Sarawak political parties but also among the natives and their communal organisations.

The understanding of this conflicting arena is incomplete without discussing the media aspect of it. Communication is the heart of any social movement (Weiss, 2013) or in the Gramscian sense, a systematic creation of a common sense of the indigenous people. To better understand the nature of NCR media portrayal or the lack of it, the following chapter discusses the general media systems, national broadcasting and internet activism in Malaysia.

Chapter 4: Broadcasting and Civil Society in Malaysia

4.1 Introduction

This chapter outlines the contexts within which Malaysian media – both mainstream and alternative – operate. It provides a larger picture of the expectations toward television broadcasting and new media in shaping the common good. The first section discusses the history of Malaysia's national broadcaster RTM as a nation-building tool from the 1960s. Analysis of the significance of broadcasting in Malaysian national agendas is complemented by evidence from Malaysia's eleven National Plans (1966-2020). The chapter then discusses RTM in Sarawak and their development in Sarawak through terrestrial and digital platforms. The final section discusses new media activism in Malaysia. It places the 'online' civil society argument beyond purely technological means and argues that the media arena is fragmented and can be 'uncivil'.

4.2 A Brief History of Broadcasting

4.2.1. Communist, racial riot and national culture (1920s-1970s)

This section outlines three key traits of Malaysia's government broadcasting from its inception, which had had their effect to the present – ethnically-based, concerned about national development and, thirdly, political ownership. Because broadcasting was deemed an important national development tool, radio and television broadcasting had stricter regulations for fear that audience behaviour did not turn out as desired by policymakers and rulers (Glattbach and Ramanujan, 1978). The government justified its control over the televisual public sphere without much invitation to partnership with other civil society actors (Umi, 2006). The overseeing of television broadcasting in Malaya was direct under government Ministerial body with no query from the Malaysian Parliament, including the Opposition (R. Karthigesu, 1991, in Zaharom, 1996). It was established with the help of technical assistance from Canada. However, the Canadian public service mandate in ensuring diversity of views and editorial independence was not emulated by the Malayan broadcasting (Zaharom and Mustafa, 2000).

The first radio in Malaya began transmission in 1921 through the Johor Wireless Society (WS) (Media Planning Guide Malaysia, 2012). In 1930, the Malayan WS started broadcasting three times a week from Kuala Lumpur while the Penang WS had its broadcast in four languages – Malay, Chinese, Tamil and English. The 1940s to 1950s witnessed the tightened control of radio broadcasting during war time and communist threat where the Emergency

(1948-1960) was declared. It marked the beginning of the use of broadcasting to counter anti-establishment influences in Malaya.

On 1 January 1962, commercial radio broadcasting was introduced (Glattbach and Ramanujan, 1978). Political factor continued to influence the development of Malayan radio when Suara Malaysia (Voice of Malaysia) was developed in 1963 partly to offset Indonesian propaganda (Glattbach and Ramanujan, 1978). On 28 December 1963, the first free-to-air (FTA) television network was launched under the name Radio dan Televisyen Malaysia 1 (RTM1). Like many developing countries, RTM1 faced teething issues such as insufficient production of local material to fill airtime (Wang and Zaharom, 2001). Besides that, language became a point of contention as the Indian community was left out from the Malay: Chinese: English programme ratio at 45:30:25 (R. Karthigesu, 1994; in Zaharom and Mustafa, 2000). After an outcry, the ratio changed twice to 45:30:20:5 and 39:26:26:9 with the lowest percentage allocated for Tamil language in both (R. Karthigesu, 1994; in Zaharom and Mustafa, 2000).⁸

The agenda of modernisation and national development is evident in the First Malaysia Plan (1MP) (1966-1970). Economically, broadcasting and information were not deemed as necessity because first, they were already well-established and second, more focus was put on “economically productive projects” such as rubber and tin due to their decreasing market value (Chapter 1, p. 11). Nevertheless, expenditure for information and broadcasting was expected to increase from \$27.1 million in 1961-1965 to \$53.1 million in 1966-1970, with a majority allocated for the Malaya Peninsula.

According to the Plan, three key sources funded the various development projects of transport and communications – the internal resources of the agencies concerned, the revenues and other resources of Federal and State Governments and external assistance (Chapter IX, p. 150-151). While the government made effort to increase the first two sources, international funding was deemed important for telecommunication and broadcasting electronic equipment due to high foreign exchange rate.

The 1969 racial riot was a watershed incident that changed many aspects of the Malaysian landscape, including broadcasting. The King, on the advice of the government, declared a state of second emergency (Umi, 2006). National policies thereafter have had implications for media ownership structure and cultural contents in Malaysian media.

The direction of the Second Malaysia Plan (2MP) (1971-1975) is formulated based on the New Economic Policy (NEP) “to correct racial economic imbalance, in the context of an

expanding economy, leading towards the creation of a dynamic and just society” (Chapter 1, p. 1). Besides addressing poverty and restructuring the society, greater emphasis continued to be put on nation building and national identity – through “education policies; services of all kinds; national language and literature, art and music; and truly national symbols and institutions” (2MP, p. 3).

A National Operations Council (NOC) was set up and established a Department of National Unity, which later formulated a national ideology called *Rukunegara*⁹ (Zaharom and Mustafa, 2000). *Rukunegara* as the underlying set of principles toward national unity was reinstated in the Third Malaysia Plan (3MP) (1976-1980). The NOC strongly recommended substantial amendment to the Sedition Ordinance in that prohibits the questioning of ‘sensitive issues’:

1. The special position of the Malays and other indigenous groups;
2. Malay as the national language;
3. The citizenship rights of any ethnic group; and
4. The rights and sovereignty of the Malay rulers (Ronny, 1977; in Tai, 1997: p. 484).

The Government participated more in the private sector to help create a Malay commercial and industrial community to uplift their economic status. This strategy paved way to political party ownership of the media and has created more Malay professional middle classes (Kahn, 1996; Torii, 2003). Subsequently, there is increasing portrayal of Malay middle classes in Malay television dramas (Zaharom and Mustafa, 2000).

The tragedy of 1969 also entailed into restriction of expression to preserve social order and to prevent the outbreak of racial tragedy as such. This was the context of the commencement of the second RTM network, called Channel Two, introduced in 1969. The first and second channels were under the same control body, Department of Broadcasting, and guided by the same directives (Ministry of Information, 1983; in Zaharom, 2000, p. 142):

1. To explain in depth and with the widest possible coverage the policies and the programmes of the government in order to ensure maximum understanding by the public;
2. To stimulate public interest and opinion in order to achieve changes in line with the requirement of the government;
3. To assist in promoting civic consciousness and fostering the development of Malaysian arts and culture;

4. To provide suitable elements of popular education and fostering the development of Malaysian arts and culture;
5. To aid national integration efforts in a multi-ethnic society through the use of the national language.

Like many newly independent nations concerned with the idea of its national identity, the nation-building role conferred to Malaysian television constantly involved issues regarding ethnicity, language, religion, the ratio of local to foreign programmes and local/Asian values (Juliana, 2006; Zaharom & Mustafa, 2000). This is exemplified by complaints from the Indian community in 1962 over the minority airtime given to programmes in their mother tongue as compared to the Malay, Chinese and English fares (Khartigesu, 1994; in Juliana, 2006).

The financing of broadcasting in the 1970s was through annual licensing fee of \$10 for a joint radio-TV ownership, credited directly to government revenue (Glattbach and Ramanujan, 1978). Advertising and programme sponsorship were another source of revenue. RTM sourced from two government agencies for local programming materials – *Filem Negara* (National Film) and *Bernamea* (National News Agency). Despite prioritising Malaysian production and the Malay language, RTM relied highly on imported programmes, especially English-language products because they were easily marketable to fill the airtime (Juliana, 2006).

Another post-1969 event that influenced how culture is constructed in Malaysia is the National Culture Policy (NCP). It was formulated from a congress with over 1000 delegates and 60 working papers debated on Malaysia's cultural identity (*The Straits Times*, 16 August 1971; in Kua, 1990). The outcome was institutionalised under the Ministry of Culture, Youth and Sports (Kementerian Kebudayaan, Belia dan Sukan, 1973). There are three major principles where the national culture should be based on (Zaharom and Mustafa, 2000: p. 158):

1. The indigenous (Malay) culture in the region;
2. The relevant and appropriate cultures of other ethnic groups; and
3. Islam as a major influence in its development.

A group of Chinese cultural associations responded to the policy by calling for a congress for fear that Chinese cultural values especially in Chinese festive celebrations would be threatened (Wan Norhasniah, 2012). The situation grew most intense when the then Home Affairs Minister, Ghazalie Shafie, proposed the Chinese lion dance to be converted to tiger

dance (tiger has negative connotation to the Chinese) and to incorporate the Malay musical instruments (Tan, 1992). Any attempt to question the NCP is considered politicising culture and provoking sensitive issue (Kua, 1990).

Amidst the cultural issues, the Government was aware of the need to meet growing demand for broadcasting reception and transmission. In April 1970, Malaysia's satellite earth station at Kuantan was commissioned for service with the global satellite communication system (2MP, p. 187). The penetration of television is higher in West Malaysia, with 70 percent of the population is able to receive clear television and radio broadcasts (2MP, p. 188).

4.2.2 Privatisation and Asian values (1980s-1990s)

This section highlights the changes to Malaysian broadcasting at the national and international levels. Regulations were amended to adjust to cable and satellite broadcasting by private companies while maintaining the control of content and reception. The wave of privatisation from around the world led to media ownership by allies close to the ruling elites. Internal political factions and financial scandals further explained the harsh treatment toward both national and foreign media personnel involved with investigative journalism. Zaharom (1991) lists two reasons of the increasing controls on the Malaysian mass media in the 1980s. First, Malaysia needed to project a positive image in view of the industrialising strategies that were dependent on foreign investment. Second, a series of events symptomatic of leadership crises took place, including clashes between the judiciary, the Malay Rulers and the Executive (see Means, 1991).

The Fourth Malaysia Plan (4MP) (1981-1985) marks the first decade after the implementation of the New Economic Policy in 1971. Besides restructuring society, the Fifth Malaysia Plan (5MP) (1986-1990) puts priority on reemphasising values for development – national unity, work ethics, entrepreneurship, spiritual values, and concern for the environment (Chapter I, pp. 28-30). This is coincidental with the premiership of Mahathir where he strongly promoted Asian values and work ethic through the Look East policy. Mahathir Mohamad was Malaysia's fourth Prime Minister in 1981; the longest serving for 22 years.

Asian values were strongly propagated to differentiate Us from the West (Khoo, 2002). As such, three key assumptions were made against Western media (Yao, 1994; in Tai, 1997: p. 488):

1. Western media are powerful and immoral;

2. The truth about Asia has been distorted by the Western mass media to create friction and instability...so [foreign countries] can compete with [Malaysia]; and
3. Western media is threatening to the traditions and culture of Asian societies.

The Broadcasting Act 1988 replaced the Telecommunications Act 1950 that previously regulated broadcast services (McDaniel, 1994; in Tai, 1997). Scholars observed that the Act's purpose is clearly to regulate especially television broadcasting in times of privatisation and as response to technological changes (Tai, 1997; Zaharom, 2002a). Applicable to both public and private broadcasters, the Act outlines the Minister of Information's scope of authority, general framework with respect to licences and penalties for licence violations (Tai, 1997). Part III, Section 10, Subsection (1) of the Act states that "It shall be the duty of the licensee to ensure that the broadcasting matter by him complies with the direction given, from time to time, by the minister" (in Zaharom, 2002a: p. 129). The Code of Ethics of Broadcasting was not found in legal documents but is rather subject to the interpretations and actions by the Ministry, something not made available to the public (McDaniel, 1994; in Tai, 1997). 'Broadcast matter' is defined in Part I as (p. 477):

any sign or signal transmitted by a broadcasting station whether for aural or visual reception or both, and includes any music, theatrical or other entertainment, concert, lecture, speech, address, news, and information of any kind so transmitted for reception by the general public.

The section then was amended in 1997 to include films and documentary advertisements. Amendments were proposed to legalise the use of satellite dishes that will enable viewers to receive at least 22 foreign television channels. The definition of 'broadcasting station' was further widened to include "satellite transmissions and attaching to the Act, a new schedule of broadcasting services which includes satellite and cable television services" (McDaniel, 1994; in Tai, 1997: p. 478).

In 1991, Mahathir unveiled his Vision 2020 that envisaged Malaysia to be a fully developed, industrialised country by the year 2020. As stated in the Sixth Malaysia Plan (6MP) (1991-1995) (p. 371), Malaysian broadcasting was expected "to contribute to the development of a well-informed society imbued with positive, strong moral and ethical values receptive to modernization. Broadcast media and face-to-face communication have been the most effective instruments for disseminating information on Government development policies, programmes and strategies, to ensure social and political stability."

Modernisation and privatisation, from the government’s perspective, is crucial for national development. According to the Seventh Malaysia Plan (7MP) (1996-2000), “[t]o ensure higher productivity and product quality, efforts will be made to corporatise *Berita Nasional Malaysia* (Bernama) and privatise *Jabatan Filem Negara dan Perbadanan Kemajuan Filem Nasional* (FINAS, National Film Development Corporation)” (p. 580). The percentage of expenditures for information and broadcasting from 1985-1990 to 1991-1995 increased 4-fold.

Table 10 Federal Government Development Allocation and Expenditure for Information and Broadcasting (1986-2000) (\$ million)

	Expenditure of 5MP (1985-1990)	Expenditure of 6MP (1991-1995)	Allocation for 7MP (1996-2000)
II. Social	8764	13555	19803
a. Information and Broadcasting	20	108	238
% of Social Expenditures	0.23	0.80	1.20

Source:

Table 2-3 Federal Government Development Allocation and Expenditure by Sector, 1986-95 (\$ million), p. 62, RMK6
Table 6-3 Federal Government Development Allocation and Expenditure by Sector, 1991-2000 (\$ million), p. 177, RMK7

Greater technological advancement in the 1990s had prompted more services besides terrestrial broadcasting with private satellite and cable services. The Malaysian television industry continued to introduce more private players into the scene yet they were politically connected to ruling parties.¹⁰

Table 11 Malaysian Terrestrial, Cable and Satellite Television Stations from 1994 to 1999

Year established	Station	Type	Availability	Language	Frequency	Hours (Daily)
1994	MetroVision	Free-to-air (Terrestrial)	Klang Valley	Malay/English	Daily	16.50
1996	Astro ¹¹	Satellite	Subscription	English	Daily	24.00
1998	NTV7	Free-to-air (Terrestrial)	Nationwide	Malay/English	Daily	15.25
1999	Mega TV	Cable	Subscription	English	Daily	24.00

Source: Zaharom (2002a)

The launch of satellite broadcasting had been mistaken as a form of liberation in the form of an ‘open sky policy’ (Zaharom, 2002a). Specifically, Tai (1997, p. 473) notes that the content on satellite television is controlled in two ways:

First, Astro’s satellite dishes are only capable of receiving signals from the Measat satellites, ruling out the possibility of accessing unauthorized broadcasts. Second, like other broadcasts, all satellite transmissions are delayed for 90 minutes for editing and dubbing, allowing for some degree of censorship.

Under the 1996 amendments to the Broadcasting Act 1988 to allow satellite operation,

...only 0.6 metre parabolic dishes can be used by consumers to receive signals ... it is an offence for anyone to use bigger parabolic dishes. And the penalty for such an offence is certainly a hefty one – a fine of RM100,000 and/or a three-month jail sentence (Zaharom, 2002a: p. 122).

In 1996, Mahathir launched the Multimedia Super Corridor (MSC) “to provide a comprehensive world-class ICT-enabled working and living environment to catalyse the development of a knowledge-based economy” (8MP, p. 369). The MSC is a high-tech zone of approximately 15x50km² stretching southwards from Kuala Lumpur that included Putrajaya and Cyberjaya, an “intelligent city”, for both local and foreign high technology companies (Bunnell, 2002).

The significance of IT is manifested through an exclusive chapter in the Seventh Malaysia Plan (7MP) (1996-2000). A council was established to assist the IT policy nationwide, named the National Information Technology Council (NITC) comprising members from the public and private sectors (p. 451). One of the job scopes was “to review laws and regulations that restrain the development of IT” including the Contracts Act 1950, the Evidence Act 1950, the Telecommunications Act 1950, the Copyright Act 1987 and the Broadcasting Act 1988. While heading toward an information-rich society, the review also aimed “to ensure that national and personal security and interests are safeguarded” (7MP, p. 466). The Communications and Multimedia Act 1998 is enacted to provide a regulatory framework to cater for the convergence of the telecommunications, broadcasting and computing industries. With this, the Telecommunications Act 1950 and Broadcasting Act 1988 were repealed.

The number of personal computers (PC) installed records a dramatic increase from 610,000 in 1995 to 2.2 million in 2000; while the number of Internet subscribers increased from 13,000 in 1995 to about 1.2 million in 2000 (8MP, p. 367). As per 1,000 populations, Kuala Lumpur and Selangor had the highest internet subscribers at 103.9 and 84.9 respectively. Yet, Sabah and Kelantan had the lowest, with 16.6 and 12.5 internet subscribers per 1,000 populations (8MP, p. 367).

IT, now Information and Communications Technology (ICT), was given a full chapter in the Eighth Malaysia Plan (8MP) (2001-2005). Besides promoting knowledge economy (k-economy) and electronic commerce (e-commerce), the Plan highlights the National Vision Policy that aimed towards *Bangsa Malaysia* (The Malaysian Race).¹² Within a span of five years between 1995 and 2000, the home sector recorded the highest growth rate of 44.1 per cent

per annum in expenditure (8MP). A number of reasons could be attributed to the drastic increase of IT use by home consumers. Following the post-*Reformasi* era, people opted for websites for alternative news and growing affluence of consumer market in electronic products such as mobile telephones, car stereos and televisions. The government has also encouraged ICT usage through special incentives such as the abolition of sales tax on computers; PC Ownership Campaign starting year 2000 with the aim of 'one home, one PC'; and to bridge the digital gap through the *Internet Desa* (Rural Internet) programme. To enhance ministerial efficiency in the age of media convergence, Ministry of Energy, Telecommunications and Posts was restructured to the Ministry of Energy, Communications and Multimedia in November 1998.

4.2.3 Digitisation and MCMC (2000s-2010s)

In July 1998, after the sacking of Anwar Ibrahim and in the dawn of economic crisis, a director of TV3 and the editors of two major Malay-language dailies – *Utusan Malaysia* and *Berita Harian* – resigned (Zaharom, 2002b). They were known to be close with Anwar (Funston, 1999). In the post-financial crisis and *reformasi* years, the 1999 general elections saw another win for the Barisan Nasional (BN) coalition. The BN secured their two-third majority in parliament but lost Kelantan and Terengganu to the Parti Islam Se-Malaysia (PAS) (Lin, 2002).

In 2003, Mahathir stepped down from the post of Prime Minister and his successor Abdullah Ahmad Badawi was hand-picked. From a highly centralised approach during Mahathir's tenure (1981-2003), Badawi as the fifth Malaysian Prime Minister adopted a more open style of government in addressing corruption and police misconduct. Abdullah also pledged to eradicate poverty by promoting agriculture and focusing on the rural poor (Gomez, 2006), which contributed to his landslide victory in the 2004 general elections (Brown, Siti Hawa and Wan Manan, 2004). Another key feature is Badawi's universal principles of *Islam Hadhari*.¹³

Despite Abdullah's 'populist agenda', his administration lost popularity due to undelivered promises, a series of political scandals and ethno-religious controversies (Gomez, 2006; Lee H. G., 2008; Johan, 2008). Critics wrote that legal controls and ownership structures of the media indeed were no different than those under the Mahathir administration (Mustafa, 2005; Wong, 2006). A spate of ethnic tensions occurred with the increase of legal disputes over religious matter. Following this, the Human Rights Sub-Committee of the Bar

Council mooted the idea of an Inter-Faith Commission (IFC) (Johan, 2006). In April 2005, a conference was held with about 200 participants from all major faith-based groups and civil society organisations (Johan, 2006). A coalition of 13 Muslim groups calling itself the Allied Coordinating Committee of Islamic NGOs (ACCIN) called for the government to stop the IFC; and the government obliged (Johan, 2006). Besides that, Badawi faced interference and criticisms from Mahathir relating to the scrapping of the Johor-Singapore bridge project, approved permits for cars and the exit of the former Proton chief executive officer (see Tan, 2007).

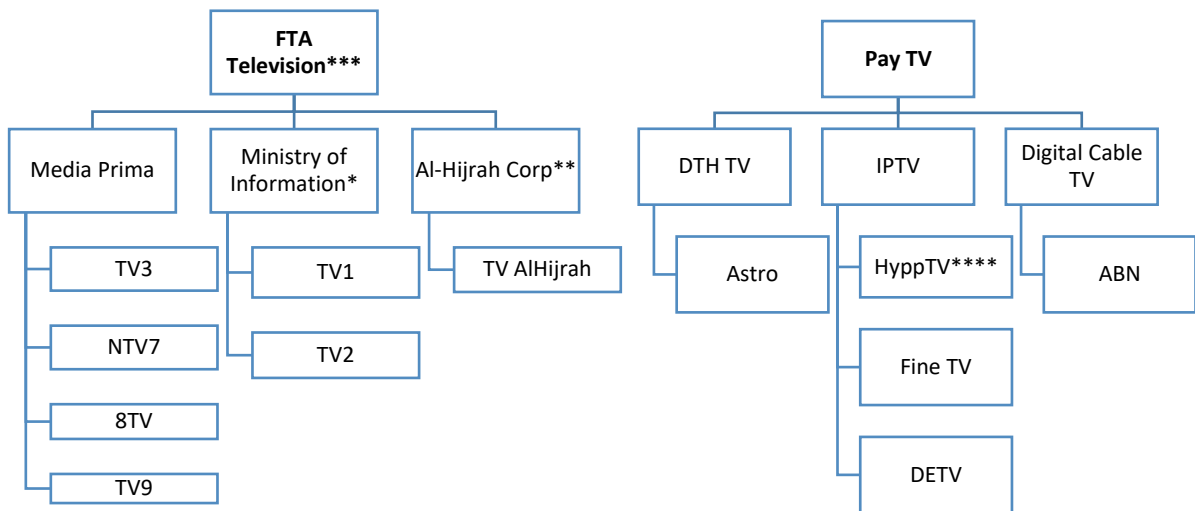
Badawi was forced to step down after BN's poor performance in the 2008 general elections (see 3.2), succeeded by Najib Razak in 2009. The general elections outcome was popularly called the 'political tsunami' by a prominent Opposition leader, Lim Kit Siang. BN lost five states to the Opposition coalition, which Badawi attributed the losses to BN neglecting online campaigning (Leong, 2014; see 4.6).

The development of political Internet activities in Malaysia needs to be analysed within the larger context of Malaysia's national agenda toward ICT excellence. According to the Ninth Malaysia Plan (9MP) (2006-2010), the National Broadband Plan (NBP) aimed to provide for planned operationalisation of broadband nationwide (9MP, p. 134). Under the initiative, the Government targeted to achieve 50 per cent household broadband penetration by the end of 2010 (MCMC, 2015a). As of Q1 2014, Malaysian household broadband penetration reached 67.4 per cent, as compared to 11 per cent in 2006 and 31.7 per cent in 2009 (Muhammad Razali Anuar, 2014). The Malaysian Information, Communications and Multimedia Services (MyICMS) Blueprint was completed in 2005 to propose guidelines for the convergence of the three key sectors in the ICT industry namely cellular telephony, Internet and broadcasting.

RTM, the national broadcaster, since the inception of two television channels in the 1960s, aimed to promote government policies to the public (see 4.2.1). With the first private broadcaster TV3 in the marketplace in 1984, RTM television channels faced stiff competition for advertising share and had to introduce more commercial programmes (Zaharom, 1996). Years later with more and more private players (see Figure 17), TV1 and TV2 went through aggressive re-branding in August 2004 to discard the misperception of outdated channels from audiences and advertisers alike (M. Hafidz, 17 September 2005). TV1 and TV2 were re-branded with new logos and new slogans, respectively Your Infotainment Channel and Your Family Channel (M. Hafidz, 17 September 2005).

The Malaysian mainstream broadcasting industry witnessed more industry players and merger with Media Prima Berhad (MPB)¹⁴ as the largest media conglomerate in Malaysia.

Figure 17 Television Industry Segmentation in Malaysia (2014)



Source: Media Planning Guide (2014, p. 202)

*Ministry of Information, Communications and Multimedia changed to Communications and Multimedia Ministry since 2013, with the cultural portfolio assigned to the Tourism Ministry (Ding et al, 2013: p. 104).

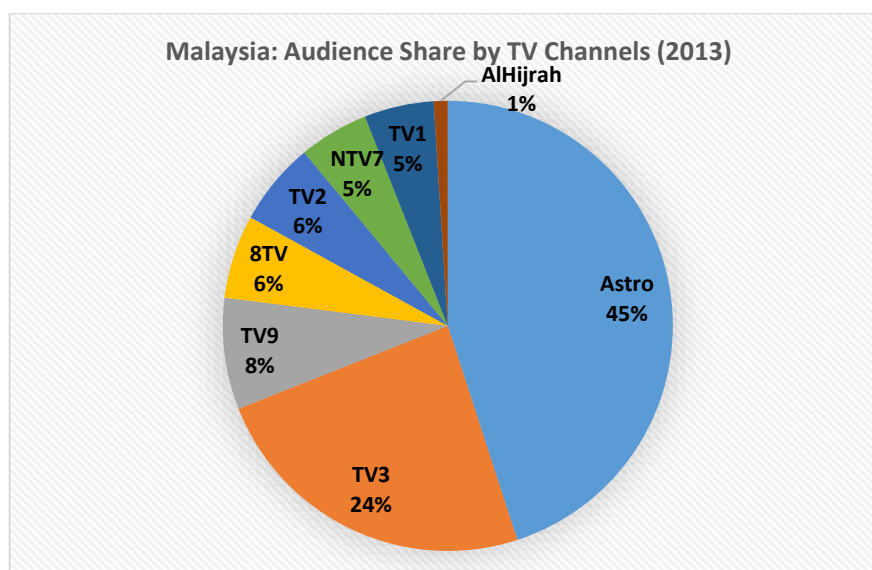
** Al Hijrah Media Corporation is a government-owned company (Media Planning Guide, 2014).

***Another player in the market was Worldview Broadcasting Channel (WBC), the first FTA TV news channel; it ceased operations in 2013 (Media Planning Guide, 2014).

**** Hypp TV, the IPTV was launched by Telekom Malaysia in 2011.

Despite being the oldest broadcaster in Malaysia, RTM television channels (TV1, TV2 and Al Hijrah) had the lowest audience share in 2013, as compared to other private competitors. Astro that offered 89 (satellite) channels (including High-Definition and Packages) had the biggest audience share at 45%. All private FTA channels (TV3, TV9, 8TV, NTV7) under Media Prima were at the second spot with 43%.

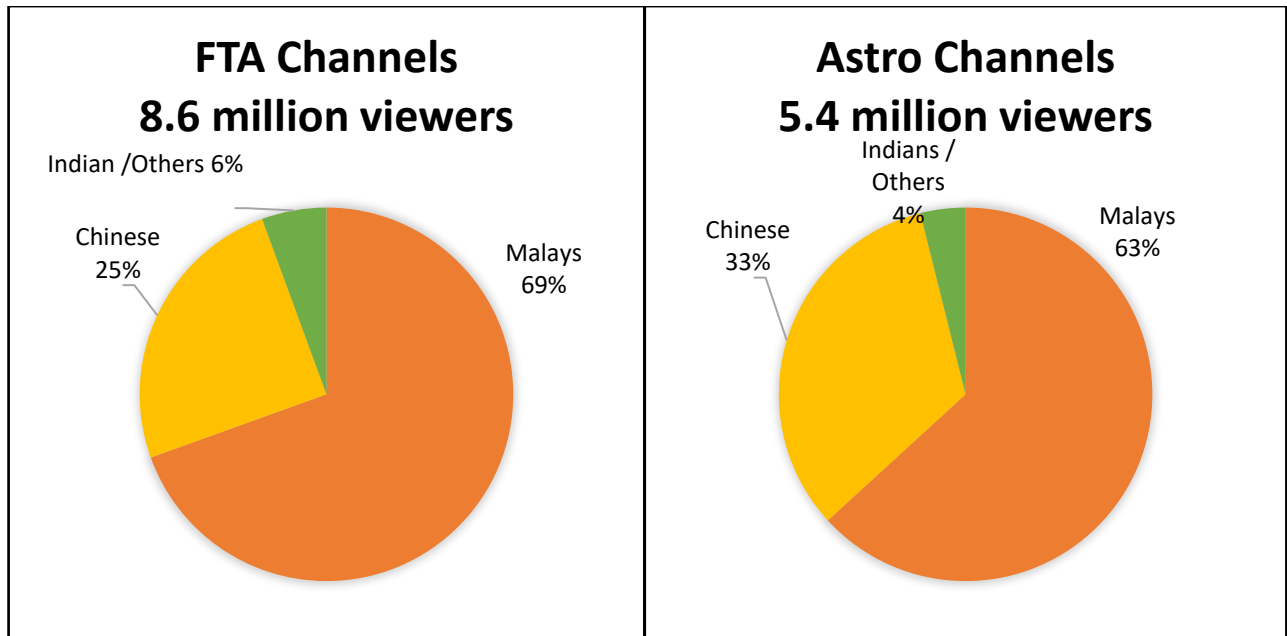
Figure 18 Audience Share by Malaysian TV Channels (2013)



Source: TAM Nielsen, from Media Planning Guide (2014, p. 204)

Although Indians, East Malaysian Bumiputera and non-Malaysians constituted 27% of 23.8 million Malaysia's population (2010), Figure 19 shows that they are the minority as far as audience share is concerned.

Figure 19 Malaysia: Channel Profile by Race (2014)



Source: TAM Nielsen, from Media Planning Guide (2014, p. 204)

As communication technologies advanced, the term broadcasting revolved around digitisation. The regulatory body, Malaysian Communications and Multimedia Commission (MCMC) set forth ten national policy objectives¹⁵ as the basis of its regulatory framework. The telecommunication, broadcasting and information technology industries are now replaced by terms like communications and multimedia industry (Hussein, 2000; in Lee A., 2001: pp. 682-684). 'Communications' is widely defined as "any communication, whether between persons and persons, things and things, or persons and things, in the form of sound, data, text, visual images, signals or any other form or any combination of those forms" (Section 6, the Malaysian Communications and Multimedia Commission Act 1998).

Information and Communications Technology is one of the National Key Economic Areas (NKEAs) in 10MP and is expected to contribute to the GDP from 9.8 per cent in 2009 to 10.2 per cent by 2015. Media in general are part of the creative industries,¹⁶ a theme which was to flourish under the National Creative Industry Policy and National Digital Terrestrial Broadcasting (DTTB) (10MP, p. 152). The television industry is now part of creative content by the Malaysian Creative Content Industry Guild (CCIG, 2015).¹⁷ The subject in the Communications and Multimedia Act was addressed as end-users and consumers, without the identification by race and geography (Kitley and Zaharom, 2003). The conceptualisation of civil

society by accordance to technology and commodification is not new (Garnham, 2005). Kitley and Zaharom (2003) noted that the discourse of subject in the Acts concerning Multimedia has removed the race and ‘old media’ boundaries. The rationale of such converged legislative framework has not been given attention by academics and civil society organisations due to centralised authority in the state (Lee A., 2001; Kitley, 2003). Malik’s (2010) research on the shift from PSB policy to creative industry in the United Kingdom found that “diversity is ripped from the experience of living with ethnic and racial difference ... where issues of discrimination, exclusion, and social justice are marginalised in favour of a raceless, commodified version of (multi)cultural difference” (in Hesmondhalgh and Saha, 2013: p. 193).

As of 2015, RTM’s organisational directions has since this point adopted a more technologically intensive approach through emphasis on terms such as information society and the creative content industry (RTM, 2015, translation).

Table 12 The Vision, Mission and Objective of RTM (2015)

Vision	Missions	Objectives
<ul style="list-style-type: none"> •To win the hearts and minds of the people through radio, TV and new media. 	<ul style="list-style-type: none"> •To build information society through radio, TV and new media. •To ensure RTM is trusted and is the ultimate choice. •To develop quality, creative and innovative content. •To utilise broadcasting infrastructure development that uses latest technology. 	<ul style="list-style-type: none"> •To disseminate information through broadcast platforms. •To catalyse the development of creative content industry. •To support heritage and culture of Malaysia. •To expand the network of cooperation and strategic collaboration within the country and internationally.

The change of premiership from Abdullah Badawi to Najib Abdul Razak was reflected in the Tenth Malaysia Plan (10MP) (2011-2015). Within a year or so in office, Najib came up with extensive ‘reform’ policies towards Vision 2020, known as the four pillars of national transformation – 1Malaysia, the Government Transformation Programme (GTP), the New Economic Model (NEM), and, lastly, the first policy operationalisation through the 10th Malaysia Plan 2011-2015 (NEAC, 2010). Overall, those initiatives pledged to ‘prioritise the people’ and to promote Malaysia through the transformation of government and economic performance. According to a poll by Merdeka Centre, Najib’s popularity rose gradually from 41 per cent in February 2009 to 45 per cent by June and his approval rating reached 56 per cent in October (Surin, 3 April 2009). On the eve of Malaysia Day 2011, Najib announced

several 'gifts' to the nation in conjunction with the administration's pledge for freer expression – the repeal of the Internal Security Act (ISA) 1960 and the three Emergency declarations (Teoh, 2011). Also in the announcement, the annual license renewal as required by the infamous Printing Presses and Publications Act (PPPA) 1984 was replaced by one-off permit; while Section 27 of the Police Act 1967 was reviewed to allow more freedom to assemble (Hemananthani, 2011). These changes, however, were made within the contexts where Najib needed to regain popularity and political control over middle Malaysia (Teoh, 2011).¹⁸

The Eleventh Malaysia Plan (11MP) (2016-2020) reflects the Najib administration's goal to be 'people-centric and result-driven' with the motto People First, Performance Now. The Plan expected analogue television broadcasting to migrate fully to Digital Terrestrial Television (DTT) by the end of 2020 with gradual penetration of High-Speed Broadband (HSBB) and Broadband for General Population (BBGP) by states (11MP, pp. 7.8-7.9). The Eleventh Plan also stated that the Government encouraged the liberalisation of services subsectors including telecommunications to boost investor confidence. In 2017, the Ministry of Communications and Multimedia Malaysia and the MCMC launched a digital terrestrial TV broadcast system, branded as myFreeview. According to the official website, the DTT project offers higher quality sound and visuals with multiple interactive services. Myfreeview features all FTA channels at zero cost.

This section has tried to show the development of Malaysia's television broadcasting industry within the political, cultural, economic and technological contexts. RTM's audience share in 2013 showed that it was still struggling between its identity as a national broadcaster and commercialisation, with stiff competition from private players. Audience segmentation by race reflected an imbalanced proportion by the FTA and Astro channels. On the other hand, as mentioned earlier, the conceptualisation of audiences by race has largely diminished in the discourse of multimedia and the creative industries. Against this background, the extent to which RTM caters to the indigenous population in Sarawak is open to question, which will be discussed in the following section.

4.2.4 RTM and Sarawak

As one of the newly independent countries in the 1950s and 1960s that emphasised modernisation¹⁹ and development²⁰, Malaysia believed mass media would play significant roles in nation building. This paradigm was popularised by scholars such as Wilbur Schramm and Daniel Lerner; which received wide support from the United Nations Educational,

Scientific and Cultural Organisation (UNESCO) (Thussu, 2006). Malaysian policy makers insisted that the media could serve the public interest by helping to promote government policies and at the same time practice self-regulation (Loh and Mustafa, 1996). A basic assumption of this approach is that the government is a key agent in determining development policy for public good (Romano, 2005), hence government policy has been used interchangeably as public policy (Umi, 2006).

From the First Malaysia Plan (1MP, 1966-1970), the government aimed to extend and improve information and broadcasting services especially to rural areas and Borneo states of Sabah and Sarawak. Table 13 shows that the allocation for Sarawak was the lowest. This could be attributed to the remoteness of Sarawak that hindered the deployment of costly broadcasting electronic equipment at the time (1MP). Populations in Sarawak were commercially less viable for the advertising industry due to their lower literacy level and rural lifestyles (Hamdan, 1990).

Table 13 Public Development Expenditure and Allocation for Broadcasting in Malaysia (1961-1970) (\$ million)

	Estimated Development Expenditure 1961-1965	1MP Allocation 1966-1970
Communications	129.8	205.5
<i>Broadcasting</i>		
• Malaya	23.0	42.3
• Sabah	2.8	6.0
• Sarawak	1.3	4.8
Malaysia	27.1	53.1
% of Communications Expenditure /Allocation	20.9	25.8

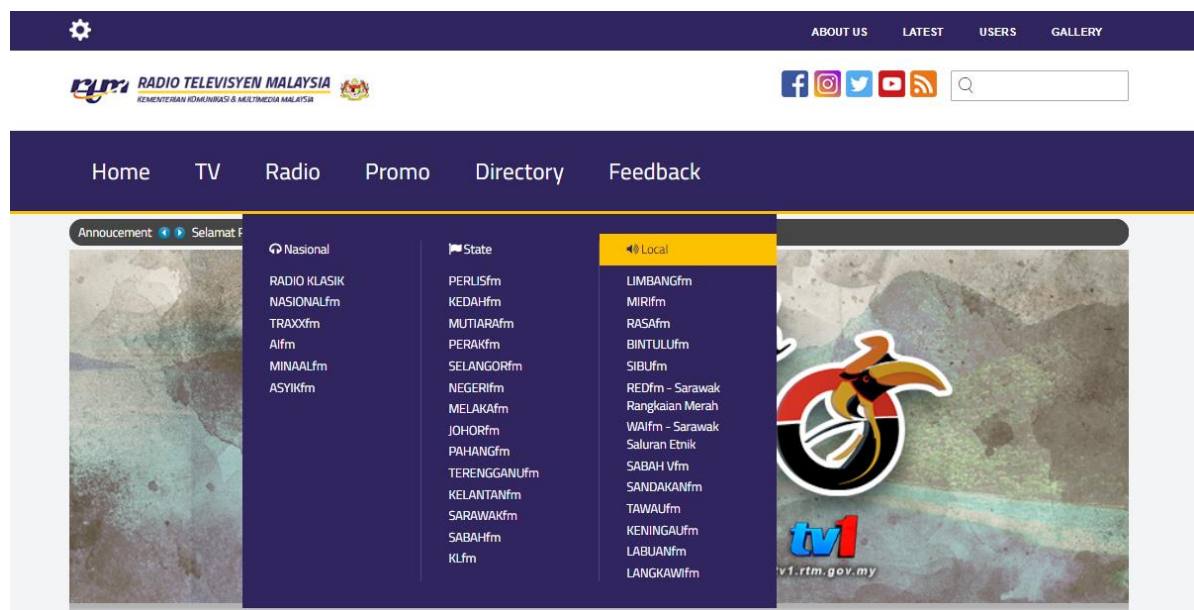
Source: Table 4-1 Malaysia: Sectoral Allocation of Public Development Expenditure in 1966-70 as compared with 1961-65 (\$ million), p. 70

The movement toward extending mass media penetration in rural areas was based on the communication-for-development principle (Samsudin and Fuziah, 1993). Rural areas were identified as ‘the Malay heartland’ where television and radio broadcasting were their major source of information and entertainment (Zaharom, 2017; Samsudin and Fuziah, 1993). The Bornean states of Sabah and Sarawak attempted to establish an autonomous television channel in the 1970s but thwarted in the name of ‘national unity’ (Postil, 2002). Postil (2002) argued that television in Sarawak was a product of ‘double Westernisation’ (first imported from the West, mainly the USA, then recycled in West Malaysia and exported to Sarawak) and

a reliable propaganda tool for the ruling federal government due to programme centralisation.

In 1956, radio broadcasting operations in Malaya moved from its temporary studio to the Federal House in Kuala Lumpur (RTM, 2016). It was here that broadcasting in Malaysia flourished with more stations that expanded throughout the country including Sabah and Sarawak. Today, East Malaysians get to tune in to radio channels in their respective native languages. Blue Channel RTM Kuching uses Bidayuh, a popular dialect used by Sarawakians. Iban and Kayan/Kenyah are dialects used in the Green Channel of the station.

Figure 20 Screenshot of RTM website listing the radio services across the country (2018)



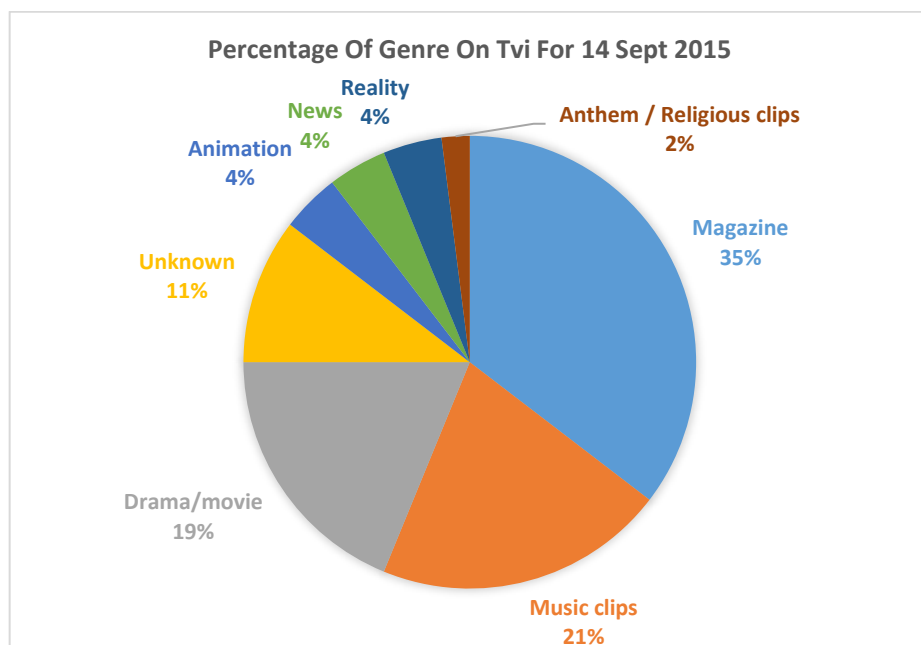
RTM’s website was launched at the end of 1995 by the then Prime Minister, Mahathir Mohamed. This service enabled listeners to tune to the television and radio stations via the Internet.

In 2011, the Federal Government and the state governments of Sabah and Sarawak launched a new digital television channel for the two states called TVi (TV Interaktif) (Bernama, 7 April 2011). The Information, Communications, Arts and Culture Minister said TVi would help especially Peninsular Malaysians understand the Sabahan and Sarawakian cultures better, which would further promote the 1Malaysia concept (Bernama, 7 April 2011). TVi was branded as a channel of “arts, cultural and ethnic programmes that highlight life in Sabah and Sarawak” (Streema, 2015). TVi was also available through satellite broadcaster Astro on channel 180. During the launch of TVi, the Minister further pledged to make a village, Kampung Lintang to be equipped with Wi-Fi. He urged the residents “to appreciate the

contributions of the state and Federal governments and not be influenced by empty promises made by the Opposition” (Bernama, 7 April 2011).

This research conducted a brief review on the TVi programmes on 14 September 2015. The review revealed that a) TVi was commercial-free; (b) the main medium was Malay language; (c) only 30 minutes in a 24-hour run was allocated for indigenous languages – 15-minute news in Iban (main Sarawak dialect) followed by another 15 minutes in Kadazan-Dusun (main Sabah dialect); (d) the programmes were Malaysian produced (except for Animation); (e) two most frequent genres were magazine talk shows (35.4 per cent) and music clips (20.8 per cent) – both within urban setting; and (f) the hosts or locations were from Sabah and Sarawak.²¹

Figure 21 TVi: Percentage of Programme Genre Breakdown (14 September 2015, Monday)



As with RTM’s other television channels, the establishment and purpose of TVi was not made open for public enquiry. The programming staple, language provision, funding, target audience and access mode of TVi raised serious questions for the purpose of a minority channel.

In 2016, this research conducted a preliminary online questionnaire survey among 268 respondents from Peninsular Malaysia, Sabah and Sarawak. Astro channels were the most watched by the respondents at 52.1%, while the 4 Media Prima channels (TV3, Ntv7, 8TV, TV9) took the second place at 31.5%. The least watched were RTM channels (TV1, TV2, TVi) with less than 2%. It revealed that 75.9% never heard of TVi before while 83.2% never watched the channel.

The lifespan of TVi was cut short by TV Okey (Opportunity, Knowledge, Experience, Yours). Two months before Malaysia's 14th general elections, the then Prime Minister Najib Razak launched TV Okey to boost the creative industry for both Sabah and Sarawak, besides promoting home grown talent (Zam, 21 March 2018). The channel could be viewed on the Astro 109 and MyFreeview 110 platforms as well as the RTM Mobile app. By featuring more dialects, TV Okey was targeted to showcase the unique cultures of both states. The Federal Communications and Multimedia Minister Salleh Said Keruak was cited saying that "the channel's branding uses a bottom-up approach, which involves the people, including those at the grassroots". The name Okey was chosen to present a positive image "in spite of all the accusations by certain quarters, who are envious of the nation's success" (Zam, 21 March 2018).

As far back as 1998, a workshop was organised by Sarawak's *Majlis Adat Istiadat* (Council for Customary Law) to discuss the prospects of Iban-language broadcasting and the problems with RTM Sarawak, among which were (1) no clear aims or objectives; (2) insufficient audience research; (3) poor infrastructure and facilities; and (4) low command of Iban among broadcasters (Postill, 2002, pp. 102-103). The development of TVi and TV Okey showed the lack of a genuine and open research to cater programmes to the minority populations in Sabah and Sarawak. While TVi was not well known or heard of by the survey's respondents, the establishment of TV Okey in March 2018 seemed to be a hasty effort to attract more votes from the East Malaysia in preparation for the 14th general elections two months later.

4.6 New Media Activism in Malaysia

Malaysian politics has experienced major changes since the late 1990s with increasing challenges and resistance towards the status quo from a variety of civil society actors. Activists, journalists, academics, artists, students and lawyers raised issues regarding judicial independence, electoral system reform, governance transparency, the environment, and ethnic minority welfare. These changes were assisted by newer media technology such as the Internet and social media, which became popular forms of expression as an alternative to the tightly controlled government-run and privately owned media (Weiss, 2013).

Mainstream mass media in Malaysia are more known as government service platform than providing a public service (Zaharom, 1996). The press, television and radio broadcasting practised self-regulation that skirted, rather than debated, 'sensitive' issues under the pretext of maintaining social harmony (Loh and Mustafa, 1996). The New Economic Policy (NEP)

implemented in 1971 paved way for media ownership by ruling political parties, besides other businesses (Gomez, 1994). Malaysian mainstream media were restricted by economic, legal and political means to a substantial extent that marginalised diverse opinions and legal dissents (Mustafa, 1994; 2014). Besides being denied fair media coverage, civil society organisations in Malaysia faced structural obstacles such as political clampdown, association law amendments, rejected publishing licence, weakened trade unions, and laws prohibiting students from political involvement (Azeem Fazwan, 2011; see 2.3).

The Malaysian media arena experienced an important turning point when Information and Communication Technology (ICT) was introduced to Malaysians in the early 1990s and heavily promoted as a crucial tool toward achieving developed nation status by 2020. Multimedia Super Corridor (MSC) was a national mega project launched in 1996 by the then Prime Minister, Mahathir Mohamed. The Bill of Guarantee stipulates that the government will not censor the Internet to boost investor attraction to the MSC.

Figure 22 Anwar addressing the crowd in support of his Reformasi with wife Wan Azizah in 1998



Source: Free Malaysia Today

The use of the Internet intensified in the late 1990s for two main reasons. Mahathir's deputy, Anwar Ibrahim, was sacked in 1998 for allegedly committing sodomy against his aide. Salacious news coverage by mainstream press and television of a respectable figure left many disillusioned. Besides participating in demonstrations, the Internet became an alternative for creating supportive websites and to seek diverse details of the incident. During the period of his arrest and subsequent dismissal of his official duties, internet service provider TMNet recorded 14,000 new subscribers, more than double its average number of 6,000 (Rodan, 2004; in Weiss, 2013). Ratings of politically owned private television channel TV3 and Malay-language newspaper *Utusan* plummeted while the sale of oppositional party bulletins soared (Funston, 1999).

It was also within that same period of Asian economic crises where people faced retrenchment and business losses and began to question government bail-outs of government-linked corporations (GLCs). Local and foreign journalists alike were slammed with lawsuits to silence criticisms (Rodan, 2004). Former mainstream journalists established Malaysia's first fully online and independent news portal in 1999, Malaysiakini. Capitalising on the technology and increasing demand for alternative news and expression, techno-savvy Malaysians also dabbled into writing blogs (Tan and Zawawi, 2008).

In 2007, three rallies were organised by different civil society organisations. They were promoted through the social media platform, Facebook, and reported 'live' by ordinary citizens who attended.

The first and perhaps the most popular is the Coalition for Clean and Fair Elections (BERSIH; literally clean), made up of non-governmental organisations formed in 2006. It seeks to campaign for free, clean and fair elections in Malaysia. Its first rally was held on 10 November 2007; second (BERSIH 2.0) on 9 July 2011; third (BERSIH 3.0) on 28 April 2012 and the fourth (BERSIH 4.0) on 30 and 31 August 2015 (BERSIH, 1 September 2015). BERSIH 4.0 was declared illegal by the police for failing to comply with the Peaceful Assembly Act 2012 (Farik and Natasha, 26 August 2015). The organisers went on with the rally with the emphasis on demanding the then prime minister Najib Razak to resign due to money laundering allegations (Höller-Fam, 16 December 2015). At the time of writing in September 2015, BERSIH's official website (www.bersih.org) was blocked from access "as it violate(s) the National law(s)".

Figure 23 The Official Facebook page of BERSIH 2.0 (2018)



Source: Facebook

Hindu Rights Action Force (Hindraf) rally was held on 25 November 2007 to highlight the plight of Malaysian Indians – against the background of socially and economically disadvantaged working classes especially plantation workers, demolition of temples, legal religious cases, and poor education system (Subramaniam, 2007). Hindraf chairman P. Waythamoorthy filed suit against the British Government for negligence toward workers brought to Malaya during colonial times and continuation of marginalisation by the Malaysian government (Fernandez, 29 March 2015).

On 26 September 2007, more than 2,000 lawyers and activists went on a “Walk for Justice” to Prime Minister’s office in Putrajaya (P. Ramakrishnan, 2007). The key agenda is to call for a clean-up in the judicial system, particularly with the establishment of an independent Commission of Inquiry, following the revelation of a video clip that showed political meddling in the appointment of judges (P. Ramakrishnan, 2007).

In the 2008 general elections, the ruling elites finally recognised the power of the Internet and its generation. The ruling coalition was denied its two-thirds majority in parliament for the first time since 1969 after losing 5 states to Opposition parties (Kessler, 2013; see 3.2). The then Prime Minister Abdullah Badawi admitted that his ‘biggest mistake’ was to neglect online campaigning (Malaysiakini, 25 March 2008; in Leong, 2014). Alternative media, initially identified as the new media, inevitably were a critical component in the Malaysian civil society since the late 1990s (Weiss, 2009; Liu, 2014).

As technology continued to evolve, the over-the-top (OTT) feature makes possible on-demand video streaming through many platforms and devices. Due to the availability of affordable mobile data plans and applications (apps), issues go viral via sharing among social networking and micro-blogging sites. Globally, WhatsApp was the most popular social platform for Malaysian’s news consumption at 51%, according to Digital News Report 2017 by Reuters Institute for the Study of Journalism at Oxford University (The Star Online, 10 September 2017). Comparatively, only 3% in the United States used the popular messaging platform for the same purpose in the same period.

Civil society organisations (CSOs), old and new, commonly own a Facebook page, followers, Twitter account, website and videos embedded in YouTube with ‘live’ reports to promote their causes and to organize movements (Zaharom and Gayathry, 13 October 2016; Liu, 2014). With social media, organising activities by non-profit and non-government organisations have become more widespread and more effective (Waters, 2007). According

to the 2018 Global NGO Technology Report conducted by Nonprofit Tech for Good, out of 5,352 NGOs from 164 countries, 92% have a website, 93% have a Facebook account, 72% accept online donations on website and 64% use WhatsApp. Cyber-volunteering has also become popular where the volunteers accomplish their tasks remotely via the Internet (Raja Jamilah, Azah Anir and Siti Soraya et al, 2016).

4.7 Conclusion

Media freedom is, as Rodan (2003, p. 455) put it, “one of civil societies’ most definitive contemporary ideals and institutions”. For Sotharith (2012, p. 33), media play four major roles in complementing civil society - as checks and balances for the government; in capacity building; as a force of reform; and in economic development. Democracy, freedom, and social justice, Sotharith (2012) added, are unthinkable without an independent media.

However, is it true that civil society is vibrant only because of alternative media? Weiss (2017, p. 376) rightly asked, “In an age of social media, online platforms and intensified economic globalization, what resources or allies are most pivotal or influential for activists?” It should be pointed out that associations regardless of political orientation have been utilising the new media for own purposes. Ruling elites too retaliated by similarly turning to the platform to re-shape public opinion (Rodan, 2003).

Besides the *Reformasi* era and ‘social media’ general elections in 2008, 2014 and 2018 (see 4.6), the development of the Malaysian media industries has also shown another side of the relationship between new media and social activism. As Wang and Zaharom (2004) wrote, it is ‘business as usual’ for the industry players. After the late 1990s *Reformasi*, a significant merger and acquisition took place in 2004, resulting in Media Prima as the largest media conglomerate in Malaysia. Several changes in the Media Prima leadership posts followed the appointment of a new prime minister, Abdullah Badawi (Wang and Zaharom, 2004). On the other hand, this research argues that RTM was still struggling between its nation-building role and commercialisation, with stiff competition from private players. In the context of Malaysia, private does not necessarily mean free from political ownership (see Note 8). The government has also shifted its focus to the creative industries, leaning toward commercialisation and contributions to the economy.

The nationwide transition of all broadcasting from analogue to digital was completed in October 2019. Despite that, the extent to which RTM, after more than 60 years in establishment, have fulfilled both contentious and non-contentious cultural needs, is open to

question. In the case of Sarawak's native customary right to land, community-based organisations (CBOs) had long fought for decades before 'online civil society' emerged. Both Chapters 3 and 4 have drawn attention to the wider structures within which the Sarawak CBOs' operated and where Malaysia's online activism took place. The following chapter shows how the research was designed to address the gap in conceptualising civil society for the CBOs and NCR land rights within the new media age.

Chapter 5: Research Methodology and Design

5.1 Research Questions, Civil Society and the Research Strategy

This research aims to provide an enriched understanding of the relationship between changes in media platforms and counter-hegemonic strategies by NCR land community-based organisations (CBOs).

Bryman (2016) asserted that social research and its associated methods do not take place in vacuum; they are underpinned by theories of and existing knowledge about the area(s) to be studied. This research's epistemological consideration, strategy, design and methods are influenced by the literature reviews on Southeast Asian civil society and the Gramscian perspective, which have been discussed in detail from Chapter 1 to 4.

Civil society should be seen as actors and processes rather than a set of fixed set of structures (Salmenkari, 2013). Civil society is a fragmented and divided realm with internal conflicts. Civil society is an arena that neither has absolute autonomy from the state nor exclusively associated with democratisation.

This research applies Gramsci's concept of civil society to analyse the use of new media by Sarawak land rights community-based organisations (CBOs). The CBOs and activists have advocated for native land rights since the 1970s. For the following two decades, the movement waned especially after the Swiss activist Bruno Manser mysteriously disappeared and Taib Mahmud the Chief Minister stepped down. Taib was associated with land grabbing by the state through leasing native lands to logging and plantation companies (Suter, 2015). With Sarawak now experiencing deforestation due to extensive logging, timber companies started to venture into new forests abroad.

The research gap is two-pronged (see Chapter 1). First, the extent to which 'new media' have contributed to the processes of sustained civil society activity is rarely explored (Keane, 2001). The claim that new media have created a 'virtual civil society', is questionable. To be effective, both online and offline activities have to be run consistently and coherently (Weiss, 2013; Liu, 2014). Second, the available works on Sarawak NCR land showed a void in connecting it with the systematic legitimisation of the indigenous people as disadvantaged through media representation.

This research asks if new media offer potential to the CBOs, in the Gramscian term, to create their 'common sense' online and raise the subaltern status of the indigenous people. Since subalterns need to be studied in totality, this thesis also investigates CBOs' internal

operations, external relations and their perception of the Malaysian media in general. The research questions are as follow:

RQ1) How do NCR land CBOs represent themselves using new media platforms?

RQ2) What do the CBOs think of the current media environment in Malaysia pertaining to their land rights advocacy?

RQ3) How have the CBOs' internal and external organising processes improved using the new media?

RQ4) How would the Gramscian framework assist in understanding new media and civil society based on the NCR land CBOs' organising processes?

According to Schramm (1971), a research strategy aims to explain “why [...decisions] were taken, how they were implemented, and with what result” to achieve the objectives of a research (in Yin, 2003: p. 12). Bryman (2016, p. 32) defined research strategy as “a general orientation to the conduct of social research”. There have been extensive works discussing and debating the justifications of research directions in communication and society (e.g. Berelson, 1959; Hall, 1989). From the positivist to the interpretative approach, such demarcation can be a false one for two reasons (Blaikie, 2000). First, technically, no research is totally made of figures without words and vice versa. Second, hard data will be of little use unless interpreted against the social contexts they are collected from. Golding and Murdock (1978) argued that the refinement of empirical techniques and statistical constructs will be aimless if they lose sight of their social and theoretical significance. Similarly, soft data need to be backed by statistics or quantitative findings. A holistic research should have both ‘hard’ (quantitative) and ‘soft’ (interpretative) approaches. Therefore, the epistemological approach of this research is interpretivism. The subject matter of this research – the CBOs’ personnel and their web-based platforms – differ in their social realities that the researcher has to respect and understand using the Gramscian perspective of civil society.

This thesis employed two methods to collect data – semi-structured interviews (qualitative) and web content analysis (quantitative). To understand and interpret the way CBOs operate in a new media environment, semi-structured interviews allowed respondents to give their own detailed accounts. The organisational and institutional determinants in the CBOs’ advocacy were also explored through the interviews to understand their struggles and perspectives. Their accounts were then triangulated with data from online content analysis to

assess the CBOs' efforts at creating common sense through official websites, blogs and Facebook pages. The online content analysis complemented the Gramscian view that new media, although often promoted as utopian and epochal (Lister et al, 2009), should be contextualised with the economic and cultural questions of reach and literacy. The data triangulation contributed rich and complex conceptualisations of hegemony, intellectuals, subalterns and common sense in the context of the research subject matter.

The purpose of this chapter is to show the logical process in designing the research. This section has explained how the relationship between new media, CBOs, and civil society shaped the research questions and methods. Based on that explanation, the next section justifies why semi-structured interview and web content analysis were employed to answer the research questions. It then explains how each method was designed to collect data. The chapter identifies the themes generated from the data through thematic analysis. The chapter concludes by discussing the triangulation of data from both methods to address the identified research gap.

5.2 Semi-Structured Interview

Semi-structured interview is selected to understand and interpret the way community-based organisations (CBOs) operate in a new media environment. It is employed to address the following objectives:

RO2) To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes.

RO3) To establish NCR land CBOs' perspectives toward Malaysian mainstream and alternative media organisations' performance in representing their advocacy.

RO4) To determine the extent to which the NCR land CBOs' organisational processes improved using the new media.

RO5) To investigate if the new media enhanced the NCR land CBOs' networking strategies.

The advantage of semi-structured interviews is the flexibility in posing the questions where they can be pre-determined then modified, re-worded, explained or omitted as when the situation is deemed appropriate (Ncube, 2010). From the interviewees' replies, new questions can be asked to add depth to the data (Bryman, 2016). Semi-structured interview also lets the social actors speak from their social reality. This research conducted the interviews face-to-face for three reasons. First, the researcher had the advantage of having an

indigenous informant to explain certain indigenous terms during interviews. Second, not all CBOs have email addresses for email interviews. The researcher also had to take into consideration that since the CBOs run on small-scale operations, they might be understaffed to reply emails in details. Third, due to the location of certain CBOs, Skype or phone interview might pose risk of losing parts of the messages in the event of technological glitches.

5.2.1 Purposive and Snowball Sampling

The researcher built the list of interviewees from related books, news articles, reports and search engine results to identify the high and visible profile of Sarawak land rights community-based organisations (CBOs). Chapter 3 showed that the indigenous people in Sarawak are culturally and economically disadvantaged, which Gramsci would have identified as them being 'subalterns'. Their struggles to defend their lands from the state's re-definition of native rights were advocated and mobilised by the CBOs through paralegal training, court cases, press conferences and blockades (Aeria, 2010; Aiken and Leigh, 2011). The direction of such CBOs, in the context of this research, was counter-hegemonic – which differed from the official-sanctioned ideas of modernisation and development disseminated by mainstream media. Although in the Gramscian view that civil society is the arena of hegemonic activities to manufacture popular consent, for the purpose of this research, only counter-hegemonic land rights CBOs were sampled. Therefore, associations that conducted mainstream cultural activities – such as dancing, beauty pageants and basket weaving – were excluded from the sampling. Several alternative media organisations were also identified in hope to gauge their perspectives toward the NCR land issue and Malaysian media from a professional point of view. Only *Aliran* (National Consciousness Movement Society) responded and agreed to be interviewed. *Aliran* was established in 1977 and has been a strong advocate in human rights reform movement. They published their first periodical (English-language) in 1980; they ceased publication in 2004 to go fully online (ALIRAN, n.d.).

Snowball sampling is useful here due to the close connection among CBOs in Sarawak. The researcher was flexible to add respondents from their acquaintances. The finalised list of interviewees included those who were active in the advocacy during the 1980s and 1990s when land rights advocacy garnered international attention – Mr Thomas Jalong, Mr Peter Kallang, Mr Jok Jau Evong and Mr Wong Meng Chuo. A total of 16 interviews were conducted in May and June 2018 in three different states, as illustrated in Figure 24 and Table 14.

5.2.2 Interviewing Ethics

The first step in securing interviews was to get approval from the University of Salford Ethics Panel. Next, all three interview documents – participant invitation letter, consent form and information sheet (see Appendix 1) – were presented to interviewees before or during interview. Upon their permission, their background (see Appendix 2) and identities were revealed in this thesis. All of them have read, understood and signed the ethical documents.

Figure 24 Locations of 16 interviews

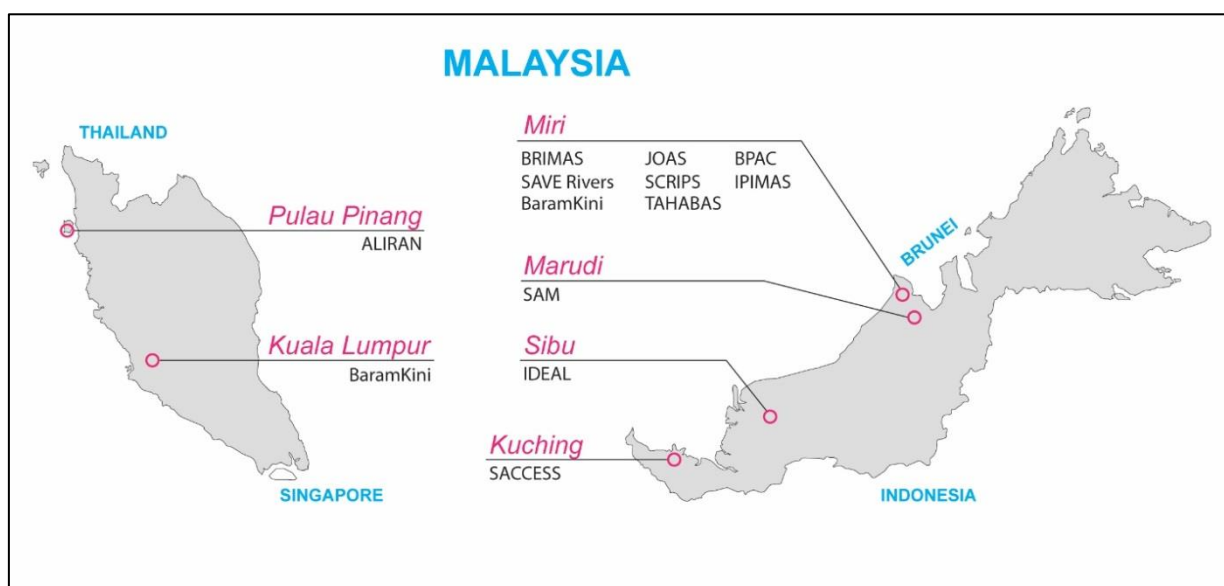


Table 14 List of 16 interviews with CBOs in Sarawak, Setapak and Penang

	Date	Interviewee	Organisation	Duration
1	14 May 2018	Mr Mark Bujang	Borneo Resources Institute (BRIMAS)	1.5 hours
2	14 May 2018	Mr Peter Kallang	SAVE Rivers	1.5 hours
3	15 May 2018	Mr Thomas Jalong	Jaringan Orang Asal SeMalaysia [The Indigenous Peoples Network of Malaysia] (JOAS)	1 hour
4	15 May 2018	Mr Albert Bansa	JOAS	0.5 hour
5	16 May 2018	Mr Jok Jau Evong	Sahabat Alam Malaysia [Friends of the Earth, Malaysia] (SAM)	1 hour
6	16 May 2018	Ms Christina Jelin	SAM	0.5 hour
7	18 May 2018	Mr Michael Jok	Society for Rights of Indigenous People Sarawak (SCRIPS)	2.5 hours
8	18 May 2018	Mantan Pahang	SCRIPS	0.5 hour
9	22 May 2018	YB See Chee How	Sarawakian Access (SACCESS)	1.5 hours
10	22 May 2018	Mr Wee Aik Pang	SACCESS	2.5 hours
11	24 May 2018	Mr Wong Meng Chuo	Integrated Development for Eco-friendly and Appropriate Lifestyle (IDEAL)	1 hour
12	26 May 2018	Mr Philip Jau	Baram Protection Action Committee (BPAC)	1.5 hours
13	26 May 2018	Ms Susanna Mariam Dom	Institut Pribumi Malaysia, Sarawak (IPIMAS)	1.5 hours
14	27 May 2018	Mr Charles Liew	BaramKini	2.5 hours
15	28 May 2018	Mr Ramould Siew	Jaringan Tanah Hak Adat Bangsa Asal Sarawak (TAHABAS)	2.5 hours

16	6 June 2018	Ms Vincy Usun	BaramKini	2.5 hours
17	23 & 27 June 2018	Mr Anil Netto	Aliran Kesedaran Negara [National Consciousness Movement Society] (ALIRAN)	2 hours

5.2.3 Interview Questions

Questions constructed to achieve RO2 aimed to find out how the CBOs get involved with content creation and how much of those are utilising new media.

RO2) To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes.

Media strategy

- Media strategy to promote your organisation's causes and activities. Please describe the range and proportion of contents (genres, issues, purpose) provided.
- How has your CBO's media strategy changed across time?
- Who are your past and current media audiences? How has the demography changed?
- How has the current new media [over-the-top (OTT) video streaming (YouTube), social media and multi-devices benefitted your organisation?

RO3 examines the CBOs' perspectives on Malaysia's overall media environment. The questions ask about their relationship with media organisations especially national broadcaster RTM (television and radio), mainstream and alternative media outlet.

RO3) To establish NCR land CBOs' perspectives toward Malaysian mainstream and alternative media organisations' performance in representing their advocacy.

Media representation and reform

- As far as NCR land is concerned, what do you think of the mainstream television broadcasting organisations (RTM, TV3, ntv7, TV8, Astro)? What are the media that you work closely with?
- How have mainstream news reporting portrayed your organisation?
- How have the overall mainstream and alternative Malaysian media fared as civil society actors?
- Do you believe that media reform should be part of your CBO's advocacy?
- Has your CBO participated in any media reform advocacy? How has it fared?
- What do you think of media's role in influencing policy?

RO4 aims to explore the extent to which new media play a pivotal role in their internal (organisational) operations. The questions also ask about the CBO's activities with the communities in terms of literacy trainings and workshops and the extent that new media contribute to them.

RO4) To determine the extent to which the NCR land CBOs' organisational processes improved using the new media.

Community participation

- Can you describe your organisational structure? Who are the personnel? How are they recruited?
- What is the membership rate? Are they keen to take up leadership positions? What are the recruitment and retention strategies? Is the new media an advantage in that?
- How do you rate your CBO in grassroots engagement?
- Who are the people you hope to engage more with? Why?

Media skills

- Is there any training offered to your personnel and communities on media literacy skills? How has it fared?
- How has the new media benefitted the empowerment of those skills?

Nature and governance of organisation

- How would you describe the nature of leadership and coordination within your CBO? What is the level of transparency and accountability within?
- What are the key internal challenges faced by your organisation? How do you resolve them?
- What is the strength of your organisation?

Questions designed to achieve RO5 investigate if new media contributed to networking with other CBOs (local and foreign) and with other institutional actors including donors and the public.

RO5) To investigate if the new media enhanced the NCR land CBOs' networking strategies.

Inter-CSO relations

- Which are the national / international CSOs that your organisation works closely with? What is the nature of this relation? Has the new media any part to play?

State-civil society

- Which are the state actors that you work closely with? In which areas?
- Has new media any role to play in policy influence?
- What is the level of autonomy from state interference?
- Any challenges from regulatory bodies? What are the strategies to counter and to avoid them?
- Which other CBOs offered support when your CBO faced legislative challenges? In what ways?

Donor-CSO relations

- What are the key financial sources?
- What is the level of autonomy from donor or sponsor interference?
- Any fundraising? What are the strategies like? How have you utilised media to promote fundraising activities?

5.2.4 Advantages and Challenges of the Interviewing Processes

The key advantage of securing interviews in Sarawak was the background of one of my informants, Mr Wan Jau. He is a local and of Kayan descent, part of the Orang Ulu group. He shares cultural proximity with many of the interview subjects who are Orang Ulu. He provided assistance to establish contacts, some of whom he knew personally. With wife Madam Ledang Ngau, he graciously took the researcher to Marudi, a remote town for an interview with

Sahabat Alam Malaysia (SAM, Friends of the Earth). Marudi also connects villages and Miri by river and road. The road condition required at least a night's stay before leaving for Miri again.

Figure 25 Forms of transportation to Marudi

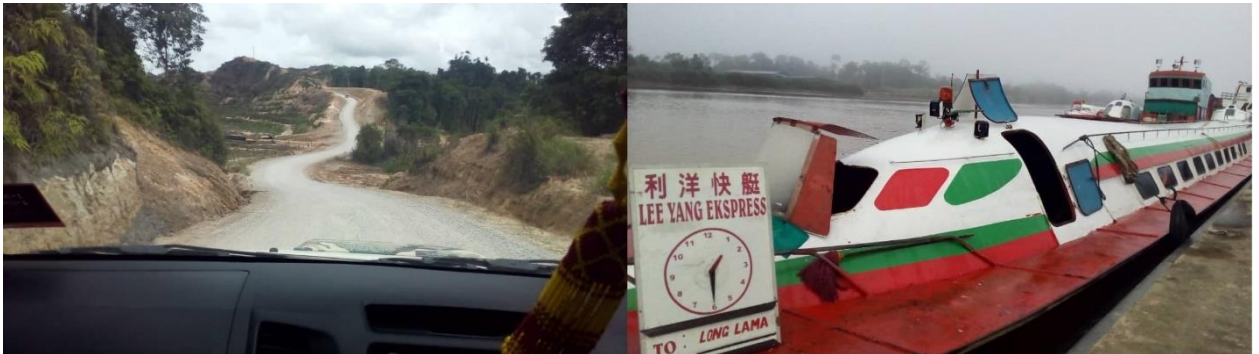


Photo: Private collection

Due to the community-based operation of the interview subjects, they showed no sign of awkwardness or high-power distance with Mr Wan Jau and wife sitting through the interviews. The interviewees were very friendly and some even thanked me for interviewing them. Mr Wan Jau also provided explanations for any Sarawakian terms that the researcher was not familiar of.

The major constraints were transportation and timing that limited the scope of interviews. Due to transportation challenges, the researcher could not make any trip to rural longhouses to visit the communities affected by logging or mobilised by the CBOs. A single trip in would take an average of eight hours with a skilled driver because the road is primarily used by logging trucks.

Figure 26 Logging road in northern Sarawak



Photo: Sidney Wee (Curtin Sarawak)

Another challenge is the timing of the interview period where it was close to Harvest Festival in early June 2018. Several interviewees rejected the invitation because they would travel to celebrate the festival.

5.2.5 Data Processing: Thematic Analysis

All interviews were audio-recorded and transcribed verbatim. According to Gillham (2005), transcription is a form of translation – processing a valid written record of an interview. It is legitimate to omit most speech hesitations and paralinguistic features of speech unless they qualify meaning. Inaudible speech in the interviews was attributed to background noise, thick accent of Sarawakian national language and Kayan dialect. They were marked by square brackets in transcription.

The data were processed using thematic analysis. Clarke and Braun (2017, p. 297) defined thematic analysis as “a method for identifying, analysing and reporting patterns of meaning (‘themes’) within qualitative data”. It is a tool unbounded by research paradigms useful for capturing both manifest and latent meaning from semi-structured interviews (qualitative) and web content analysis (quantitative). The following steps by Braun and Clarke (2006, p. 86) are as follow:

5.2.5.1 Become familiar with the data

The researcher familiarised herself with the data by reading and re-reading the transcripts. The purpose was to identify possible codes. Codes are the smallest units of analysis that build themes provide a framework for organising and reporting what the researcher see as important in relation to the research question (Clarke and Braun, 2017). The transcriptions were cross-checked by Mr Royer Wan who is more familiar with the indigenous languages and names of Sarawak rural areas. King and Horrocks (2010) called this stage descriptive rather than an interpretative one. Overlapping codes are identified and merged or redefined if necessary.

5.2.5.1 Generate initial codes

Stage two is interpretive where initial codes are generated by research questions (Maguire & Delahunt, 2017). This stage does not require specific theoretical application yet (King and Horrocks, 2010). The initial codes after Step 1 are highlighted and numbered for convenience purpose.

Table 15 Initial Codes

(1) Involved in media (2) Media training, youth (3) Media training to people facing the issues directly (4) Maintain website	(14)Approach (15)Foreign NGOs (16)Pressure to government (17)Fund application	(28)Lawyers (29)Demography of member (30)Likes and follows (31)Offline and online participation
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(5) Website (6) Target (to engage with) (7) Facebook page (creating) (8) Creating awareness among Internet-connected people (9) Resources to maintain websites, Facebook, Twitter (10) Offline participation (11) New media and other NGOs (12) Lead to stronger network (13) Independence	(18) New media in joint advocacy (19) Funding (20) New media and fund raising (21) Press release and funding (22) Politician and funding (23) Political parties (24) State challenges (25) Strategy (26) Assistance from other NGOs (27) Changes in state administration	(32) Mobilization of grassroots (33) Challenges in mobilizing grassroots (34) Organization structure (35) Transparency (36) Joint press statement (37) Other NGOs (38) Penan (39) Schools and awareness (40) Young people (41) Leadership training (42) Church relationship (43) Direction
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5.2.5.3 Search for themes

Stage three identifies a number of overarching themes that characterise key concepts in the analysis. The ‘keyness’ of a theme is on the “recurrent and distinctive features of participants’ accounts, characterizing perceptions and/or experiences” (Braun and Clarke, 2006; King and Horrocks, 2010 p. 150). This stage also requires “thinking about the relationship between codes, between themes and between different levels of themes” (Braun and Clarke, 2006, p. 89). The researcher identified and highlighted recurring patterns of the codes and cluster them by commonality.

Table 16 Preliminary themes and codes

<ol style="list-style-type: none"> 1. Communication prior to new media 2. Media related job scope <ul style="list-style-type: none"> - Content creation - Media training 3. New media <ul style="list-style-type: none"> - Website, blog - Facebook page - Email, WhatsApp - Maintenance of new media 4. Target of awareness through new media 5. Organisation structure <ul style="list-style-type: none"> - Registration - Organisation structure - Leadership and transparency - Demography of members/volunteers/grassroots - Leadership training/Capacity building - Direction 	<ol style="list-style-type: none"> 11. Foreign NGOs <ul style="list-style-type: none"> - Foreign NGOs - Fund application - Approach/Independence - Pressure to government 12. Other countries and indigenous communities 13. New media in joint advocacy 14. State challenges <ul style="list-style-type: none"> - State challenges - Strategy - Assistance from other NGOs 15. Laws 16. Other civil society actors <ul style="list-style-type: none"> - Community leaders - Political parties/politicians - Church - Lawyers - MTCC - SUARAM, SUHAKAM
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<p>6. Offline and online participation</p> <ul style="list-style-type: none"> - Likes and follows - Mobilisation of grassroots/Community outreach - Challenges in mobilising grassroots <p>7. Youth</p> <ul style="list-style-type: none"> - Youth - Education as empowerment - Schools and universities <p>8. Influencing policy</p> <p>9. Financial resources/funding</p> <ul style="list-style-type: none"> - Financial resources/funding - New media and fundraising - Politician and funding - Press release and funding <p>10. Local NGOs</p> <ul style="list-style-type: none"> - Nature of relations/networking - Approach - Peninsular NGOs - Independence - Joint press statement 	<ul style="list-style-type: none"> - Government - Changes in state administration <p>17. Relationship with Malaysian media organisations</p> <ul style="list-style-type: none"> - Representation - Media ownership - Relationship with media organisations <p>18. Television</p> <p>19. Radio</p> <p>20. International media</p> <p>21. Media/television reform</p> <p>22. Issue</p> <ul style="list-style-type: none"> - Penan - Natives - Other issues - Civil society <p>23. Hopes</p> <ul style="list-style-type: none"> - Hopes in midst of changes - Room for improvement - Concluding remarks
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5.2.5.4 Review themes

Stage four requires refining the themes by clustering and reducing overlapping themes. A common way to organise and present the themes is by linking them in the form of mind map diagram. This method is useful to develop a conceptual model of the phenomenon under investigation (King and Horrocks, 2010).

Figure 27 Theme 1: Media

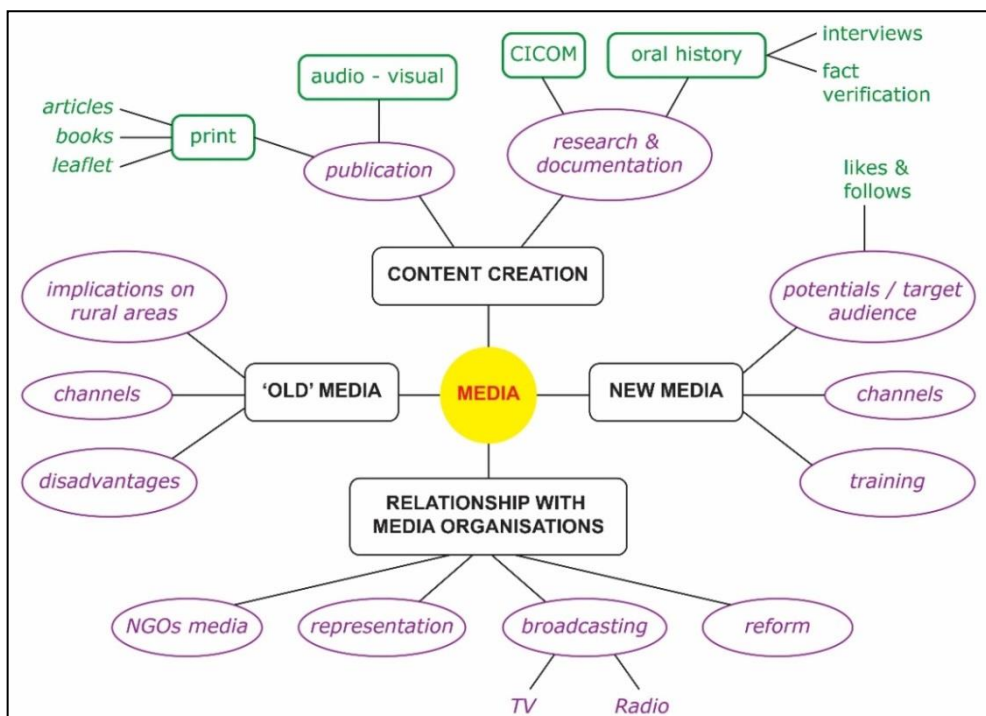


Figure 28 Theme 2: Organisation

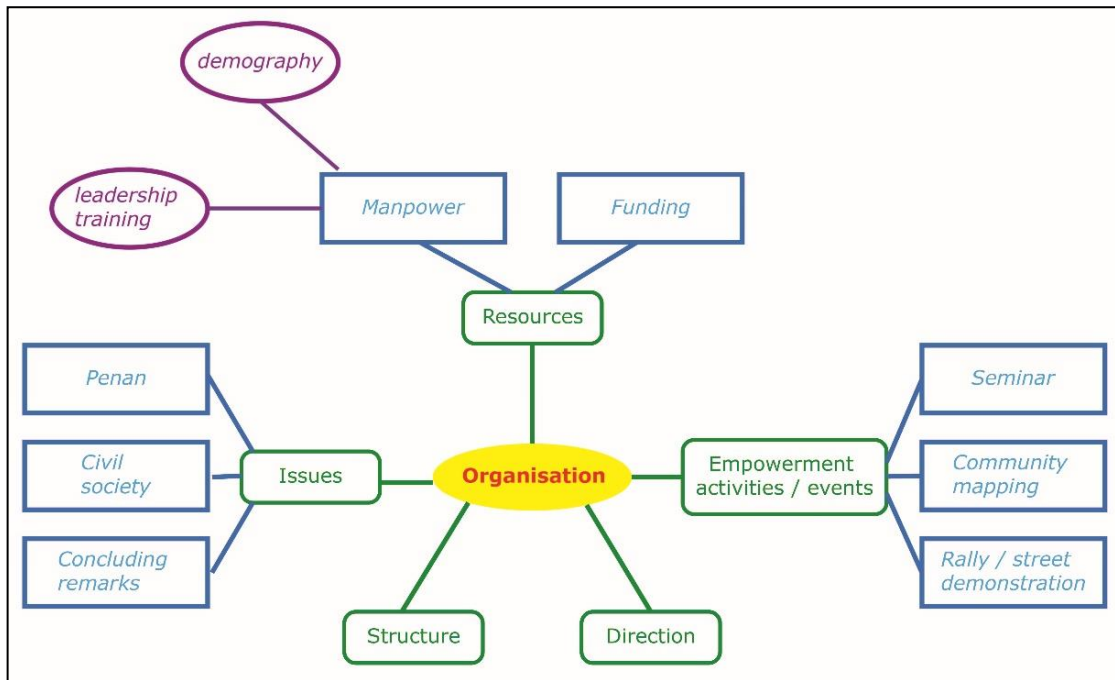
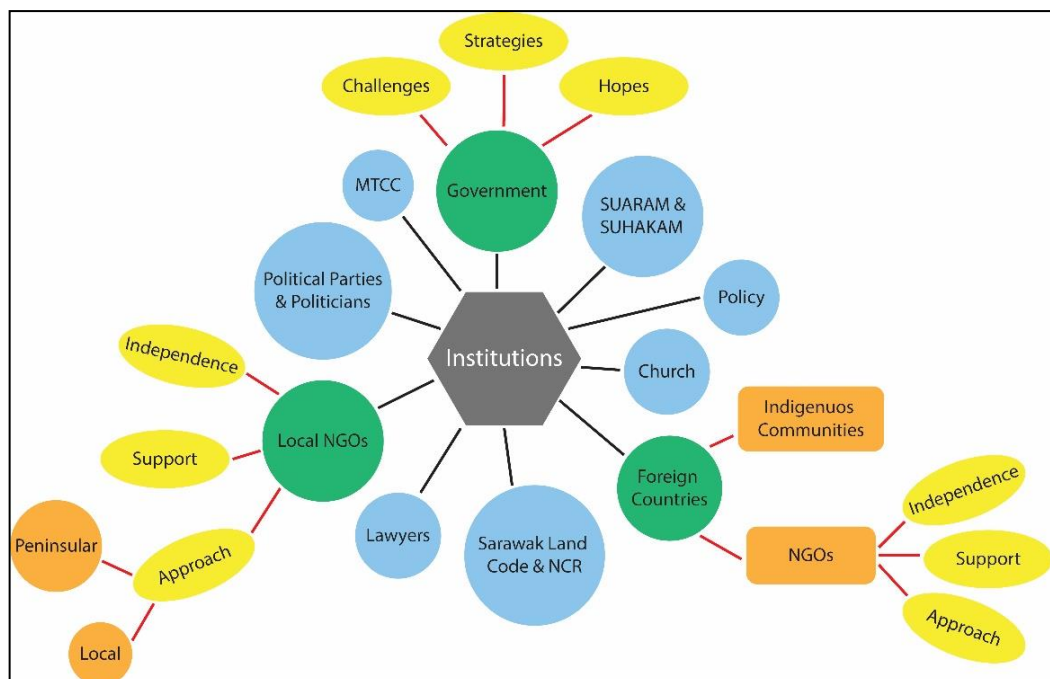


Figure 29 Theme 3: Institutions



5.2.5.5 Define themes

By defining themes mean “identifying the ‘essence’ of what each theme is about (as well as the themes overall), and determining what aspect of the data each theme captures” (Braun and Clarke, 2006: p. 92). After another round of reviewing, four themes are finalised. In Theme 1 Media, respondents gave account of their encounter with mainstream media, new media

and international media. Theme 2 Organisation clusters the respondents' experience running or working for a community-based organisation (CBO). Theme 3 Institutions is defined as respondents' encounter with other civil society actors in their CBO operation. Theme 4 Civil Society concludes respondents' vision of what constitutes civil society and their hope.

Table 17 Final themes and sub-themes

Media	Organisation	Institution
'Old' media	Registration	Government
New media	Structure, direction and leadership	Political parties / politicians
Content creation and media training	Empowerment, education, youth	Legislation & judiciary
Relationship with media organisations	Policy influence	State challenges
International media	Funding	Strategy
	Other Issues	Local NGOs
		Foreign NGOs
		Other actors

5.2.5.6 Writing up a thematic analysis

The themes, sub-themes and codes are discussed and exemplified using direct quotes. The link within and between themes will be elaborated in Chapter 6.

5.3 Online Content Analysis

To complement the semi-structured interviews undertaken in this research, web content analysis was applied to assess the CBOs' efforts at creating their online presence through official platforms. Generally, content analysis method is useful for three types of research problems. First, those involving a large volume of text (Neuman, 2003), which refers to the web-based platforms from available CBOs. Second, it is helpful when a topic must be studied 'at a distance' (Neuman, 2003) since the researcher was not present during the CBOs' advocacy activities. Third, content analysis is useful to assess the representation of particular groups in society (Wimmer and Dominick, 1994; in Gunter, 2000). This research investigated how the CBOs represent themselves through the user-generated and interactive platforms.

Although by definition a quantitative method, the purpose of content analysis is to identify and count the occurrence of specified characteristics or dimensions of texts, and through this, to be able to say something about the representations of such texts and their wider social significance (Hansen, 1998). For the analytical part, the web content analysis data will be triangulated with semi-structured interviews. The web content is chosen based on the availability of CBO personnel to be interviewed. This is because content analysis alone cannot give all answers to the research questions, but this limitation can be lessened if combined with other methods such as surveys and interviews (Kim and Kuljis, 2010).

The gap that this research wanted to address is the relationships between web-based activities and the CBOs' organising processes. Semi-structured interviews involved CBOs personnel who were hands-on in empowerment and organising activities. Their web-based platforms, being open to public, provided hard facts on how the CBOs arranged the information in reaching out to a wider range of audiences. The data collected were used to assess the CBOs' user-generated contents in establishing their image, networking and level of interactivity with their sites' visitors. These are complementary with the interviews with CBOs personnel. Through interviews, the personnel could express their social experiences from their organising work and give opinions regarding the new media environment. This is because since CBOs run on a small scale and limited funding, the interviewees might not be the ones directly involved with the new media content creation, and vice versa. Therefore, the data from both methods complement each other to be triangulated in achieving the research objectives (see 5.4).

The contents of Web-based platforms utilised by NCR land CBOs in advocating their mission to the public were analysed to address the following objectives:

Units of Analysis	Research Objectives	Purpose
User Interface Design (graphic design, information design, navigation design) of Websites and Blogs	RO2) To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes.	To assess how the overall design, contribute coherence toward advocating CBOs' causes among online audiences.
Themes of organisational details and Facebook posts	RO3) To establish NCR land CBOs' perspectives toward Malaysian mainstream and alternative media organisations' performance in representing their advocacy. RO4) To determine the extent to which the NCR land CBOs' organisational processes improved using the new media. RO5) To investigate if the new media enhanced the NCR land CBOs' networking strategies.	To examine if the CBOs utilize the new media platforms to be critical of mainstream media performance and to push for media reform. To examine the extent to which functions in new media encourage CBOs to reach out to internal and external stakeholders.

5.3.1 Website and Blog

The World Wide Web (WWW) consists of Internet-connected computers called Web servers that store electronic documents called Web pages, a significant source of cultural

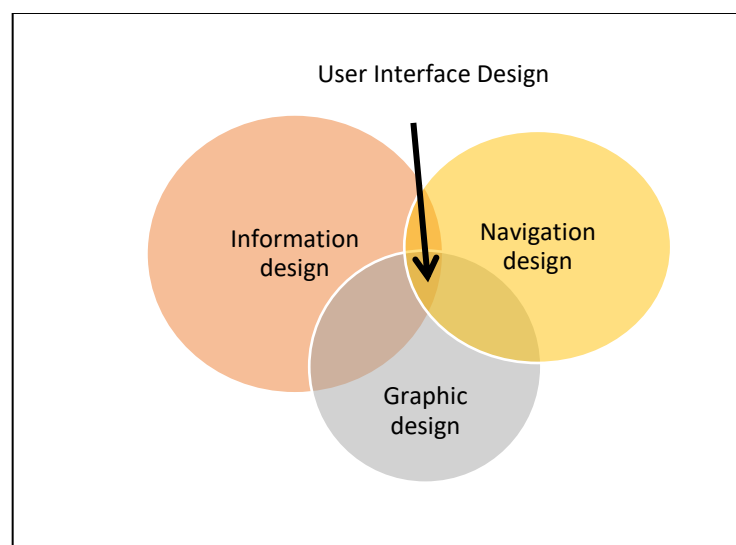
information (Pauwels, 2005). A website is a collection of published pages and sections that offer the visitor a variety of experiences or information. Institutional websites particularly of political parties or governmental bodies have been studied as “forms and vehicles of self-presentation, or to assess their democratic or propagandistic character respectively” (Sabin-Wilson, 2017: pp. 607-608; see Parajuli, 2007).

A blog is differentiated from websites by its reverse chronological display of content, usually short articles called posts (Houghton, 2012; White and Biggs, 2014). They are organised by topic where visitor sees the most recent post first. Readers can leave their feedback or comments to which the blog post author can respond. Such interactivity is one of the most exciting features of blog (Houghton, 2012; Sabin-Wilson, 2017). There are many ready-made platforms offering service to host blog accounts with two most popular being Blogspot.com and WordPress.com (Houghton, 2012). For example, JOAS and SAVE Rivers used Blogspot while BaramKini used WordPress. Most hosting platforms offer unique “themes” and most are free. The appearance and usability of the blog can affect how readers will be able to interact with it (White and Biggs, 2014).

5.3.1.1 Creating Coding Categories

Analysing CBOs’ Website or blog aims to assess the interface design, which requires the designer to understand the end user’s habits (Miller, 2011). To achieve a balance between fashion and function, web sites and blogs should fulfil three most basic criteria – information design, graphic design and navigation design (Newman and Landay, 1999; Shneiderman and Plaisant, 2010).

Figure 30 User interface design (Newman & Landay, 1999)



5.3.1.2 Graphic Design

Graphic design is how users feel comfortable with the site’s visual elements – colour, images, typography and layout. It functions as the first impression of the site.

Colour	Colour supplies feel to the site.
Image	Since users scan sites instead of read, images can replace words and elicit emotions from users.
Animation / Multimedia	Animation or moving icons, if used discreetly, can attract users’ attention. For examples, slideshow, audio, video, and live streaming (Gibson and Ward, 2000)

5.3.1.3 Navigation Design

Navigation design is about finding one’s way around the information structure (Newman and Landay, 1999). Users should feel guided to look for information they wanted without feeling frustrated.

Freshness	Sites that are regularly updated will create more interest. Blog archives will help reader to navigate through blog posts by chronology.
Header/Banner	It is relatively consistent and establishes the brand of the CBO.
Pages Menu	It displays the main navigation for a site. Often below the header.
Body/Content	The more systematic the body is, the easier the information retrieval gets.
Sidebar	Either contains secondary or links.
Footer	Contains the copyright information or links.

5.3.1.4 Information Design

Information design refers to the coherence of how contents are structured. The direction of information and communication flow (ICF) on a website determines the site’s functionality and interactivity with users and external stakeholders (Gibson and Ward, 2000).

Downward info flows	Downward from the organisation to the individual user. Example: Organisational history, Documents, Policies, Values/ideology, Structure, Media Releases, Event calendar, Frequently asked questions
Upward info flows	Downward from the user to the organisation. Example: Donation, Merchandise
Horizontal info links	Outward from the organisation to other groups Example: Links to alternative/mainstream news, national/international NGOs of similar movements research sites, widgets
Interactive informational flows	Interactive engagement between user and web author Example: Site search, Email contact/feedback, Join e-mail list, Join online/offline campaign, Membership, Volunteer

As shown in Figures 31 and 32, websites and blogs have different anatomy or layout. The operationalisation of Website and blog content analysis only covers areas similarly shared.

Figure 31 Anatomy of a Web Page (Miller, 2011)

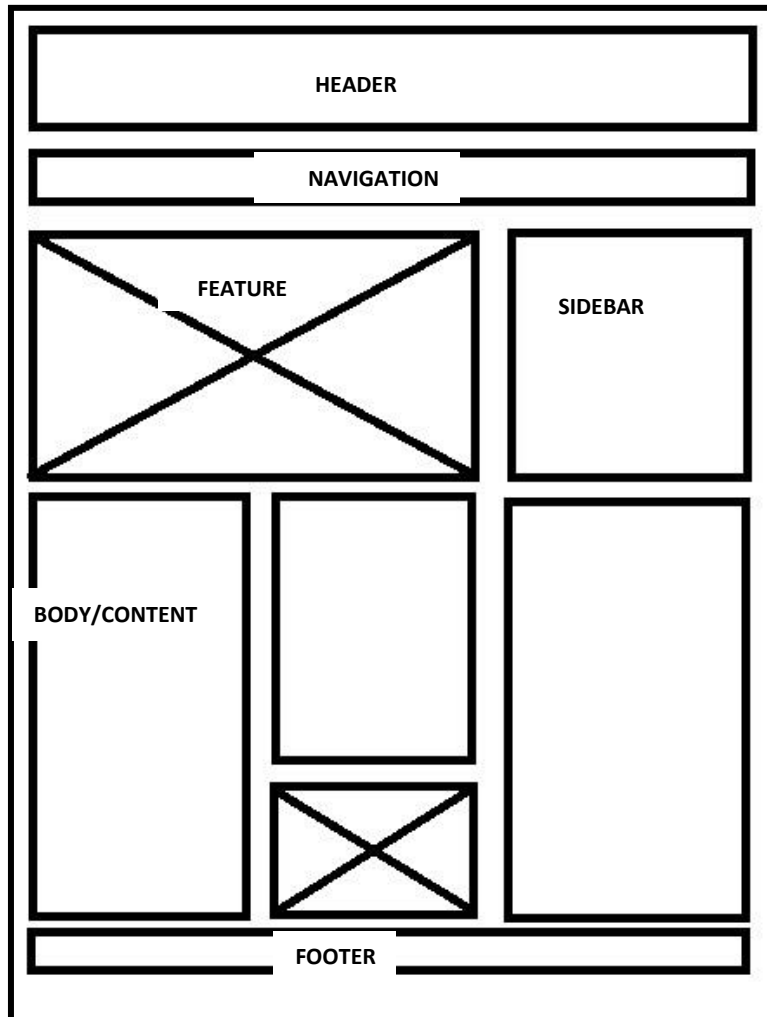
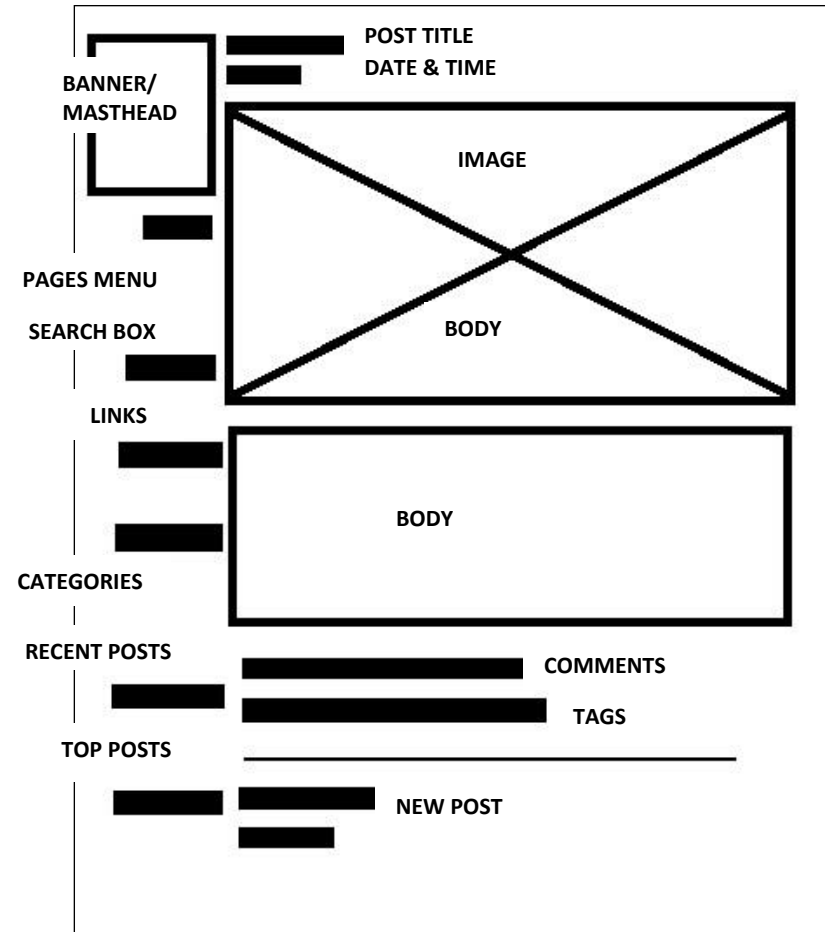


Figure 32 Anatomy of a Blog (Houghton, 2012)



5.3.2 Facebook page

Facebook is a social networking site initially launched as Face Mash in 2003, before changing to The Facebook in 2004 (Phillips, 25 July 2007). Facebook is the most popular choice of social networking platform among Malaysians. As of 2018, 97.3% of 24.6 million Malaysians owned a Facebook account (MCMC, 2018). Facebook is the first social networking platform utilised to mobilise mass support and publicity for Malaysia’s prominent rallies dating back from 2007. Until most recently, Malaysia’s 14th general elections in May 2018 were anticipated as a Facebook election, considering the political impact of Facebook among Malaysians (Sara, 28 February 2018).

The anatomy of a Facebook page is quite standard because of the template. This research focuses on the Facebook posts by the CBOs to assess the contents by the genre, source and interactivity with users and external stakeholders.

Figure 33 SAVE Rivers Official Facebook Page



Source	Primary source means the post is created by the CBO. Secondary source means the post is shared from somewhere else, which can be news agency or other CBOs. This category is to assess CBO’s ability to create own primary content and inter-CBO relations as secondary source.
Type of Post	The type of item posted can also indicate the literacy level of the content creator. For example, to post photos requires less cultural capacity than posting self-penned articles.
Theme of Post and Date	To post content on a Facebook page is fairly easy and can be done quite effortlessly multiple times within a day.

	Due to the absence of issue sampling and the varied page freshness for each CBO, the researcher collected posts of 6 months, beginning from first day of data collection. Theme of post is collected from the titles of both Facebook status and post. For example, one may share a news article titled XYZ with or without saying anything while posting it, therefore reflecting the CBO's self-representation on certain issues.
Tagged	Since one can tag another user's account in a post, to record any party tagged is to assess inter-CBO relations.
Reaction	This function reflects the popularity of each post where users can give their reaction through the following actions – Like, Love, Sad, Surprised, Amused, Angry, Comment, Share, View. The more reactions, the more popular the post is.

5.3.2.1 Sampling

Convenience sampling was used where the web content was chosen based on the availability of CBOs to be interviewed for the purpose of triangulation. Only official websites, blogs and Facebook pages are selected as the platforms. Audio-visual materials were opted out as they require a different coding method, which is beyond the researcher's ability.

Table 18 List of Web-based Platforms for Analysis

		Official Website	Blog	Facebook page
1	BRIMAS	/		/
2	SAVE Rivers		/	/
3	JOAS		/	/
4	SAM	/		/
5	SCRIPS	/		
6	SACCESS			
7	IDEAL			
8	BPAC			
9	IPIMAS	/		
10	BaramKini		/	
11	TAHABAS			/

There was no specific NCR issue that this research targeted to analyse. The abundance of Facebook posts led to the difficulty in determining when and what to analyse. From the pilot test, every CBO's platform had different page 'freshness', hence difficult to sample the posts by issue. After a comparative study of 19 web content analyses, McMillan (2000) found that most studies conducted data collection in one to two months, with the longest being five months. For the purpose of data representational quality, the research analysed Facebook posts that spanned six months from the first day of data collection. The coding process of 4 websites, 3 blogs and 5 Facebook pages took 3 weeks to complete. Data presentation and analysis were completed in 2 months. Pilot test was conducted to examine the usability of the

coding sheets. Categories of Chat Room, Cookies and Links to Research Sites were eliminated because of zero data validity.

5.3.3 Data Processing: Thematic Analysis

Themes were collected from the CBOs' organisational details and Facebook posts for the following purposes:

Research Objectives	Purpose
RO2) To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes. RO3) To establish NCR land CBOs' perspectives toward Malaysian mainstream and alternative media organisations' performance in representing their advocacy. RO4) To determine the extent to which new media improved the NCR land CBOs' organising strategies. RO5) To explore how the new media influenced the NCR land CBOs' external relations.	<ul style="list-style-type: none"> To examine the extent to which the functions in new media encouraged CBOs to reach out to internal and external stakeholders. To examine if the CBOs utilise the new media platforms to be critical of Malaysia's media environment. To gauge the level of interactivity of the web-based platforms.

Table 19 shows the initial codes identified after reading the data several times. The initial codes were then re-arranged and clustered under preliminary themes before reducing overlapping codes.

Table 19 Initial Codes from CBOs' Web-Based Platforms

Organisational Details	Facebook Posts
(1) Independence	(1) Bill Kayong assassination
(2) Action alert	(2) Gawai (Harvest Festival)
(3) Legal assistance	(3) Beach Clean Up
(4) Support	(4) Sarawak CSO-SDG Coalition
(5) Community mapping	(5) JOAS Annual General Meeting
(6) Cultural dignity	(6) International Women's Day
(7) Residents' Associations	(7) International Day of Action for Rivers
(8) Alliances	(8) National Conference on Indigenous Land Rights
(9) Land rights	(9) Suing state government
(10) Identity	(10) Disputes
(11) Children's future	(11) Protests
(12) Environmental justice	(12) Timber licence
(13) Sustainability	(13) Native courts
(14) Awareness	(14) Corruption
(15) Environmental reservation	(15) No to dams
(16) Non-profit	(16) Arrest of dam developer
(17) Policy lobbying	(17) Rally
(18) Media	(18) Blockade
(19) Research & Development (R&D)	(19) Clean water supply
(20) Campaigns	(20) Plantation
	(21) Land titles

(21)Democracy	(22)UNDRIP (23)Committee on the Elimination of Discrimination against Women (CEDAW) (24)Party-hopping (25)Training
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‘Independence’ indicated the CBOs’ direction, institutionalisation and non-partisan approach. ‘Empowerment’ consisted of the CBOs’ activities in educating their subjects and also members of the public. ‘Alliances’ showed how well networked the CBOs are at different levels. Giving pressures to authority for a change was under ‘Lobbying’. ‘R&D’ referred to activities that required higher level of educational capacity to conduct documentation and written development proposals to the authority. ‘Media’ showed the CBOs’ relationship with media organisations and how they utilise media in their advocacy. The codes are then re-arranged as shown in Table 20.

Table 20 Themes from CBOs’ Organisational Details and Facebook Posts

Organisational Details	Facebook Posts
<p>Independence</p> <ul style="list-style-type: none"> • Non-profit • Community-based • Registered <p>Empowerment</p> <ul style="list-style-type: none"> • Support • Indigenous rights • Cultural preservation • Sustainability • Awareness <p>Alliances</p> <ul style="list-style-type: none"> • Local, regional, international) • Parliamentarians • CBOs, NGOs • Public interest lawyers <p>Lobbying</p> <ul style="list-style-type: none"> • Law • Policy • Reforms <p>R&D</p> <ul style="list-style-type: none"> • Development model • History • State laws • Documentation • Dams <p>Media</p> <ul style="list-style-type: none"> • Media organisations • Social media 	<p>Event</p> <ul style="list-style-type: none"> • Workshop, seminar, training • Indigenous celebration <p>Land</p> <ul style="list-style-type: none"> • Blockades • Court hearing <p>Rights</p> <ul style="list-style-type: none"> • Voting • Water, electricity • Road <p>Politics</p> <ul style="list-style-type: none"> • Federal government • State government <p>Dam</p> <ul style="list-style-type: none"> • Objections • Alternatives

From the CBOs' primary and secondary Facebook posts, five themes were identified. 'Event' signified occasion or celebration with specific purpose. The theme 'Land' encompassed conflicts related to land directly and involves multiple stakeholders such as the state government, timber companies, police and NGOs. 'Rights-related' posts concern not only of native rights but also of citizenry. Posts related to 'Politics' concerned of expectations toward the state government and their transparency. Posts clustered under the theme 'Dam' were about objections toward mega dam building, suggestions of hydro dams and news reports about the arrest of dam developer.

5.4 Data Triangulation

Semi-structured interviews and web content analysis permitted the collection of data from different sources for triangulation. In social science, triangulation is defined as "the mixing of data or methods" to validate claims or hypotheses (Olsen, 2004; p. 3). For Creswell (2003), evidence gathered from triangulation is 'to build a coherent justification for themes', besides to guarantee the validity and reliability of the 'findings generated by different data-collection methods' and/or of diverse 'data sources within the same method' (Burns, 2000; p. 419). Triangulation is more than validating but to also to deepen and widen one's understanding of the research design and aim (Olsen, 2004). Therefore, data triangulation contributes rich and complex conceptualisation of civil society to achieve the following research objectives.

Research Objectives	Semi-structured interviews	Web Content Analysis
RO2) To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes.	Theme 1: New media use	<ul style="list-style-type: none"> • Graphic design • Navigation design
RO3) To establish NCR land CBOs' perspectives toward Malaysian mainstream and alternative media organisations' performance in representing their advocacy.	Theme 1: Media training & Media reform	<ul style="list-style-type: none"> • Organisational details (media training, media reform) • Source (primary), items & themes of Facebook posts
RO4) To determine the extent to which the NCR land CBOs' organisational processes improved using the new media.	Theme 2: Organisation	<ul style="list-style-type: none"> • Information design (Downward, upward, interactive) • Organisational details • Facebook Reactions

RO5) To investigate if the new media enhanced the NCR land CBOs' networking strategies.	Theme 3: Institutions	<ul style="list-style-type: none"> • Information design (Horizontal) • Source (secondary) and tags of Facebook posts
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The data triangulated will be discussed to fulfil the sixth objective, to draw on the Gramscian framework to provide a systematic understanding of the nature of CBOs' use of new media. The explanatory framework to analyse the data is built from the literature reviews in Chapter 2.

Research Objectives	Semi-structured interviews	Web Content Analysis
RO6) From the empirical data, to provide a systematic understanding of the nature of CBOs' use of new media within the Gramscian framework.	Theme 1: Media Theme 2: Organisation Theme 3: Institutions Theme 4: Civil Society Literature Reviews Theory	<ul style="list-style-type: none"> • User interface design (coherence) • Organisational background • Facebook posts (Tag, Source, Item, Reaction, Theme)

5.5 Conclusion

This chapter outlines how the research was designed to achieve the second to fifth objectives, which in turn addresses the identified research gap. The researcher conducted semi-structured interviews with the CBOs personnel as social actors to explore how their organising processes have improved using the new media and what potential the new media have in their community-based operations. The interview questions were also designed to gauge the CBOs' opinions toward the media industry in Malaysia and the possibility of reform for a more realistic and fair portrayal of the indigenous people. Semi-structured interview provided an advantage over content analysis where the researcher could probe into areas not displayed in the web-based platforms. On the other hand, web-based analysis complemented the interviewing method by providing empirical data on how the CBOs represented themselves and interacted with users and networked with NGOs of similar movement. Thematic analysis was chosen to construct themes from the interviews and the CBOs' organisational details, activities and posts on their official pages. The theoretical analysis is supplied by the analytical framework constructed from Gramsci's notion of civil society and literature reviews on the Malaysian media systems, separation of powers and Sarawak's background as an equal partner of the Federation of Malaysia. Overall, the purpose of this chapter is to show how the research design provides coherence to the research direction by concepts and operationalisation.

Chapter 6: User-generated Contents by the CBOs and Their Views on the Malaysian Media Systems

6.1 Introduction

The media environment in the 1980s and 1990s, during which the land advocacy gained momentum, was restrictive. Chapter 2 and 4 have detailed how the development and culturalist paradigms conditioned Malaysia's civil society through, on the one hand, strict regulations of private (political) organisations and media; on the other, the normalisation of the Malay-Muslim culture to the extent of marginalising others. Chapter 3 outlined the politics of Sarawak native customary land that revolved around the federal government's intervention and the indigenous people's interpretation of their customs. These 3 chapters provided the basics of enquiry into the CBOs' new media uses for land advocacy and how they have improved as compared to the time of 'old' media. This chapter locates the CBOs' organising activities within the media systems – with available platforms for user-generated content and the mainstream media organisations. The purpose is to explore the relationship between new media and civil society beyond the deterministic view that media technology is the key factor that bring about changes in society (see Chapter 1).

The presentation and discussion of data gathered in the empirical phase of this research project in this chapter aims to meet the following objectives:

RO2) To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes.

RO3) To establish NCR land CBOs' perspectives toward Malaysian mainstream and alternative media organisations' performance in representing their advocacy.

6.2 CBOs' Encounter with 'Old' Media

Several interviewees, who initiated land advocacy in the 1980s and 1990s, gave elaborate answer about 'old' media. The most used channels at the time were letter writing, fax and telephone, which were limited in transmitting information at a larger scale. As the technology advanced, CBOs were able to record audio visual content on CD and VCD, then deliver them through anyone from town going to rural *kampong* (village). Due to the transportation difficulty, the villagers also relied on messengers to bring them newspapers and newsletters.

Communication sometimes you have to pass through mouths... through somebody from...coming to the village to town, then you have a phone in town, phone contact, can pass message. [Wong]

You want to call for a meeting, you actually required the guys to go and disseminate information and food. If you are talking about Baram, some guys really have to walk a few days to actually try to get people. [YB See]

These older ways of communication – costly, slow, and an easy target for authority surveillance – had implications for the CBOs’ operations. Pang remembered camera roll films containing sensitive information could be easily confiscated because they were not as small as an SD card. Wong lamented that “the Bakun campaign in the eighties...didn’t get very far because of difficulty in communication and transportation.” For Pang, “the remoteness, the ruralness of Sarawak benefit the government, the previous government, benefits the loggers as well because communication is difficult”. YB See added that SACCESS started off with satellite phone, which was donated by a benefactor. Even with that, coverage was limited to make a call. They had to “climb some mountains” to minimise obstruction or arrange for time to enable synchronisation of reception. Radio call was useful for areas that were really remote. Phone calls and fax were tapped by the authority. Wong recalled that IPK invited experts from Germany and China to talk on the Bakun issue but both were stopped at the Sibu airport.

6.3 New Media and User-Generated Contents

6.3.1 Website and Blog

Before the Internet became popular in Malaysia in the late 1990s, YB See recalled “[t]he Internet then was you have to wait for the satellite to go across your country, then you get some access.” Most interviewees (Thomas, YB See, Wong, Anil, Lawai, Vincy, Pang, Mark and Peter) agreed new media platforms such as website, Facebook, blog and WhatsApp provide great potential to create awareness and to enhance inter-CSO relations. However, they admitted they lacked the capacity to maintain the platforms. Some would rather empower land-affected communities than to educate the general public. To Wong, new media are useful to target younger, more affluent people in urban areas. Smart phones enabled the CBOs to reach out to wider range of audiences.

Thomas noticed his own children are adept at using smart gadgets for school work purposes because they were exposed to digital literacy. To Peter, young people need more exposure because they are detached from their community, origin and culture. The usual caveat, however, is conscientiousness. According to Mark, while some felt angry, some were

indifferent and said it was useless to fight because the government was too strong. Ramould lamented that youths were no guarantee to being TAHABAS' future leaders. If they were not interested in TAHABAS programmes, despite being announced online, they would think of many "excuses" to be absent. As for the older generation, Peter emphasised different materials were important for them to understand easily, such as animation and short videos. Similarly, Albert said that JOAS cannot only focus on news but to produce other contents like songs.

Lawai and Vincy aimed to reach out to Chinese-speaking audiences through BaramKini blogs. Lawai explained that he is more confident in the Chinese language. Furthermore, he realised that his friends, mostly Chinese, knew little about Sarawak indigenous groups. Vincy added that BaramKini blogs, one of them in the Malay language, can widen the range of audiences as there are many English-language informational sites about Sarawak indigenous people.

When Mark joined BRIMAS in 1998, the Internet and email were not fully utilised. Until he saw their potential, he started BRIMAS website using free blogsite. Mark admitted BRIMAS did not have someone to monitor current issues, upload them to the website and handle public enquiry. The website was last updated in 2011.

For this reason, the BRIMAS website design can be easily distinguished from contemporary ones (see Figure 34). Its Header displayed BRIMAS slogan in Malay and English languages – "Our Land Our Life Our Heritage". The website was created using 50MEGS, a free web host. The icons 'Sign In' required password from BRIMAS members while 'Sign Up' led to choosing a new domain name either by purchase or free. The website did not have Pages Menu, Sidebar and Footer. The welcome note briefly introduced BRIMAS while the next line invited users to click on any images for more details. However, a comic depicting a group of indigenous people (Image 1) did not lead to pointer for link select. Similarly, the list of updates and publications was inaccessible. The only interactive information was Email Contact and BRIMAS's address.

The overall page has more weight on the left with a total of three text boxes. On the right, three images were aligned at the centre and far apart from each other. The first was the BRIMAS logo. A click on it automatically downloaded 15 presentation slides about BRIMAS background and activities. The second image led to a download of an eight-page document on Dayak's Interpretation of Native Customary Rights Land (1999). The third icon was a link to alternative news blog, *Sebana Menoa*, last updated in 2012.

Figure 34 Screenshot of BRIMAS Web Page

HEADER

IMAGE I

IMAGE II

COLOUR
Yellow and baby blue

IMAGE III

NEWS ARCHIVES AND PUBLICATIONS

IMAGE IV

EMAIL CONTACT

For IPIMAS, website was visually attractive due to its wooden texture and depth. The header was garnished by spotlights to metaphorically focus users' attention to it. The 6 photos on the homepage had no caption to help users understand them. Out of the 4 items on Navigation – Home, About, Projects and Contact – none was complete except for Email Contact. The 4 dropdowns under Projects showed an impressive array of conservation work

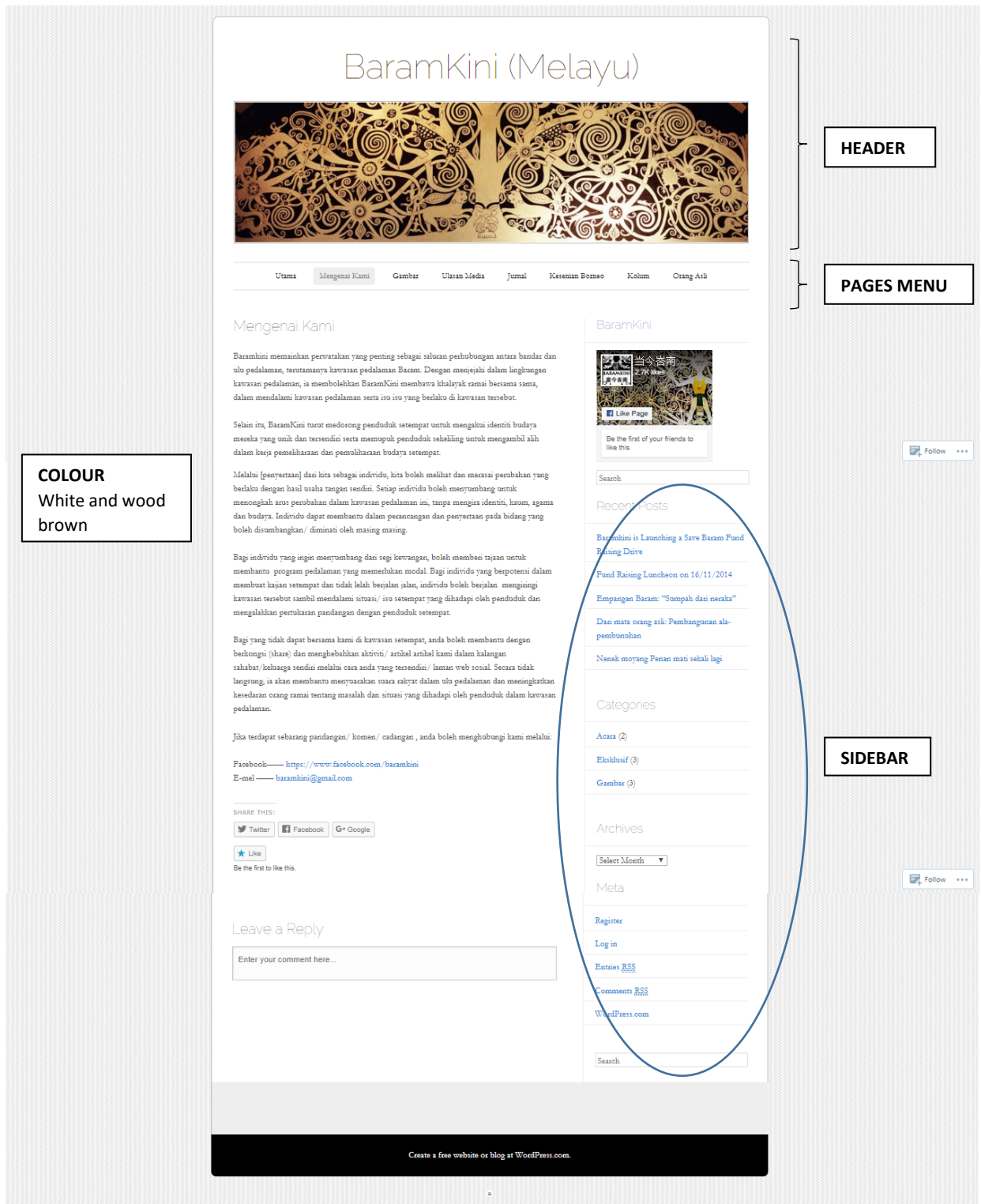
but they led to blank pages. According to the founder, Susanna, IPIMAS has only 2 full-time staff including herself. They hire contract-based employee to manage media contents if there is any project.

Figure 35 Screenshot of IPIMAS Web Page



BaramKini blogs were maintained by volunteers from different backgrounds – salesperson, photographer, animator, and graphic designer. Vincy said that BaramKini treated blogs as information sharing platforms because they preferred face-to-face interaction so that they can address questions from the public directly.

Figure 36 Screenshot of BaramKini Web Page (Malay-language)



BaramKini’s Malay-language blog showed a contemporary design and organised layout. An image of traditional Kenyah (a minority Orang Ulu group) wood carving was placed as the Header against the white background without cluttering the page. The Navigation bar offered a variety of options – *Main, About Us, Photos, Media Reviews, Journal, Borneo Arts, Column*

and *Indigenous People*. The Search Box, Categories, Recent Posts, Archives and article tags enabled better identification of information.

For Peter, internet access is like a double-edged sword. Those who migrated from village to town would have more access to the internet. This is attributed to deforestation where the communities' livelihood was affected. Peter said it is lucky to find 30 to 40 per cent of the population still residing at his village, which in turn has no internet access. Wong opined that migration may not be a bad thing after all. There are more than 30,000 Iban working in Johor and Kuala Lumpur. Those who are better informed can spread the awareness to their village communities each time they return for Harvest Festival. Ramould believed that sharing information through the Internet enhances relationships between like-minded organisations.

According to Thomas, JOAS blog and Facebook page are not only targeting the public, but also decision makers. With more coverage from alternative media like Malaysiakini, the awareness toward the plight of NCR land increased. In the 1980s and 1990s, Peter said that people were even afraid to talk about land issues, let alone attend forum or seminar. Now Peter has a group of youths who maintain SAVE Rivers blog and Facebook page. Though working on a voluntary basis, they are very enthusiastic nevertheless.

Browsing the SAVE Rivers blog required scrolling down a long stretch, which is discouraging to user attention. The blog was more on SAVE Rivers empowerment activities than its organisational background, which served as the Header. The blog posted a collage of trees and waterfall images as the Header background. The main colour is white. The blog was last updated in April 2018, four months apart from data collection period in August 2018. The blog articles are posted in full, interchangeably display images. Users can comment at the end of article and can share it via platforms such as Gmail and Facebook. The blog allows interaction with, and information sharing by, the public. Widgets displayed are Gmail, Blogspot, Twitter, Facebook, Pinterest and Google+.

SAVE Rivers was established in 2012, which is also reflected in their highest number of articles in the same year, at 192. Blog Archive is in the Sidebar. The number of blog posts dwindled drastically from 2012 (192), 2013 (42) and then less than 10 each following year. The layout displays a T-zone filled with full articles, while the horizontal space is unused.

Figure 37 Screenshot of SAVE Rivers Blog



JOAS, as a network of over 100 CBOs, has a media team dedicated to updating their website, Facebook account and Twitter. Despite that, JOAS's new media management is rather limited. From the interview with Mr Thomas Jalong, it was evident that he is also the director of Communities' Information and Communication Center (CICOM). When asked

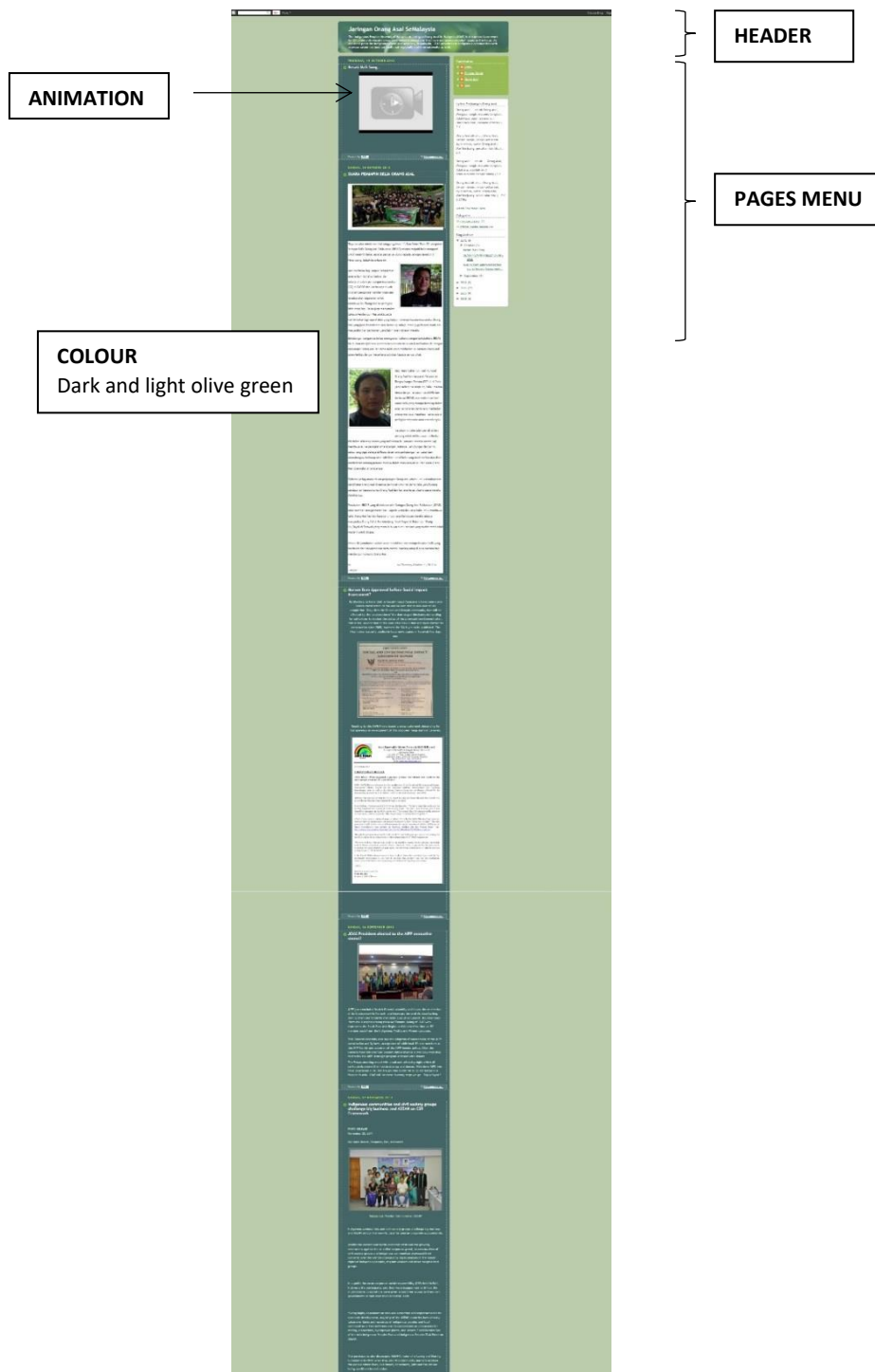
about the connection between CICOM's role and JOAS' online presence, he answered that CICOM is only documenting information for communities' use, not for public display and had nothing to do with the JOAS blog. From the interview and the blog analysis, there is lack of coherence between similar roles that each platform can interchange.

It is understandable that JOAS' main colour is green to associate the network with environment. Three shades of green were used to differentiate between Background, Body and Contributors. For a contemporary user, freshness plays an important role to decide his or her surfing activity. Using light olive green as the Background colour without texture or maximising the horizontal space lacks vibrancy to user experience. The JOAS blog was last updated as far back as 2012. The blog archive shows that from 2008 to 2012, the highest number of posts was in 2010 with 27 posts.

Like SAVE Rivers, JOAS also posts its Organisational Background in the Header. There is no Pages Menu below the Header. On the Sidebar, one can click into the four Contributors profiles; followed by a song's lyrics, called the Struggle of Original Peoples and its video. Other icons are Mail Circulation and Official Media Release. The Body features articles in full but with inconsistent font type, margin and spacing, making the readability hard. It indicates that the text is copied directly from Word Document and pasted to the blog without much adjustment. JOAS blog lacks functions to allow interaction or calls for action from the public. The only interactive feature in the blog is where users can post comment at the end of each article. At the end of the page, there are links to 4 similar NGOs – BRIMAS, Centre for *Orang Asli* (COAC), Partners of Community Organisations (PACOS Trust) and Sarawak Dayak Iban Association (SADIA). However, only links to BRIMAS and COAC are accessible.

For TAHABAS, as part of the JOAS network, Ramould claimed that the website is useful for those who have no physical office. He added that TAHABAS does not have their own website because they are not skilled enough to handle it and they think that it is better to have JOAS standardised the information.

Figure 38 Screenshot of BRIMAS Blog



The Marudi branch of Sahabat Alam Malaysia (SAM) also practised information standardisation where they only supply information to the head office in Penang for further processing before being put up to the SAM official website. However, Jok Jau admitted that they have sent less and less materials over due to lack of funding to run programmes and the fact that SAM is responsible for environmental issues all over Malaysia.

SAM is a pro-environmental organisation formed in 1977. SAM is among the earliest in Malaysia that provided a platform to advocate for Sarawak land rights. Well-known

personalities who had worked with SAM are lawyer activist Mr Harrison Ngau and Mr Thomas Jalong. SAM is also a member of Friends of the Earth International (FOEI).

The website layout gave an impression that SAM is a well-established organisation. White background and clear spacing contribute to its contemporary and minimalistic look. The *Header*, *Navigation* and *Feature* give a consistent and united identification to users about SAM. Using moving images as *Feature* attracts users' attention. The number of colours is kept at 4 with green and white being the main ones, followed by burgundy and black as text colour. Burgundy is associated with maturity while black can be stimulating and enhance surrounding colours when used in limited quantities (Chapman, 2014 p. 38).

SAM website fulfilled all criteria in the coding categories of *Graphic* and *Navigation Design*. A click on the *Header* led to the *Media* page, listing news releases like press statement and letter to the Editor. As a matter of fact, contents under Media and Home pages were the same.

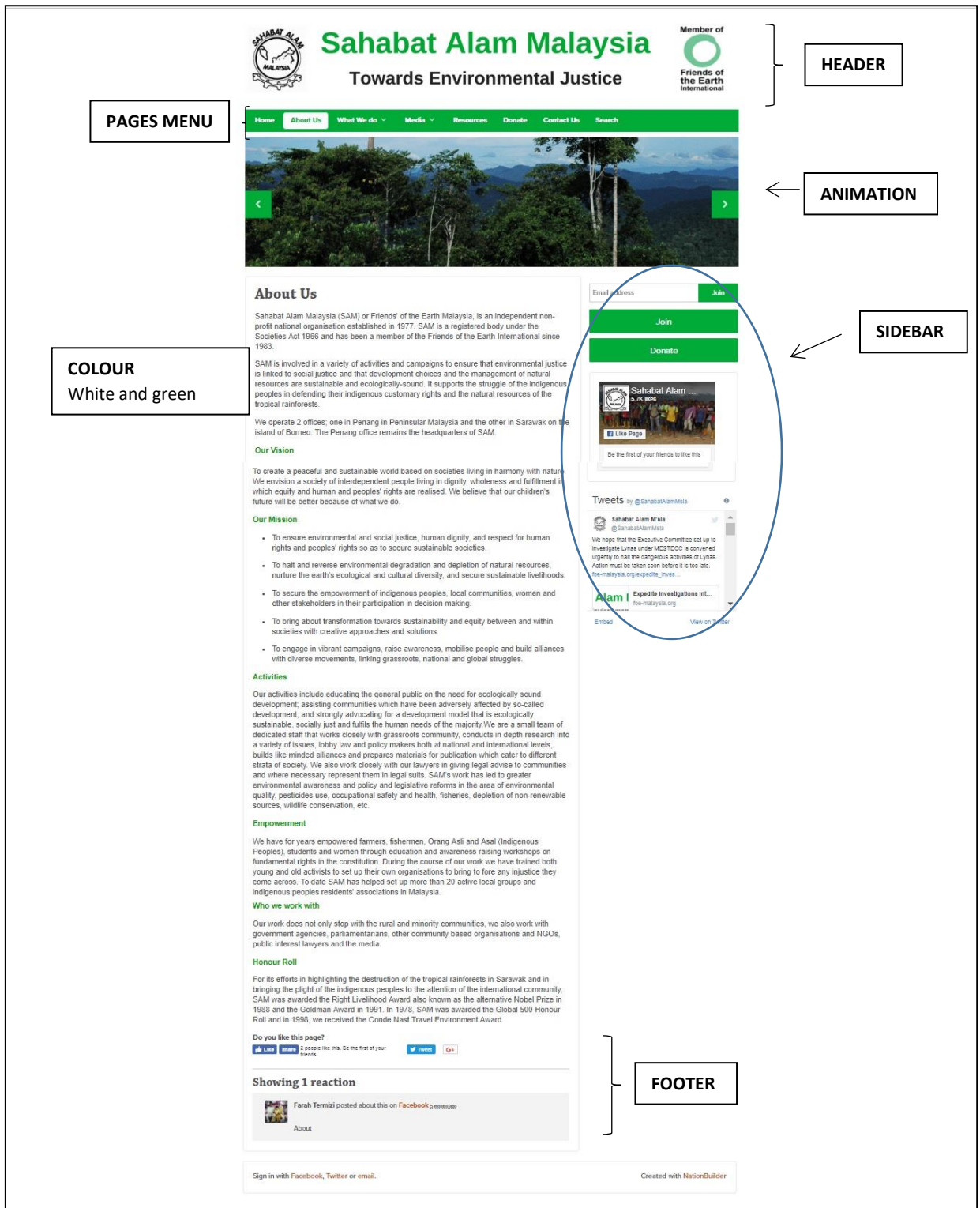
On the Sidebar, five functions are listed. The first is to key in an email address to Join their updates list. Next are the *Join* and *Donate* icons. *Join* leads to SAM's About Us page while on the Donate page, one can key in personal details and amount to donate. The second half of the Sidebar displays social media links – to Like SAM Facebook page and to read Tweets by @SahabatAlamMsia. One can also view them on Twitter or embed them on one's own Twitter Timeline.

Vertically, up to twelve articles are arranged before users reach the bottom page before continuing to the next 40 pages of information. Each article is featured in the first or second paragraphs and if interested, users can click the Read More button. The user can add their reaction (Like) or share it via Facebook, Tweet and Google Plus.

An area of improvement is in the arrangement and layout of articles on the Home page. Since users scan more than read webpages, it is useful to only post the headlines and images by symmetrical 3-grid layout. The sharing functions can be more immediate and straightforward without navigating users to a new page of the full article. Similarly, the Search function can be a permanent figure on the sidebar without having it on Navigation that leads user to another page.

While it is wise to place *Join* and *Donate* on the right sidebar, SAM website seems to be less empathetic toward where users can be directed to next. Clicking *Join* leads to *About Us* rather than describing what roles public members can participate in and how to register.

Figure 39 Screenshot of SAM Web Page (About Us)



On the other hand, the *Donate* icon appears on both *Sidebar* and *Navigation*. The first line of the *Donate* page writes “No bank account: This page will not work until you add a bank account”. SAM fixes the dollar currency for donation and a dropdown lists a wide range of countries, targeting people from all over the world. However, the more international the public is, the more that SAM administration should provide a clearer guideline on how to add

in bank account details and disclaimer on the extent to which the contributions are tax deductible by country. Overall, the SAM website has issues in need of resolution, especially related to supplying users with concise information.

As Jok Jau the Marudi branch coordinator noted at interview, SAM covers entire Malaysia's environmental matters. The coverage of Sarawak news depends much on the delivery of materials from Marudi to the headquarter in Penang to be processed before being uploaded to the website. Without much budget to run activities, materials from the Marudi branch declined recently. While information centralisation standardises an NGO's image, it cannot be fully beneficial to the Marudi branch unless they have equal funding for their operation.

There are three observations that can be made from this arrangement between Penang and Marudi offices. First, members in the Marudi office are not well-versed in media literacy like composing articles, hence their raw materials only consist of photos. Second, the Marudi office has lower resources to go about Sarawak where they are confined to areas close by, such as Baram and Miri. Third, from the interview, it was apparent that, raw materials are subject to approval by the Penang head office before being posted on the website or Facebook. Therefore, it is unknown what type of materials have already been edited or disapproved.

Nevertheless, new media platforms, to Jok Jau, are important to provide information and increase awareness among non-natives, especially those living urban lifestyle in Peninsular Malaysia. In Kuala Lumpur, Lawai conducted sharing sessions through talk and photography exhibition to encourage trips to longhouses.

Vincy was the Editor for BaramKini blogs and Tweeter. Besides that, Vincy used to write for TaipanRainforest.com, which along with one of the BaramKini blogs, was in the Chinese-language. Vincy added that another reason for targeting Chinese-speaking audiences is to include those of Taiwan and China because these countries, including Japan, are the key buyers of logs from Sarawak. Wong also used to write for TaipanRainforest.com and they did a lot of translation work, mainly on reports and articles by the Bruno Manser Fund (BMF) and Sarawak Report into the Chinese language.

Several interviewees perceived the Website, blog or Facebook post as a form of self-pride, on the one hand, or an institutionalisation burden, on the other. Founder of SCRIPS, Michael said that they do not really go through the media. He believed in his personal network as a former priest. Nevertheless, they are committed in engaging with people outside Sarawak

like BERSIH, Asian Indigenous People Pact (AIPP), Human Right Commission of Malaysia (SUHAKAM) and the United Nations (UN). They also presented their work to the European Union and managed to get projects from foreign countries like Germany and the United States.

Figure 40 Screenshot of SCRIPS Home Page



The main colour of SCRIPS website was olive green, in dark and light shades. The *Pages Menu* was above the *Header*. The Menu consisted of *Home, About Us, Programmes, Meetings, Representations* and *Contact*.

On the Home Page, the text boxes were clearly defined by black and white outline. Moving images were put to visualise Vision. There was no Feature and no Sidebar. The website concentrated on downward information such as organisational activities and values. There was only one feature of interactive information flow, which was email contact. There were

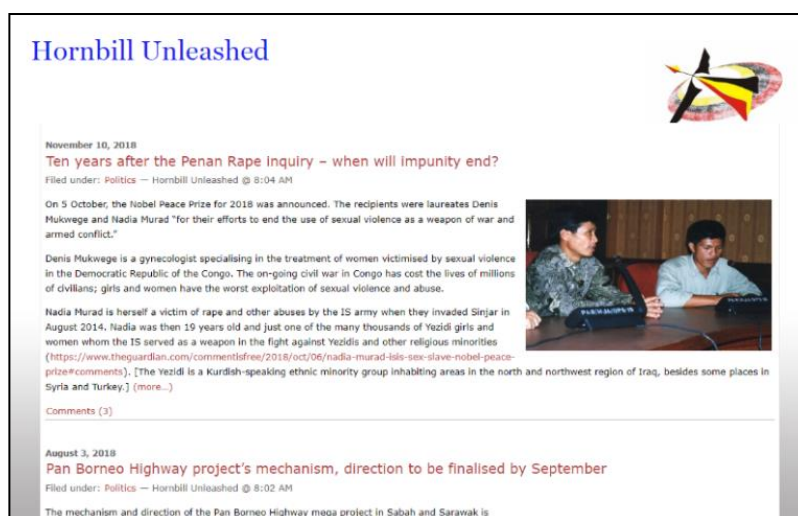
three social media icons on the Footer – Facebook, Twitter and Google Plus. However, they did not lead to any other SCRIPS’ accounts but to Wix, the website template provider.

The website was last updated as far back as 2014. Michael, the coordinator, said that the purpose of setting up the website was to apply for funds as a proof of SCRIPS’ activities. The website was done by a fellow Malaysian residing in Singapore. Michael opined that SCRIPS’ undertake 30 to 50 offline actions, per year, yet there was little time to update the website. They were also less than keen to keep publishing what they have done, giving answer like “there is nobody to do it”. Furthermore, Michael did not have much confidence in new media to reach out to the grassroots. With the current Sarawak Chief Minister, Abang Johari’s plan to digitise Sarawak’s economy, Michael said that Abang Johari will most likely lose the coming state election in the year 2021. This is because a lot of the villagers are aged and illiterate. Although they at least know how to use the hand phone, they still prefer to consult the village headman whenever they faced difficulties.

This opinion coincided with that of Wong, the founder of IDEAL. He said that capitalising on the Internet mainly occurred among the NGOs, not the community. Wong attributed former government’s election success in rural areas to the lack of digital access to and literacy of alternative information. Another CBO that had no online platform is SACCESS, which YB See explained:

Yeah. We don’t. Because we want it to be a loose organisation, it’s just a name and then we get all the others to be involved, but not really using SACCESS as an entity to them to carry out all this because that is not necessary. So, that’s how we function.

Figure 41 Screenshot of Hornbill Unleashed website



However, SACCESS did capitalise on the digital evolution by starting Keluan and Hornbill Unleashed websites. They worked it with the late Mr Sim Kwang Yang (former Opposition

Member of Parliament for Kuching, Sarawak) and treated the websites as additional tools. Still, the principle of not promoting SACCESS stayed. Hornbill Unleashed was used more as an archive for legal cases. Because SACCESS realised that to fight for all these land rights, they had to do it locally. That was the time where the BMF was really strong with advocacy outside Malaysia and SACCESS felt that the movement should be from the communities themselves rather than using a foreign platform. Furthermore, it would expose SACCESS and other CBOs to more government suppression and accusation that they got paid by a foreign entity to smear government's reputation.

Among all interviewees, Pang gave an extensive account on his first hand involvement dabbling with newer forms of communication during his studies in Australia. He got to know about Pactok, a group of people who provided email service to "Pacific Islanders, NGOs and communities, who were mainly involved in social justice issues as well." Pactok was linked with Pegasus, one of the very few global internets like Green Net in the United Kingdom.

However, Pang pointed out that only elite NGOs like the World Wide Fund for Nature (WWF) Malaysia and Malaysian Nature Society (MNS) had the privilege to link up with Pegasus or the Green Net. Only NGOs with resources were able to send out information and become known internationally. Smaller groups like IDEAL were less well known for their advocacy cause and subject.

With information technology coupled with outsiders' awareness, the Penan mass protest in the 1980s got to break into the international spotlight that subsequently pressurised the Malaysian government. Pang strongly believed that information is power.

I think at that time, we were in a very oppressive environment, yah, politically, socially. So, you are talking about an era where in terms of State Assembly Sarawak, State Assembly, there were hardly any Opposition. And then of course in West Malaysia, you also have limited Opposition, and we only have one MP who is from Bandar Kuching, who was the only one, who take up this issue in public. So, you have a situation whereby if you are known internationally, and so you get to be known because you have the resources and you have the link up with technology ... So, one of the first thing to do was to provide a better communication...and secured, security was a big issue. So, you have the political atmosphere, you have the social environment and then you have the issues of control, so technology was one of the ways to break a little bit of the hole.

The initial stage to utilising information technology was not easy either, added Pang. To link with Pegasus, one had to call TELEKOM, which Pang described as "very clumsy, very expensive, very inefficient." However, with TELEKOM being the sole telecommunication service provider in Malaysia, they had not much choice. Modem price at the time was also

very expensive, making it a luxury to own one despite the slow speed. Pang recalled that he has a rock star-cum-producer friend in Australia who helped raise fund through his concerts and short films about Sarawak land rights so that they could buy a modem.

Email and then news group not only allowed higher capacity of communication flow, but also linked similar NGOs in Malaysia such as some *Orang Asli* groups in Sabah. They soon enjoyed faster and cheaper technology with internet provider service, TMNet system by TELEKOM. They stopped Pactok because there was no need for it. Furthermore, communication became more secured with encryption where authorities no longer could spy on it. Pang then worked with IDEAL, the first group to set up a website called Rengah Sarawak with the purpose of sending larger scale of information to wider audiences. He was in charge of organising the information contributed by IDEAL. Some friends helped with the backroom elements and template design. Pang recalled how much easier it was to cut-and-paste articles to Rengah Sarawak.

Similar with Hornbill Unleashed, Pang clarified that Rengah mentioned little of SACCESS because they were only the facilitator, bridging the community with other forms of support. Since SACCESS is not a big NGO, there is no need to promote themselves, which Pang named it the “bandwagon of popularism”. SACCESS may occasionally provide information to researcher groups from the University of Sarawak, Malaysia (UNIMAS). Otherwise, they think that it is best to approach the community directly. SACCESS is after “specific target, specific support and specific action to assist the community” like providing legal assistance to communities arrested for setting up blockades. For them, the effort of maintaining website to let the public know what is happening does not lead to their aim. Citing an example,

“If you are WWF, you need to promote yourself, you are doing goodies and so on, you have an institution that are so big, then you need to craft this, you have a team of social media people and so on and so forth.” [Pang]

Depending on the contexts, Pang thought that a change in the Malaysian media environment has already allowed more output in land issues, like reporting on court cases. Unlike now, mainstream media in the 1990s were very much oppressed with strong self-regulation. After careful consideration, it was concluded that the pros to close down the Rengah website outweighed the cons. Since there were “more and more groups coming up with websites, they closed it down a few years ago”, which Pang could not recall exactly which year.

6.3.2 Email, Facebook and WhatsApp

Among all platforms, email was least spoken about by respondents. Except for Aliran, Anil said that they have a mailing list to email newsletter. However, he admitted that people now prefer to receive news via phones using WhatsApp. Although they continue with their website, they also share their Website articles through WhatsApp, Facebook, Twitter and “a bit of Instagram”. Creating WhatsApp groups is useful to link up people, as also noted by Philip, Susanna and Ramould.

Peter added that social media apps made it convenient and effective for them to contact reporters. WhatsApp is secured and can be easily installed to smart phones even by villagers. The best part is that they could converse in their own dialect:

I think practically all the villagers in Baram, that I come to contact with, they have their own WhatsApp group, like my village Long Ikang, we have a WhatsApp group. We even have a WhatsApp group based on our dialect, like Lubo’ Tau. Yeah. Lubo’ Tau group, and of coz my mother is half Lubo’ Tau. Lubo’ Tau is Kenyah dialect from Bammoh, you can find them in Indonesia and all that. So, in our Lubo’Tau group group, we have Indonesians as well. [Peter]

Mark encouraged BRIMAS to set up a Facebook page although he was not in charge of it. Facebook made it a lot easier to upload short videos.

Figure 42 Screenshot of BRIMAS Facebook Page

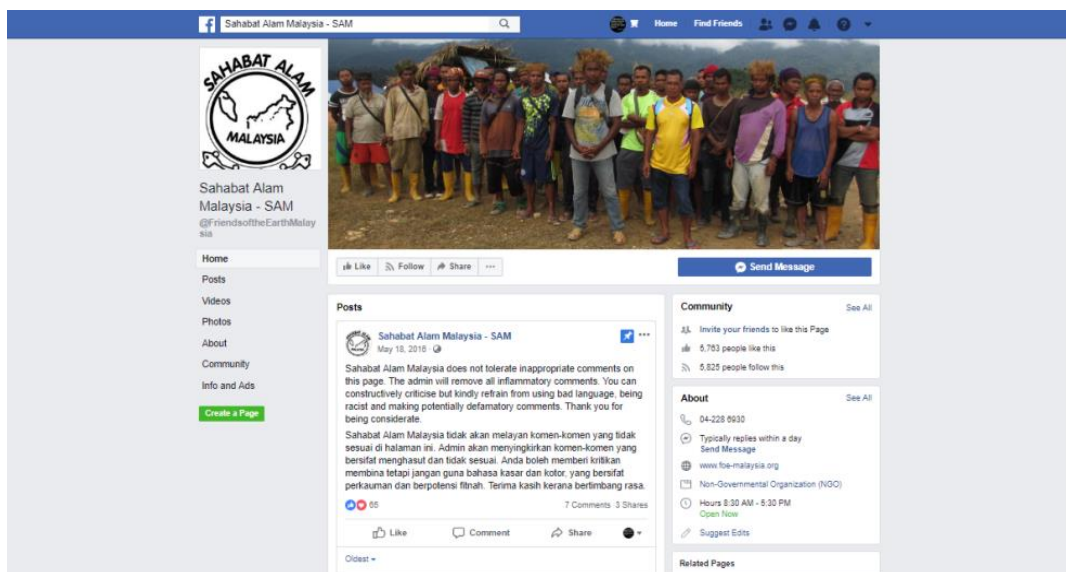


BRIMAS Facebook page was last updated in 2016 with 5 posts between 22 December 2015 and 22 June 2016. The earliest 3 posts had 4 to 5 months’ gap in between. The 5 posts consist of 2 press statements, 1 photo, 1 news article and 1 feature article. All the 5 posts were from secondary sources – a national political party, local news service, a photographer and

UK-based newspaper, *The Guardian*. The most 2 recent posts were for the same cause, to show solidarity toward the assassination of a native rights activist, Mr Bill Kayong.

Comparatively with their website, SAM Facebook page has more active posting with few posts in a day on a daily basis. The page freshness and background of SAM may be a contributor to the number of likes and follows at 5,763 and 5,825 respectively, which was about 4 times higher than those of BRIMAS. SAM Facebook established its responsiveness to messages by stating they typically reply within a day, which encouraged interactivity. SAM also pinned a disclaimer post to state its policy regarding the posting of unacceptable comments on its page.

Figure 43 Screenshot of SAM Facebook Page



The data collected spanned 6 months from 25 February 2018 to 25 August 2018, with a total of 251 posts. Only 9 posts (3.6%) are about Sarawak. The number of posts from primary sources was 4, in the form of photos. They were regarding plantation encroachment on NCR land in Baram, New Malaysia, workshop and community nurseries. The New Malaysia photo garnered most responses with 45 Likes and 31 shares.

SAVE Rivers Facebook page was also more active in posting items and interactive with users than their blog. With the Reviews function, visitors could recommend and review the page, which would add rating to SAVE Rivers. As of August 2018, the rating was 5.0 based on the opinion of 4 people.

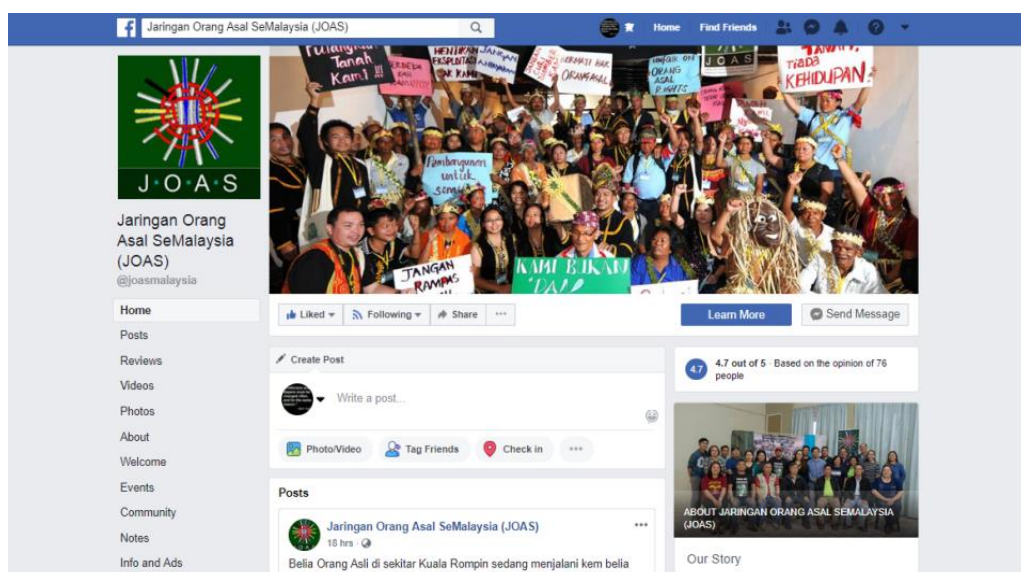
Figure 44 Screenshot of SAVE Rivers Facebook Page



From 9 March to 26 August 2018, there were 81 posts from a variety of sources. Only 23 posts were about Sarawak, with 12 of them were from primary sources. Similar with SAM, primary sources consist of a majority photo (75%). This pattern could be attributed to SAVE Rivers' lack of resources such as research skills, finance and human capital. On the other hand, SAVE Rivers shared articles from a variety of secondary sources, which included news organisation and similar NGOs such as Free Malaysia Today, Malaysiakini, *Borneo Post* and Borneo Project.

For JOAS Facebook, an impressive 52 posts were about Sarawak, out of 128 in total collected from 22 February to 24 August 2018. Like other CBOs, JOAS was more active through Facebook than website or blog.

Figure 45 Screenshot of JOAS Facebook Page



The duration of data collection covered an annual event, International Day for the World's Indigenous Peoples (PHOAS). In the 6 months, 31 posts were on PHOAS, mainly in the form of pictures. National broadcaster RTM also covered the event by video, the only involvement by RTM as the primary source among all samples' Facebook posts. This concurred with the interview data where RTM has always been conservative to broadcast any matters regarding NCR land, regardless of television or radio channels. Similar with other CBOs' form of primary expression, all JOAS' 42 primary posts consisted of photos (85.7%) and videos (1.43%).

Figure 46 Figure: Screenshot of TAHABAS Facebook Page



TAHABAS had only one Facebook page as their web-based platform. Their organisational information was written under the heading 'Mission' but provided no contact details. TAHABAS posted 7 times between 19 April 2016 and 1 September 2016. Out of the 7 posts, 4 were motivated by the assassination of Mr Bill Kayong. TAHABAS shared an obituary message from the Sarawak Indigenous Youth Network on 22 June 2018, which gained the highest numbers of responses – 100 'Likes' and 9 'Sads'.

Philip, Susanna and Ramould opined that the number of Likes did not translate to the number of people in offline activities. For Susanna, conservation needs time, not only a day or two, like voting. With social media, Pang thought that "the information has been drastically democratised. Previously, it was in the hands of very few, the educated, the well income." Wong and Anil believed that WhatsApp and WeChat played important role in influencing public opinion before the general elections in May 2018.

...even if [the villagers] can't write, they can use photographs, you know, to use smart phones. Or if they don't have internet access, they can get in the photographs first, giving the natives that own phones....one of the representatives

that own phones. Erm and using that to spread photographs, at least, what's happening. [Anil]

And more, more for the other community, more urban community, more info about the indigenous people problem. In the beginning, when I went around, nobody bothers about this. We get pressured from both sides, from the community leaders, as well as from the outside, the urban area. "They are not worth our support", the Chinese are saying this. And later on, more and more people began to understand this why is this being prayed in church. Now we go around, they will still show some sympathy. [Wong]

Susanna said she will look into the possibility of IPIMAS setting up own Facebook page. This is because the community they were working with was still learning to use smart phones.

Vincy, a former journalist offered a very interesting view regarding social media. She lamented that there is lack of community media in Malaysia instead, and how they are not equivalent to Facebook and WhatsApp. To her, although now the number of platforms has increased, the CBOs only know how to use them for announcements or to get something done, which really restricts the reach of people they want to educate or inspire. They do not know how to highlight certain issues, or at least enlighten the readers on why such issues are important. The focus has been on their organisation or supporters. Even for that, the supporters are a duplicate. Although Facebook is popular, it takes effort to boost a post. Hence, to Vincy, the CBOs are the platform, not the media they use:

"... Because there's no really the media people in their organisation, they run their media not by media way, they run their organisation by the activist way. Like you want to pop up some issues, other than press release, you just go to rally, that's the activist way. Your information is not sharing among yourselves, the information what you want to bring up, voice out to those authority or public. But it is like one way. Press release. You are not...so this is kind of activist way."

Vincy added that the convenience of setting WhatsApp groups lead to a mushroom of similar groups. Among groups that she is a member of are Polling and Counting Agents (PACA), PKR DUN (State Assembly), *Suara Keadilan* [Voice of Justice, PKR's official newspaper], and Stop Baram Dam. Although they are useful to spread information, members are also bombarded by "not very helpful feedback" like "I agree", "OK" and "Good". Others who have not checked the messages regularly would miss out and have to scroll up again for the context of responses. When this happens too many times, she does not bother to read anything with interest but only remains in the groups. Same goes with Peter who got annoyed when certain NGOs keep including him as a member although he left their groups many times. During the

election, he received about 6,000 messages; he had to delete them all. On average, he receives 700 to 800 messages from NGOs that he thinks are bogus.

6.3.3 Miscellaneous Content Creation and Media Training

Facebook is part of the user-generated platforms besides blogs and Websites. Although the interface and template are convenient to user, the five CBOs' official Facebook pages indicated their facing internal constraints in fully utilising social networking sites. Both BRIMAS and TAHABAS Facebook pages respectively had less than 10 posts in 6 months. On the other hand, the type and theme of posts show that content creation skills among the CBOs are imbalanced in targeting audiences of low and high literacy level. Posts in the form of videos and photos garnered the highest number of responses while event-based posts are most popular for both primary and secondary sources. The events include Bill Kayong's assassination, Gawai (Harvest festival), workshops, conferences, meetings and announcements. Posts directly related to land are mostly from secondary source such as news agencies. They concern of suing state government, disputes, protest, plantation, timber company, rally, blockade, Land Code, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Sarawak Timber Industry Development Corporation (STIDC), timber license, and NCR land titles. Posts that require higher literacy skills to produce and to comprehend like feature articles or interviews are mostly from secondary source; news organisations or foreign NGOs.

Several CBOs mentioned in the interviews that their research and documentation activities involved community mapping (BRIMAS), oral history (SCRIPS) and proposing dam alternatives (SAVE Rivers). The websites of BRIMAS, SAM and SCRIPS stated 'research and development' in terms of development model, oral history, and state laws. However, the themes lobbying, media and research and development (R&D) were least mentioned in Organisational Background. These three areas required higher resources. Only SAM and SAVE Rivers conducted lobbying in law, policy and reforms. From the web-based platforms, none of the CBOs mentioned media training provided for the communities or volunteers. Only two CBOs mentioned media in their Organisational Background. SAM "work closely with media" while BaramKini encouraged their blog visitors to share their articles via social media.

When Mark joined BRIMAS, he was in charge of researching palm oil biopiracy. He later proceeded to land rights issues and conducted community mapping as a geologist graduate. BRIMAS also trained their youths in video documentation and photography. Videos that were

not too heavy could be uploaded and understood easily. In terms of training affected communities, they were taught the basics of taking photos and videos. The communities sent those materials to someone in town to edit and write captions before being posted to social media.

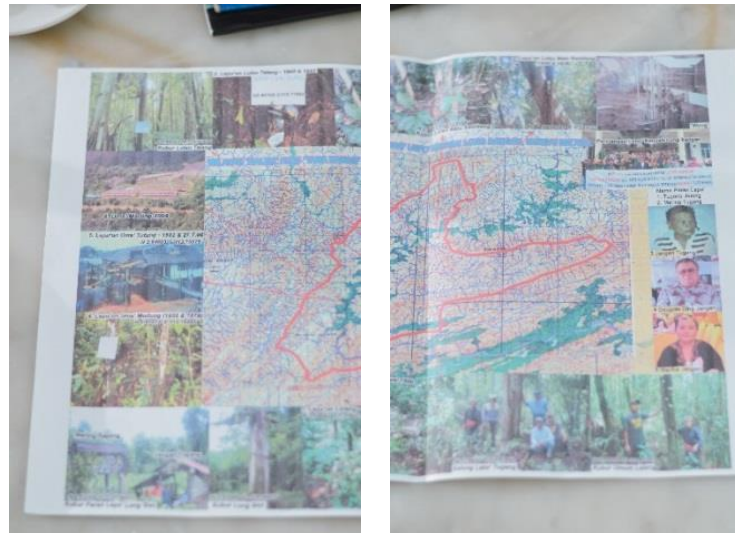
Albert would call up JOAS Youth group and get them involved to take pictures at events. Thomas added that the villagers were also taught the basics of citizen journalism. They should at least know the details to document – the location of trespass and name of plantations or logging companies. However, Thomas was well aware of JOAS' limitation in terms of consistency and location coverage. Thomas said that it also depended on how much the young ones from town could really witness any critical situation every time they return to their villages. The Communities' Information and Communication Centre (CICOM), also headed by Thomas, assisted in documentation of issues faced by the communities although in the Baram and Belaga areas. CICOM also disseminated relevant information to the affected communities.



Albert showing some of the publications done by JOAS where he contributed in taking photos and writing.

According to Jok Jau, organisations like United Nations Development Programme (UNDP) trained the SAM staff to manage media platforms. For Philip and Lawai, it was harder to conduct training in villages with limited power and coverage. BaramKini faced difficulty each time they wanted to show videos through projector at remote villages.

Michael from SCRIPS did a more extensive form of documentation; oral history. Those contributing are all above sixty years of age and they still had strong memory of, for example, the Japanese occupation era in the 1940s. SCRIPS double-checked their accounts before finalising the facts. Michael is currently writing a book on *Orang Asli* and offered community mapping services to unregistered villages.



Community mapping from SCRIPS' oral history data

Ramould lamented that communities should also be taught on national administration matters related to the judiciary, the executive and legislation to reduce dependency on politicians. He thought that media should educate citizens to be knowledgeable about their constitutional rights.

A common content produced by respondents for public distribution was press release. Mark, Peter, and Philip managed media relations; wrote press statements, letters and memos. JOAS, SAM, SCRIPS, and IPIMAS still publish information in the form of printed brochures, books, reports and maps. They were more for internal distribution, due to lack of funds.

Wong and Vincy contributed articles to *Malaysiakini* and column in a mainstream daily. Vincy also had two years experience of special reporting in Chinese-language daily, *Nanyang Siang Pau* and on a Buddhist magazine, which was distributed to Taiwan. On the other hand, IDEAL tried to reflect the opinion of the communities as close as possible. IDEAL tape recorded any information collected from the communities to be included to their articles.

According to Pang, Wong's first organisation, IPK tried to publish newsletter but could not get the permit. They had to get lawyers to define the term newsletter – basically “taking up newspaper from different sources, we re-produced it. And then send it to a select group of people.” However, the Registrar of Societies (RoS) claimed that IPK as a Sibu-based organisation, should not hold any talk in Kuala Lumpur and de-registered IPK. Pang added that now the Penans knew how to video themselves facing the loggers and the police. In the past, the loggers were able to commit heinous crimes such as rape and nobody would know. To Pang, communication technology liberated the control of information. Once, SACCESS trained the villagers to write basic facts but lacked success because of the villagers' low literacy level. They were also provided with laptops and taught basic computing like Word Processing and

Spreadsheet use. While media training was indeed important for citizen journalism, Pang stressed that being practical and realistic about the villagers' capacity was equally important.

Although BaramKini did not provide any media training to the villagers, Vincy hoped to accomplish this through community media projects. She recently attended a community media workshop organised by the French government. She was the only representative from BaramKini and Malaysia. She stressed that NGOs should only assist the communities in teaching them the skills while the content should be run in a systematic media style. The rural people need to empower themselves by their own way, unlike attending a campaign or seminar organised by an NGO only few times a year.

Anil from Aliran provided media training through a Young Writers' Workshop. He was also aware that such a workshop attracted the same market; the urban dwellers. He estimated the retention rate to be one-third of workshop participants who stayed on to contribute articles to Aliran website. Aliran also encouraged their readers who constantly voiced their opinions to write them as short articles. He thought that the recent election in 2018 encouraged more people to write as agents of change.

6.4 Mainstream and alternative media organisations in Malaysia

6.4.1 Media Relations

Only SAM mentioned in their Organisational Background that "media" were one of the parties they worked with besides the rural and minority communities. It was also the least popular theme in CBOs' websites besides lobbying.

Mark said that BRIMAS' relationship with alternative media such as Malaysiakini and Free Malaysia Today (FMT) was closer. BRIMAS also kept contact with mainstream press such as the *Borneo Post*, *The Star* and Chinese-language press like *Sin Chew Daily*. Overall, Mark said that the relationship between both mainstream and alternative media was almost the same, only a matter of gatekeeping:

When we mix together with the journalists, it's the same, they understand the issue, they are also, are, sympathetic toward the issue, but the difference is, for alternative media, once we released something to the press, they will straightaway publish it, what you release. For mainstream media, they will take your statement but it is subject to editing by the editor. So, when it comes up, maybe half of your story already just a small paragraph only comes out, or it's total blackout.

The main reason for censorship was the *Borneo Post*'s ownership by a diversified timber company, KTS Group. If the *Borneo Post* had stories like KTS was involved in land-grabbing or

environmental destruction, those stories were subject to censorship. Thomas, YB See and Wong argued that media ownership affected journalistic independence as KTS owned not only the *Borneo Post*, but the Chinese-language newspaper, *See Hua Daily*. However, over the years, Peter felt that the *Borneo Post* had become more open.

Before de-registration, Wong said that in the 1980s, IPK did send information to mainstream newspapers, but the editors were being selective as they did not want to get involved with dam and plantation issues. Thomas and Wong similarly opined that the *Borneo Post* and *See Hua Daily* used to twist the facts but now more willing to visit rural sites affected by land issues. Peter thought the change of direction was because the mainstream dailies finally realised that people got turned off by their whitewash reporting.

Alternative media like Malaysiakini was labelled as “friendly” to CBOs’ activities or events by as many as 9 respondents – Peter, Thomas, Albert, Michael, Pang, Wong, Philip, Ramould and Vincy. Peter elaborated that Malaysiakini was very helpful to upload videos from SAVE Rivers like Empty Promise and Damning Our Future to their own video-sharing site called KiniTV. SAVE Rivers also sent press statements to Free Malaysia Today and The Malaysian Insider before the latter closed down.

Pang knew the founders of Malaysiakini, Premesh Chandran and Steven Gan, before the media’s establishment.

I think initially, we, Prem and Steven are all fellow student activists before in Australia. So, it was quite easy. We needed outlet, so Malaysiakini provided a lot of it. And last time we used...we could...Malaysiakini allowed us to use pseudo name, at that time, but now there is no need [chuckled], for example. [Pang]

However, Pang elaborated that SACCESS was getting less involved with Malaysiakini because of the availability of local stringers. Malaysiakini no longer needed to contact the local people directly to exchange materials. Aliran, on the other hand, had one or two writers based in Sarawak to send them materials directly, sometimes through the NGOs.

In the case of BaramKini, Vincy said that Malaysiakini provided the space for their events that no mainstream media wanted to. Malaysiakini also co-organised their fundraising lunch in 2014. Some interviewees added that Peninsular-based mainstream media were less friendly to their advocacy events. When SAVE Rivers went to the Peninsula to promote their functions like the Green Walk, talks, dancing troupe and roadshows, the journalists hardly attended them. Vincy, a former journalist with Chinese-language *Oriental Daily* recalled that if she invited her colleagues to cover BaramKini’s event, they came up with very small columns.

JOAS had relationship with *The Star* by sending youth for internships under the Bright Roving Annoying Teens (BRATs) programme where they learned to publish few videos. Any project that JOAS has, Albert is in charge of contacting them. He personally is close with *The Star* and Malaysiakini.

For Pang and Susanna, the nature of media coverage varied by the type of guests in presence. IPIMAS events were covered if there was any Yang Berhormat (YB), referring to elected representatives. Pang thought that such media coverage was without much independence. Nevertheless, Susanna emphasised that IPIMAS had no specific relationship with any press or media.

Ramould recalled how he chastised a *Borneo Post* manager for appearing in a TAHABAS event but dared not report it in full. The manager responded that he was under pressure of censorship. Jok Jau from SAM Marudi said that although he was aware the local papers twist the stories, there was nothing much they can do. To sue the newspapers would waste resources like time, money and lawyers while there were more than 200 NCR cases stacked up in court.

Both Pang and Philip despised the *Borneo Post* for being unethical in their profession. In the late 2000s, news of Penan girls raped by loggers broke out. According to Pang,

Borneo Post was taken on a guided tour to come out and report a very, very ridiculous glossed over of the event, projecting the rapists as caring [chuckled] - expletive-. Even they had no qualms to use media for that, cannot...no ethical, credible, professional journalist would do that kind of story, but they had [the news] front page. The cover, they covered the face of the rapist, you know the rapist, we know him as the rapist, cover him as the picture on the side, but the article was about how caring he was and looking after the survival of the victim. And it's front page! So, it's ridiculous.

Philip from BPAC recalled he once read the *Borneo Post* quoting a minister who warned the community leaders not to get too close to Opposition parties. He felt that this form of reporting sounded like a threat and reflected both the newspaper and Minister badly. On the other hand, he felt baffled that Chinese-language newspapers seemed to be more open to reporting indigenous land issues. He added perhaps the editors assumed that the indigenous people were illiterate in the Chinese language, therefore less mobilisation effect and less censorship pressure. Lawai probably gave an answer to Philip's question where there were indeed conscientious Chinese reporters who tried to create more awareness about the indigenous people among Chinese readers.

Vincy and YB See provided deeper insights into how journalism can make a difference. Vincy's job scope as a Radio Free Sarawak (RFS) producer included reading news to the indigenous communities collected from alternative, mainstream and international media. It was useful to convince them that they were not alone as their matter is a worldly issue. To Vincy, the CBOs should be less defensive and suspicious toward media coverage about their advocacy.

That's the problem. They don't want sympathy but the message always come up is sympathy, that you want to get the attraction from the people, is sympathy.
[Vincy]

Vincy added that the CBOs could not be over dependent on media organisations because the reporters might be inconsistent or restricted to report everything in full. Therefore, CBOs should know how to operate like media and curate messages like professional media practitioners.

YB See, under his capacity as assemblyman, brought many reporters to affected communities for more coverage. In his opinion, ever, he thinks that investigative journalism is still inadequate in Malaysia. To him, journalists should go beyond only reporting the development of indigenous people's struggles.

6.4.2 Television and Radio Broadcasting

In general, interviewees lacked confidence in the Malaysian FTA broadcasting's integrity, especially concerning the RTM and TV3. They said that the broadcasters hardly responded to cover their events or activities. This coincided with the findings from all the CBOs' Facebook posts where RTM only became a secondary source once. JOAS posted a video from RTM that covered the officiating ceremony of the International Day for the World's Indigenous Peoples (PHOAS) where a minister was giving his speech. Despite that, Thomas suspected the video might be a brief one.

Over time, the CBOs chose not to invite the broadcasters. Mark and Wong claimed that although they were interviewed by RTM before, it was a five-second footage without sound. They became the background, always reported as protesting while the minister was being interviewed. They concluded such coverage is meaningless because the audience would not understand their advocacy.

Mark, Peter, Philip, and Susanna said they had not watched the national television channels for "10 to 20 years", as well as not reading the *Borneo Post*. Pang claimed that there were people who got paid by RTM and companies to "glorify oil palm plantations". Susanna

had no confidence in RTM to cover IPIMAS events. To her, RTM did not give priority to Sarawak, especially regarding environmental issues. Ramould also expressed his disappointment toward private broadcaster, TV3 in broadcasting “sensationalised” stories. Similarly, Philip strongly felt that RTM was “corrupt”. To him, it was a pity because those rural longhouse residents could only receive RTM channels. He was confident that educated people would not watch RTM and get ‘brainwashed’ by it.

Jok Jau claimed that RTM only reported court verdict when the government won the case. Both Michael and YB See said that NCR news blackout was subject more to federal control than individual motive.

I mean that point of time, you approach them also, they might not even come up with what you said, they might even edit what you said. [Michael]

[RTM, Bernama] are federal-controlled, so of course they are very important tools for the Federal Government until this fine line *lah* [a Malaysian slang of exasperation]. They are used to propagate government’s view, so that’s the only thing they get in the *kampong* [village]. [YB See]

Philip, Lawai and Vincy had a more extensive account on how a broadcasting crew and producer were sacked over land-related programmes. A Kayan-Kenyah radio announcer was transferred immediately to Bintulu after he publicised a SAVE Rivers’ meeting.

Another incident was the making of a series of documentary to highlight 60,000 stateless Sarawakians without official documents like birth certificates. Philip wanted to propose the case to RTM through his programmer friend and managed to secure a ten-day slot in the Mandarin section of RTM2. On the second day of airing, Philip received a call from the programmer where there was an instruction to remove the documentary from air. The programmer’s work contract was then terminated. In a separate case, Philip claimed that an RTM documentary director was fired for filming a documentary on Bakun Dam.

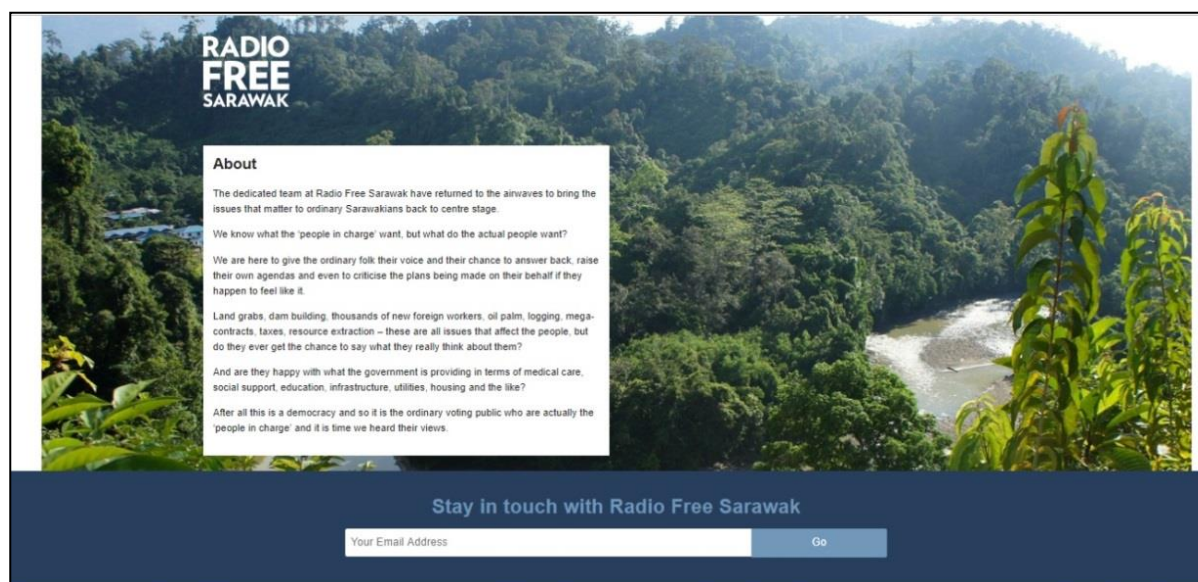
Regarding the Chinese section of RTM, Lawai was invited once to the station and managed to tell the story of Sarawak. Therefore, he could not generalise RTM’s approach toward Sarawak problems. Overall, he opined that the BN government had never been honest and transparent to look into people’s problems, let alone the government-run broadcaster. For example, the indigenous people in Peninsular Malaysia (*Orang Asli*) are also neglected.

In the midst of government change, Peter felt there was a long way ahead to build integrity as broadcaster. Anil, a media-savvy activist from Aliran, added that RTM needed to be receptive toward public needs and go beyond being a propaganda tool. Since government-controlled television and radio broadcasting had no regard for public service credibility, YB

See assumed that was why RFS became immensely popular among the communities. Ramould, on the other hand, claimed that RFS was so biased that he became frustrated listening to it. To him, RFS condemned others as if they could commit no wrongdoing.

Vincy was the only interviewee with direct experience working for RFS as a producer. During her ten-month stint in 2014, she learned a lot on how the founder, Clare Rewcastle-Brown, operated the radio. For security purpose, Clare often changed producers and allowed them the flexibility to work from any country. RFS's frequency at times was disrupted by the government. The RFS team resorted to changing frequency every two weeks and relied on listeners' feedback on the reception quality. The frequency used was of short-wave type because they could not apply for any from the government. The main programme was to read news to listeners in their indigenous languages. They did special reporting on NCR land supported by interviews with land-grabbing victims. Each news slot was aired from 7 to 8.30pm every day. The news re-run could be obtained from online streaming where some youth in town downloaded the news for the village folks. Vincy argued that radio was a useful tool as long as the village headman had one and shared listening opportunities with other longhouse tenants. Unfortunately, Radio Free Sarawak stopped operating in 2016 due to lack of funding.

Figure 47 Screenshot of Radio Free Sarawak website (2016)



6.4.3 International media

International channels like Al Jazeera and Channel News Asia (CNA), to Mark and Peter, had more credibility because they watched those channels as the source of news. They used to bring Reuters and AFP reporters to the interior like Long Sazan and Long Lunan.

When asked if SACCESS would use *Sarawak Report* to highlight land issues, Pang answered with logical scepticism. To him, personally, local sources were more valuable:

We don't need to send all the way to England to do it, so my own reference is, always keep it to the local. But only if the local don't dare then maybe we can consider. Otherwise, there is no reason. So, I think Sarawak Report is just one of many – so, nothing, nothing specific or nothing extraordinary. They focused more on so called big news, so they have their own audience, we have specific target groups, so...

Philip and Susanna, on the other hand, had never contacted any international media for their advocacy.

The advantage of web-based platforms is the sharing ability of contents. International media was not a popular source of information on the CBOs' Facebook pages, blogs and websites. The most common international news source was *The Guardian*.

6.5 Outlook on Media/Television Reform in Malaysia

While all interviewees thought that a reform in the Malaysian mainstream media was important, they somehow equated such movement with West or Peninsular Malaysia or more specifically, Kuala Lumpur the capital. Mark, Thomas, Jok Jau and Wong, argued that NGOs in West Malaysia were more familiar with lobbying for media reform. Therefore, getting support and assistance from the West can help the Sarawakian CBOs to do the same. Among the initiatives they heard of and joined were *Media Rakyat* [The People's Media], Aliran's Charter2000, and Centre for Independent Journalism (CIJ). The Asian political and financial crises in the late 1990s prompted critical questions of transparency in governance and journalism. The Malaysian government bailed out government-linked corporations (GLC) and mega lawsuits were filed against journalists who reported on government nepotism and cronyism (Rodan, 2004). Initiatives for media reform were advocated strongly by human rights and media activists, pushing for activist journalism and media freedom.

Philip opined that media reform could only happen when there is a change in government. Peter and Ramould hoped that the new government is more willing to listen to the people and not as arrogant as their predecessor. Television is supposed to empower and educate the people, not telling lies, emphasised Peter. According to YB See, the media should be allowed to self-regulate, like some models in the US and Europe. Government should liberate media from many regulations and laws. He recalled that media enjoyed a brief phase of freedom during the late Adenan's time as Sarawak Chief Minister, but went backwards after

a take over by Abang Jo in 2017. He now hoped that the new government would deliver their promises to have a more open media environment. Vincy added that changing the mind set of rural people is more important than changing government or media. Vincy recalled encountering several women from the rural longhouses who opined that “begging Taib to stop taking their lands” would be more effective from participating in land protests. Therefore, Vincy argued that empowering the indigenous people is important for grassroots advocacy.

Anil, who initiated Aliran’s Charter2000, recalled that it was first set up in 2000 following government crackdown on independent media. The initiative aimed to get people to endorse press freedom. While it was not Aliran’s priority to revive Charter2000, he thought that community radio is useful to reach out to rural communities. Besides that, widening digital access to them could enhance community empowerment.

Pang strongly believed that the whole system of political ownership of media has to be overhauled instead of reformed.

... unless ... you change the legislative or regulatory requirement, then in Sarawak, so you talk about the main, *Borneo Post*, it’s owned by loggers, you talk about *Sarawak Tribune*, the new *Sarawak Tribune*, the old *Sarawak Tribune*, it’s owned by PBB [Parti Pesaka Bumiputera Bersatu/United Bumiputera Heritage Party]. What else is there? The Chinese paper no need to say again, See Hua Daily, the same with *Borneo Post*. *Sin Chew* is logger’s, the International Times, politically connected. What else? What else is there? So, the opposition only one we know is Malaysiakini, owned by the pioneers and the staff. So, I think if you at it from that perspective, definitely there is a need to overhaul rather than reform. Overhaul the whole thing.

6.6 Summary of Findings

The new media discussed in this chapter were websites, blogs, email, and the social network platforms Facebook and WhatsApp. The interviewees generally opined that the new media had advantages in becoming a space not provided by mainstream media. The following section summarises findings that aimed

RO2) To explore the utilisation of new media platforms by NCR land CBOs in creating contents and literacy training to promote their causes.

New media offered better outreach potentials than old media such as newspapers, letters and fax. The latter were costly, slow, an easy target for authority surveillance and had limited capacity in terms of information and audience. Therefore, mass protests in the 1980s and early 1990s did not succeed much. Given the oppressive political, media and social environment then, new media technology was seen as a form of information democratisation.

Website and blogs could create awareness among non-indigenous public, key buyers of Sarawak logs and policymakers. They were also popular with the younger generation who were better equipped with digital access and literacy.

From the four websites and three blogs sampled, green and white were the most popular colours, followed by wooden brown. The colour combination was conservative as the samples were environmental sites. According to Chapman (2014), non-profit sites need to portray reliability, trust, and responsibility. The main purposes are to educate the public and to solicit donations or contributions. SAM website had the cleanest look with white background and green as titles. BaramKini blog exuded contemporary style, which also used white as the background. BRIMAS website was the only one using a combination of yellow and baby blue. Using a bright sunny colour with a baby blue background effectively creates contrast and attracts attention. However, the yellow parts were overwhelming to the extent of causing visual discomfort. News Archives and Community's Resolutions & Campaigns could have been put in Navigation bar to direct users and to distinguish them from the bulletin items.

Visual aids help capture attention. All samples used images – of nature, indigenous people, cultural products, events and logos. Only SAM and SCRIPS used multimedia in the form of moving images for the same purpose, to enhance the audiovisual impact of the website. JOAS embedded a video of a song about indigenous peoples' struggle to their blog.

There were several CBOs that perceived maintaining new media was an institutional burden. BPAC, SACCESS and IDEAL had no Web-based platform with limited resources being the main reason. For SCRIPS, their website had no other function than being an evidence to potential funder. SCRIPS had the same opinion with SACCESS where grassroots empowerment is the most important matter, not maintaining website. Although SACCESS believed that information is power and they used to contribute by editing materials for the now-defunct website, Rengah Sarawak, Pang thought there is no need to have another that carries the name of SACCESS.

SAVE Rivers has a youth group dedicated to compose contents for the blog on voluntary basis. JOAS is a network of about 100 NGOs and has a special media team headed by Albert. Part of the network, Ramould claimed that TAHABAS is more than happy with JOAS taking care of the information standardisation.

Most CBOs' websites and blogs suffered from the aspects of freshness and pages menu. BRIMAS website had not been updated since 2011 and the news links were inaccessible.

IPIMAS website had no dated items to allow the researcher to track its 'freshness'. It was also the most run down. Only the SAM website was most updated followed by SAVE Rivers blog. JOAS blog was also outdated in terms of design and freshness. It was last updated in 2012 and did not utilise sidebar. Posting articles in full, users had to scroll all the way down for the contents. Light olive-green added dullness to the blog. All samples used their own logo and slogan as the header. SAVE Rivers and JOAS cluttered their header with Organisational Background. Although other samples provided link select for the header, they led back to the same Home page, which was rather pointless.

SAVE Rivers' horizontal space could be utilised to prevent such issue and be user-friendly for a quick scan. Images coupled with Article title and simple captions arranged by symmetrical grid gives a neater outlook and a choice to users to click to Read More. Adding Search Site would help users navigating around the pages.

Navigation design indicates how a page assists user to navigate around for information they wish to seek. SAM website was the only sample that used all features of Navigation – Pages Menu, Sidebar and Footer. On the contrary, BRIMAS did not utilise any of them. After the publication bulletin items, the email contact and office address again can be made clearer as another segment of information instead of being placed in the same text box. This non-symmetrical 2-grid layout affected user experience in navigating about for information as efficiently as possible, besides the disproportionate spacing and imagery. For more effective downward information flow, BRIMAS could upload the Organisational Background and NCR as part of the website, name them in Pages Menu or Sidebar. As for now, they are in the form of downloadable documents, which may not suit the reading habit of contemporary users who want information more instantaneously.

The evidence of this research suggests that WhatsApp has now become a preferred platform to receive news. Any issue can be made viral within seconds through pictures, videos and simple captions, benefitting the masses even with low literacy level. For the CBOs, WhatsApp not only has an encryption feature, it also allows them to communicate in their own dialects. Yet, WhatsApp can turn into an overstatement of civil societal communication due to the nature of continuous threading of messages, which included non-substantial input from group chat members – this can be off-putting to users. Furthermore, the group administrator can include anyone in the group without prior permission. The convenience to set up WhatsApp groups that leads to an abundance of them without a clear direction may, ironically, reduce the impact and incisiveness of land issues advocacy.

Compared with websites or blogs, the CBOs were relatively more active in maintaining their Facebook pages. However, that varied by a CBO's resources and priorities. BRIMAS last updated their Facebook page in 2016. Within the 6 months of data collection, they only had 5 posts where 2 were motivated by the assassination of activist politician Bill Kayong. TAHABAS Facebook had the similar trend of motivating occasion. TAHABAS had 7 posts between March and September 2016 and last updated in 2016.

SAM displayed ability in creating primary contents like articles and media statements due to their well-established background. Although SAM Facebook page was the most active of all, the number of posts on Sarawak in general and on NCR land specifically is less than 10%. This is because SAM covers the entire Malaysia's environmental issues. Another reason was that the SAM office in Marudi did not have sufficient funds to run their own activities hence less raw materials to the headquarters in Penang. Furthermore, the coordinator, Mr Jok Jau Evong, said that they were not in charge of writing their own materials for their website and Facebook.

The type of item posted on Facebook indicated the lack of media strategy among CBOs. Primary sources consisted mostly of photo, a pattern attributed to their lack of resources such as research skills, finance and human capital. From the SAM Facebook posts, 100% of their primary posts (4) were in the form of photos. Items that required higher literacy to understand to and create such as articles were sourced from news portal and international NGOs. At the time of data collection, SAVE Rivers blog was the most updated compared to those of JOAS and BaramKini. The blog posts were inconsistent with the peak being in 2012, which was the year of SAVE Rivers establishment.

Only BRIMAS, SAM and SCRIPS mentioned Research & Development as part of their Organisational Background. Despite the lacklustre online activities, the semi-structured interviews found that several CBOs have extensive and ongoing media documentation and literacy training with indigenous communities. Michael from SCRIPS has regular trips to rural longhouses to conduct interviews and documented them as oral history to be presented to the government as a validation to their NCR land. SACCESS, at the time of interview, was providing assistance to decipher The Penan Custom released by the government. Pang mentioned that the Penans now know how to record any unlikely incidents and use them as evidence when lodging police report. SACCESS had tried to train the Penans writing basic facts but did not succeed due to their low literacy level. The JOAS media team headed by Albert did simple media training for rural youths in terms of basic photography and composing simple

captions. Similar with SACCESS, JOAS also taught basic citizen journalism to villagers – recording basic facts of critical issues. Thomas headed the Communities’ Information and Communication Centre (CICOM) to document the communities’ reports although not on an active basis. Mark from BRIMAS is a trained geologist, therefore he was capable to do community mapping. On the other hand, Wong (IDEAL) and Vincy (BaramKini) contributed articles to Taiwan-based website that targets Chinese-speaking audiences. Aliran conducted Young Writers’ Workshops to encourage the young to have critical views on current issues and turn them into articles. Ramould from TAHABAS argued that the communities should also be taught political and citizenry knowledge so that they do not rely solely on politicians.

The second section summarises findings that aimed

RO3) To establish NCR land CBOs’ perspectives toward Malaysian mainstream and alternative media organisations’ performance in representing their advocacy.

Almost all CBOs opined that it was difficult to get fair coverage or any coverage for that matter from the mainstream media during the height of NCR land advocacy in the 1980s. The reports were either subject to fact twisting, heavy editing, total blackout or no-show by reporters. JOAS, SACCESS and IDEAL believed that since the Sarawak main dailies, the *Borneo Post* and *See Hua Daily*, are owned by timber tycoon; there is no credibility in them. TAHABAS, SACCESS and BPAC despised the *Borneo Post* for being unethical for whitewashing the Penan rape cases and demonising the Opposition party. Certain events were covered only in the presence of some important public figures or when the government had won land court case. Malaysiakini was the most popular alternative media as mentioned by interviewees for their supportive approach to providing space for land-related articles. Malaysiakini not only took up their stories without much hesitation but offered them space to contribute articles. Once, Malaysiakini co-organised BaramKini’s exhibition. Mark and Peter were more open toward international media such as Al-Jazeera, Reuter and AFP where they took the journalists to visit sites affected by logging. IPIMAS and BPAC had not been approached by international media and they currently have no intention to establish contact with them. Pang from SACCESS opined that Malaysian alternative media were sufficient without bringing the indigenous people’s plights to foreign media’s attention.

Compared to the 1980s and 1990s, the interviewees felt that the Sarawak mainstream media are less restrictive in covering native land stories, especially Chinese-language newspapers. Peninsular-based media, according to SAVE Rivers, were not friendly in covering

their events in Kuala Lumpur. However, SACCESS thought that investigative journalism is still a long way to go in Malaysia while BaramKini urged the CBOs to operate like established media organisation. Only BRIMAS website had links to external news sources although they are inaccessible now. In the CBOs' Facebook posts, news about NCR land were popularly sourced from *The Star*, *Borneo Post*, *Malaysiakini* and *Free Malaysia Today*. Facebook has also enabled the CBOs to frequently share news and articles from foreign sources such as *The Guardian*, *Mongabay* and *Forest Watch*.

All CBOs had no confidence in national broadcaster, RTM, which have always been conservative to broadcast any matters regarding NCR land, be they television or radio channels. Peter, Mark, Philip and Susanna themselves had not watched any RTM television channels for "10, 20 years". BaramKini, SAVE Rivers, and BPAC shared their encounter with RTM where programmes related to NCR land and Sarawak's stateless people were abruptly removed with the director and producer being terminated. BRIMAS and IDEAL recalled appearing in a five-second footage of RTM interview without audio. Wong claimed that the footage might be intended to depict the land owners as 'protesters' instead of highlighting how their land rights were encroached. SAVE Rivers and SACCESS opined that RTM owes the Sarawak public their responsibility as national broadcaster. RTM is the only media that could reach rural longhouses. Yet, unfortunately its contents are brainwashing the residents, as lamented by Peter. Out of all the CBOs' Facebook posts, only once RTM was the source of news in the form of video. It was recorded on 10 August 2018 during the National Indigenous celebration organised by JOAS where a minister was delivering his guest speech.

Ramould from TAHABAS argued that private broadcasters like TV3, is only good at sensationalism. To hope for RTM to have national broadcaster integrity, according to SAVE Rivers, is a wishful thinking. Despite being in the new media age, they believed that media reform is significant and possible given the change of federal government after the 2018 general elections. The interviewees' opinions or expectations toward the Malaysian mainstream media were not reflected in their CBOs' websites, blogs and Facebook pages. Only SAM and BaramKini mentioned "media" in their organisational details but pertaining to having close media relations with practitioners. Through the interviews, media reform to the CBOs was in the form of liberation from media regulations, encourage the setup of community radio and to ban political ownership of media. Within the media environment where both government and private broadcasters were not very open to the NCR land issues, Radio Free

Sarawak was highly popular among the Sarawakians before closing down in 2016 due to fund insufficiency.

6.7 Conclusion

This chapter has discussed findings from both interviews and web-based analysis regarding new media, media literacy and media reform to achieve RO2 and RO3.

From the empirical data, this research summarises three main factors that determined the nature of CBOs' self-representation on websites, blogs and Facebook. The first was resources. SAVE Rivers, BaramKini and IPIMAS relied on volunteers to update their web-based platforms. The volunteers might or might not have specific web design or journalistic background. Therefore, posting events on Facebook was the easiest to produce. More established organisations, SAM and JOAS assign specific personnel to create media contents. The second factor is priority. Out of 11 CBOs, SACCESS, IDEAL and BPAC had no web-based platform. To them, it is a form of liability that needs constant maintenance. SACCESS voiced the most vehement opposition to 'self-promoting' on websites although they contributed articles and layout design to Rengah Sarawak and Hornbill Unleashed websites as "archives" because there were not many such websites back then. As much as they believed websites offered democratisation, they argued that the real "battleground" is within the communities, not media or CBOs. TAHABAS, IPIMAS and BRIMAS were sceptical with too much 'noise' on the online media. Furthermore, they thought it is farcical having to make a topic interesting enough to attract online response while the communities themselves, mostly elderly, had no digital access and literacy. SCRIPS created their website only for funding purpose and added that no matter how advanced the communication technology is, the communities prefer to go to their leaders instead of seeking help online. SACCESS and IPIMAS stressed that CBOs should know what to train the communities based on their capacity. Teaching basic skills like taking photos and remembering the details of police or logger intervention are more realistic to achieve. The last factor is establishment. TAHABAS had a slow-moving Facebook page because as part of JOAS, sharing the latter's online platform was deemed sufficient. SAM Marudi admitted that, due to lack of funding, they did not send much materials from Sarawak to head office for web updates. SAM website was the most updated, reflecting its capacity to maintain it as one of the oldest environmental-based organisations in Malaysia. Although all interviewees agreed that online platforms benefited information sharing, not many had specific and clear targets to reach out to. Vincy from Baramkini, claimed that most of the CBOs'

websites and Facebook had duplicate supporters, which to her, lacked diversity in mobilisation. She stressed that the CBOs should learn to run community media instead of treating media platform as a 'bulletin board'. As a former journalist, she said that mainstream or alternative media organisations have their own limitation on reporting native stories due to space and censorship restrictions. To her, CBOs should be the media to educate and inform the general public. She expressed her personal interest to run a community radio like Radio Free Sarawak but yet to be realised due to family obligations.

The three factors influencing the CBOs' online self-representation shed light on how they perceived the outlook on Malaysia's media systems. None of the CBOs' web-based platforms mentioned media-related rights as their advocacy. From the interviews, the CBOs tended to treat media systems discretely from their empowerment activities. Jok Jau argued that compared to hundreds of land cases backlogged in court, the nature of media coverage is insignificant. In fact, Peter and Vincy assumed that matters regarding media reform are associated with Peninsular Malaysia (particularly Kuala Lumpur) NGOs. Overall, the CBOs' perspectives toward the Malaysian media industries came from their experiences facing unfair and unfriendly NCR land coverage from the RTM and mainstream newspaper especially the *Borneo Post*. Reciprocally, they have no confidence in the mainstream media's integrity due to the ownership link with political parties and timber company. Nevertheless, they expressed hope that RTM and other mainstream media could reform for the betterment of the natives and their media integrity. SACCESS believed that the meaning of reform lies in the liberation from political ownership and regulation, which will encourage investigative journalism. Aliran argued that RTM as government influenced broadcaster should perform based on what people hope for from any government, which is transparency and a people-centric agenda.

In conclusion, new media platforms have yet to serve as a well-integrated means of communication for the CBOs. During the interviews, the CBOs showed the researcher their hard copy publications and ongoing efforts in documenting oral history. Their offline empowerment and media literacy activities were not displayed consistently through their online channels. Similarly, the CBOs harboured low expectations toward the educational and empowerment role that mainstream media could play.

Chapter 7: CBOs as the ‘Modern Prince’ and their Masses

7.1 Introduction

In the Gramscian sense, organic intellectuals who lead the CBOs, ought to educate the indigenous people to resist their marginalisation through creating own hegemony in civil society. Chapter 6 has discussed the extent to which the CBOs utilised new media platforms to generate their own contents and their thoughts on the significance of maintaining their web-based platforms. This chapter displays the CBOs’ empowerment activities and their outlook on the future of NCR land advocacy in terms of funding, new leadership and policy influence. The purpose is beyond finding out whether or not the CBOs use the new media for the above; it seeks the relation between online activities and offline strategies to meet RO4:

To determine the extent to which the NCR land CBOs’ organisational processes improved using the new media.

Chapter 6, 7 and 8 are parts that make up Gramsci’s integral relationship between the state and civil society. For the purpose of clarity, Chapter 6 is on the CBOs’ media literacy skills; Chapter 7 is about the ‘internal’ organising activities and issues while the next chapter discusses the CBOs’ ‘external’ relations that influenced their operations. For Gramsci, they can be viewed in separate ways but organically they are one and the same that contribute to the legitimisation of the ruling classes and subalterns. This will be discussed further in Chapter 9.

7.2 Organisational Structure

7.2.1 Formal Registration

Out of 11 CBOs, 9 were registered as enterprises under the Registrar of Business (ROB). Due to the political nature of land issues, it is a tactic to avoid gatekeeping from the Registrar of Societies (ROS). From their web-based platforms, 4 CBOs summarised their direction and structure by highlighting that they are financially and politically independent. BRIMAS introduced themselves as “the foremost indigenous non-profit organisation working at the grassroots level in Sarawak”, an orientation similarly adopted by SAM. SCRIPS, JOAS and IPIMAS identified themselves as community-based organisations. SCRIPS website also stated they were officially registered in 2012.

One of the popular reasons for registration is to solicit funds and makes it more credible to have a bank account. For Peter, being registered is a reflection of how organised a CBO is. Registration helps to define the objectives, visions and missions of an organisation. He cited Sarawak for Sarawakians (S4S) as a very suspicious entity because they have their own agenda.

SCRIPS was the only CBO registered under the ROS. According to Michael, they obtained the approval within the same day of application. Michael himself was surprised because with the name Society for Rights of Indigenous People of Sarawak, it would not sound friendly to ROS. He was asked by some friends if he bribed the ROS officer.

Only BPAC is not registered. According to Philip, BPAC was set up in 2008 and started from “gathering a few people of the same opinion and struggle”. BPAC only wanted to play “a supporting role to campaign against the Baram dam”. With the new government, Philip would consider registering BPAC. He used to worry about the application getting rejected because of the name “Baram Protection Action Committee”.

JOAS was registered the second time, with the ROB. The first time was disapproved by ROS because of the name Network. Similarly, IDEAL was the second organisation led by Wong and registered as business entity. The first, IPK, was de-registered by ROS. ROS claimed that IPK, as a Sibuan-based organisation, should not organise any seminar in Kuala Lumpur. According to Wong, too much energy was lost to fight the deregistration, so they counter-strategised to register IDEAL: “They use a technical reason to de-register us, we use a technical reason to continue.”

7.2.2 Organisation Hierarchy, Direction and Leadership

BRIMAS board consisted of Director, Executive Director and Secretary, who usually are with groundwork experiences. The board only advises on which programmes to undertake but it is the executive director who makes the final decision. BRIMAS has no members since it is business entity. Since 1998, Mark recalled that a lot of land issues were taken up by the elderly, either retired or old folks from village. They were the first to join BRIMAS as they directly “faced the bulldozer back home”.

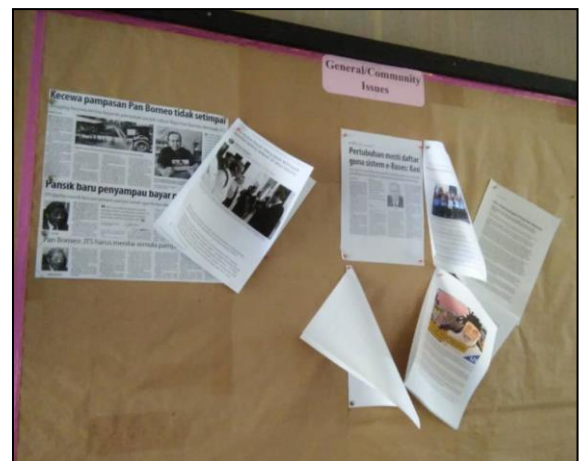
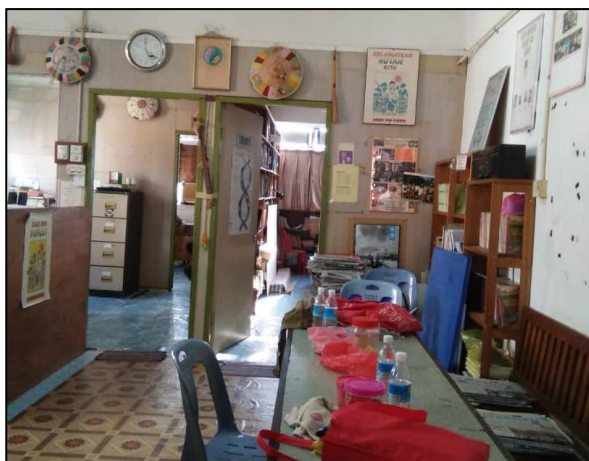
SAVE Rivers has 3 directors and project coordinators. Their volunteers are skilled at writing standard operating procedures (SOPs), publicity materials and newsletters. Most of them are retirees like Peter, with some from the government sector. SAVE Rivers has an active youth group that helped a lot in roadshows, workshops and projects. For Peter, SOPs are crucial to sustain the organisation regardless of staff turnover:

... More systematic *lah*, we are trying to work on that because that is one of the reasons why a lot of NGOs died on natural death, yeah [laughed]. They don't have proper procedure and all, everybody doing their own thing. So that's what we are trying to do.



Organisation Chart of JOAS Sarawak

There are two full-time staff in JOAS Sarawak – Albert and Lina, besides several interns. Albert is part of the media team that requires travelling to other regions – Peninsular Malaysia and Sabah. The national coordination of JOAS committee elects three positions by region – the President, Secretary-General and Treasurer. Regional committee members communicate mainly through WhatsApp. Thomas is a volunteer but he was elected to hold the principle of office work. He divides his time between JOAS and a paying job. Thomas said that sometimes the staff members are sent to in-house leadership workshop, regional or international. They are trained on human right advocacy and diplomacy matters.



SAM Marudi Office

For SAM Marudi, every year they have a meeting with the head office to discuss annual programmes. SAM Marudi has five full-time staff – research officer, assistant clerk, community officer, community mapping technician and coordinator. SAM headquarter in Penang provides

training to all staff. The coordinator also collaborates with residents' associations. Certain communities have already accepted plantation companies to their areas, which Jok Jau believed is breaking up the people. Hence, it really depends on how strong a residents' association is. Residents' associations can be defined as voluntary associations that pursue common interests on behalf of residents by their residential territories. For example, Uma Bawang Residents' Association (UBRA) represented the remote Kayan community at Uma Bawang, located in the tropical rainforests of northern Sarawak (Equator Initiative, 2012).

IPIMAS has two full-time staff members, including the founder. For IDEAL, at first there were three to four full-timers. After a series of intimidation, they left because of the controversial Bakun dam issue. Wong lamented that he did not get his staff good training at the time. He himself learned along the way how to organise community except for law matters where he would consult lawyers.

Several CBOs choose not to have full-time staff to minimise expenses. SCRIPS consists of the founder and a staff member who does mapping. Although SCRIPS has many programmes as stated in their website, they relied on volunteers and public-interest lawyers. Since Michael is a former priest, he has a wide network of friends paying for his lodging whenever he travels. Michael said that their organisation is "just like a family, nobody competes for position". Michael regularly goes for training in West Malaysia and some were conducted by the European Union (EU). SCRIPS is the only CBO that displays their organisation chart on their website.

Figure 48 Screenshot of SCRIPS' Organisation Chart from their website



BaramKini and SACCESS have no full-time staff because they are self-funded. BaramKini observed that most in villages now are 50 years old and above, minding their grandchildren. BaramKini admitted they did not have the time to reach out to town-residing natives as potential leaders. Vincy added that it is a weakness where in Sarawak, “you can get different NGOs but the same person in charge.”

SACCESS, according to YB See and Pang, is a “loose organisation”. They have a small office with lawyers and a research team. YB See pointed out that the Internet and social media has opened up the platform for volunteerism from professional groups like doctors and nurses to serve in rural areas. SACCESS does not intentionally recruit but wishes to keep the system open where “anybody can come and do something”. For Pang, another reason is that “the battleground is alive in the rural area, not in the town area, not in the public sphere, not in the media.” So, they would rather build the capacity among those facing the NCR issues. After conducting empowerment activities at longhouses, BPAC experienced an increase of volunteers, be they professional or villagers.

Pang gave a very strong distinction between CSO as a vehicle and as an institution. SACCESS’ belief is to empower the community first and foremost. An institution inevitably needs to promote itself, involving maintenance, funding and employment. For any research interview, Pang felt that communities as the primary source is more important than the CBO. From the 1990s to 2000s, SACCESS was approached by various indigenous ethnic groups because there were not many land rights CBOs. Now that YB See does not take up land cases anymore, the communities go to other lawyers, who also conduct paralegal training. SACCESS does not do any capacity building because Pang believed experience has to be gained from learning on the go.

TAHABAS added an interesting point that gender equality is important in NCR advocacy. Ramould noticed how only men attended meetings at any longhouse. Women, to him, have equal right to ancestral land where they should learn how to empower themselves and not only be confined to kitchen. As for youth, TAHABAS still needs to find ways to attract them as volunteers.

7.2.3 Empowerment, Education and Youth

A community-based organisation’s core mission is to empower (Ariel, 2010). Consistently, the most popular theme in the CBOs’ organisational background is empowerment. The CBOs displayed their empowerment activities in their Organisational Background. Their target

includes the indigenous communities and the public at large. This theme also generates the highest number of sub-themes. The most popular sub-theme is indigenous rights concerning customary land and citizenry:

- Support – action alert; address situations, legal assistance; community mapping
- Indigenous rights – dignity, Residents’ Associations, customary land rights; fundamental constitutional rights, individual participation, freedom of religion; freedom of information; empowerment governance, capacity building, democracy; social justice
- Cultural preservation – practice; tradition; identity; visiting from cities to rural areas
- Sustainability – resource management; harmony with nature; environmental reservation (forest, river); children’s future; economic prosperity; environmental justice
- Awareness – campaigns, workshops, seminars

The Downward Information Flow of the CBOs’ web-based platforms indicates the types of content they wish to communicate from the organisation to the public. Following Organisational Background, the most common piece of information is the organisation’s values or ideology and media releases. Only BRIMAS attached an educational document about NCR land. The IPIMAS site is the most run down and it only stated Organisational Background in a brief sentence.

The demography of people SACCESS wants to empower, according to YB See, is very hard to generalise. The communities are dependent on the elderly. Philip had the same opinion where he felt sad to see the elderly lose their land, migrate to town and worked as garbage collector or sweeper. Because of their low education level and lack of modern job skills, they could not secure better employment. Those in town, who are more educated, hardly return to their village. YB See and Philip argued that a lot of educated indigenous themselves are “part of the oppressive system”.

And you have the cream of the communities sitting in the government. And they are the persons who are actually coming up with all these policies that are oppressing their own people. [YB See]

I believe this education awareness is like a double-edged sword. Some who are educated and the professionals, they don’t see their role, they might be like you said, content with life, you know, “why should I care?” While some would say education is the only way to liberate yourself from any kind of oppression. [Philip]

YB See, a leader of an Opposition party, had not faced much resistance from the villagers. SUCCESS does not mind to be the last resort. As far as Sarawak is concerned, there are too many land cases even for the ruling party representatives to handle.

To Ramould, what keeps TAHABAS going is the fighting spirit. Although they faced challenges in the form of law enforcement, lackadaisical attitude among the young and community politics, TAHABAS does not give up because they know their right to their ancestral land. Michael, the current coordinator for SCRIPS was once the President of TAHABAS. He used to bring lawyers to villages to educate them on their political, constitutional and land rights.

To all CBOs, community initiative is most important. Lawai stressed that if the locals themselves do not fight, there is nothing much BaramKini can do. Depending on cases, TAHABAS would go to a village by invitation because they fear resistance at best or physical assault at worst. Ramould expressed his disappointment that after some villagers won their land cases, they refused to empower others. They also ignored TAHABAS' invitation for further training.

SAM Marudi's strategy is to unite communities through residents' association (RA). To date, they have helped to register 10 RAs with the ROS. Jok Jau added that the older generation knew they had to fight. But due to illiteracy and lack of organising skills, they become frustrated and subsequently surrendered the land. Jok Jau established the Uma Bawang Residents' Association (UBRA) after a major political crackdown in 1987 called *Operasi Lalang* (Weed Operation). More than 100 individuals (activists, journalists, politicians, academics) were detained under the Internal Security Act (ISA) (see Means, 1991). Harrison Ngau, one of the founders of SAM Sarawak, was put under house arrest for almost two years and detained for 60 days under the ISA (The Goldman Environmental Prize, 2020). According to Jok Jau, RAs create a sense of belonging among the villagers and make them less afraid to fight. It also ensures the continuity of empowerment and conservation efforts after SAM Marudi trained the RAs. At the national level, SAM website is the only platform that has a Membership function, which represents Upward Information Flow. In fact, SAM website also had the most comprehensive features of Interactive Information Flow – Volunteer, Site Search, Email contact, and Join e-mail list. Interactive Information Flows (Asynchronous) allow users and site administrator to communicate. On the other hand, SAVE Rivers and JOAS blogs offered none of those.

Facebook allows better interaction flow where visitors can give a variety of reactions to what they encounter – Share, Like, Love, Amused, Surprised, Sad, View and Comment.

However, Mark stressed that it depends very much on the issue; if it is popular, “suddenly there’s a spike in the Likes.” After that, the interest would fade. Their most popular post with 9 Likes and 10 Shares was about a small indigenous minority group who sued the Sarawak state government and timber firms. They filed a claim of encroachment of their NCR land in Belaga district, Kapit.

Regarding conservation and sustainability, IPIMAS strongly encourages the villagers to take care of their surroundings. They need to be taught not to dump rubbish into rivers, how to catch fish responsibly and build watersheds. Better transportation modes to town has enabled villagers to buy groceries in bulk, packaged in plastic. With no awareness on how to deal with garbage disposal, they dumped it into the river, polluting it in addition to logging waste. For IPIMAS, it is important to be practical and impart environmental awareness according to age group and educational capacity.

According to Vincy, BaramKini was established to challenge the Baram dam and currently has no long-term plan. From 2013 to 2016, BaramKini conducted many Stop Baram Dam campaigns. After Adenan ordered the work to halt, BaramKini did a voters awareness campaign to prepare for the 2016 state election. Lawai commented that the indigenous people are fast learners and pick up Malaysia’s national language easily. BaramKini did not advocate for any political orientation but emphasised the right to choose. Their next plan is to build a mini hydro in Long San. BaramKini blog provided three functions to allow Interactive Information Flows – Site Search, Email contact and Email feedback. Both BaramKini blog and SAM website invited their visitors to Like their Facebook pages and view their Tweets.

Philip worked along with the late Raymond Abin, founder of Sarawak Conservation Alliance for Natural Environment (SCANE), to alert the villagers the effects of mega dams. Philip expressed his regret that BPAC could not stop the Murum and Baram dams due to the villagers’ difficulty in understanding the issues at hand. To make matters worse, the compensation that the Murum villagers demanded for was not met by the government.

Ramould stressed that being literate on land laws is crucial to understand how land survey works, the meaning of provisional leases (PL) and compensation details. The unity of residents and leaders is a big factor in determining the success of CBO empowerment activities. While some were lured by promises, those with better awareness resisted the overtures of the would-be purchasers. Wong recalled he could not hold the Long Gan communities together due to differences in them. One leader had a sit-in protest by himself against Bakun Dam. After a few months, with no support from other villagers, he eventually

gave in. Those who moved, did not end up at government resettlement area either because there was no clinic and school provided.

Sarawak indigenous people obey their leaders since time immemorial. Community leaders are now appointed by state government instead of through inheritance. The instigation of political differences is a new mechanism to break up the communities, as admitted by Philip, Susanna, Ramould and Vincy. Longhouse villagers are usually divided between BN (government) and Opposition, as happened in Vincy's village. To Philip, media literacy is important to counter politically interested influence or ignorance among villagers.

That's why we need to educate [those in the longhouse against mainstream media content]. We, when we do these roadshows, we bring our projector ... we did PowerPoints, we did films, documentaries. So, it is very good and I think very effective.

All this presentation was done using a generator set. Philip said it was an irony that the villagers did not have electric supply despite being affected by mega dams.

Albert and Christina, both in their 20s, believed that young people should get involved in fighting for land rights because they will be taking over from the older generation. Christina hoped to take up more leadership roles in SAM as her contribution for the nature. Albert said a number of youths from JOAS participated in the Baram protests. They helped to conduct paralegal training in the form of sketch illustration for the elderly to understand better. Due to similar age group, Albert managed to persuade youths in his village join JOAS. He raised some funds to buy a camera and teach them how to use it as part of media training. Albert really likes his job because he gets to visit the *Orang Asli* village and "widen his horizon".

Besides JOAS, SAVE Rivers has an active youth group reaching out to the community on river awareness. As Peter described:

They have their own programmes as well, like programme for the river, they go to the beach there, cleaning the beach, and then they go out to the resettlement area like *Sungai Asap*, *Mentalur*, and visit the people there and talk to the people, asking how they are going on, so they are damn good.

Based on their Facebook page reactions, the most popular post was a photo on the 21st International Day of Action for Rivers, which gained 2,300 Likes.

Susanna from IPIMAS opined that youths are responsible for keeping their ancestral land intact. They need to keep themselves updated in any conservation programme. Otherwise, it will be too late for them to realise their land is gone after they completed university. She also expressed her fear that urban social ills like smoking and taking drugs have started to affect

the interior youths. Therefore, she always reminds parents to ensure their children to at least complete secondary years education. It is very heart breaking for her to see villagers losing their land to companies due to illiteracy. Education is empowerment, which is one of IPIMAS' targets. IPIMAS has no plan yet to set up their own Facebook page.

To attract youth attention, Anil proposed CBOs to start from "simple tools at their disposal":

...use a combination of them all, these tools, get different people, one person to do Facebook. In a group, one person can do Facebook, one person can do photographs, one person could share the Whataspp, one person can be trained to start a simple website. Hmmm, if they have access to IT. Otherwise, camera phone and maybe WhatsApp can also go a long way, you know. Coz with WhatsApp, you can set up ar, your own list, build up your contacts as that way, you know.

Ramould pointed out that youths displayed inconsistent interest in TAHABAS' programmes. Ramould felt frustrated having to persuade and guide them throughout the organising process. Besides the attraction of leisure and luxury living in town, he observed that youths are more concerned with pay when asked to work at family palm oil plantation. He concluded that family pressure to graduate and get a comfortably paying job is common among youths.

Lawai looked at this issue from a more structural angle. He claimed that the Federal government has not allocated enough funds to Sabah and Sarawak, which is inequivalent to the resources contributed. Secondly, the state government has failed to take care of people's welfare by providing provisional leases (PL) to close associates in palm oil and logging companies. This is a bread-and-butter issue where Vincy argued with no land and no employment, the villagers cannot buy essential items or send their children to school. There is also lack of entrepreneurial skills to expand fishing and farming to be more than self-sustained activities. She lamented that while the state government shirked this responsibility, not many NGOs including BaramKini, have such capacity. In her knowledge, only one representative from PKR, Roland Engah conducted entrepreneurial workshops for rural farmers.

Another interviewee, Philip noted that school infrastructure in the interior is in a poor state. To him, the squatter houses the teachers are staying are dilapidated and it would affect their morale to teach. He also knew that the dropout rate in Baram is high and indigenous people make up most of these statistics. He suggested parents and teachers should enter dialogue to ameliorate this situation.

Several CBOs linked up with universities and schools for networking and resource sharing. BRIMAS used to get invitations from Curtin University Malaysia, Universiti Malaysia Sarawak (UNIMAS) and Universiti Malaya (UM) to spread land awareness among their students. They had no such opportunity with schools because of the sensitivity of the issue. IPIMAS organised camping, jungle trekking and tree-planting with school students as environment educational programmes. Although IPIMAS has not gone to the university level for that purpose, Susanna took in university interns to design and distribute publicity materials during major events like the World Rainforest Festival.

SCRIPS currently has three to four interns. Michael hoped that they will continue to contribute in any way possible to SCRIPS. SCRIPS provides a paid service in return for contacting villagers for academic interviews. He recalled several post-graduate students interviewed these people but no subsequent application to improve the indigenous people's situation.

SAVE Rivers have a more productive experience with postgraduate research. SAVE Rivers worked with an expert from the University of Berkeley in California, Professor Dan Kammen, who capitalised on his student's PhD thesis to conduct a comprehensive study of alternatives to dams, which later was presented to the state government.

The University of Nottingham Malaysia, through their outreach programme, collaborated with SACCESS and sponsors two Penan students for tertiary education. They were selected because they were the only Form Five school leavers, which is the minimum requirement. They made an unofficial pledge to the community that they will study hard and return to serve the communities.

Nottingham waived the fees, give them free accommodation, then we got a foundation to give them monthly stipend. So, the intention is basically, you know, the capacity, to be exposed. So when they have holidays, we send them to PKR YBs, service centre, they go and work with the community, how do they serve the community and so on and so forth. [Pang]

Initially, the University of Nottingham Malaysia was involved in a rural water piping project. One of the communities' piping was destroyed by loggers. The Nottingham representatives were taken by SACCESS to meet government district officers and loggers to ask for new pipe. The loggers agreed upon exchanging for the community area's logs but the villagers persisted to defend their area. The loggers then dumped oil, chemicals and rubbish from upstream where the timber camp was based. From this incident, the University wanted to conduct an outreach programme through education. Pang explained SACCESS agreed to

collaborate with them because “unlike [others], Nottingham does not try to curry favour with the government”. It is a pilot project where the students were sent to Kuching to complete a Foundation course, then contribute to Penan pre-schools upon graduation. SACCESS pays attention to pre-school because there is none in the Penan areas. YB See and Pang stressed that while the government wants the Penans to leave their forest lifestyle, there is also lack of understanding of their different ability to adapt to schooling. Due to their nomadic background, they could not concentrate in classroom.

Education was this process of lifting their capacity. So, what is happening is that many of the Penan kids, they even dropped out of primary school. Some very basic reason but it's more a reflection more in questioning our education system then. In a sense that our education system, we must all fit in. You don't allow for diversity and so on. [Pang]

Vincy added that some parents asked their children to skip classes because they needed help to collect fruits and other harvest. This subsequently contributed to high school drop out among them.

7.3 Policy Influence Ability

Lobbying is the least popular theme in the CBOs' organisational background – featured only by SAM and SAVE Rivers. SAM described that they have a dedicated team in research to “lobby law and policy makers both at national and international levels”. On the other hand, SAVE Rivers aimed to “mobilise the public at large to speak up against the plans of the Sarawak State Government” to build destructive dams.

To YB See, the late Adenan was really supportive in reviewing NCR cases by setting up a special committee. He designated an Iban deputy to look into land issues. Although YB See was able to approach the Chief Minister through his position as a PKR assemblyman, he only viewed “political party as a vehicle”. To him, political parties may seize to exist, but land issues remain. Therefore, it is very important for the community to empower themselves.

SCRIPS regularly meets up with YBs, politicians and lawyers to push for policy change in NCR. Documentation of oral history is crucial to be presented to land survey department as evidence of NCR legitimacy. BPAC admitted that their effort had not resulted in policy change. They submitted memorandum and petition through a Member of Parliament, Baru Bian but was rejected in the State Assembly.

IDEAL was keen in influencing policy. They aimed to influence timber buyers and equipment suppliers to be more environmentally and socially conscious. They “did not go very

far” because of Wong’s deteriorating health. TAHABAS’ policy influence initiatives included getting manifesto endorsed by state election candidates. However, Ramould revealed that none from the BN parties agreed to sign, only those from the Opposition did. JOAS worked closely with BERSIH to influence any resource distribution policy that is unfair toward the indigenous people. Many are deprived from basic amenities such as access road and school. Thomas disclosed that some schools were promised to be built upon conversion to Islam.

7.4 Funding Sources and Strategies

Only SAM website and BaramKini blog called for Donation, which is categorised as Upward Information Flows.

BRIMAS and JOAS used to get funding from foreign agencies like Rainforest Norway. They stopped giving because they assumed Malaysia is now a developed country. The funding priority has shifted to other developing countries such as Indonesia, Laos, Cambodia, Africa and several Latin American countries. To Mark and Thomas, it is a huge disparity to include Sarawak as the big picture of Malaysia’s economic state.

As far as government funding is concerned, NGOs that promoted government policy are heavily favoured, said Mark. They are called the GONGOs, Government Organised NGOs like *Angkatan Zaman Mansang* [Movement for Progress, AZAM]. JOAS applied funding from the International Tropical Timber Organisation (ITTO) through the Forestry Department. Thomas felt that the handling of the fund is not very transparent. Jok Jau explained that funding for resident associations (RAs) is allocated through the ROS. They need to submit a proper report to the ROS detailing their activities before getting the fund.

Mark explained that now most CBOs get funding by projects, not for supporting overhead expenses. Support in cash or miscellaneous from personal contacts is another platform. A friend of Michael’s donated a piece of land to SCRIPS to build a training centre. For Lawai to conduct mini sharing sessions in Kuala Lumpur, a café owner sponsored the venue. Assemblywoman Elizabeth Wong helped BaramKini to get free space from a shopping mall provided to organise an exhibition. Philip relied on some good Samaritans to fund BPAC to send people for training.

In the early 1980s, Wong used Society of Christian Service (SCS) to raise funds via choir group where his wife was the conductor. They did not face much resistance as IPK ran socio-economic programmes. Wong also solicited funds from his contacts under his capacity as a

trained regional pastor. The World Council Church lent him support by connecting him with funding agencies in Europe such as Bradford.

On the other hand, YB See and Pang perceived donation and fund application as “a form of dependency”. SACCESS has been self-funding and they are fortunate enough to have a landlord who never raised their office rent for the past 20 years. Pang stressed that since SACCESS needs not constantly look for fund, they can focus on the people’s priorities.

When asked if new media provide a resourceful platform to solicit funds, several CBOs answered that crowdsourcing has the potential although they themselves have not explored it. Peter is doubtful because people in Sarawak are “suspicious” if crowdsourcing is a scam. Although Michael attended a workshop on social media management for NGOs, he has yet to practise it.

Facebook is quite effective to get funding as SAVE Rivers once received a donation of as much as RM5000. JOAS managed to get a huge sum of donation for a flood disaster in Kelantan. BaramKini used their blog to raise funds for their voters education programme in 2014 and collected up to RM100,000. Mark emailed his friends for donation purposes. Mark believed that as long as it is an unconditional relationship, funding from politicians is not an issue. JOAS used press release to solicit funds for their annual indigenous celebration.

7.4 Summary of Findings

This chapter has outlined the findings to discuss the extent to which new media contribute to the CBOs’ internal operations.

RO4) To determine the extent to which the NCR land CBOs’ organisational processes improved using the new media.

The CBOs were either registered as business entity or non-profit organisation. Peter from SAVE Rivers particularly disliked unregistered organisation because it indicates inconsistency and non-systematic leadership. Some CBOs resented certain individuals who are active in demonstrations, but less involved with the day-to-day operations.

The CBOs currently faced difficulty in attracting and retaining the younger generation. The researcher observed that those operating the CBOs in the 1980s and 1990s remained the same and they are involved with more than one organisation. Some are now inactive due to financial and health constraints. Indigenous people’s migration to town either creates more awareness due to Internet access or ignorance because of the detachment from their origins. Some CBO personnel felt used after being interviewed by post-graduate students because

there is no follow-up for the betterment of the Sarawak natives. The CBOs need talents and conscientiousness from the young because education and empowerment of the affected natives come hand in hand. From the structural angle, the consciousness of the public at large is very much shaped by mainstream education system that is less on critical pedagogy. From the CBOs' Facebook posts, none was about recruitment. SAVE Rivers only posted once on their blog announcing vacancy in their organisation while SAM website had a Volunteer function.

SACCESS is working with the Nottingham University of Malaysia to send 2 Penan school leavers for their Foundation studies in town with the hope that they could contribute to their communities' pre-school education. IPIMAS targets school students to teach them about conservation through outdoor activities. IPIMAS emphasised that education is empowerment. SAVE Rivers, on the other hand, utilised a postgraduate thesis to propose dam alternatives to the state government.

When communication technology has become too convenient, other issues arise. Facebook Shares, Likes and Tags are insignificant for some CBO personnel. While they are very easy to use, they hardly have any impact on policymaking, legislation or CBO manpower resources. Mark and Ramould revealed that the Facebook Likes depended very much on the sensational level of an issue, which is not sustainable for empowerment. Susanna argued that anyone can like a post whether or not he or she understands the issue or is truly literate on conservation efforts. While JOAS, SAM and SAVE Rivers were relatively active with Facebook posting, the items were overwhelmingly event-based and in the form of photos. Those with the highest number of responses were in the form of photos and videos.

The most common information displayed top-down from the web-based platforms was Organisational Background, with 'empowerment' as the main theme. SAM's organisational details were the most comprehensive, covering all 6 themes – independence, empowerment, alliances, lobbying, R&D and media. From TAHABAS Facebook page, their only web-based platform, they aimed to empower the indigenous people of their "legal, social and human rights". Overall, the CBOs' web-based platforms lacked bottom-up communication flow that would allow site visitors to send enquiries or to make commitment such as volunteering or donation.

Lobbying is the least practised activity by the CBOs as indicated from their web-based platforms. This could be attributed to the limited resources in higher capacity to influence policymakers. Only SAM and SAVE Rivers are involved in lobbying, from their organisational details.

Utilising web-based platforms to solicit funding is unpopular among the CBOs. Only SAM and BaramKini called for Donation. None of the CBOs posted online petition or actions to join their campaign. The CBO personnel were convinced it is more convenient and effective to get donation from their personal contacts. Albert from JOAS claimed that crowdsourcing from Facebook is effective in times of natural disaster. International funding bodies have shifted their attention to less developed countries like Indonesia and Myanmar, assuming that Malaysia is now a developed country.

7.5 Conclusion

Similar with the findings in Chapter 6, new media technologies had no major contribution in the CBOs' offline organisational processes. This research thinks that with or without the use of new media by NGOs in Malaysia, the CBOs lacked clear, wider strategy for the sustenance of their advocacy. BaramKini and BPAC admitted they are more like "one-man show" and have no further activities after the Baram dam construction was halted. IDEAL and BRIMAS are no longer active due to personal reasons. CBOs that are still operating expressed the difficulty in getting younger people to be interested in their activities. One advantage that is clear, being CBOs, the organisational hierarchy serves only as a formal structure for the purpose of registration. In practice, the CBOs are hands on with empowering the communities. Nevertheless, the interviewees have split views in terms of getting registered. Peter stressed that registration gives a CBO a sense of direction while Pang said it is an institutional burden.

The interviews further showed that the CBOs were not too keen in utilising new media to recruit the younger generation, to raise funds and to influence policy. Their priority is empowerment of the grassroots, which they think need not involve new media publicity. To them, recruitment is a structural matter that involves migration, employment, education and conscientious toward native plights. They admitted that the CBOs in Sarawak are weak without strong coalition and leadership. The overall sentiment toward what the future holds for the CBOs is reflected in their web-based platforms – they either lack vitality in communicating their purpose to the users or dependent on circumstances such as events and conflicts to gain responses.

Chapter 8: The State and Other Trenches of Civil Society

8.1 Introduction

This chapter explores the ‘external’ factors that influence the CBOs’ organising activities, namely government, donors, regulatory bodies, churches and police. As discussed in Chapter 2, civil society is an arena of actors and processes that involves not only an ‘antagonistic’ state but actors that have educative roles in managing consent. This chapter aims to discuss how the CBOs managed their relations with other civil society actors and to what extent new media have a part in it.

RO5) To investigate if the new media enhanced the NCR land CBOs’ networking strategies.

8.2 Government

Thomas and Philip expressed their disappointment toward the state government under Chief Minister Taib’s administration, which they thought was a betrayal to the people by giving away provisional leases (PLs) to companies without their consent. Jok Jau argued that the state government was very defensive to land CBOs and labelled them as anti-government or Opposition Parties’ allies. The CBOs took the communities’ land plights to the Forest Department but to no avail.

In YB See’s opinion, the land conflicts originated from the contentious overlapping between politics and economy, or rather private wealth accumulation in Malaysia:

The government legislate, the government formulate agencies, and all these, they actually taking away the rights of the people, give it to the company. You talk about any land agencies, there’s no way that anyone of them actually lived up to their principles or their mission set up to be, but to serve the interests of these people who have political connection in the ruling party. I mean that’s the BN model, all the while. So, it’s natural for them to label those NGOs who are trying to help the people who are fighting all these policies to label them as opposition. Even though they are not! They are not members of the opposition, but they will still get the labelling.

Peter would agree to this most as SAVE Rivers was more than happy to work with the government, provided that they “[d]on’t destroy the forest, don’t grab people’s land, make a proper study of what’s *pulau galau* [reserved virgin forests] and *pemakai menoa* [territorial domain].” Peter said that SAVE Rivers worked with the Adenan government by taking the officers to remaining forests areas and showed them extensive studies of forest sustainability. The government agreed to SAVE Rivers’ approach and sponsored them workshops and roadshows to educate the villagers.

Ramould and Thomas thought that the government should be doing more than just ratifying the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Thomas complained that even for national celebration, there is no funding for them. In certain ways, after the peak of land disputes in the 1980s, Thomas felt that the federal government slowly opened up. He said that at least now ministers included them in consultations, like the Conservation of Biological Diversity (CBD), which so far, he had not seen such initiative from the state government.

Mantan Pahang was a former *Temenggong* (Head of Division) from 1994 to 2014. He was sacked after he grew critical of the government's land administration. The government abolished the power of *Penghulu* (Village Head) and *Ketua Kampung* (Community Chief) to have a say over *Adat* (Custom) (SACCESS, 2008). These positions are government elect, not through *Adat*. Mantan Pahang claimed that his land with ancestral graves now belonged to the government because he could not produce a grant. To him, going to the Native Court is a dead end because the court would in turn penalise him for encroaching state land.

When asked about changes in the state administration, most interviewees identified 'state' with the position 'Chief Minister'. They opined that the late Adenan Satem was far more lenient than Taib and Abang Jo. Peter said that the transition from Taib to Adenan was like "a 180-degree change", citing an example where Adenan was willing to meet the Penans even during his overseas work trip. Within his first three months, Adenan promised to look into native land issues. He also ordered to stop the Baram dam project and put in effort to study micro hydro as an alternative. Adenan was confident enough to allow YB See to write a column in the government-linked newspaper *Borneo Post*. When Abang Jo took over, the space was closed again. Mantan Pahang said that Abang Jo is only loud in talk but no concrete action. For Wong, however, there had not been many changes in terms of policy regardless of Adenan's or Abang Jo's administration.

8.2.1 Challenges from the State

The most common state mechanism used to impede CBO advocacy was passport confiscation, as experienced by Mark, Thomas, Jok Jau, Wong and the late Raymond Abin (coordinator of Sarawak Conservation Alliance for Natural Environment, SCANE). Thomas' passport was taken away for 13 years from 1992 to 2005. He still managed to attend Japan's ITTO meeting in 1991 before the confiscation while Jok Jau did not get to fly to Rio de Janeiro

for the Earth Summit in 1994. After 8 years of court case and appeal, Jok Jau finally got his passport back in 2002.

Mark, Peter, Jok Jau, Wong and Ramould had a first-hand encounter with police intervention during their advocacy. At the height of logging, palm oil and blockade issues, Mark said they were intimidated by plain clothes police called the Special Branch (SB). The SB monitored BRIMAS from everywhere – car, shop and café. They purposely delayed Mark's flights by interrogating him. Wong added that because of the SB's intimidation, his IPK staff quit and subsequently he decided to dissociate IPK from the church. Ramould's experience was more challenging as he was arrested over alleged gun possession. He claimed it was an act of sabotage because his arrest intertwined with an incident where several villagers were beaten up by the police and accused of stealing palm oil fruits from a plantation company. Ramould was very surprised that a top police officer asked him to surrender the land, knowing that TAHABAS had certain influence on the villagers. To a certain extent, gangster was also sent to force dismantling of blockade set up by the villagers.

Thomas and Jok Jau witnessed mass arrests from the late 1980s to early 1990s. In 1992, up to 700 people were arrested over a logging dispute. Although there were no charges, Jok Jau said that by locking them up was enough to intimidate others not to protest. Unfortunately, the police sided with the companies. Once he helped the Limbang residents to file summons over wrongful arrest and they won the case. Michael was less fortunate where he lost his court appeal and ended up landless.

Wong's IPK in the 1980s experienced tapped communication and subsequently got deregistered for holding a seminar in Kuala Lumpur. They were asked to go to court and produce show-cause letter. At organisational level, so far, SCRIPS, SACCESS, BPAC, IPIMAS and BaramKini faced no state challenges. Pang said that SACCESS was always ready to counter any form of trouble.

8.2.2 Counter-Strategies by the CBOs

Mark said that highlighting land issues through a press conference was the only strategy.

I mean some people want us to challenge the action of the government, but then again, if all the government machinery has been used against you, you challenge also, what's the point? You challenge also, then they will decide you're against the rule.

Nevertheless, Mark thought that the policing of the CBOs and communities who resisted land-grabbing reduced after Taib Mahmud stepped down and SUHAKAM did a report on human right abuse.

For Ramould and Thomas, it was best to record any incident of violence and lodge a police report. The villagers should stand firm and insist that they did not want to resort to violence either. Ramould said that putting women dressed in shabby clothes at the front line of blockades is a good strategy. If anything happened, they could accuse the police of molestation. Ramould elaborated how being vocal could knock some sense to the plantation company and police. In a dialogue session, he chastised the company representative for lacking moral:

Your company is worth millions, yet you want to grab people's lands. Shame on you! We are not animals, we are not foreigners, why chase us away from our land? WE HAVE DIGNITY! If you want to compensate, make sure your company compensate my future generations too, because that is what our land is for.

IPIMAS and SCRIPS, on the other hand, thought that staying low profile is best to avoid getting into any trouble. IPIMAS would show support to other CBOs without interfering their actions. For Ramould, foreign NGOs showed more solidarity than the local ones. During the 1980s, Pang and Wong recalled that there were not many NGOs or lawyers, let alone to offer support of any kind. Pang added that now they are more prepared as they have lawyers as the first line of defence. It increased the villagers' fighting spirit when SACCESS was able to send over lawyers the following day upon any distress call. Because of a clumsy prosecutor, it is very easy for experienced lawyers like YB See and Baru Bian to win the case. For Uma Bawang Resident Association (UBRA), Jok Jau said that being awarded Equator Prize 2002 helped build trust among the villagers to register themselves with resident associations and be more participative. The Equator Prize is a biennial award initiated within the UNDP that recognises nature-based sustainable efforts from local communities and indigenous people (Equator Initiative, 2019).

8.3 Political parties / Politicians

CBOs gave mixed answers regarding the extent to which they wanted to work with politicians or political parties. Pang said that since Malaysia did not offer a level playing field, no doubt involving the political side is important. To Wong, Philip and Peter, politicians served as a messenger to voice CBOs' plight through the House of Representatives in Parliament. Although the CBOs were not selective on the party, none from the BN coalition offered

support to them. Democratic Action Party (DAP) was the only Opposition then, and they paid attention to the CBOs. Therefore, DAP became the last resort. Thomas made it clear that JOAS only asked for help from like-minded individual politicians without compromising its own principles.

Michael added that some politicians were not courageous enough to stand up for the people yet wanted to use NGOs to polish their image. He cited Telang Usan assemblyman YB Dennis Ngau as an example. YB Dennis might look holy with his “church-going image” but evaded the core issues that native faced. Michael thought it is unethical for native politicians themselves to divide their own people.

BPAC had not tried approaching politicians but might want to, with the new government. For Vincy, BaramKini never drew the line too clear; they just did what they thought was right. IPIMAS asserted that they only invited politicians to launch their programmes, “no more than that”.

YB See, an assemblyman and Sarawak PKR vice-chairman, said that getting politicians involved does have certain impact but in a limited way. It is the state leadership that matters. For example, more space is open for them to make changes during Adenan’s time as compared to that of Abang Jo.

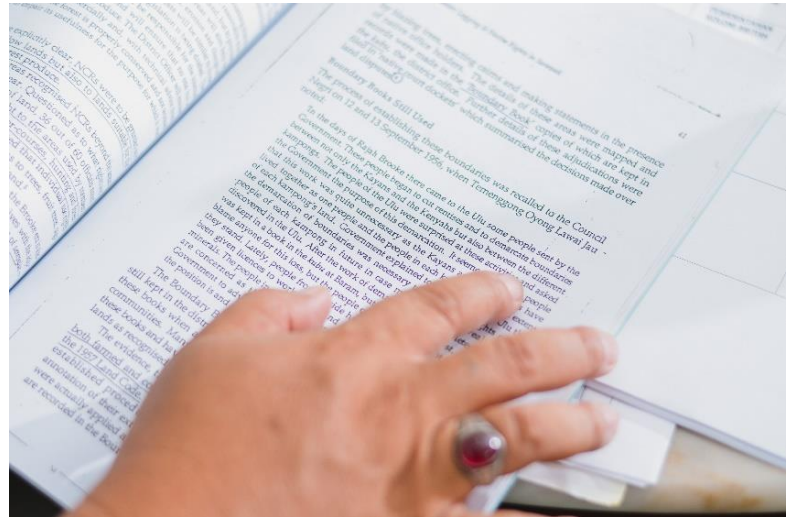
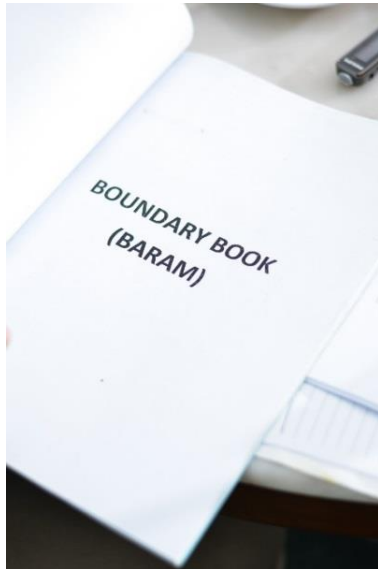
Ramould paved himself a clear direction when he quit his political party to join the NGO sphere. He said that his former party failed to look out for his community’s plight due to conflict of interests. This resulted in “discussion after discussion” without any concrete action. From over 10 years with the party, he claimed he had never seen any representative showed up at court as a form of support. Similarly, none of the BN lawyers helped them. To him, it was very frustrating each time organising empowerment activity in village as TAHABAS, he was asked if he came from the Opposition party.

8.4 Legislation and Judiciary

Most interviewees thought that the fluidity of powers between executive and judiciary posed a great challenge for CBOs to seek justice for the communities. For a 13-year case pending at the Appeal Court, the government lawyer suddenly called JOAS to settle out of court. Thomas knew it quite well that court delay is a strategy to kill CBOs’ fighting spirit although the government never had good grounds in the first place.

Michael argued that laws were made of BN politicians’ own interpretation, which is against the Constitution. He gave an example where the former Selangor government lost a

court case over a vast area intended for building a new airport. After a change of Chief Minister, the verdict was reversed and the area was declared as state land. Michael lost his land at the Appeal Court because of the ambiguous force that *Adat* has in law. He claimed that the government amended the Land Survey Code in the name of development, but they want to “steal the natives’ land.”



Boundary book worked on by SCRIPS to challenge the official interpretation of NCR law

Next amendment the government did is the community leaders’ ordinance. Where community posts *Penghulu* [cheiftain], *Pemanca* [district leader] and *Temenggong* [division leader] used to be chosen through *Adat*, they are now government-elect. They no longer have power over land and subsequently no say by law. Michael also claimed that the evidence of customary land boundary is now kept in the museum, away from general knowledge. He was working on de-classifying the Boundary Book through oral history documentation and challenge the government.

In the 1980s, not many lawyers were available to offer legal assistance or training to the community. Since “the laws were oppressive”, YB See, from an accounting background, took up law and practised it. SAM has an annual meeting with all lawmakers, but none from the government turned up. Although now CBOs have more lawyers willing to help and they charge minimally or nothing at all, Wong and Ramould thought that court appeals are a waste of time if there is no change of government. For Ramould, the only defence is the fighting spirit.

8.5 Local NGOs

Networking is the second most popular theme in the CBOs' organisational background. The alliance is multi-level (local, regional, international) and among parliamentarians, CBOs, NGOs, and public interest lawyers.

To Mark and Wong who pioneered own CBOs in the 1980s and 1990s, they saw a good development of NGOs. Newer communication technologies also have made their operation easier with Skype meetings, WhatsApp groups and sharing larger files through Google Docs.

Joint press statement is another platform to give voice in solidarity. Lawai thought it is a good way to pressure the government. If the intention is genuine, a joint press statement really has an impact, said Mark. SAVE Rivers produced press statements "as and when needed" and they tried to collect feedback from the grassroots each time. For Susanna, IPIMAS took part in joint press statement as a sign of group solidarity.

Networking is important for sharing resources. JOAS and TAHABAS are part of the Malaysian Environmental Non-Governmental Organisations (MENGO). JOAS, BRIMAS and Sarawak Dayak Iban Association (SADIA) worked together to protest against dams under Sarawak Corridor of Renewable Energy (SCORE) in Baram. Peter, a retiree, was appointed the Chairman of SAVE Rivers, which started out as a network of 8 NGOs. He added how SAVE Rivers collaborated with others:

We have another group called Damn the Dam [chuckled]. These are the people who support us. And then we have a group, this BaramKini, they are very, very active, they bring people for, tourist groups, you know, not only from within Malaysia, but Singapore, Hong Kong, Taiwan, you know even the Malaysian immigrant to, they brought in American, you know Malaysians who have migrated to US? They were groups of them who came in, not only come with tourists, but they come in with doctors and go to the Ulu, to give their free professional service to the people upriver there.

JOAS is a network of about 100 CBOs across three regions, including *Wanita Desa Sarawak* [Sarawak Village Women] (WADESA) that IPIMAS works closely with. Besides the Sustainable Development Goal (SDG), JOAS works with SUHAKAM by inviting them to give talks on human rights. Thomas said building alliance takes time because it also means building trust. For Jok Jau, they feel safe to be under the Penang headquarter because "their group is quite national, and also quite experienced and quite close to some of the political groups", so it feels like "under a big umbrella". Through the head office, the Marudi branch has the opportunity to approach the Federal government

because “the villagers are rather weak in voicing their problem.” Jok Jau added that *Persatuan Kaum Penan Sarawak* [Penan Sarawak Association] was under SAM Marudi until the fund dried up. Similarly, Vincy said that the now defunct Penan Support Group used to co-operate with *Suara Rakyat Malaysia* (Voice of the Malaysian People, SUARAM) to get funding.



The logo of JOAS

Jok Jau wanted SAM Marudi to be as neutral as possible and not operating by the ethnic line, an attribute also aimed by IPIMAS. On the other hand, Mantan Pahang opined that to work beyond the boundary of ethnicity is challenging because in itself, the network of CBOs is weak. For Lawai, ethnicity can be a focus point for CBOs. Mantan Pahang and Lawai argued that once ethnic-based CBOs get stronger, ethnicity can be put aside.

In terms of strength, Michael, Lawai, Philip and YB See thought the network is still rather loose. Because the issues worked on are the same, SACCESS tried hard to fill the void. Lacking variety among CBO personalities is a big issue to Philip and Vincy. For example, the late Raymond Abin was involved with forming SAVE Rivers before pioneering SCANE. Raymond was with SAM and then he established BRIMAS with Harrison Ngau. Mark stressed that smaller NGOs want to retain their autonomy because they do not like to be told what to do by larger counterpart. Another reason is that the network lacks a strong leader. Mantan Pahang said NGOs have to be strong especially if the government is oppressive.

Despite the growing number of NGOs, not all CBOs agreed with the quality and approach. Mark and Thomas chided that some claimed to be NGO, but were only seen making noise during demonstrations. The effectiveness of demonstration itself, Thomas said is

questionable. Peter had strong dislike toward groups that did not register themselves as organisations like the Sarawak Dayak Association (PEDAS). To Peter, to be registered means to have proper standard operating procedures (SOP) for the stability of an organisation. Furthermore, being “noisy” in demonstrations without media coverage is useless especially when villagers did not have the capacity to create their own content. Likewise, being “noisy” on social media to Ramould is pointless without going on the ground.

Despite that, not all interviewees were on the same page with several established organisations. Malaysian Nature Society (MNS), for Peter, is the ‘soft’ type that viewed SAVE Rivers as ‘militant’. Most ethnic-based associations are social clubs to YB See, Mark and Ramould where no land issues were discussed or raised collectively. Ramould regretted to see such disparity between land and culture because to him, land is *Adat*, and *Adat* is culture. *Adat* is their culture. Pang argued that even intellectuals and professionals are willingly co-opted as the “extended arm of the state” like the Dayak Bidayuh National Association (DBNA), which is involved in surveying Bidayuh land. Such role is a “joke” to him because only Land and Survey has the authority in that matter. The villagers nevertheless entrusted DBNA to survey their land in hope for a title.

When asked about Peninsular NGOs, interviewees were unsure or doubtful on how Sarawak CBOs can exchange resources with them. The most mentioned was the Sarawak chapter of electoral reform group, BERSIH, which originated from Kuala Lumpur. SAVE Rivers, JOAS and BaramKini worked with BERSIH Sarawak before. SCRIPS also trained Polling and Counting Agents (PACA) to stop electoral cheating. Pang questioned if there is a need to learn “a thing or two” from the Peninsular counterparts. The target of CBOs is the communities where they must be at the front line of defence of their rights. Equipping them with information is ongoing because human rights institutions failed to do so:

Unlike in Western country, you have the institution that defending the societal rights in...and so the community there, the general public there, you don't need to have paralegal training among the UK resident, for example. They just have to go to the media and bombed out, then those police who abused the rights will get into trouble. But for us here, we know it doesn't happen. And so, then the other way apart from not doing anything is you try to raise the capacity of the population to understand their rights. [Pang]

Similarly, YB See said that unlike other countries, we do not have specialised systems of electoral, judiciary and media.

Michael argued that the quality of Sarawak transportation poses great challenge for mass mobilisation. When there is no mass transit system, rally participants get cut off easily. Jok Jau responded that that their form of protest is raising blockades. However, Ramould warned that NGOs in Peninsula are more aggressive, which Sarawak CBOs cannot afford to do the same. He cited Bill Kayong as an example for being too vocal about native rights. Within a month, he was assassinated. From Vincy's interview with some villagers, they were hopeful that Kuala Lumpur NGOs can help them out.

8.6 Foreign NGOs

Mark named a few that BRIMAS worked with before – Rainforest Foundation Norway, United Nations Development Programme (UNDP), Canadian Embassy and US Embassy. Uma Bawang Resident Association (UBRA) has built a relationship with Berkeley Sister City when they first came to Sarawak for a visit. They brought back the land issues to Berkeley and formed another group called the Borneo Project.



Peter awarded with Bruno Manser Prize



Peter showing the proportion of virgin forests left in Sarawak

Having a link with foreign NGOs brings in both advantages and disadvantages. For SAVE Rivers, Peter saw such relationships as effective in pressuring the government and loggers. They presented an opportunity to apply for funding, although the process is getting harder now. Mark added that in the past, everybody wanted to help the Penans, a trending word in Sarawak land issues. Now the foreign NGOs fund other developing countries and they are more to project-based funding. IPIMAS' projects got funding from Danish International Development Agency (DANIDA), UN, and Ford Foundation. Bruno Manser Fund (BMF) gave funding to TAHABAS before whereas IDEAL only maintained a working relationship with BMF.

For smaller CBOs like BPAC and BaramKini, they had never approached any foreign funder. Pang remained sceptical toward what he called as elite NGOs like Bill Gates Foundation and WWF. SACCESS is very particular who they want to work with since they are non-dependent on any funding source. WWF took the middle approach but work with loggers and Sarawak Energy Berhad (SEB), as Pang and Michael claimed. Such whitewash approach is detested by Mark because once dams are built and flood the area, the after effect is irreversible, hence rendering the word 'sustainable' useless. In addition, any relationship with foreign NGOs would make CBOs an easy target to be labelled as anti-government.

Several CBOs looked forward to learning from other countries. SCRIPS had an opportunity to send a member to Brazil regarding a land issue. Because of the month-long duration, they did not send anyone. SCRIPS and IDEAL had participated in trainings from Thailand, Indonesia, India and Australia.

8.7 Other Actors

For 20 years, Mantan Pahang was a Temenggong, the highest position among community leaders. His main job was to take care of anything non-written such as land without grant. He was removed in 2014 for being critical of government management of native land. He claimed that the state government twisted the land law. During his ancestors' time, they guarded their own lands without current legislation. Any encroachment would be served with the blowpipe penalty without warning. Blowpipe, with poisoned darts, is a Sarawak ancestral tool for hunting and a weapon of warfare (Vanes, 23 November 2013).

Figure 49 Blowpipe demonstration by an Iban in his traditional costume



Photo: Jess Cheng

Since the state government acquired the power to elect community leaders, Philip and Lawai perceived such positions as politically motivated. Nevertheless, Michael never gave up

on training the community leaders and let them make their own decisions. SCRIPS trained them on Global Positioning System (GPS), oral history documentation and community mapping.

Wong and Michael first had a close encounter with natives around Sarawak when they were with their respective church ministry. Wong was a regional priest; Michael was a church lawyer and also a qualified canonist. Wong was with the Sarawak Christian Society (SCS) under Sibu Methodist Church helping to supply water to villages. The church focused on socio-economic issues but he wanted to do more. Pressured with police harassment, he decided to leave the church to commit fully to land rights advocacy through IPK. Similarly feeling sorry for all the problems natives faced, Michael decided he needed more space to speak to people about rights, laws, policies and government land administration.

Michael opined that now churches slowly are more understanding since church members themselves cannot escape from being exposed to land issues. YB See, who was Wong's protégé, thought that now a church like Borneo Evangelical Church (SIB) is very supportive in Baram. At first Wong was accused of being anti-government but now his church is proud of him. He also regretted the fact that "[s]ome of the church leaders have been using [his] work as Christian work." Wong denied it because he has never used Christianity as the reason or platform to help the natives.

Pang warned that we should not think of church-associated activities as void of own agenda. To him, even churches are competing to be the champion of Penans.

Why Penans? Because they are seen as weakest, more susceptible to conversion. Before this the institutions were worried about them being converted to Islam but now I know of competition between Methodist and SIB. Methodist setup preschools in Penan villages and SIB must have felt threatened that they have since been in full swings on setting up and operating rural preschools. Pathetic.

So, SIB send their pastors into active mode as if to wade off the entry of Methodist and others. Such is their priorities, than loss of rights, loss of forests and lands. I said how can God be scared of white-hair mortal chief minister when SIB even sacked pastors for raising the issue of land rights in their institutional meetings. Of course, Methodist is no different in Sarawak as preacher is prevented from talking on land rights and rights as per bible. Other religions in Sarawak must keep quiet about "sensitive" issues if they wanted to cosy up to Sarawak government, so they keep quiet. [Pang]

Such competition overshadowed any sincere intention to stand up for land rights. Pang believed it is ironic to penalise preachers who talked about land rights.

Suara Rakyat Malaysia (SUARAM), according to Michael, hardly existed in Sarawak, unlike in the 1980s. SUARAM, a human rights organisation in Malaysia, was established in 1987 after *Operasi Lalang*. Ramould opined that SUARAM is more responsive to CBOs. Comparatively, Michael felt that the Human Rights Commission of Malaysia (SUHAKAM) has “no fangs” to take concrete action because they are “under the government.” Michael added that SUHAKAM once asked SCRIPS to organise a talk but provided no fund for them.

As for the Malaysian Anti-Corruption Commission (MACC), Michael asserted that they are no different from the government. Even when TAHABAS lodged a report to the MACC against the former Chief Minister Taib’s involvement with illegal logging, nothing was done.

Pang argued that the Malaysian Timber Certification Council (MTCC) is a “classic example of co-optation to government agenda”. In the 1990s, SACCESS, with a coalition of NGOs, discredited the MTCC because their main agenda was not to reach out to as many stakeholders as possible. MTCC blatantly supported the state government whenever SACCESS brought up the *Adat* issue. The whole process was an impasse because the Sarawak state government said they needed no timber certification from the MTCC. Land taken illegally turned out to be legal because “the state government is the government.” Other groups in the council like WWF and MNS, Pang chastised, did nothing because “they cared more about animals than human rights.” They worked with loggers and set up community council made of “state yes men and yes women.” Wong and Ramould similarly shared the opinion that the MTCC does not prioritise the social aspect of logging and they have been boycotted by many NGOs. They may look good on paper but the membership is very dubious. Just like the *Jabatan Kemajuan Orang Asli* [Department of Orang Asli Development] (JAKOA), the top management is not made up by *Orang Asli* [indigenous people in Peninsular Malaysia] themselves.

8.8 Issues Arising from NCR Land

8.8.1 “Over-romanticisation” of the Penans

There were mixed reactions toward the Penan group, which became the centre of international attention in the 1980s. Mark was the first to use the word “over-romanticised”. There were both good and bad sides to it, although the hype died down after the 1990s. It was a free publicity for Sarawak land issues but only highlighting the Penans, which Mark argued was unjustifiable to other indigenous groups. The Penans were always perceived as people who want to stay in the jungle and wear loincloths, which he rebutted:

The Penan, they also want to be like us, but what they are asking is, they want their land to be respected, so that they can live with honours and decide what they want to have. They don't wanna stay in the jungle just like their fathers. [Mark]

Michael questioned the things BMF had really done for the Penans. Unless the Penans could benefit from mega plantation projects, international publicity was insufficient. Furthermore, he believed the BMF is "very secretive."

Another point of view was that the Penans ought to be publicised because they are the last ones standing to defend the forests. As Pang elaborated, other natives should have some "self-reflection on why it took a foreigner to highlight the issue." He rubbished the term "over-romanticising" because the Penans were really marginalised. He had worked with them and knew their issues first-hand. They faced difficulty accessing citizenry facilities because they have no money and official documents like birth certificates. Those hospital and government office registration have become the "gatekeeper", which is ridiculous to Pang. He recalled the time when he was forced to quit his post-graduate studies because of emergency rape cases among Penan teenage girls. He had to mobilise moving them to a safe house in Kuala Lumpur. Vincy added that other ethnic groups looked down on the Penans because they are not head hunters and living an idle life in forest for their own subsistence.

Both Vincy and Pang agreed that those who claimed the Penans are over-romanticised, had a hand in it.

I think those who project that image are the one who romanticised, not the people who are struggling and choosing to work with them. [Pang]

Penan actually, ya, they need attention, erm, it's not the problem of Penan themselves. But it's the NGO, it's the overreaction. [Vincy]

To Peter, Penans' shy nature is a weakness as far as advocacy is concerned. Whenever they raised a blockade, they often changed their names and office location to avoid harassment. Peter met a few of them before and they complimented him for being vocal about land issues, which was politically sensitive in the 1990s. Peter responded:

You know what *ar* [a Malaysian slang], my friend, Harrison Ngau, he was arrested, put in jail, and he was threatened and all this other stuff, at that time his name was Harrison Ngau, today his name is still Harrison Ngau. How come you keep on changing your name?

He urged his Penan friends to step it up and show leadership. To work with the grassroots, they inevitably need to expose themselves and cannot be hiding all the time.

An informant told the researcher that he knew of a Penan couple who travelled from their forest to Miri town to seek medical services. They paid a high sum for the transportation fee, which the informant believed they were duped. Once in town, they did not know anything about crossing the streets; the heavily pregnant wife was run down by a bus and got killed on the spot. A year later, the husband met the same fate. Pang felt very sorry for the Penans being widely discriminated as “*sakai*” [a derogatory term that denotes barbarians]. He added that “if you ever go to [their] forest ...it’s the reverse. We are the one *sakai*...We are at their mercy.”

8.8.2 Social Impact of NCR Land Grabbing

Peter summarised the impact into two intertwined parts – human rights and environmental. The former included how the livelihood of the people has been severely affected. It is to the extent that not only the living ones are affected, but also the dead where there is no log to make coffins. The destruction brought about by deforestation has encroached into the people’s heritage.

Relationship that natives have with the environment, as YB See explained, is not the same with urban people. Urbanites are taught the 3Rs (reduce, reuse, recycle) and the biodiversity aspect. Whereas the natives have a truly direct link with their forests – clothes, water, food, shelter and ancestors. To Philip, the river in Baram used to be clear where he could see fish swimming and drink directly from. While the water now is murky, the river bank burst easily because of its shallowness. The river and soil have been polluted by fertiliser and chemicals from logging and plantations. This poses health risks to people who use the river and rain water.

Thomas and Ramould lamented that the natives are always at the losing end as far as NCR is concerned. They neither can retain their land nor win the compensation negotiation, let alone reaping benefit from the timber or plantation industries. Worse still, they are labelled as anti-development. Michael called it a “BN propaganda” to strip the natives off their dignity. The natives similarly want clean water, school, clinic and electricity, which also have not been provided by the government. It is a mockery to bargain their human rights in a zero-sum game with land heritage.

Peter added that the socio-environmental impact assessment is a “scam”. If people do not want the dam, that should be respected. Peter found out that the villagers were still approached with a set of about sixty survey questions, asked to tick them with pencil but to

sign with pen. He and his team managed to chase away those geologists who claimed to be doing a preliminary study. He further reminded the people to be firm and not to cooperate in acknowledging any document they are unsure of. This is because once a dam is built, there is no return.

Ramould and Mantan Pahang opined that the scope of NCR has always excluded land. There is no reason why land rights should be treated separately from their custom. They added that the state government has no respect and recognition toward the natives' century old custom. Before the presence of modern form of government, the natives had no problem governing their own lands. The natives were the government, the police force, the firefighters, and the doctors.

8.9 Civil Society and Concluding Remarks

Several interviewees believed that civil society is a platform empowered by the people themselves to stand against marginalisation. To create such platform, Peter stressed that laws should be people- and environment-friendly: "What is suitable for the people, that is civil society." For Philip and Vincy, civil society involves voluntary participation for the betterment of human rights. To Thomas, as much as civil society organisations should be independent and non-political, they have to take sides according to the context. Pang agreed that choosing to stand together with the marginalised is a form of principle. Anil believed civil society should provide more space for economic and social inclusion in terms of development. He also stressed the importance of state decentralisation to improve civil society.

Michael distinguished NGO from association where the latter always apple-polishes YBs for donation. For Ramould, working together with any political party is not an issue but CSOs should not compromise their principles. Anil added that CSOs should act fast to prevent the new government from getting too close to business interests to the extent of jeopardising the dispossessed.

Conceptually, civil society to Pang is such a debatable term because there is also uncivil society in Sarawak. Similarly, to Susanna, there is no ideal type of civil society. Empowerment through education to defend native rights is the way.

Peter was proud that SAVE Rivers have impressive achievements despite the challenges they faced – tight budget, state restrictions and other resource limitations. Peter confessed that SAVE Rivers wanted to work with the new government as CSO, not NGO, which has negative connotation. He hoped that the new administration is less hostile to them and will

listen to the people, which in turn could get them more votes. Comparatively, CSOs in countries like Norway and Switzerland were given ample support by the state to run their activities. He looked forward to such a working relationship in Malaysia.

YB See believed that the space now is more open for law reform, which he recently proposed through the Bar Council. Only with more credible judiciary that Malaysia can catch up with other countries like Australia, Canada and South Africa in recognising native rights. Philip really hoped the government can legalise NCR and survey as many lands as possible.

Pang strongly believed that the Penans should have access to constitutional rights without being ridiculed or hampered by gatekeepers like the National Registration Department. In that case, Lawai pointed out that many Sarawakians do not even have a birth certificate because they were born in the jungle, for the past few generations. He also hoped for a more egalitarian return for Sarawak's resources.

Thomas, Michael and Jok Jau wished to reach out to more people. According to Vincy, Ramould and Wong, the young should be more involved with community-based work and infuse new energy to CBOs' operations. Although Jok Jau felt that people in Sarawak are "quiet and weak", he is glad that the communities so far appreciate what SAM Marudi has done for them through organising RAs. Michael lamented that other organisations are piggybacking on SCRIPS' hard work.



Philip in BPAC's T-shirt with distinctive slogan

Philip hoped for a friendlier ROS under the new government. He wanted the government to scrap all dam projects and replace them with micro hydro power. The current dams in Bakun, Murum and Batang Ai are not fully utilised, costly and harmful to the environment.

To Mantan Pahang, Assemblyman or woman, with their capacity, should have a stand to raise land issues. Party democracy is no guarantee of people's democracy. For Anil, a credible coalition of Opposition is needed to watch the new government. Susanna wished for a specific Ministry to oversee environmental issues. Lawai, on the other hand, argued that the Malaysian education needs a reform so that the young is taught to empathise with other communities and the environment, not only pursuing individual dream.

Media, to Anil, Thomas and Wong, play a crucial role in raising awareness and empowerment. Anil believed that the Malaysian media should be more critical of any development plans or models. In the name of equality, media should not be urban-centric and should cover more on rural and marginalised communities. Thomas opined that the government should be more liberal on the media for them to exercise their social responsibility. Wong hoped for more opportunity to operate community media in Malaysia.

Jok Jau, Philip and Ramould expressed gratitude for the interview because they see it as another channel to make their plight and advocacy known. They hoped that this research will be useful for application.

8.10 Summary of Findings

This chapter has discussed findings that aimed

RO5: To investigate if the new media enhanced the NCR land CBOs' networking strategies.

Government is the overarching theme that permeates the CBOs' operations, media use and expectations toward the future of NCR land advocacy for Sarawakian natives. The CBOs opined that challenging the state openly proved to be fatal when state mechanisms are already being used against an activist or organisation. For example, organisation de-registration, assassination, confiscation of passport, tapped phone, arrest and policing. They argued that resistance through highlighting the harassment in press conference and stay low profile is more practical. The CBOs' main job is to empower, not to speak on behalf of the affected communities.

Co-optation is one tactic used by the government, knowing community leaders hold an important position among the indigenous people to seek advice. Now the community leaders are government-elect. Other institutions like the MACC, SUARAM, SUHAKAM and MTCC are deemed useless in standing up for the indigenous rights.

Due to the influence of Christian missions during the Brooke administrations (see Tan, 2012), Sarawak contributed the highest number of Christianity to the national make up.

According to the 2010 census, Christians formed about 40% of Sarawak's population. Michael and Pang chided church-going politicians and priests for evading land issues in the name of separating religion from politics.

Although it was a common tactic for the government to liken the CBOs as anti-development and Opposition, the interviewees did not view their relationships in a zero-sum way. They instead hoped the government could be less defensive and they expressed they could help in reaching out to the communities as long as the government took care of their welfare. However, they were sceptical of the Malaysian judiciary because of the ineffective separation of powers. Michael from SCRIPS said that the court verdict varied by the government. SAM Marudi added that there were currently more than 200 NCR cases backlogged to be heard in court.

Joint press statement was a form of solidarity as evidenced by BRIMAS and TAHABAS Facebook posts. According to IPIMAS, joint press statement is no more than group solidarity and it does not represent individual position. For BRIMAS, press statement is a good way to highlight their issues when all state mechanisms are used against CBOs.

Horizontal links to similar NGO movements, local or international, is uncommon. Only JOAS blog provided links to 4 similar local NGOs, 2 of them were dead links. However, in their organisational background, BRIMAS, SAM, SAVE Rivers, JOAS and TAHABAS emphasised "networking". SAM website fulfilled all the user interface design coding categories except for horizontal information links, which refer to links to similar NGOs or news portals. SAM was established in 1977; in the 6 months of Facebook posts about Sarawak, no similar organisations were tagged. Facebook tagging as a show of solidarity is unpopular among the CBOs. Out of 81 primary and secondary posts on Sarawak, SAVE Rivers only used the function once in a job vacancy announcement by tagging similar CBOs and universities in Sarawak.

The CBOs had mixed reactions toward the Penans who became the symbol of NCR advocacy in the 1980s. Some thought it was an overstatement therefore unfair to other ethnic groups that similarly had land issues. SACCESS defended the Penans as the last tribe who defend their forests. Peter from SAVE Rivers, admonished some Penan activists whom he knew for being too shy to the extent of changing names and locations constantly in fear of arrest. To him, someone has to be the "bad guy".

From the interviews, the CBOs viewed civil society within the normative paradigm where civil society organisations should empower the natives to stand up against marginalisation and equip them with knowledge regarding their constitutional rights. Civil society to them is a

platform by the people and for the people in pursuit of equality. Although they maintained that CBOs should be independent, they are willing to work with the government as long as their principles are not compromised.

8.11 Conclusion

In practice, the CBOs are well aware of which external actors are antagonistic to the NCR land advocacy; and which are sympathetic and supportive. Due to their direct involvement with the communities, the CBOs are well-versed in defence strategies against law enforcement officers, lawyers, logging companies and the press. They also have much dislike for cultural associations, churches and politicians that have not stood up to land injustice. The CBOs then discussed their perceptions toward more established environmental NGOs – those that “worked with loggers”, “cared for wildlife more than the people”, “elite” or “soft”. They admitted that CBOs in Sarawak are weak without a strong coalition and leadership. Furthermore, the ascriptive nature of the Sarawak communities is a hindrance, which has been maintained by the state government in electing communal leaders. The CBOs could still be feeling the after effect of strong state retaliation against the advocacy during its peak in the 1980s and 1990s. The hype of anti-logging in Sarawak fizzled out after Bruno Manser’s high profile publicity and the subsequent depletion of virgin forests. Nevertheless, the CBOs have high expectation over the new government and anticipated constructive co-operation with them.

Based on the interviews and web evidences, new media have not contributed much to the CBOs’ external relations. The strategies of establishing external relations are not evident in the CBOs’ web-based platforms. None of the CBOs posted online petition to join their offline and online campaigns. There are no links to international NGOs of similar movement. New media aside, this research thinks that a number of issues need to be addressed as part of the organising strategies – friction between NGOs, ethnic groups and distrust toward state apparatuses (executive, legislative and judiciary). Chapter 6, 7 and 8 have shown that the relationship between new media and civil society for the NCR land CBOs is fragmented, disorganised and has much room to be bridged, in the Gramscian term, for a cohesive hegemonic space. This is discussed further in the next chapter.

Chapter 9: Discussion

9.1 Introduction

This chapter draws together the results of the empirical research and analyses them through application of the Gramscian underpinned framework for analysis of civil society developed in the literature review chapter of this thesis. It aims to meet:

RO6 From the empirical data, to provide a systematic understanding of the nature of CBOs' use of new media within the Gramscian framework.

The empirical results from interviews and web-based analyses will be discussed using the following framework for analysis summarised from Chapter 2:

- The *state* is, for Gramsci, one and the same as *civil society*. The state is not to be confused with government apparatuses such as the judiciary, legislation and executive. In the context of Malaysia, however, they appeared to be similar because 1) the same government had ruled Malaysia from 1957 to 2018; and 2) the separation of powers was unclear especially during times of political and economic crises (see Means, 1991; Rodan, 2004).
- *Civil society* is the real defence system of the state. The sphere and mechanism of civil society – education, religion, mass media, private clubs, and propaganda – produce common sense about civilisation where the state can play an educative and formative role. This Gramscian view of civil society displayed similarity with evidence of reaction to the raising of Sarawak land issues where the indigenous people's culture and resistance to land grabbing met criticisms of 'anti-development', as perpetuated by both government-owned and private media (Mustafa, 1994).
- *Intellectuals* are divided into two main types – organic and traditional. The former embraces their social role to lead and educate the masses toward ending their own subalternity. On the other hand, the latter is part of the oppressive systems who pursue own economic-corporate interests. The counter-hegemonic CBOs personnel displayed characteristics of organic intellectuals – their vision and strategies of leadership in the new media era – was explored in the semi-structured interviews.
- *Subalterns* refer to classes of people at the lower rung of society in terms of economy and culture. They need to be educated and rise from their positions through moral and economic reform. The characteristics of subalterns leading their own people are

reflected in the nature of CBOs – 10 out of the 16 interviewees are indigenous people who experienced land grabbing effects at a personal level.

- *Political parties* or the Modern Prince, is the platform for intellectuals to lead the subalterns using a war of position, meaning consensual ways to create own hegemony. The ways the CBOs utilise the new media platforms and how they perceived the current media environment (Chapter 6) are discussed here along with their organising processes (Chapter 7, 8, 9).

The chapter begins by analysing the intellectual role of the personnel of Sarawak NCR land CBOs – their overall advocacy strategies through leadership and organisational activities. The extent to which the CBOs performed, in the Gramscian language, their revolutionary role is discussed using their perspectives of the current situations and future plans of the land rights movement in Sarawak. The next section is dedicated to the superstructural mechanisms of civil society – media and education in relation to empowering the indigenous people from different backgrounds and the public in general. It discusses the ways and the purposes the CBOs use the new media, as evidenced from the interviews and web-based analyses. Religion, another aspect of civil society, is interesting to discuss amidst the debates between achieving eternal peace and struggles in defending customary lands. The chapter then locates the term ‘state’ within Sarawak nationalism and relationships with the Federal state. It discusses Gramsci’s Caesarism based on the CBOs’ opinions of the leadership styles of three Sarawak Chief Ministers from 1981 until present and their expectations towards the Federal state. This is followed by issues that arise from the Gramscian perspective in achieving the conceptual understanding of the empirical data and in addressing the research gap. The chapter concludes by giving suggestions of new media strategies to the CBOs as counter-hegemonic actions.

9.2 The Organic Role of CBOs and Indigenous People

Gramsci put heavy emphasis on organising the masses systematically. Based on the literature reviews of the CBOs’ roles in mobilising the affected indigenous people in Sarawak in the 1980s and 1990s, they fit Gramsci’s ‘Modern Prince’ – an organism with the role of bringing cultural and moral reform among the subalterns. The background of the interviewees showed an impressive and diverse range of areas – law practice, geology, church ministry, journalism, political party and indigenous aristocrat family – to actualise the philosophy of praxis.

The strength of CBOs lies in their core mission where engaging the affected indigenous communities is their top and utmost priority. This is a form of cultural preparation through resident associations (RAs), workshops, seminars and training. From the web-based analyses, the most popular theme in the CBOs' organisational activities is empowerment. The CBOs empower the communities and educate them on their land rights, conservation efforts and paralegal procedures. In the Gramscian terms, the CBOs reduced the possibility of bureaucratic centralism – referring to organisations are centralised at the top and detached from the members' aspirations. The organic centralism of the CBOs is enhanced through 62.5% of the personnel interviewed who are of indigenous ethnicity and have personally experienced the effects of land grabbing and excessive logging. Five interviewees are of Chinese ethnicity (YB See, Pang, Wong, Vincy and Lawai) – middle class, educated and sympathetic toward native land issues. Ethnic relations between indigenous and non-indigenous people, in the view of this thesis, is not as contentious as the Muslim-Christian relations in Sarawak. According to the last national census in 2010, 44.2% of the Sarawak population was Christian, followed by the second largest faith, Islam, at 30.2% (Department of Statistics, Malaysia, 2010). Chin (2014) argued that although by the Malaysia Agreement 1963 (MA63), Islam's status as a national religion was not applicable to Sarawak, the Islamic influence heightened in Sarawak through religious bodies and non-religious entities such as education, marriage and employment (see Hew, 2010). To Chin (2014), the BN government, in specific UMNO, was trying to spread the Malay/Muslim supremacy to Sarawak by politicising Islam. The tensions between Islam and Christianity worsened after the Malaysia's top court ruled that Catholics could not use the word 'Allah' in their newspaper publication, which aimed the Malay-speaking Christians in Sabah and Sarawak (Manirajan and Chong, 21 January 2015; Chin, 2015). Malaysia's Home Ministry first banned the Malay-language weekly newspaper *Herald Malaysia's* use of the word Allah in 2008 for fear it would offend the Muslims in Malaysia (Manirajan and Chong, 21 January 2015). In the context of land rights advocacy, therefore, it may not be an issue to have non-indigenous persons to lead any indigenous-centric organisation. Leadership is the most important element in running an organisation that balances itself between leading and preparing the masses for, in the Gramscian terms, a counter-hegemonic cultural mind set and activities.

However, this thesis argues that to lead an organisation is not the same as leading the masses. With a variety of CBOs, there is no systematic way of staying united against the background of weak Dayak unity. Unlike their international counterparts who essentialise

images of native peoples (Brosius, 1999), Fadzillah-Cooke (2003, p. 169) pointed out “[p]recisely because of the diversity and complexity and diversity of the Dayak identity/ies, NGOs’ efforts at emphasising the commonality of experience across communities across communities have their limits, as do the efforts at scaling up in general.” It is important to identify what divides the indigenous people in the first place to overcome the ‘internal prejudice and strata’, then incorporate that knowledge into the organising skills (Gramsci, 2000). The ‘internal prejudice’ displayed by several interviewees revolved around the attention toward the Penans in the 1980s, which symbolised indigenous land struggles. Mark and Michael claimed that the Penans had been over romanticised since land is a problem faced by all indigenous people regardless of their ethnic background. Pang counter-argued that it was indeed the Penans who were the last ones standing in terms of defending their lands against unscrupulous land compensation and environmental impact assessment. Vincy said that the party who over romanticised the Penan issue was the NGOs, not the Penans. An informant expressed to the researcher that the Orang Ulu are the ones helming the CBOs; the ones working hard as compared to others willingly being co-opted to the mainstream. When asked if CBOs should be run along the ethnic lines, the answer from the interviewees was a unanimous ‘No’. They also added that their organisation provides assistance to any ethnic group who faced land issues. However, from Pang, Vincy, Mark, Peter, Jok Jau and Thomas, it is inevitable that their interviews demonstrated ‘internal prejudice and strata’. This reflected a similar situation during the early formation of political parties in Sarawak in the 1960s. While the parties claimed to be multi-ethnic, the structure and agenda showed otherwise. Only the former Temenggong, Mr Mantan Pahang answered ‘yes’ because in his opinion, the Dayaks are weak and therefore can only be united by own ethnic group.

The operations of the CBOs, in the view of this thesis, further magnified the internal strata. Each CBO operates by their own organisational identity, yet their missions and visions are on inter-related areas – rivers, dams, forests, and lands. From the empirical findings, sharing resources are in the form of being part of a larger network. TAHABAS is part of JOAS, “the umbrella network for 21 community-based non-governmental organisations that have indigenous peoples’ issues as the focus” (JOAS, 2012). Ramould from TAHABAS said that besides sharing office, any content creation matters was managed by JOAS. In describing the SAM head quarter-branch relations, Jok Jau answered that the Marudi branch is happy to be “under a big umbrella”. This research argues that their understanding of sharing resources refers to information, photos, and joint statements, not on an overall networking strategy.

However, their web-based contents showed otherwise. None of the Facebook posts displayed tagging or sharing articles among each other. Only SAVE Rivers had tagged Sarawak universities in their job vacancy post (28 March 2018) and tagged TONIBUNG and JOAS as the primary source for a video on the potential for micro hydro power in Sarawak (5 August 2018). The CBOs also expressed difficulty in getting commitment from the younger generation to be prepared for the next leadership. Ms Vincy argued that the faces for land CBOs have been the same since the 1980s and still are. This is true from the researcher's observation where, from the first interviewee Mr Mark Bujang, a complete list of personnel from other CBOs was gained due to the small circle they work in.

Thus, the evidence of this research leads to the conclusion that it is a big hurdle for the indigenous people to develop their own leading class of intellectuals. The CBOs lacked a systematic direction in strategising leadership takeover, creating public awareness of their purposes in the online sphere and forming a strong network. These combined, in the Gramscian standard, would pose challenge to the organic intellectuals to build a system of class alliances with the wretched indigenous people. The framing of 'rights' is from the indigeneity characteristics. In their organisational background, JOAS, SAVE Rivers, SAM, SCRIPS, BRIMAS, IPIMAS and TAHABAS mentioned 'indigenous rights' while only BaramKini identified their subject by urban-rural residents. Although Malaysia is an ethnically divided nation, which posed difficulty to mobilise social movements (Höller-Fam, 2015), this thesis argues that it is time for the CBOs to add in the class perspective in their advocacy. The CBOs should explain themselves against the official rhetoric that "the indigenous people did not want development", which was popular in the government's defence against international criticisms at illegal logging and mega dams in Sarawak (Majid-Cooke, 1999; Brosius, 1999):

What *kemudahan* [utilities] we have? Nothing. They don't help us get water, provide us electricity, gives us better housing material, nothing. All over the place. So, what the natives want is, as far as anti-development; that is the gimmicks of the BN propaganda. So, they go and say we are anti-development because we put up blockade against the timber. But we put up blockade because they are encroaching into our land, out territory, that's all ... You build Bakun, for what? We are near Bakun, the one underneath Bakun dam also not yet have electricity...
[Michael]

Michael added that to worsen the case of indigenous people losing their own lands, they did not get "a fair share" from the corporations that developed the lands. This thesis argues that the role the CBOs should consider adding to their advocacy is more than getting the indigenous people electricity, roads, clean running water, employment or 'fair' compensation

land deals. Ramould from TAHABAS reflected on the direction of the indigenous people when they won back their land, asking “what is next?”. He also recalled a case where TAHABAS had successfully helped several indigenous people regaining their lands. However, they then detached themselves from TAHABAS and no longer showed interest in TAHABAS’ activities or helping other affected indigenous people.

In the long run, it is the economic and cultural status of the indigenous people that needs a consistent, systematic uplifting. Vincy was right in addressing the reason the indigenous youth rarely get involved in CBOs’ activities. The question of survival was prioritised where the indigenous family could no longer depend on their land for self-subsistence because they would need the money to pay for education, medical services and transportation. The void in class analysis for the indigenous people demonstrated Gramsci’s (1978/1926, pp. 2-3) criticism toward the lack of strategising between the proletariat and peasants to become ‘the leading class’:

The economic and political regeneration of the peasants should not be sought in a division of uncultivated or poorly cultivated lands, but in the solidarity of the peasantry and has an “interest” in ensuring that capitalism is not reborn economically from landed property; that Southern Italy and the Islands do not become a military base for capitalist counterrevolution ... We were still for the very realistic and in no way ‘magical’ formula of land to the peasants. But we wanted it to be incorporated in a general revolutionary action of the two allied classes, under the leadership of the industrial proletariat.”

This research argues in fact the CBOs are treading between syndicalism and culturalism. By essentialising the native status without emphasising class consciousness, the CBOs might think that resistant empowerment is sufficient to challenge the status quo. According to Minority Rights Group (2018), nearly 70% of the highland Kelabit tribe in Sarawak has migrated to urban areas for work and educational opportunities, especially indigenous youths. Economist analyst Associate Prof Dr Madeline Berma revealed that Sarawak was among the top three richest states in Malaysia by the performance of commodity-based sectors but had 7 out of 10 poorest districts in the country (Abdul Hakim, 1 February 2019). According to a United Nations report on extreme poverty, 15.5% of Sarawak households had a total family monthly income of less than RM2,000 (Then, 28 August 2019). That aside, many families in rural Sarawak faced human rights issues such as education, statelessness and land rights issues (Then, 28 August 2019).

Gramsci is well aware that cultural preparation is a difficult process, “very slowly, very painfully” (1978/1926, p. 21). However, if the leader is unprepared to embark on national-

popular counter-hegemony strategies, in the Gramscian perspective, it will only amount to rebelliousness where problems are solved within its own circle (7 September 1918, *Il Grido del Popolo*). Therefore, action such as “pleading for help” as portrayed in Figure 50 only highlights the subalternity of the indigenous group within the allowed space.

Figure 50 Screenshot of news related to NCR land

Indigenous group pleads for help from Sarawak government

December 19, 2019



Madeline (red shirt) receiving the report from Jok from Sahabat Alam Malaysia, who is representing the group seeking Suhakam's help in their plight.

Source: DayakDaily, 19 December 2019

The interviewees claimed that after Chief Minister Taib Mahmud stepped down in 2014, the environment was less oppressive to advocate for indigenous land rights. Pang and YB See mentioned that more and more educated and young professionals like doctors and lawyers volunteered to provide their services to rural indigenous communities. Gramsci envisioned it further where the roles of intellectuals are to formulate clear ideas and be able to defend them on the need to change the current system, how to go about it and what to replace it with. The interpretation of Gramsci's point of view is that a leader has to balance between articulating long-term strategies and engaging with the masses, with the hope to educate them to end their own subalternity. Leadership, to Gramsci, contributes to the success of a counter-hegemonic organisation. From the interviews, there are two different views – anti-institutionalisation and ‘bogus’ NGOs. For the former, Pang argued that a CBO should only be empowering the natives instead of having a proper structure, which is a burden to maintain.

To him, CBO is a vehicle where through and through, the indigenous people have to stand up for themselves. Pang particularly differentiated SACCESS and IDEAL from elite NGOs like the WWF that worked with loggers. On the other hand, Peter maintained that an organisation should have a clear direction and more formally, standard operating procedures (SOPs). Both Peter and Mark think that groups who called themselves NGOs but without a proper framework were usually 'bogus'; ineffective in advocacy; only appeared for street protests and usually ended up with "unnatural death". Peter also despised individuals who work on their own and on inconsistent frequency. This thesis argues in favour of CBOs having an organised structure for mass empowerment and to influence policy. The thought of having a CBO as an institutional burden dampens the movement and demotivates the leader and it eventually peters out.

The divided view on how a CBO should be run may contribute to policy influence being the least popular theme as evidenced from the CBOs' organisational activities in their online platforms. In addition to the interviews conducted, the CBO personnel admitted that this is the hardest stage but they would keep on trying through like-minded assemblymen, lawyers, geologists, environmental scholars and individual politicians. Gramsci has warned that the construction of a revolutionary party is futile without the following basics: "(a) the party's ideology; (b) its form or organisation and degree of cohesion; (c) its capacity to operate in contact with the masses; (d) its strategy and tactical capacity" (2000/1926, p. 154).

The CBOs also have had financial limitations especially after foreign funders shifted their priority to other developing nations. Overall, the CBOs relied more on individual large donors than soliciting funds from the public or through a systematic channel. Only JOAS and BaramKini had utilised their social media platforms for fundraising purposes and agreed that it is effective. In the opinion of this thesis, it is the image of an organisation that lends credibility to any fundraising programmes. Only SAM website and BaramKini blog enabled visitors to contribute through Donation. Pang from SACCESS opined that fundraising is a dependency syndrome among NGOs. This thesis endorses the Gramscian view that the advantage of the middle or upper classes can and should be utilised in good faith: while the English bourgeoisie clashed between the Liberals and Conservatives, the proletariat gained "a substantial series of rights guaranteed by law and custom: the right to assemble, the right to strike, an individual security..." (Gramsci, 2000/1918: p. 44). The whole point for the CBOs is to incorporate fundraising to the totality of image management in public arena, or the creation of common sense in the Gramscian term. If the images of the indigenous people have

been normalised, to ask for donation and public support need not be at the expense of reinstating their subalternity.

Gramsci's Southern Question has striking similarity with the current situation of the dispossessed natives from their lands, the intellectuals and the CBOs. Within capitalism, the Southerners in Gramsci's Italy – were not only subject to underdevelopment but also cultural marginalisation, propagated by a system of bourgeoisie propagandist means – education, press and traditions: "the South is the ball and chain which prevents the social development of Italy from progressing more rapidly; the Southerners are biologically inferior beings; semi-barbarians, by natural destiny; if the South is backward, the fault does not lie with the capitalist system or with any other historical cause, but with Nature, which has made the Southerners lazy, incapable, criminal and barbaric ..." (2000/1926, p. 173).

The history of land management, the divide-and-rule policy and the rise of the Taib dynasty at the expense of the people's land lead to the crucial point that hegemony has to be economic, besides being ethical-political. Since the pursuit for own gains cannot be overly blatant, civil society as the platform of hegemony functions to 'lead' the subalterns into thinking that their needs have been represented. The leadership, however, did not culminate in modifying the structure of the state or sacrificing the essential of the hegemonic group's economic activity (Gramsci, 2000, Q13§18). Gramsci's idea of the working class leading and having political alliances with the peasants provides insights to the CBOs that cultural reform is as important as economic reform. An understanding of classes is crucial in search for a proletarian-peasant workers alliance against the bourgeois-peasant alliance (Gündoğan, 2008). It is an uphill task as classes have been overlooked in Malaysia. Moreover, working class movement in Malaysia had been severely circumscribed by government's move against the formation of a national trade union in the 1980s. The economic policies in the 1980s and 1990s aimed to establish Malaysia's competitiveness in the world market. This, however, was at the expense of working-class welfare as government encouragement of in-house unions for the private sector was intended to replace existing national (industry-wide) unions, which further eroded the already weak trade union movement in the country (Jomo and Todd, 1994). For instance, the arbitrary Registrar of Trade Unions procrastinated for 11 years before rejecting the Malaysian Trades Union Congress (MTUC)'s 1978 application to register the National Union of Electronics Workers (NEW) (Jomo and Todd, 1994).

9.3 Media, religion and education

Long before Gramsci refined his concept of hegemony, he was convinced that the revolutionary party had to exercise its leadership role first and foremost in civil society (Buttigieg, 1995). Gramsci envisioned that prior to assuming government power, the subalterns are politically conscious and active participants in steering their new cultural life instead of just joining a party; they must first learn to become themselves a leading force. It is through the cultural activities and self-regulated autonomous organisations that the subaltern masses can acquire their independence from the ruling classes and their allied intellectuals. The site of hegemony is civil society where the ruling classes extend and secure their power through non-violent means (Seymour, 10 February 2011). To Gramsci, hegemony and civil society form a dynamic part of the ideological structure through among others, the press, libraries, schools, Church that constitute the “formidable complex of trenches and fortifications of the ruling class” (2011b, Q3§49: p. 53).

Overall, the CBO personnel agreed that the space in media now is less oppressive than those days in the 1980s and 1990s. The new media provide a great opportunity to reach out to more audiences using the function of widgets and sharing to make posts viral among social media users. Pang opined that this is a form of democratisation where the information no longer belongs to the upper class of society. Among the CBOs, BaramKini had a wider and more strategic use of blogs and websites, targeting Chinese-speaking urban dwellers, policymakers and timber companies in Taiwan and China. The CBOs’ involvement with the new media from the late 1990s until now showed the significant social role of organic intellectuals. They either pioneered setting up websites, blogs or creating content to be sent to alternative media organisations. SAVE Rivers and JOAS relied on their youth groups to maintain their blogs and content creations while SCRIPS is actively documenting oral history as evidence of the indigenous land parameter. Similarly, the lack of consideration of civil societal matters by mainstream media was filled by organic intellectuals who established Malaysiakini and Radio Free Sarawak. The use of WhatsApp allows the CBOs to communicate in their indigenous languages. This shows that the indigenous cultural needs have been deprived by the mainstream media through lack of diversity and social inclusion. Within the era of user-generated contents, the opportunity for creating their own common sense may be of higher chances and efficiency.

There is another side of the CBOs' views on the new media. Despite the convenient approach of WhatsApp groups and messages, many of them were trivial and inconvenient for users. Responses from the websites, blogs and Facebook pages are artificial and inconsistent. To them, it is tiresome having to think about how to attract the public's attention. From the interviews, the CBOs put really heavy emphasis on empowering the indigenous people and encouraging them to be leaders of their own fate. Such emphasis is one of the factors that the CBOs' empowerment activities are made less known as their web-based platforms are not up-to-date. Pang claimed that it is an "institutionalisation burden" because the advocacy focus is the indigenous people, not the CBOs. Therefore, they do not see the need to show off the activities done by the CBOs.

From the Gramscian point of view, the CBOs have yet to see the importance to invest in a war of position, meaning to create and maintain the images of the relationships between natives, lands and culture. Their perception of culture is more to everyday way of life or viewed in a zero-sum perspective of controversial and non-controversial activities. Associations that practised the latter like basket weaving, dancing and beauty pageants were despised by the CBOs for getting 'friendlier' treatment from politicians and government officials who graced their events or even provided sponsorship. It is indeed such legitimisation of natives' culture through mediated images that the CBOs should incorporate to their rhetoric as a way to normalise their advocacy in a 'wholesome' way. Only one respondent gave an opinion that bridged the CBOs' activities and their media use. Ms Vincy Usun, a former journalist, argued that the CBOs' use of new media is event-based or occurs when tension arises. In her words, the new media should be operated like a media organisation, not the activist way that treats media as a "bulletin board". This opinion coincides with the empirical findings where most of the CBOs' Facebook output is event-based and in the form of photos and videos. On the other hand, articles that could contribute more to public understanding of their advocacy are sourced from national and international organisations.

The CBO personnel are also aware of the nature of the national broadcaster, RTM – heavy with government propaganda and unfriendly to their advocacy. Peter Kallang from SAVE Rivers thinks that it is such a pity, not to mention a deep irony, that RTM failed to educate the natives on their rights and yet RTM is the most commonly consumed media among rural longhouse communities. He, with Susan and Michael, has personally not watched RTM television channels over two decades. In general, they have no confidence in RTM for any civil societal role, regardless of the era of media technologies. This is evident that from the CBOs'

Facebook posts, only once RTM content was sourced, which was a video filming a minister giving opening speech for a JOAS event. From the interviews, some personnel also chastised the local press for whitewashing the injustice toward the Penans because the major dailies are owned by some timber tycoons. The respondents are generally aware of the consequences that political ownership and control have over the indigenous people's awareness of their rights. However, the empirical data showed no consistent effort or perspective from the CBOs in articulating the role that media could play through their web-based platforms or to lobby for media reform.

Although the indigenous people are categorised as the original people with constitutional privileges, the common sense is otherwise with a single cultural domination – Malay Muslim – through fictional and non-fictional media output. Therefore, even when the subalterns were standing up for their rights, they did not look natural. They were more often than not depicted as 'protesting' and in constant anxiety with modernisation (Mustafa, 1994). Given the sensitive nature of political cronies in logging and land grabbing, mainstream media especially broadcasting gave either minimum or negative coverage to NCR land cases. The totality of the portrayal has to be understood in everyday media artefacts that build national-popular ideas of whose culture matters, something which does not always have to involve law enforcement.

The domination over the space for civil discussion against marginalisation is executed through the state's educative and formative role that defined 'civilisation' and 'national culture'. The establishment of the national broadcaster, RTM in 1963 was meant to serve the government of the day (Zaharom, 2000). With the inception of Channel Two by RTM in 1969, there was a steady increase of local programmes including Malay-language dramas. They served as a platform to convey the Malay community's culture, while programmes other than the Malay language were sidestepped (Khartigesu, 1994; in Juliana, 2006). Khartigesu further observed that television dramas were identified by the government to promote national harmony and entrepreneurship among Malays (1994, in Zaharom and Mustafa, 2000; see also Said Halim, 1988). For Malay dramas, the surrounding theme is about the Malay community. Hence it is not surprising to have "a 100 per cent Malay cast with the location of the shooting in, say, a Malay village, a Malay neighbourhood or a Malay business premise" (Zaharom and Mustafa, 2000 p. 269). The regular issues include (p. 270):

...the socio-cultural implications of modernisation upon certain members of the Malay community; over-zealous material pursuit that is portrayed as conflicting

with religious (i.e. Islamic) and traditional values; love affairs involving Malay couples; family and marital problems within a Malay family; the trials and tribulations of successful Malay entrepreneurs in the context of industrial development of the country; and a re-enactment of certain 'historically and culturally significant' incidents during the glorious Malacca Sultanate, etc.

In this regard, another television critic puts it quite bluntly in Zaharom (1996: p. 173):

Tired themes about only the Malay community are constantly rehashed in these productions, as if the remaining 50 per cent of the Malaysian population didn't exist and didn't matter. And even when other ethnic communities are included in the storylines, their roles are more often than not peripheral ones (*New Straits Times*, 25 January 1992).

Zaharom (2000, p. 247) wrote that unlike 'factual' media artefacts, narrative structures in television dramas "like many other genres that are 'fictional', tend to be more 'open', where the range of options for resolution are greater". M. Bowes (1990) put it that the ways drama "present us with 'real' people in 'real' situations can help us understand how they fit into our perception of the society we live in" (in Mustafa and Wang, 1996: p. 269).

Like a vicious circle, the CBOs personnel had low confidence toward RTM for their cultural and information biases. Besides the state-run broadcaster, private media organisations before the Internet era made it clear that they would still toe the government's line of cultural and political sensitivity (Zaharom, 1996). In fact, they did not intend to rock the boat since they were owned by investment arms of the ruling political parties. RTM would have fitted the requirements as a public service broadcaster given their capacity in technological and cultural provision. RTM remains the only organisation that provides channels for Sarawak and Sabah affairs in native languages.

To YB See and Lawai, education is another double-edged sword. Many educated natives are "part of the oppressed system" while the young might be concerned with getting a job with private interests at heart. The CBOs lamented that the young are hardly interested in the NCR land affairs. The search for a takeover by the young confirms Gramsci's fear of syndicalism, which prevents a subaltern group "from ever becoming dominant, or from developing beyond the economic-corporate stage and rising to the phase of ethico-political hegemony in civil society, and of domination in the state" (2000, Q13§18: pp. 210-211). Gramsci also chastised how the education system has produced intellectuals who are apolitical and detached from national life and *forma mentis*. Lawai from BaramKini shared similar view where no textbook is about life injustice or love for environment and socially disadvantaged groups. The examination-oriented Malaysian education system has inculcated

the economic-corporate priority in academic results as the guarantee of securing a good job and hence a good life. Furthermore, tertiary institution students and academic staff alike are forbidden to participate or even show sympathy to any political activities as stipulated in the Universities and University Colleges Act (UUCA) 1971. Nevertheless, the CBOs generally opine that education is the tool for empowerment. SAVE Rivers utilised a doctoral thesis to propose dam alternatives to the government while IPIMAS spreads conversation efforts among school children. SACCESS linked up with the University of Nottingham Malaysia to sponsor two Penan students to further their studies in town. Instead of binding them with contracts, which is “meaningless”, SACCESS made them pledge will return and contribute to their community instead of settling down in town. This action coincides with Gramsci’s view that subalterns need to be educated to be long-term oriented and rise above their own economic-corporate interests. Otherwise, it is “only tempering this harsh fate with the purely individual explosion of a few great geniuses, like isolated palm-trees in an arid and barren desert” (Gramsci, 2000/1926: p. 173).

Similar to politicians, the CBOs despise church pastors who preached about religious life without daring to touch on land issues. Although claiming to be non-political, they made their stand by inviting politicians to their church for ‘cultural’ events. According to Pang, there are even churches fighting with each other to “champion the well-being of Penans”. To the CBOs, any detachment from issues faced by natives in keeping their lands is façade, regardless of the religious image of a pastor or politician. This view can be understood from Gramsci’s own criticism about the disconnection between religion (Catholicism) and the real-life struggles of subalterns. To Gramsci, the church reinforces the poor-rich gap through activities like distributing alms. Referring to *The Betrothed*, Manzoni’s character showed ‘aristocratic’ sympathy to the people, equivalent with “benevolence of a Catholic society for the protection of animals” (2011c, Q7§50: p. 196). Instead of being national-popular with the people, it is of high culture and caste attitude. Being poor is natural and should be accepted by the common, ‘simple’ and sincere beings (Green, 2018). The strategy is to keep a relationship with the poor but at the same time did not address their poor living conditions or subalternity. This coincided with Wong and Michael who left their own church because of the apparent clash between religion and the natives’ land cases. They are an exemplification of Gramsci’s opposition to the fourth point in his *Notebooks* about the doctrine of the Church and the poor: “the social question is primarily moral and religious, not economic, and it must be resolved through Christian charity, the dictates of morality, and the decree of religion” (2011a, Q1§1, p. 100).

Both Wong and Michael realised that land issues cannot be addressed in the literal and uncritical sense of Christianity but from the aspects of policy and laws.

9.4 Federalism and the Sarawak state

Gramsci's writings aim to expose how domination of political society and leadership of civil society actually reinforce each other and form an integral modern bourgeois-liberal state (Buttigieg, 1995). Gramsci places civil society and political society onto the level of superstructure – both are one and the same, although they can be methodologically divided (Gündoğan, 2008 p. 52).

Three separate apparatuses of power (legislative, executive and jurisdictive), for Gramsci, form the organs of political hegemony (Gündoğan, 2008 p. 53). The state has not only political or public organs but also private organisms like parties and associations. In other words, nearly everything belongs to the state. The dialectical relationship displays the unity and also the conflict between one another under the same totality, to the extent that “[n]one of the rights of the citizens under the bourgeois parliamentary regime is untouchable” (Gündoğan, 2008 p. 56). The Gramscian state in many ways coincides with those of the Malaysian state.

It may be useful to stress that the state should not be viewed in a crude manner as a mere instrument of a few individuals in power. It is more adequate to view the state as both the object of particular individual interests and the outcome of its integration into the world economic system (Jomo, 1986). The concept of the state is wider than that of the government. For some Western countries, the government is only a part of the state yet influential and able to exercise some direction over the state (Zaharom, 1992). As Sparks elaborates to illustrate the situation in Britain:

The government is a small and transitory body of the people; the state, on the other hand, is large and permanent ... (Besides the government), the state is represented by those who owe their position not to any election but to the bureaucratic sectors of the state's organisation ... Indeed, there are substantial sections of the state machine, for example the judiciary, which are even formally independent of the government, and others, like the social services, whose first responsibility is to local rather than national government. [Hence in the context of Britain] there is plenty of scope of differences of strategy or opinion between the state and the government (1986; in Zaharom, 1992: p. 149).

Although Gramsci warns not to confuse the term 'state' with 'government', it is a different case for Malaysia. The same ruling coalition of political parties has formed the Malaysian government for close to six decades. The concentration of power in the political

executive (vested in the cabinet led by the Prime Minister) gathered momentum from the 1980s (Gomez, 2002; in Rodan, 2004). During the administration of Malaysia's longest serving Prime Minister Mahathir Mohamad (1981-2003), the BN government encroached more extensively into the other two branches of federal government – the Judiciary and the Parliament (Means, 1991). This led to the erosion of effective checks and balances within the state on how that executive power is exercised (Lee, 1995).

From time immemorial, the natives are the government through the *Adat* (customs) – they guard own land and lead the communities. Their system of legal values and principles existed long before the Brooke era or the advent of the modern State that we know of today (Hong, 1987). When James Brooke first ruled Sarawak in 1841, he recognised the existing non-written native customary laws as an initial tactic to gain local support (Empeni, 1998). When Sarawak became part of the Malaysian Federation in 1963, native courts and the enforcement of native customary laws remain as state matters to be regulated by state laws. From the Brooke era to the post-colonial administration, the *Adat* has been severely modified resulting in change to its original meanings. The posts of community leaders – *Penghulu* (Headman), *Pemanca* and *Temenggong* (Commander-in-Chief) were created to incorporate the natives to state government control (Empeni, 1998). Collectively, they are referred to as “Chief” while Headman leads a community by ethnic group as stipulated in Section 2 of the Community Chiefs and Headmen Ordinance (2004). The Governor of Sarawak designates any person to be the appointing authority for a Chief or Headman based on any appropriate recommendation from the Resident of a Division or the District Officer of a District. Their duties include assisting the Government in looking after the welfare of respective communities and to preside over any Native Court. They are prohibited to hold any post in a political party, appoint a councillor or engage in any trade that may have conflict of interests with their posts. The community posts, therefore, are no longer elected by the communities themselves as practised by the natives before the institutionalisation of their customary way of life. As Empeni (1998, p. 110) elaborated:

Nevertheless, major breaches of the *Adat* and disputes are brought to Native Courts. The administration and enforcement of the *adat* of the Dayak communities today are more complex. They are no longer the exclusive affairs of the Dayak themselves but involve outside authorities and agencies at the vortex of their administration and enforcement, for the Dayaks represent one component of a large and complex Native Court system.

From the interviews conducted in this research, government is the overarching theme that influences or dictates the CBOs' operations, media use and expectations toward the future of NCR land advocacy for Sarawakian natives. The respondents used the term 'state' interchangeably with that of 'government'. The sense of unitaryness between the concepts can be understood from the intervention in the three apparatuses of the state. The extent to which the Federal state played a part in the governance of Sarawak through the Abdul Rahman and Taib Mahmud dynasty is an example to begin with. Most of the interviewees branded the government as 'defensive' and 'unfriendly' as a product of the treatment received through the anti-development rhetoric from the post-colonial national policies. In fact, Peter and Jok Jau opined that it is their intention to work with the government because the CBOs could contribute input from their close interaction with the indigenous people. The interviewees also placed the police and the judiciary system on the same side as the government because they failed to be impartial. Mark, Ramould and Wong recalled those days when they were subject to close surveillance from the Special Branch (SB). Their sentiment coincided with Gramsci's question on why the basic right of a citizen can be criminalised. The tedious and costly process of court hearings is another method to dampen the fighting spirit among the affected indigenous communities. Furthermore, Michael doubted the transparency of the judiciary system from his own experience where the verdict was overruled once the Selangor state government changed. The channel to express their dissent is further circumscribed by the government's intervention in the media industries through legal and economic means. The New Economic Policy (NEP) launched in 1971 by the federal government not only catapulted a group of Malays into business; "it gave rise to a qualitatively new integration of economic and political power" (Rodan, 2004: p. 114). This situation reflects Gramsci's perspective where hegemony not only involves leading from an ethical position but also conquering the economic activities, including the media industries.

With the integral state between force and coercion, civil society for Gramsci is best described as the sphere of hegemony. Mark opined that the press conference is the way to counter the coercive state mechanisms. To let the public know about their situation is better than to react in a head-on collision with the government, which would result in a vicious circle. Ramould thought that lodging police reports is another method. In general, the CBOs think that awareness through education is the best prevention from being duped by unfair land compensation deals and sweet promises before elections. Again, the personnel said that their task is only to channel the constitutional rights and available support during crisis and

elections because ultimately, the choice lies with the indigenous people. The interviewees expressed hope for a friendlier government – be it federal or state – toward the plight of the indigenous people. There is much to unpack from this philosophy of the CBOs in Gramsci's view. What is the long-term objective of their empowerment strategies? How sustainable is it for a painstaking process toward a moral and cultural reform? Gramsci believed that Italy was a prime candidate for a socialist revolution because the ruling classes pursued their interests blatantly at the expense of the proletariat (Buttigieg, 1995). Since the formation of Malaysia, the Sarawak state was ruled by two Melanau Muslim elites (see Chapter 3), one of which was Taib Mahmud. The height of Sarawak land rights advocacy took place during the administration of Taib as the Chief Minister from 1981 to 2014. Activists exposed that the dislocation of thousands of Orang Ulu from their lands to make way for mega-dams and palm oil plantations involved rampant corruption and nepotism among state officials, including Taib (Minority Rights Group, 2018; Straumann, 2015; Chin, 2015).

The Taib administration had successfully balanced its power through apparatuses of the state – media, judiciary, legislation and executive. Any talk of cessation is put down by law enforcement means. The hype of the NCR land advocacy dwindled due to a number of factors – the mysterious disappearance of Bruno Manser, the depletion of Sarawak's rainforest from over logging, a change of Sarawak chief minister and the shifting priorities of CBO personnel. Since the separation of powers is executed poorly in Malaysia, Pang and YB See concluded that the indigenous people did not feel protected by autonomous institutions. Pang mentioned that government agencies like the National Registration Department are less emphatic to the Penans. He said even clerks can be the 'gatekeeper' or 'little Napoleons' for turning the Penans away for having no birth certificate, which resulted in a ripple effect that denied them constitutional rights to vote, get education or public healthcare. Pang, Michael and Ramould also doubted the independence of the Human Rights of Commission of Malaysia (SUHAKAM), Malaysian Timber Certification Council (MTCC) and Malaysian Anti-Corruption Commission (MACC) in safeguarding the people instead of the government. Peter recalled that he lodged many reports to the MACC regarding Taib's wrongdoing yet no action was taken.

Adenan Satem became the fifth Chief Minister in 2014. Several interviewees claimed that he was more open to solving their land plights. YB See said that he was given a column in the *Borneo Post* to write on indigenous people's issues, which never happened before during Taib administration. The former Temenggong, Mr Mantan Pahang expressed sympathy over Adenan's passing in 2017, asking "why such a kind person's life was cut short by God?". Philip

praised Adenan for stopping the Baram dam construction. Abang Johari Tun Openg, more popularly known as Abang Jo (literally Brother Jo), became the sixth Chief Minister in 2017 and was perceived by Mr Mantan Pahang as 'all-talk-no-action' about continuing Adenan's effort. YB See added that Abang Jo 'closed up the space again' by retracting his column in the *Borneo Post*.

From the interviews, any expectation of capacity to discuss the possibility of crisis of authority or Caesarism (in Gramsci's terms) has proven absent. Among the three Chief Ministers, none of the interviewees presented information that might allow the characterisation of the transitional period from Taib to Adenan as one of conjunctural or organic crisis. This thesis argues that while the actions taken by Adenan were attentive in part to the indigenous people's land woes, they were insufficient to challenge the established institutions of civil society institutions that contributed to the Dayak subalternity.

9.5 A Review of the Gramscian approach

This last section presents critiques of the Gramscian approach to analysing the Southeast Asian state-civil society relationships. The critiques are then discussed within the feasibility of the Gramscian framework to envisioning how the CBOs (Modern Prince), led by indigenous people (subalterns), can rise to building their own hegemony and end their subordination.

A number of scholars use the Gramscian conception to analyse Southeast Asian state-civil society. Based on the Vietnamese and Cambodian contexts, Landau (2008) writes that the utility of Gramsci's civil society is limited. The fuzziness of the state-civil society dichotomy highlights Gramsci's weakness in describing the nature and limits of the boundaries (Ehrenberg, 1999; in Landau, 2008). Landau (2008, p. 254) further wrote that particularly in states like Vietnam, "where the boundaries between state and society are associatively, as well as conceptually, ill-defined and elusive and the most important contestations often occur within the state, Gramsci's theory is of limited relevance." Landau (2008, p. 254) claimed that the approach for Vietnam and Cambodia is limited to "Western-style liberal democratic regimes where there is clear institutional, legal and conceptual space for civil society." It is in fact such fuzziness that renders hegemony effective in Malaysia. State intervention in the Malaysian economy generally and in the media industries specifically have been documented by various scholars. It is an environment as described by Zaharom (2000, p. 242) "where the ownership and control of the media are in the hands of a few who are closely aligned to the government and who also wish to profit from the situation." The logic that mass media are

both economic and ideological fits Gramsci's view that hegemony is ethical-political, but exercised from those leading economic activities.

O'Shannassy (2008, p. 92) defended the complexity of the state-civil society interrelationships where any analysis on post-colonial states should reject "a simple, dominative or instrumental model of state power." Furthermore, the separation between political society and civil society is purely instrumental (Tok, 2003). In concrete life, they are both existent and is the same thing; "the public and governmental institutions of political society exist alongside private organisations of civil society [which] constitute an organic unity" (Green, 2002: p. 6).

O'Shannassy (2008), in understanding the surprising outcome of Malaysia's 12th general elections, wrote that the strength of a Gramscian conceptual framework lies in the complex working of hegemony and the critical role of popular consent in maintaining it. Miles and Croucher (2013, p. 415), on the other hand, criticised Landau (2008) and O'Shannassy (2008) for ignoring "a central Gramscian issue, which is how far workers and their organisations have been able to forge links with other subaltern groupings."

The motivating occasions for both O'Shannassy (2008) and Miles and Croucher's (2013) work are general elections. O'Shannassy (2008) questioned if the 2008 general elections outcome is a short-term or an organic moment. O'Shannassy (2008, p. 93) was aware of Gramsci's point that "any particular crisis needs to be understood not only in terms of the immediate economic and/or political concerns but also in the 'incessant and persistent efforts' made by the ruling stratum in order to defend and maintain the existing system." This thesis argues that O'Shannassy (2008) did not point out the operations of an important hegemonic tool, which is the mediated dominant ideology over time. Similarly, although Miles and Croucher (2013) attempted to highlight the coalition status of working class and unions, they failed to stress how they have been represented by mainstream media in Malaysia.

This weakness relates to the failure in exploring the dynamism that gives legitimated authoritarianism its meaning – popular perception and consent (Sim, 2006). Gramsci's theory of hegemony addresses the question of consent and legitimacy, which is now mediated through communication systems that are far from being neutral in its own. Green (2002, p. 14) quoted the case of David Lazzaretti as an instance where although this commoner led a politically organised subaltern group, the group failed in its political ascent and Lazzaretti died tragically:

The point that interests Gramsci, however, is the way in which Lazzaretti and his movement are portrayed and represented by Italian intellectuals.... viewed Lazzaretti as a psychologically abnormal “madman”, not as a member of a marginalised group not consider[ing] the socioeconomic, political, or historical conditions Lazzaretti and his movement confronted.

Green (2002, p. 15) further stressed the significance of Gramsci’s focus on literature, or media in the contemporary sense that

depicts the subaltern in passive, humble, or subordinated positions is to show that such work actually reinforces the positions of the subaltern and contributes to their further subordination. The dissemination of such views contributes to the consciousness and common sense of the masses to an extent that they do not question such views and accept them as facts rather than opinions....subaltern groups are faced with an ensemble of political, social, cultural, and economic relations that produce marginalisation and prevent group autonomy.

In other words, dominant portrayal of the subalterns not only contains themselves within their subordination but also shapes public consciousness to thinking the same. Therefore, a consistent image of CBOs is crucial to bring together the single aim, which is mobilise the natives against unfairness in NCR land matters and at the same time create a unitary common sense about them. It may be a huge hurdle to overcome given the Dayak political disunity, co-optation by the government and distrust among each ethnic group especially toward the Penans. Gramsci is right in cautioning us against a party’s bureaucratic centralism. Gramsci admitted that it is a norm to have a leader and the led. At the same time, he put heavy emphasis on the creative leadership of the political party to bring subalterns from passivity to activity.

This thesis argues that the Gramscian expectation toward the revolutionary role of a political party (organism) raises doubts about its feasibility, at least within Sarawak-Malaysia relations. On the one hand, Gramsci’s vision of a revolutionary leader is appropriate and useful because the Sarawak indigenous people have been community-based since time immemorial. Revolutionary activity is a painstaking process, especially one that has to tackle high resistance and attitude change as part of Gramsci’s cultural preparation. It has to start somewhere with someone leading the masses beyond economic-corporate interests or committing syndicalism. Gramsci further argued that counter-hegemony struggles can only take place in civil society – it requires the creation and extension of new spaces, which matches the advancement of user-generated content in the age of new media.

On the other hand, Gramsci stressed that such strategy for a war of position needs to be developed to target “a more ‘interventionist’ government...with controls of every kind, political, administrative, etc., reinforcement of the ‘hegemonic’ positions of the dominant

group” (2011c, Q6§138: p. 109). It may not be feasible by conquering the military field that the indigenous people will rise to be the hegemonic group. Such aim defies Gramsci’s own critique toward Rosa Luxemburg and the Bolshevik leader Trotsky for their idea of war of manoeuvre, which refers to the frontal attack on the state. Furthermore, it is a dangerous task, one that Gramsci is well aware of. It is from this point that this research agrees with Landau’s (2008) argument about Gramsci’s unclear boundaries of the state. If civil society is the State itself, does it mean that ending the state will also end the civil society elements? How then will the next leader establish his or her hegemony? By envisaging the end of the state, what will happen to the CBOs? Who will lead? Such questions defy Gramsci’s expectation of a movement toward a catharsis government to uplift the economy that benefits the poor as well. Contextually, disabling the apparatuses of the state might lead to a bloodbath in Malaysia. After the New Economic Policy (NEP) was launched in 1971, the BN government elevated the economic and political positions of the Malays by placing them in the civil service including the law enforcement sectors to solidify BN’s position as the protector of Malay supremacy through electoral votes (Jomo and Todd, 1994).

9.6 Suggestions for the CBOs

Based on the empirical findings and theoretical discussion, this thesis gives several suggestions for the future operations of Sarawakian CBOs. To run an effective CBO, the organic intellectual may or may not be from the subalterns. It is unnecessary to set a culturalist boundary where the agent of change must be from the natives, although ideally the natives understand the subject matter at hand better than ‘outsider’. Ms Vincy (BaramKini), a Malaysian Chinese, recalled how she was confronted by some longhouse residents to reveal her ‘true’ intention for helping the natives. They feared that she was “a BN spy” because it is rare to them for a non-native expressed interest in their problems. This thesis thinks that if the leader is sympathetic toward the land dispossessed natives and their overall cultural positioning, wouldn’t the leader’s organisational skills matter more than his or her ethnic belonging? In fact, an ‘outsider’ may have a clearer view to position the advocacy beyond ethnicity, which indeed as shown in this research has a dividing effect toward the land issue regarding social classes.

It is because of such suspicion that the CBOs have yet to understand the essence of winning the hegemony through more than one type of audience. Rhetorically speaking, as Campbell and Huxley wrote (2009, p. 192):

“There are at least four ways to understand what is meant by an “audience”. An audience can be (1) those exposed to the rhetorical act, the *empirical audience*; (2) the *target audience*, the ideal audience at whom the act is aimed’ (3) the *agents of change*, or VIP audience, those who have the capacity to do as the rhetor wishes, who can make changes; and (4) the role the audience is invited to play by the rhetor, the *created audience*”.

It is right that the CBOs want to empower the natives through village visits, resident associations and literacy training. It is equally important to naturalise the natives among especially urban dwellers instead of often being portrayed as outcast or anti-development. The masses need creative leadership to pave way for systematic creation of content to create subaltern ‘common sense’, connect with the masses and eventually lift the subalterns from their current underprivileged status. The only interviewee that has such opinion is Ms Vincy who despises the use of new media as bulletin board instead of creating everyday image of the natives to make others understand why the NCR land matters as their rights. To her, the leadership pattern in Sarawak lacks focus because most CBOs do their own thing despite the similarity of each advocacy. The totality of NCR land involves not only customary rights but also educational and economic statuses. To be able to participate in the interpretation and discourse of customary rights in the modern setting, one has to look beyond crises or conjunctural events.

This thesis agrees with Gramsci that party bureaucracy is detrimental to the CBO operations. This is observed through the Sahabat Alam Malaysia (SAM), from their media output to the procedure of securing an interview. The researcher first approached Mr Jok Jau Evong from the Marudi branch for an appointment. He personally agreed but he had to ask for the headquarters’ permission. No response received after three weeks and a few phone calls were made to the headquarter. They were passed around and nobody knew about the researcher’s enquiry to have an interview with the Marudi branch. SAM was established in 1977 and was a fierce advocate in the 1970s. It was headed by Mr Harrison Ngau who later was detained under the Internal Security Act. As SAM’s operations expanded over the years – Pang called it an elite NGO – this thesis thinks that SAM should decentralise in terms of budget, training and literacy. This will also maximise the community-based role that the Marudi office can play. If the officers in Marudi are trained to construct and edit own materials then subsequently offer training of media literacy skills to the communities, SAM website can display expression from the grassroots and spread more awareness regarding their plight.

Among the CBOs, they have resources in their own ways. SAVE Rivers has a strong youth group in managing its online media; SCRIPS has skills in oral history documentation; JOAS is a network of about 100 indigenous-centric organisations; BaramKini is keen in creating Sarawak environmental awareness among non-indigenous urban residents; SAM is part of the Friends of the Earth International; IPIMAS specialises in conservation efforts and SACCESS is led by a politician-cum-lawyer. It would be better if they share those resources to form a stronger network and push for cultural and economic changes. The post-colonial government has continued the divide-and-rule policy from the Brooke administrations where the posts community leaders and ethnic leaders [*ketua kaum*] are preserved and paid for by the state government. Hence, the CBOs should discontinue such act of disunity. To quote Gramsci (2000/1926, p. 174):

No mass action is possible, if the masses in question are not convinced of the ends they wish to attain and the methods to be applied. The proletariat, in order to become a capable as a class of governing, must strip itself of every residue of corporatism, every syndicalist prejudice and incrustation.

9.7 Conclusion

This chapter has outlined the empirical findings with Gramsci's concepts of civil society to fulfil RO6 From the empirical data, to provide a systematic understanding of the nature of CBOs' use of new media within the Gramscian framework.

The empirical findings from interviews and web-based platforms are discussed by applying Gramsci's notion of civil society and inter-related terms. The reason for applying a Gramscian framework is the totality of his terms that sets out to understand why in the first place there were disadvantaged people. He went on to analyse how they are perceived as natural and willingly consented to their condition. His perspective allows us to understand why certain social revolution didn't work or how certain states retained their power without resorting to military means. He rejects the liberal notion that the state consists solely in a legal and bureaucratic order, which remains neutral and indifferent to class interests. From Gramsci's point of view, the liberal state's notion of rights benefits a particular class – the bourgeoisie (Buttigieg, 1995). Gramsci also offers strategies for intellectuals to play a conscientious role in leading the subalterns through civil society.

From the discussion, the CBOs are very much aware of the obstacles to a more egalitarian society. It is argued that while the CBOs are working closely with the affected

indigenous communities, they need a more systematic strategy as a way forward from the Bruno Manser hype in the 1980s and 1990s. This thesis agrees with Gramsci that the struggles begin in civil society to win hegemony by creating and maintaining the spaces available through new media. It is also crucial to push for a reform in Malaysia's government broadcaster to serve citizenry interests genuinely. Currently the interviewees are less enthusiastic toward utilising the new media. This is evident from their web-based platforms, which are either outdated or lacking in crafting contents. Most did not see such need because empowering the indigenous people is of the utmost priority. This thesis argues that because the CBOs concentrate in fighting against land injustice, it magnifies the subordinate status of the indigenous people. There is an urgency to find and train the younger generation to take over the leadership. Some interviewees expressed that they are quite burnt out by executing the empowerment tasks on their own. It is argued that there is a whole structure to understand this phenomenon, which can be related to Gramsci's conceptualisation of economic-corporate interests, intellectuals, religion (Church) and education.

Both liberal and Marxist paradigms of civil society share a common point of the juxtaposition of repressive state against liberal civil society, despite taking a different route (Rodan, 1997). They similarly maintain the normative role that civil society could play and bring transformation to society (Mitlin, Hickey and Bebbington, 2007). Again, the common premise is that "the state is inherently predisposed to oppression, whereas civil society is the natural domain of liberty" (Rodan, 1997: p. 160). Buttigieg (1995) highlighted how the liberal view misleadingly portrays the autonomy of civil society from the state. Gramsci actually envisaged the end of the state with the Modern Prince successfully having disabled the coercive apparatus of the state. The limitation in this aim is where it seems a dangerous move to paralyse the state's stronghold of the law enforcement without resorting to force. While strengthening the subaltern's hegemony through civil society, there is no guarantee that the state remains static in their image dissemination. It is advised that the CBOs unite to select a leader and strategist in managing the inner and outer trenches of operations for cultural labour (educative role) is more crucial in organising the exploited masses.

Chapter 10: Conclusion

10.1 New Media and Sarawak's Community-Based Organisations (CBOs): A Gramscian Analysis

This thesis has set out to study the development of CBOs in Sarawak within the advances of communication technologies. In a previously politically and socially restrictive media environment, new media has been identified as the catalyst to a more open and democratic civil society. With such excitement of a 'virtual civil society', this thesis questions if the CBOs shared similar sentiment and benefit in their operations. CBOs in Sarawak operate small-scale, people-centric activity and their main advocacy revolved around native customary rights (NCR) on land (Aeria, 2010). The height of this issue was during the 1980s and 1990s when a Swiss environmentalist brought to international attention the social and environment repercussions of land grabbing and logging on the Penans, a minority indigenous group in Sarawak. The Malaysian government retaliated with an anti-imperialist argument and also accused the CBOs for betraying their own nation's development agenda. The research gap is two-fold. First, studies on how media influenced civil society movements rarely discussed the sustainability of new media in enhancing CBOs' organising processes. Second, researches about Sarawak's indigenous people, land issues and the environmental movement were mostly technical on land laws and geographical mapping. This research aimed to address the gap by placing the potential of new media in advocacy processes and how they could propagate a desired representation of the indigenous people of Sarawak, their cultures, including their ancestral lands, and rights. Semi-structured interviews were conducted among CBOs' key personnel to obtain their outlook on new media, their current organising agenda and other actors, such as the federal and state governments, the indigenous people, other NGOs, education, political parties, churches and regulatory bodies. The interview data were triangulated with the analyses of the CBOs' official websites, blogs and Facebook pages. The content analyses evidenced how the CBOs managed their images through web-based platforms. The data triangulation contributed to the understanding of the relationship between changes in media platforms and counter-hegemonic strategies by the NCR land CBOs. The data also enabled the researcher to understand not just the CBOs' perspectives toward the appropriateness of user-generated media technologies for their advocacy, but their overall outlook on the media environment and civil society in Malaysia. This section discusses the key findings that have answered the research questions, followed by suggestions for future research.

RQ1) How did the NCR land CBOs represent themselves using new media platforms?

The NCR land CBOs' representation user-generated website, blogs and Facebook pages were content analysed using the categories of graphic and navigation design. To represent their environmental-based advocacy, green was the key colour in 2 websites (SAM and SCRIPS) and 2 blogs (SCRIPS and SAVE Rivers). The SAM website had the most complete and organised set of organisational background and activities, which can be attributed to SAM's establishment in Malaysia since 1977. For the blog category, BaramKini used white that gave a minimalist look and utilised the sidebar, Tags and Archives for better navigation of information. BaramKini had the advantage of time where blog template designs have evolved (as compared to the BRIMAS blog) and Vincy, a former journalist, as the blog coordinator. Five CBOs had their own official Facebook page. When data collection was undertaken in August 2018, BRIMAS and TAHABAS Facebook pages had not been updated since 2016. On the other hand, SAM, SAVE Rivers and JOAS were more active in posting items on Facebook. The nature of contents, however, was event-based and in the form of photo or video; those gained the highest number of Facebook responses as well. News and feature articles about Sarawak NCR land were sourced from national and international media organisations.

RQ2) What did the CBOs think of the current media environment in Malaysia pertaining to their land rights advocacy?

The interviewees were asked about their CBO's media relations at the state and international levels. They disclosed that their land advocacy stories in the 1980s and 1990s were rarely broadcast and published in a consistent and objective manner by government broadcaster, RTM, and private media organisations. Subsequently, they grew reluctant to call the mainstream journalists to cover their events. They believed that government regulations, political ownership and commercial pressures affected journalistic independence. Malaysiakini, established in 1999, is Malaysia's first alternative media organisation that is fully online. A majority of interviewees (56.3%) admitted that Malaysiakini was 'friendlier' to their cause and published their stories as they were. All interviewees expressed their disappointment toward RTM because they were not accountable as a national broadcaster. They believed that media reform is important to have more socially responsible media that "inform and educate" the audiences, not "brainwashing" them. This was evident through all

5 CBOs' Facebook posts; RTM was sourced only once. The answer to this research question came mainly from the interviews to understand their perspectives and expectations toward mainstream and alternative media organisations in Malaysia. The theme 'media' was the second least mentioned in the CBOs' web-based platforms. The web findings evidenced that the CBOs' thoughts on media are not part of their organisational advocacy.

RQ3) How have the CBOs' internal and external organising processes improved using the new media?

The CBOs' web-based platforms did not encourage upward information flow as in calling for action from the users. Only SAM website and BaramKini blog had 'Donation' and 'Volunteer' functions. None of them provided links to organisations of similar movement.

Thematic analysis was conducted on the CBOs' organisational details to gauge the range of their activities. "Empowerment" shaped the identity of CBOs where their focus is to educate the communities of their "indigenous and human rights" through workshops and trainings. The interviewees said that the communities were taught the basics of citizen journalism like taking photos and videos, composing simple captions and using Word Document. According to Susanna and Pang, the effectiveness of media literacy training depended on the communities' capacity by age, literacy level and location. The communities' stories were either uploaded to the Facebook page by themselves or sent to the CBO personnel first. From the Facebook posts, the functions of Sharing and Tagging among the CBOs were rarely used. A display of their solidarity was shown once through a joint press statement that condemned the assassination of Bill Kayong. Overall, the content analyses showed that the CBOs' internal and organising strategies were almost non-existent.

From the interviews, the CBOs personnel gave mixed answers to the extent new media have enhanced their day-to-day operations. Overall, they agreed that the utilisation of new media by civil society organisations have opened up the sphere in terms of creating awareness. The interview data further revealed that the CBOs' use of new media was influenced not just by their resources but how they perceived new media as a non-priority. For the first factor, the CBOs run on a small budget and they utilise it to mobilise the communities, especially during crisis. This leads to the second factor where to maintain any web-based platforms is a burden to SACCESS, IPIMAS, TAHABAS and SCRIPS. Michael claimed that those who remain in remote areas are the elderly and they rely on their community head

as the opinion leader, not the media. Those who migrated to town for employment and education, they are either indifferent to land issues or show scepticism toward the role that they can play as individuals. The CBOs believed that targeting the indigenous communities is more important than educating the general public. To attract and to retain the interest of youths, they argued, is a structural issue and cannot be addressed through attractive official sites and popular posts. Furthermore, division among the indigenous people by ethnic groups and political orientation are deep-seated issues. The CBOs personnel stressed that their role to solve this, is to educate the communities of their rights without instigating the divisions further.

RQ4. How would the Gramscian framework assist in understanding new media and civil society based on the NCR land CBOs' organising processes?

As discussed in Chapter 2, Malaysian civil society organisations operate within the boundaries set by the state, not grown out organically (J. Saravanamuttu, 1997; Rodan, 2014). This is evident for the NCR land CBOs where they started as resistant groups toward the Sarawak state's institutionalisation of native customs (including land) and the subsequent development of related industries, which upset the indigenous people's relationships with their lands since time immemorial. The CBOs' non-governmental stand refers to being different from the state in appreciating the NCR land, not in the autonomous sphere as defined by the liberal paradigm. In many instances, the CBOs saw themselves as the watchdog to curb state despotism. SACCESS is "selective" in networking because they do not liaise with loggers and government-friendly environmental NGOs. To Pang, being non-governmental does not mean 'neutral' and 'apolitical'. Jok Jau argued that the state government was too "defensive" by pitting the indigenous people's rights against national development agenda. Ramould used to be a ruling party's member and he grew frustrated when the party was reluctant in solving his community's land issues. He claimed that he initially had no idea about what NGO was. Out of desperation, he drove 12 hours from Kuching to Miri to look for an NGO that he heard represent indigenous people's land rights, referring to BRIMAS. Peter from SAVE Rivers stressed that he disliked the name NGO because they actually are more than happy in assisting the government in preserving the Sarawak forests and rivers. In the Gramscian point of view, the CBOs had the advantage in grassroots empowerment but lacked the strategy of a revolutionary party that include the complex fabric of actors and institutions of civil society.

The divide-and-rule policy practised by both colonial and post-colonial governments has rendered the Dayak unity weak. The indigenous way of life and their self-governance through *Adat* (custom) were deemed inappropriate by the dominant definition of civilisation. Their status was further downgraded when their most prized possession, land, is administered by state apparatuses – executive, legislation and judiciary – that vanquished their interpretation of *Adat*. The indigenous people and activists alike were criminalised for their retaliation through blockades and foreign parties. Their struggles took place when this topic was shunned by the mainstream media and there were no user-centric communication technologies as advanced as today. Several interviewees had parts of their lives sacrificed in offering support to the affected communities – confiscated passports, abandoned studies, police intimidation and using up own savings. Their organising skills exemplified the conscientious roles of organic intellectuals. If not because of their lone struggles, they would have reacted differently to the potentials of new media in publicising their advocacy to establish new hegemony. The purpose is to normalise the indigenous existence without highlighting their subalternity through constant ‘pleading’ for help and demanding for justice.

As argued by Gramsci, civil society is indeed a critical site for hegemonic (re)production. After the hype of anti-logging in Sarawak fizzled out, interviewees admitted to an extent that the network is still rather loose and the CBOs lack direction on figuring out what is next. The biggest internal challenge is getting fresh faces to take over their advocacy. SAVE Rivers has the advantage of having an active youth group as volunteers mainly because of Peter Kallang’s involvement with church. Factors such as migration, education, career priority and forest depletion drove the young to be more and more detached from their ancestral land. This situation fits Gramsci’s “problem of the younger generation” where “the old is dying and the new cannot be born” (1999, p. 556). Susanna from IPIMAS strongly believed that education is empowerment. It may be partially correct if she was meaning ‘literacy’ because education systems in Malaysia are examination-oriented and developmentalist that helped preserves the status quo (Zaharom, 2003). The interviewees were aware that some educated natives themselves are part of the oppressive system. Education is no guarantee to Gramsci’s ideal of (organic) intellectuals in putting an end to subalternity.

Gramsci is right in arguing that subalterns have to be studied in totality. In this NCR case study, co-optation is not only limited to electing community leaders as government positions; it encapsulates civil society as a contested arena. Churches have their own agenda in competing to champion Penan’s cause through socio-economic needs but leave out the

contentious law interpretation of customary land and the powers behind it. The communal nature of natives in Sarawak further poses a hindrance to forming a coalition of subalterns. BRIMAS and SCRIPS expressed their bitterness over the international attention given to the Penans in the 1980s. With CBOs still running by ethnic lines or 'internal prejudice and strata', it may pose grim outlook toward bridging the differences to share counter-hegemonic ideology.

The fundamental tasks of a revolutionary party for Gramsci are: 1) the creation of a counter-hegemonic 'historic bloc' (a united front); 2) development of political consciousness (shared counter-hegemonic ideology by different subaltern groups: 3) to guide the masses politically and materially toward the solution of their subalternity (Gramsci, 2000/1926: pp. 153-154). The CBOs have accomplished the third criterion, which is to empower the grassroots to rise from their subaltern positions. The CBOs have done it right by documenting oral history to counter the official interpretation of natives' values and origins, among other empowerment activities. They have an advantage over middle-class NGOs described by Rodan (2014, p. 838) where "the [latter] appeared not to countenance the linking of their preferred reforms to the substantive needs and aspirations of the masses, or to engage and enlist active support from representative organisations beyond the middle class." This thesis argues that even if the middle-class activists "relied heavily on the power of argument and maintained a sense of entitlement to shape reform" (Rodan, 2014, p. 838), they may well complement the CBOs by offering media management strategies.

The CBOs had toiled hard in an oppressive environment about three decades ago and much can be learned and picked as lesson for future direction. This is not to sanitise their mission and the real injustices faced by the indigenous people in losing their land. It has to be understood that their subalternity is also sustained by other seemingly unrelated and harmless aspects – education, religion, entertainment and cultural associations. They did not win the war of manoeuvre in the 1980s and 1990s largely because of law enforcement mechanisms such as police and judiciary; and second, state ideology of modernity defined them "anti-development". In the new media era, they are fading out from the war of position despite the more liberal space for generating own content.

This research argues that the CBOs should move beyond empowerment at the subaltern level to break into the user-generated online sphere and lobby for a reform in the broadcaster RTM to create the natives' common sense. CBOs, especially SACCESS, do not want their advocacy to be institutionalised. It is in fact these institutions of civil society that build their

“powerful system of fortresses and earthworks” (Gramsci, 1999, p. 494) over time – media, ROS, MTCC, MACC, religion and education. Brosuis (1999, p. 51) argued that scholars might be “missing the mark” by focusing on ethnographic resistance in environmental movement without considering how “[i]nstitutions are both enabling and limiting. A process common to virtually all environmental issues today: the process by which the discursive and institutional contours of such issues are simultaneously shifted away from the moral/politic domain and toward the domain of governmentality, managerialism, and bureaucratisation.”

With the new political alliance taking over Malaysian administration, the CBOs ought to ‘test the waters’ within the five-year window before the next general elections and push for a redefinition of native rights in totality. To quote Green (2002, p. 21):

Because subaltern groups exist in varying degrees of political organisation, more organised groups have to become intellectual and moral leaders and attempt to create a subaltern class alliance that would be capable of presenting a new set of cultural values, social relations, and a new conception of the state. Therefore, prior to creating a new state, subaltern groups first have to become a counterhegemonic force capable of challenging dominant cultural values and winning control over civil society.

Fann (2018) urged grassroots civil society to engage with the elected representatives after collecting feedback from the people. In a more open media environment, the CSOs should seize the opportunity by ensuring the PH government accountable in fulfilling their election promises (Fann, 2018). This research argues that grassroots organisations now need to play a whole new ball game toward creating national popular culture. The challenge lies in the practical aspect of how to create organic intellectuals who understand subaltern ‘struggle’ and rights and at the same time harmonised to be something natural, common and worth public sympathy. The discomfort in this organic unity is currently reflected in the answers given by some interviewees where “the indigenous people do not need sympathy” [Pang], “[publicity] is self-promoting” [Pang] and “[SCRIPS] are different from those associations organising dancing and basket weaving activities” [Michael]. The CBOs and communities have a long way more to go in creating popular consciousness that they matter culturally, referring to more than arts and literary but “a coherent, integral and nationwide conception of life and man” (Merli, 2013c p. 441).

10.2 Contribution to Knowledge

If this research is a piece of organic intellectual work, it has to contribute to the CBOs and indigenous people of Sarawak. It would be farcical to only benefit the researcher in terms

of personal achievement. Several interviewees – Peter, Michael and YB See expressed their disappointment where there was no follow-up after they had on another occasion contributed to some academic research and interviews. With the community-based nature of the organisations, it is also less helpful to give them suggestions from afar. From the interview data, Mark and Michael voiced dissatisfaction over larger or international NGOs for “telling them what to do”. The best method to apply the suggestions for the CBOs (see 9.6) is through a full-time, physical involvement, which most likely means taking the road less travelled, based on the odds faced by the CBOs. This is where the researcher agrees with Gramsci’s philosophy of praxis, where the link between theory and practice is inseparable. To educate the subalterns that their economic and cultural status needs a consistent, systematic uplifting, is a long, painstaking process of war of position. Therefore, the indigenous people need to be taught, based on their capacity, the complex trenches of civil society such as education, media literacy and political systems. For different levels of audiences, the researcher can further contribute through writing feature articles about Sarawak, update the CBOs’ online platforms and get involved with policy influence tasks. Therefore, to learn at least one of the indigenous languages and get familiar with land laws will increase organic centralism and minimise prejudice toward the researcher.

The research undertaken makes a significant contribution to the conceptualisation of civil society through the dynamics of the CBOs’ NCR land advocacy and new media. It rejects the liberal paradigm of civil society (see Chapter 2) because in the Gramscian view, civil society is the platform of hegemony that displays the necessary fiction of moral leadership and connectedness with the masses without changing the status quo. The existence of CBOs and the space allowed in new media has to be analysed beyond their face value. The empirical data interviews and web-based design analysis provides insights to the Sarawak land CBOs’ definition of civil society through their relationships with custom, leadership, new media and aspirations in land movement. The application of a Gramscian analytical framework displayed a fragmented and contradictory arena of interests based on the hegemonic common good by the state, which is development. It helps the researcher to understand civil society beyond the idealised conceptions that NGOs and new media have expanded the realm through online activism and public opinion. Normative expectations toward civil society in the form of a realm and associations should be analysed along with the dynamics of contradictions within and between. While a strong state has been the main actor, the CBOs showed different ‘internal strata and prejudice’ toward environmental NGOs, cultural associations, churches, individual

activists, the Penans, and new media. The theoretical contribution is the synthesis of systematic ideological dissemination to the conception of civil society. It leads to the understanding of ongoing, uncritical perception of society that normalises inequality of participation and images in 'civil society'. In the Gramscian perspective, common sense is disseminated not only through media, but further enforced through state institutions, directly and indirectly related to NCR land and indigenous people. It contributes to future research on Sarawak land to incorporate culture to analysing conjunctural events such as elections and dam alternatives. The application of Gramsci's notion of culture extends beyond popularised 'ways of life', but refers to a site of struggles to compete for integrated national image, both culturally and economically.

This thesis agrees with Majid-Cooke's (1999) call for a more holistic understanding of civil society in Sarawak with regard to environmental protests. The author quoted Feldman (1997) in her argument that "NGOs do not exhaust the whole of civil society, neither does the strengthening of the NGO movement necessarily reinforces civil society" (Majid-Cooke, 1999: p. 121). However, to de-centre the CBOs completely might be like throwing the baby out with the bathwater. First, it was indeed the CBOs that provided assistance in many ways when ruling political parties, churches, mainstream journalists and police shut out the affected indigenous people. Second, it would be clearer to distinguish hegemonic NGOs from those which are counter-hegemonic. While CBOs in Sarawak have long had contentious relationships with government institutions, this thesis believes that it is time for them to consider reaching out to multi-layered audiences to attempt to establish their hegemony. The new media nevertheless has pushed the boundary for counter-hegemonic discourses, which can be taken up by the CBOs. They can create more non-contentious images of the indigenous people instead of typecasting them with struggles. At the same time, they build the inner trenches like pushing for policy changes in RTM, NCR land and Sarawak development agenda. This can be achieved by coming together as a stronger and more systematic party of organic intellectuals, regardless of their ethnic background and classes as long as they have the single aim to raise the indigenous people from their subaltern status.

This thesis aimed to address the gap between uses of new media and the operations of civil society organisations against the NCR land issue. On the one hand, one cannot study the struggles in land movement without considering how their 'common sense' have been perpetuated through mainstream media. On the other, it is futile to sing praises for the contribution of new media in civil society without analysing both online and offline impact to

an organisation's ongoing advocacy. The thesis's contribution in totality, it is hoped, may be taken up by policymakers and CBO leaders who would critically and conscientiously rethink the impact of 'modern' cultural and economic components on the indigenous people.

10.3 Recommendations for Further Research

As for limitations, the research interviewed CBO personnel who reside in towns. To undertake empirical work in the urban and rural indigenous grassroots would add more discussions to the topic. Furthermore, the research design prioritised CBOs that advocated for NCR land rights; to include stakeholders holding opposing views would have added a different dynamic to the discussion. A different method can also be considered like ethnography to allow a richer understanding of the CBOs' day-to-day operations.

Research on the public service broadcasting elements that RTM can adopt to reach out to the Sarawak indigenous people will contribute to reinventing RTM's status as a national broadcaster and their responsibilities to minority citizens. Further research to propose an independent media council in Malaysia will contribute to establishing a fairer environment that encourages community media, prevents media buy-outs and concentration and promotes diverse cultural productions. Thus far, initiatives by the government for a media council in Malaysia since the 1970s coincided with political and economic crises.²² For many sceptical parties, however, those suggestions, although in the name of protecting Malaysians from unethical media practices, would appear to be yet another (state imposed) control on Malaysia's mediascape. With today's increasing media convergence, questions of changing employment trends in the media sector, copyright and digital gap are also crucial issues concerning labour and consumption rights that can be discussed through the proposed council.

This research started from personal curiosity regarding a sphere called the 'virtual civil society': Is it exclusive to the urban population? Where do the Sarawak indigenous people see themselves in the sphere? The inquiry evolved to encompassing a wider scope of mobilisation beyond media consumption patterns – the CBOs' aspirations for the land dispossessed communities, indigenous cultures and development. In the course of preparing this thesis, the researcher encountered questions like "why bother researching the indigenous people when they have nothing to do with you?". Although asked in a seemingly casual way, it reflects the common sense perspective related to minority culture in Malaysia. This is a Malaysian issue

that the researcher aimed to contribute insights to – in Gramsci’s (2011b, Q3§119, p. 106) words, it is “the living reality of national life”.

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Appendix 1 Interviewing Documents

Participant Invitation Letter for Semi-Structured Interview

[Date]

[Addressee]

Title of Study: New Media and Civil Society: A Study of Native Customary Rights (NCR) Land and Community-based Organisations (CBOs) in Sarawak, Malaysia

Study Level: As requirement for doctoral degree

Researcher: Yap Pao Sium (University of Salford, Manchester, UK)

Supervisor: Prof Seamus Simpson (University of Salford, Manchester, UK)

I would like to invite you to take part in the research above through **face-to-face semi-structured interview**.

The **purpose of study** is to explore the relationship between new media and civil society organisations in advocating for Native Customary Rights over land among indigenous in Sarawak.

Your participation will **contribute** to the understanding of new media potentials toward the processes of land rights advocacy within the context of native marginalisation.

The expected duration of each interview is **2 hours**.

If you have any concerns or queries about the research, you can contact the following:

1. The researcher Yap Pao Sium (P.S.Yap@edu.salford.ac.uk)
2. Main supervisor Professor Seamus Simpson (S.Simpson@salford.ac.uk)
3. Local advisor Dr Tang Mui Joo (tangmj@tarc.edu.my)

Thank you.

*This study has obtained ethical approval from the University of Salford Ethics Panel.

Consent Form for Semi-Structured Interview

I am a **postgraduate research student** of the **University of Salford**, Manchester, UK. This interview intends to gain perspectives on **land rights civil society organisations and new media**.

1. **If you want**, you can remain **anonymous**.
2. All information provided is **for the use of the research** only.
3. You may **withdraw** your participation anytime during the research.
4. You can have a copy of any **published articles** where you have contributed information;
5. You will be contacted on publication of the **thesis** to be offered to read a copy.

Name:

Organisation:

Position:

Signed _____

I hereby agree to take part in this interview for the research above. I understand that all information provided will be used for research purposes only. I give consent for the information to be stored and used in any published results.

Participant Info Sheet for Semi-Structured Interview

Study Title

Civil Society and New Media: A Study of Native Customary Rights (NCR) Land and Community-based Organisations (CBOs) in Sarawak, Malaysia

Invitation paragraph

I would like to invite you to take part in a research as titled above. Please read the purpose of the research and your role as a participant. Ask if you feel unclear or would like elaboration. Take time to decide if to take part.

The purpose of the study

The research is to fulfil the requirement for a **doctoral degree**.

The purpose is to explore the relationship between new media and civil society organisations in advocating for Native Customary Rights over land among Sarawak's indigenous people.

Why have you been invited?

You are chosen due to your role as civil society actor, either in organising land rights advocacy or in reporting them through alternative media organisation.

Do you have to take part?

Participation is entirely voluntary. Besides the information sheet, you will be given a consent form to sign to show you agreed to take part. You may withdraw your participation at any time.

What will happen to you if you take part?

A semi-structured interview will be conducted face-to-face where each session lasts for approximately 2 hours.

All interviews will be recorded, stored and used only for the research purposes.

Expenses and payments

None.

What will you have to do?

You will be asked about your perspectives on land rights advocacy activities using new media.

Possible disadvantages and risks of taking part

None.

Possible benefits of taking part

Your participation will **contribute** to the understanding of new media potentials toward the processes of land rights advocacy within the context of native marginalisation.

What if there is a problem?

If you have any concerns or queries about the research, you can contact the following:

4. The researcher	Yap Pao Sium P.S.Yap@edu.salford.ac.uk
5. Main supervisor	Professor Seamus Simpson S.Simpson@salford.ac.uk
6. Local advisor	Dr Tang Mui Joo tangmj@tarc.edu.my

Will your taking part in the study be kept confidential?

1. If you wish, you can remain anonymous;
2. All information that you provide is collected, used and stored for research purposes only;
3. Identity of informants and all information provided will be stored on the university secure network and removable storage password-protected media.

What will happen if I don't carry on with the study?

If you withdraw from the research, your personal data will be destroyed.

What will happen to the results of the research study?

As a participant,

1. You can have a copy of any published articles where you have contributed information;
2. You will be contacted on publication of the thesis to be offered to read a copy;
3. You will not be identified in any report/publication unless you have given your consent.

Who is organising or sponsoring the research?

The research is self-funded.

Appendix 2 List and Background of Interviewees

1. Mr Mark Bujang (Mark) is a degree holder in geology from the University of Otago, New Zealand. He returned to Miri in 1997 during the Asian economic crisis and was unemployed for a year. A friend invited him to volunteer in community work with BRIMAS.
2. Mr Peter Kallang (Peter) is a retiree. He used to work with oil company, Shell and the President of Shell union. He is actively involved with his church.
3. Mr Thomas Jalong (Thomas) joined Sahabat Alam Malaysia (SAM) in 1986 and worked with lawyer activist, Mr Harrison Ngau. They were stationed in Baram and received many issues regarding land from villagers.
4. Mr Albert Bansa (Albert) is a 24-year old university graduate in tourism management. He was inspired by his cousin to join JOAS as his village was facing land issues from palm oil plantation companies. He is now a media person for JOAS.
5. Mr Jok Jau Evong (Jok Jau) started SAM Marudi in 1986. He formed the Uma Bawang Residents' Association (UBRA). He is also a skilled sape (Kayan guitar) player with his band on Spotify.
6. Mr Michael Mering Jok (Michael) used to be a canonist trained in Rome. He realised that land issues are beyond the question of religion. He quit the ministry and formed SCRIPS in 2012.
7. Mr Mantan Pahang (Mantan Pahang) was elected as Temenggong (the highest position in community leader) in 1994 by the government. He was sacked in 2014 for being critical regarding native lands.
8. YB See Chee How (YB See) is the vice chairman of Peoples Justice and an Assemblyman. He started career in chartered accountancy. He then took external exam and became a lawyer to take up land cases.
9. Mr Wee Aik Pang [Pang] was exposed to NGO use of internet while studying in Australia. When he returned to Sarawak, he started SACCESS with YB See.
10. Mr Wong Meng Chuo (Wong) used to be a regional pastor. He left church to start IPK in 1987, then formed IDEAL after IPK was deregistered in the 1990s. He has since slowed down due to health issue.
11. Mr Philip Jau (Philip) formed BPAC in 2008 to protest against the Baram dam. He runs BPAC mostly on his own saving.
12. Ms Susanna Mariam Dom (Susanna) founded IPIMAS in 1994. She witnessed how her own people struggled for food and clean water in depleted and polluted forest.
13. Mr Charles Liew (Lawai) was inspired by YB Sim Kwang Yang's lectures about native rights. He was an insurance agent for 20 years before fully committing to BaramKini. He engages more with Chinese-speaking public in Kuala Lumpur.
14. Mr Ramould Siew (Ramould) was a member with a political party. He was disappointed with the party's inaction in helping villagers to get back their land. He quit the party and joined BRIMAS, then TAHABAS.
15. Ms Vincy Usun (Vincy) is a Media Studies graduate. She was a journalist with a mainstream Chinese-language newspaper. She worked as a producer for Free Sarawak Radio for 10 months in 2015.
16. Mr Anil Netto (Anil) used to be a chartered accountant in England and Malaysia. He found himself more drawn to journalism and human rights issues. He is now working with Aliran.

Notes

¹ Malay, Indian and Dayak names are cited and arranged alphabetically in the Reference list by the first name because they are without family names. For example, Mohd. Azizuddin Mohd. Sani is cited as Mohd. Azizuddin because Mohd. Sani is the father's name, not the family or last name.

² In Malaysia, the middle-class group refers to middle-income households with earnings between RM2,614 and RM10,456, with the national median monthly household income stood at RM5,228 (Lee, 24 February 2020).

³ See Johan Saravanamuttu (2006, pp. 6-7) for his compilation of most prominent Islamic issues in the 2000s. They involved the complexity of Syariah and civil court jurisdiction for non-Muslim and Muslim in Malaysia.

⁴ Following the GE13 results, politically-owned Malay-language paper, *Utusan Malaysia* headlined "Apa Lagi Cina Mau? [What More do the Chinese Want?]" on the front page. It implied that the Chinese caused such shocking defeat among the National Front (BN) candidates, especially those from the Chinese-based party, Malaysian Chinese Association (MCA) (Chin, 3 May 2018). The Malay supremacy ideology claims that the Chinese should be grateful to be given Malaysian citizenship (Joseph, 27 October 2013). The British colonial government brought migrant workers from China to Malaya between the 18th and 19th centuries to work in tin mines (Gomez, 1999).

⁵ The transparency of the EC was most recently challenged by BERSIH (literally means clean in the Malay language), a coalition of non-governmental organisations formed in 2006. It seeks to campaign for free, clean and fair elections in Malaysia.

⁶ The expansion of Sarawak during the Brooke administration is as follows (Faisal, 2013 pp. 23-24):

1. Batang Sadong, Batang Lupar, Saribas and Kalaka in 1853;
2. Lower Rajang River in 1853;
3. Upper Rajang River, Oya, Tatau, Mukah and Bintulu in 1861;
4. Baram in 1883;
5. Trusan in 1885;
6. Limbang in 1890; and
7. Lawas in 1905

⁷ Politics in Sarawak, Lockard (1967) wrote, was marred by competing nationalisms among and within the Dayaks, Malays and Chinese. Federal intervention in the *Bumiputera* status and Sarawak's resources further complicated Sarawakians' nationalist sentiment toward Malaysia. Communal disunity and political crises in the early years of Sarawak as part of Malaysia posed challenge for any parties that claimed to be pan-communal. The following describes the early party formation in Sarawak.

The First Six Political Parties in Sarawak

1. The Sarawak United Peoples Party (SUPP) (1959)
2. Parti Negara Sarawak (PANAS) (1960)
3. The Sarawak National Party (SNAP) (1961)
4. The Barisan Ra'ayat Jati Sarawak (BARJASA) (1961)
5. The Sarawak Chinese Association (SCA) (1962)
6. Parti Pesaka Anak Sarawak (PESAKA) (1962)

In 1959, the first political party, the Sarawak United Peoples Party (SUPP) was formed in Sarawak. Ong Kee Hui and Stephen Yong were the party's most prominent leaders. The party was always predominantly Chinese in membership and leadership, but generally more multi-racial than other subsequent parties (Roff 1974). Nevertheless, Lockard (1967) argued that SUPP was most probably Sarawak's best organised political machine at the time that engaged the grassroots. Parti Negara Sarawak (PANAS) was a direct Malay response to the establishment of SUPP. Political division among the Malays following Sarawak's cession to Britain was rife at the time. The party under Abang Haji Mustapha who was also the Datu Bandar, advocated for constitutional privileges to cover not only the Malays, but the 'indigenous people of Sarawak'. He also proposed that Malay should be the national language of the new federation, and Islam as the state religion. The ethnic advocacy of both SUPP and PANAS prompted the Ibans to organise themselves politically too where the Sarawak National Party (SNAP) was formed. Led by Stephen Kalong Ningkan, SNAP mainly consisted of English-speaking employees or former employees of multinational oil and gas corporations. They were sociologically and economically more privileged. Both Ningkan and Tawi Sli came from prominent Iban families (Lockard, 1967). SNAP agreed with the Malaysia federation proposal to uplift the natives. Although SNAP claimed to be multi-ethnic, the party composition was mainly Iban. The Barisan Ra'ayat Jati Sarawak (BARJASA, Sarawak Native Association) was led by younger, less privileged anti-cessionist Malays and Melanaus. The foundation of PANAS by their rival the Datu Bandar provoked them to establishing BARJASA. Unlike other parties, BARJASA made no pretence of being multi-

ethnic and it specifically excluded the Chinese as their subjects. Under considerable pressure from the peninsular United Malays National Organisation (UMNO) and from Malay Federal Ministers, PANAS and BARJASA finally merged in 1967 (Roff, 1974). The Sarawak Chinese Association (SCA) was founded in July 1962, by a group of Chinese businessmen which was almost a replica of the Malayan Chinese Association. As compared to SUPP, SCA's concern was more to business than politics (Roff, 1974). Parti Pesaka Anak Sarawak (PESAKA)'s membership was limited to Dayaks and was established in response to SNAP's predominant composition of Ibans from the Second Division. Because the Ibans of Third Division was politically less experienced and less educated, they did not have very coherent ideological unity in preserving Sarawak heritage. Despite that, the Third Division was valuable by electoral votes as it was the most populous area (Roff, 1974).

⁸ As recent as 2016, a group of protesters claimed that Astro side-lined the Malaysian Indian content for 20 years, which was detrimental to the culture preservation and development of local artistes (Lau, 2 September 2016).

⁹ *Rukunegara* has the following Declaration:

- to achieving a greater unity of all her peoples; to maintaining a democratic way of life;
- to creating a just society in which the wealth of the nation shall be equitably shared;
- to ensuring a liberal approach to her rich and diverse cultural traditions;
- to building a progressive which shall be oriented to modern science and technology.

The five principles of the *Rukunegara* are:

- Belief in God
- Loyalty to King and Country
- Upholding the Constitution
- Rule of Law
- Good Behaviour and Morality.

¹⁰ The table below shows the pattern and connection between Malaysian television organisations and political elites.

Development of Television Ownership in Malaysia (1963-2014)

Year	Channel*	Type	Ownership/Operator/Remarks
1963	RTM1	FTA	Government – Ministry of Information
1969	RTM2	FTA	Government – Ministry of Information
1984	TV3	FTA	Private - Sistem Television Malaysia Bhd (STMB) TV3 was under the control of Realmild Sdn. Bhd., a private limited company, which in turn was fully owned by a publicly listed company, Malaysian Resources Corporation Bhd (MRCB) (Zaharom, 1994). MRCB was controlled by close associates of the then Deputy Prime Minister, Anwar Ibrahim. This deal was described as “the biggest management buy-out (MBO) in the local corporate sector” (<i>Corporate World</i> , February 1993; in Zaharom, 1994: pp. 183-184).
1994	Metrovision	FTA	MetroVision's parent company was City TV, which was part of Tunku Abdullah's Melewar Corporation. Tunku Abdullah of the Negeri Sembilan royal house was also a “long time close associate of Prime Minister Mahathir” (Zaharom, 2002a: p. 120). Tunku Abdullah was the chairman of City Television, while daughter Tunku Soraya Dakhlah held the post of general manager of Programming and son Tunku Yahaya as the managing director of MetroVision (TV Trade Media, 1996). Utusan Melayu, the largest Malay-language media integrated company, had a 26% stake in City TV (TV Trade Media, 1996). Melewar Corporation, besides owning City TV, ventured into insurance, travel, advertising, securities and property (TV Trade Media, 1996).
1996	Astro	Pay (satellite)	Binariang Sdn Bhd; associated with prominent Malaysians – one of them being the ‘manufacturing and horse racing tycoon, Ananda Krishnan ... has been politely referred to ... as ‘a businessman who enjoys the confidence of Prime Minister, Datuk Seri Dr Mahathir Mohamad’ (<i>The Star</i> , 9 January 1996; in Wang and Zaharom, 2001: p. 5). The chairman of Binariang's board of directors is former Inspector General of the Malaysian

			force, Hanif Mohamed Omar..." (<i>The Star</i> , 9 January 1996; in Wang and Zaharom, 2001: p. 5).
1998	NTV7	FTA	Owned by its original chairman Mohd. Effendi Nawawi, who was appointed Minister of Agriculture after the 1999 general election (Wang and Zaharom, 2001)
1999	Mega TV	Pay (cable)	Cableview Services Sdn. Bhd with the following shareholders (Wang and Zaharom, 2001: p. 4): a) STMB (TV3) – 40% b) Malaysian Ministry of Finance – 30% c) Sri Utara (wholly owned subsidiary of Maika Holdings Bhd – the investment arm of component ruling political party MIC) – 5%
2000	Kristal-Astro	Pay (satellite)	Begins transmission in Brunei
2001			Metrovision was re-launched by a new owner. Mega TV ceased operation – due to economic recession and strong competition from Astro (Wang and Zaharom, 2001).
2004	Channel 9	FTA	Private - Medanmas Sdn. Bhd.
	8TV	FTA	Metrovision bought over by Media Prima and rebranded as 8TV
2005			Acquisitions by Media Prima of NTV7 and TV9
	Fine TV	IPTV	Licensed content application service
2007			Launch of Measat 3, paved way for capacity of at least 130 channels on Astro
2008	Bernamea TV	News Channel	Synergy Sdn. Bhd.
2009	Al-Hijrah	FTA	Government (Al-Hijrah Media Corporation)
2011	Hypp TV	IPTV	Telekom Malaysia
2012	Worldview Broadcasting Channel (WBC)	FTA News Channel	Worldview Broadcasting Channel (M) Sdn. Bhd., is 31.67% controlled by Wan Johan Wan Ismail; 31.67% owned by Kamarudin Yusoff; 26.67% held by Izman Ismail and 10% by Rita Sarbanom Ismail (<i>The Editor</i> , 15 August 2012).
	ABN xcess	Digital Cable	ABN Media Group (Transmission coverage within Klang Valley only)
2013/14			In 2012, Media Prima Bhd held preliminary talks with WBC with the view of taking up a stake, with The Star Publications Bhd also allegedly eyeing control of the company (<i>The Editor</i> , 15 August 2012). WBC eventually ceased operations.
2014	Bloomberg TV	News channel – Cable and Satellite	Malaysia's first business news channel – partnership of Bloomberg Television and Malaysia's Encorp Group (ABU, 2014). The chairman of Bloomberg TV Malaysia is Tan Sri Mohd Effendi Norwawi (Haikal, 11 April 2015), former Minister of Agriculture and former chairman of NTV7. Mohd Effendi Norwawi was previously the chairman of Encorp Bhd, with his daughter as an executive director. Both of them resigned from their posts after selling their stake in Lavista Sdn. Bhd., a private vehicle that owns a 30.55% stake in Encorp (<i>theSundaily</i> , 24 July 2013).

*Chronology of television taken from Media Planning Guide (2014)

¹¹ Malaysia's first satellite broadcasting company, All Asian Television and Radio Company (Astro) is operated by Malaysia East Asia Satellites (Measat) Broadcast Network Systems Sdn. Bhd. (Tai, 1997). Astro began services in 1996, broadcasting via Measat-1 (launched from Kourou, French Guiana), offering twenty television and eight radio channels to 36,000 subscribers by the end of 1996 (Zaharom, 2002a, Tai, 1997).

¹² To realise these objectives, the NVP will encompass the following thrusts:

- Building a resilient nation by fostering unity, inculcating the spirit of patriotism, nurturing political maturity, cultivating a more tolerant and caring society with positive values, and raising the quality of life as well as increasing economic resilience;
- Promoting an equitable society by eradicating poverty and reducing imbalances among and within ethnic groups as well as regions;

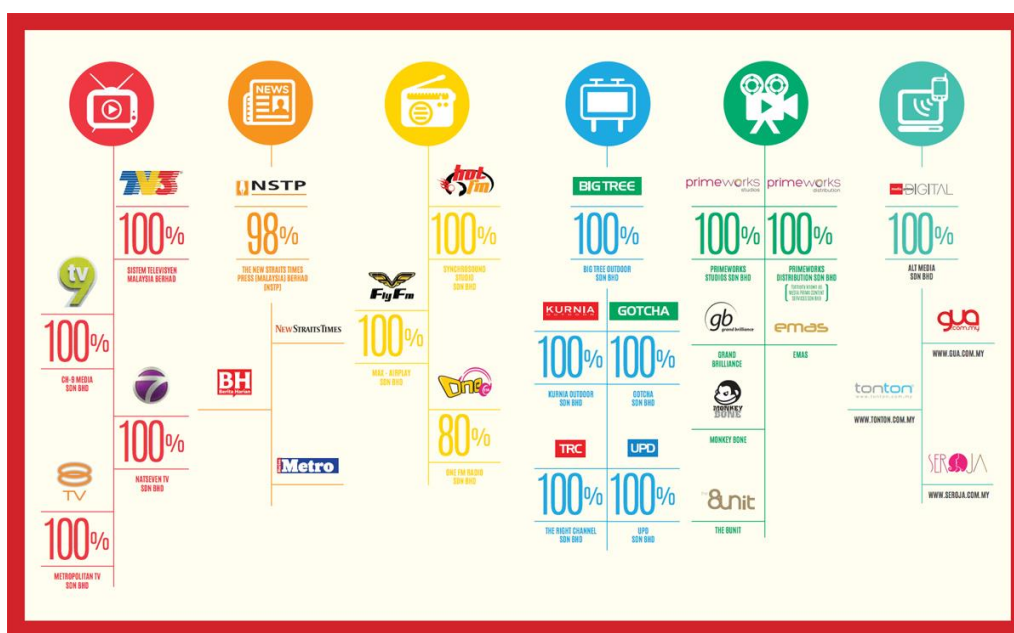
- Sustaining high economic growth by strengthening the sources of growth, the financial and corporate institutions as well as macroeconomic management;
- Enhancing competitiveness to meet the challenges of globalization and liberalization;
- Developing a knowledge-based economy as a strategic move to raise the value added of all economic sectors and optimizing the brain power of the nation;
- Strengthening human resource development to produce a competent, productive and knowledgeable workforce; and
- Pursuing environmentally sustainable development to reinforce long-term growth.

¹³ Abdullah outlined ten fundamental principles of *Islam Hadhari* (Ahmad Fauzi, 2006: p. 116):

1. Faith and piety in God;
2. A just and trustworthy government;
3. A free and independent people;
4. A vigorous mastery of knowledge;
5. A balanced and comprehensive economic development;
6. A good quality of life;
7. Protection of the rights of minority groups and women;
8. Cultural and moral integrity;
9. Conservation of the environment; and
10. Strong defence capabilities.

¹⁴ Media Prima Berhad's (2014) conglomerate include all four private FTA television stations, three FTA radio stations, major English and Bahasa Malaysia-language newspaper publications, production companies, digital media and outdoor media.

The Corporate Structure of Media Prima Berhad (2014)



¹⁵ The Ten National Policy Objectives by the MCMC (2015b):

1. Establish Malaysia as a major global centre and hub for communications and multimedia information and content services;
2. Promote a civil society where information-based services will provide the basis of continuing enhancements to quality of work and life;
3. Grow and nurture local information resources and cultural representation that facilitate the national identity and global diversity;
4. Regulate for the long-term benefit of the end user;
5. Promote a high level of consumer confidence in service delivery from the industry;
6. Ensure an equitable provision of affordable services over ubiquitous national infrastructure;
7. Create a robust applications environment for end users;
8. Facilitate the efficient allocation of resources such as skilled labour, capital, knowledge and national assets;
9. Promote the development of capabilities and skills within Malaysia's convergence industries; and
10. Ensure information security and network reliability and integrity.

¹⁶ Creative industries are categorised by the Ministry of Information Communications and Culture as follow (KPKK, 2012):

1. **Audio Visual & New Media** Animation, Interactive, 'Mobile', Internet Content, 'On-line Publishing'/'Multimedia Exhibits', Film Production, Publications TV, Music
2. **Fiction** Product Design, Fashion, Accessories, Design/Architecture
3. **Arts & Crafts** Performing Arts, Art Gallery/Museum, Handicraft, Art Sculpture, Archives, Heritage/Antiquity, Traditional Art
4. **Print Media** Publication, Writing

¹⁷ The Malaysian government similarly has caught up with the creativity hype for the purpose of commercialisation. The purpose of financing, as stated by the Ministry of Information Communications and Culture, is to "provide some funding for loan needed for publication, asset purchases and other activities related to creative industries for commercialisation. Commercialisation hereby refers to any participation or effort to market products in and outside the country for profit" (KPKK, 2012; translated).

In 2006, the Multimedia Super Corridor (MSC) Malaysia Creative Multimedia Initiative was launched with the main objective "to develop the Malaysian creative multimedia industry into becoming a key growth for the nation" (Kamarulzaman, 2011). Since 2010, an initiative fund of RM200 million has been allocated for this purpose, as announced through national budget (KPKK, 2012). Prime Minister Datuk Seri Najib recently launched MyCreative Ventures Sdn. Bhd., a government investment arm, "to spur Malaysia's creative industry via strategic and innovative funding" (Bernama, 12 September 2012). According to MyCreative Ventures chief executive officer Johan Ishak, Malaysia's gross domestic production (GDP) contribution from the creative industry is expected to triple from currently RM9.4 billion or 1.27% to RM33 billion by 2020 (Ho L. C., 2012). Said Najib at the launch, "If India can be known for its Bollywood films, Italy for its fashion industry and Korea for its K-pop music, why can't Malaysia have its own creative identity?" (Ho L. C., 2012).

¹⁸ Another survey by Merdeka Centre showed that Najib's popularity dropped from the highest of 79 per cent in May 2011 to 59 per cent that August, attributed to rising living costs and the government's handling of the BERSIH 2.0 rally (Ding et al, 2013). The government's pledge for reforms in freedom of expression claimed to do away with several laws through amendments and repeal; at the same time new ones were introduced. For example, referring to the PPPA, the print media are still subject to show-cause letters from the Home Minister that can result in licence suspension and losing permits (Ding, 2012). More contradictions can also be seen in the Evidence Act amendment and the replacement of ISA with Security Offences (Special Measures) Act (Sosma) (ibid.).

¹⁹ The modernisation approach to development is based on the assumptions that (Rogers, 1976; in Md Salleh & Saiful, 2009: p. 197):

1. Economic growth through industrialisation is the key to development.
2. Third World countries need capital and technology from the developed countries.
3. Government central planning is necessary to execute the plan for growth.

²⁰ Scholars like Schramm (1964; in Md Salleh & Saiful, 2009: p. 198) described the roles of mass media in national development as watchmen, assisting decision process, and as teachers. Ultimately, mass media function as the catalyst to transform from developing to developed countries through attitudinal change among mass audiences.

²¹ A programme breakdown was done on the TVi schedule available from Astro (14 September 2015) online portal:

Time	Programme	Description
1200	Self Resilience	Documentary
1230	Sedap Bah	Cooking show
0100	Wayang Xtravaganza	*Unknown
0200	Telemovie: Kampung Semerah Padi	Movie
0400	Kitra	*Unknown
0430	You TV	Featuring a popular singer from Sarawak
0530	Persona	Fashion talk show
0600	Lagu Negaraku	National anthem
0605	Kilp Video: Ketuhanan	Religious videos
0630	Celik Sihat	Health talk show
0700	Muzik i-Urban	Urban music video clips
0730	(Live) i-U Sarawak	News
0745	(Live) i-U Sabah	News

0800	Muzik i-Pop	Pop music video clips
0830	I-Mode	Fashion talk show
0900	Gaya R	Beauty talk show
0930	Siapa Kata Tak Boleh?	Reality show featuring disabled community and their achievements
1000	Muzik i-Urban	Urban music video clips
1030	Animasi Legenda Tambuakai	Animation
1100	Kraf Kreatif	Craft work show
1130	Muzik i-Urban	Urban music video clips
1200	Diari 3G	Drama
1230	Muzik i-Pelbagai	Assorted music video clips
1300	Download Upload	Featuring individual profiles and their successes
1330	Muzik i-Pelbagai	Assorted music video clips
1400	I-Plugged	Local musical show
1430	Garis Waktu	Historical show featuring pre-independence stories
1500	Sifu	*Unknown
1530	Muzik i-Pelbagai	Assorted music video clips
1600	Ex-Trem	A show on youths and extreme sports
1630	Trek	Motoring sport
1700	Pulang Sayang	Drama series
1800	Uni Challenge 1957	Reality TV show that promotes patriotism among tertiary students
1830	Kembara 5	Travelogue
1900	i-Kadazan Dusun	News in Kadazan language
1915	i-Iban	News in Iban language
1930	Dream Races	Animation (foreign)
2000	I-Plugged	Local musical show
2030	Kembara 5	Travelogue
2100	Titian Nyawa	Drama series
2200	Pilihan I	Musical show upon fans' dedication of songs
2230	Jom Redah	*Unknown
2300	Trek	Motoring sport
2330	Muzik i-Urban	Urban music video clips

TVi: Genre and Programming Hour Breakdown on a 24-hour weekday (14 September 2015, Monday)

Genre	Hour	%
Magazine-style Talk Show	Sub-total: 8.5	35.4
- Environmental documentary	0.5	
- Cooking	0.5	
- Entertainment/Music	1.5	
- Fashion/Beauty/Craft	2	
- Travelogue/Extreme Sport	2.5	
- Health	0.5	
- Individual stories of success	0.5	
- Pre-independence stories	0.5	
Reality TV show	Sub-total: 1	4.2
- Disabled community	0.5	
- Patriotism among Tertiary Students	0.5	
News	1	4.2
Music video clips	5	20.8
Drama series/Movie	4.5	18.8
Animation	1	4.2
National anthem/Religious clips	0.5	2
Unknown	2.5	10.4
Total	24	100.0

²² The major chronology and contexts of media council (1974-2012) initiatives are as follow. Unless otherwise stated, the initiatives up until the year 1999 are taken from Mohd. Safar (2006).

Initiatives	Contexts
<p>1974 Prime Minister Tun Abdul Razak mooted the idea of a press council to allow the press to operate in parallel with national aspirations (<i>Berita Harian</i>, 19 June 1974). A committee made up of 10 senior journalists was set up.</p>	<p>The May 1969 racial riots had resulted in:</p> <ul style="list-style-type: none"> - The declaration of a state of emergency and the formation of a National Operations Council (NOC) - The implementation of National Economic Policy in 1971; to restructure society and to eliminate poverty - The formulation of a national ideology <p>Varsity students' activism The 1974 election Malaysian majority ownership for all newspapers required (Means, 1991); amendments to the Sedition Ordinance (1948) and the Control of Imported Publications Act (1958); Official Secrets Act (1972)</p>
<p>1983 The idea of a press/media council was raised during a National Communication Policy Convention organised by the Ministry of Information. At about the same time, the government gave the National News Agency (Bernama) the exclusive rights to distribute news from foreign news agencies.</p>	<p>Dr Mahathir became Prime Minister in 1981 – Privatisation, Look East policy, industrialisation, Malaysia Inc. Economic liberalisation worldwide Financial scandals and political crises in Malaysia Printing Presses and Publications (Amendment) Act 1984, OSA 1984</p>
<p>1989 In April, the chairman of the Malaysian Press Institute (MPI) suggested a council to be set up to ensure that newspaper organisations adhere to the Journalism Code of Ethics. The Code was initiated by several veteran journalists, including the late Tan Sri Abdul Samad Ismail. In October, a new body called Organisation of Newspaper Editors (ONE) "because it was aware of newspapers responsibility to the people" (p. 42).</p>	<p>Post <i>Operasi Lalang</i> (October 1987) arrests and detentions under the Internal Security Act three newspapers banned Media commercialisation (Loh and Mustafa, 1996)</p>
<p>1993-1994 Minister of Information Datuk Mohamed Rahmat announced the proposal for a media council and a National Information Policy. The Policy was to ensure that the media play their roles effectively and responsibly towards making Malaysia a developed nation by 2020.</p>	<p>Vision 2020 introduced – it aims to achieve the status of a developed country not only in the economic sense but according to Mahathir, Malaysia should be "a nation that is fully developed along all dimensions: economically, politically, socially, spiritually, psychologically and culturally" (1991; in Okposin, A. Halim and Ong, 1999: p. 242).</p>
<p>1999-2000 Initiatives from civil society groups to push for media law reforms MPI secretly drafted a media council proposal (Pathmawathy, 2008).</p>	<p>Post-<i>Reformasi</i>; the 1999 election Questions on government transparency in time of the 1997/1998 Asian economic meltdown (Rodan, 2004) Mega-defamation suits to intimidate journalists (Rodan, 2004) The utilisation of Internet for alternative expression and information</p>

	The Malaysian Chinese Organisation Election Appeals Committee (Suqiu) of Chinese lobbyists raised a 17-point appeal, which in general called for national unity and human rights protection. The Federation of Peninsular Malay Students (GPMS), however, claimed that this appeal was questioning Malay rights (Ooi, 2006).
2002 MPI released the draft of Malaysian Media Council Bill intended as Private Member's Bill, but was rejected by Inisiatif Wartawan (Concerned Journalists from the traditional and new media, IW) (Pathmawathy, 2008; Rodan, 2004).	Post-September 11 'terrorist attack' and the UMNO-PAS struggle to champion Muslim rights in Malaysia (Ahmad Fauzi, 2006).
2004 The Human Rights Commission (Suhakam) hosted a consultative dialogue among journalists, editors and civil society groups (Pathmawathy, 2008). The stakeholders, at minimum, wanted the repeal of the PPPA licensing clause before a council is created (Pathmawathy, 2008).	Abdullah Ahmad Badawi took over the administration in end-2003 The 2004 general election
2006 Information Minister Datuk Zainuddin Maidin said that a Media Council "is aimed at resolving disputes outside the court" (<i>The Star</i> , 7 November 2005).	A spate of religious issues, the Mahathir-Abdullah spat, the aborted Article 11 Coalition's road show, calls for an Independent Police Complaints and Misconduct Commission (IPCMC) (see <i>Aliran Monthly</i> 26(11)).
2008 In October, Home Minister Syed Hamid Albar said that a media council proposal is under discussion, alongside a national media policy (Pathmawathy, 2008).	2007-2008 Street rallies of Hindu Rights Action Force (Hindraf), the Coalition for Free and Fair Elections (Bersih), lawyers' march in Putrajaya for judicial reform. Post March 8 general election where Barisan Nasional lost 5 states Recession
	2009 Perak constitutional crisis By-elections Cow-head protest in Shah Alam over the relocation of a Hindu temple Former <i>Utusan Malaysia</i> editor-in-chief Datuk Johan Jaafar appointed as the chairperson of Media Prima Berhad (Mustafa, 29 April 2009). Information, Communication and Culture Minister Rais Yatim would "[meet] the management of private TV and radio stations to bring about changes as they failed to deliver the government's aspirations resulting in the BN's poor performance at the general election last year" (Mustafa, 3 May 2009). "[Arrest of] over 160 1BLACKMalaysia protesters, lawyers, 589 Anti-ISA protesters and bystanders, the anti-PPSML, Kampung Buah Pala and Hindraf protesters" (Centre for Public Policy Studies, 2009).
2010 In June 2010, UMNO Youth chief called for the abolishment of the PPPA, along with the setting up of a national media	Datuk Seri Najib Abdul Razak appointed in April as the sixth Malaysian prime Minister in April. He introduced the 1Malaysia concept, the Government Transformation Programme (GTP), the

council to allow self-regulation without government interference (Ding, 2010). Information, Communication and Culture deputy minister Datuk Joseph Salang Gandum said that the setting up of the council would help monitor the alternative media (*The Star*, 14 June 2010).

New Economic Model (NEM), ministerial Key Performance Indicators (KPIs) and National Key Results Areas (NKRAs). Islamic bodies issued a directive that prohibits the use of a collection of 'Islamic terms' by non-Muslims in Malaysia (Mustafa, 17 January 2010).

The Malaysian government reportedly decided to set up a Committee of The Truth purportedly to stop the spread of false news by the media. The Committee would comprise of representatives from Home Ministry, Communications and Culture Ministry and the Prime Minister's Department (Mustafa, 10 July 2010).

2011

The Information, Communication and Culture Ministry proposed for a Media Consultative Council (MCC) to ensure its members share the responsibility of keeping their roles in tandem with national interests (Chooi, 2011).

Selangor assembly passes Freedom of Information Act (Teoh, 2011).

The Bersih rally took place on 9 July at the Kuala Lumpur City Centre, with an estimated 50,000 protesters (Pragalath & Lee, 2011). The organisers had mustered pre-event support from technology-savvy Malaysians largely through the popular social networking site, *Facebook*. Criticisms of police manhandling of protesters and skewed mainstream media reports on the event were also heavily expressed through Facebook. On Malaysia Day, the government announced major changes on communication regulations, which are referred to as 'gifts' (Teoh, 2011):

- The repeal of the Internal Security Act (ISA) 1960 & Banishment Act 1959.
- The annual license renewal replaced by one-off permit.
- Three emergency proclamations to be lifted.
- More freedom to assemble – review Section 27 (Police Act 1967).

Malaysia's Budget 2012 revealed on 7 October 2011, aiming to benefit all *rakyat*.

Malaysia's 13th General Election speculations (Bernama, 30 December 2011).

2012

Malaysia's Information, Communication and Culture Minister Rais Yatim has called for a social media to be set up. According to him, the council is important "in ensuring that the contents of the social media in the country reflected an industry that used local content instead of merely depending on other countries" (Bernama, 11 July 2012).

Videos of the Bersih 2.0 and anti-Lynas rallies that took place on 28 April went viral on social networking sites and *Youtube*; criticising the administration, police violence and inaccurate media reports.

More speculations over the upcoming Malaysia's 13th General Election.
