



A gagged Press, a muffled Tribe, and a damned Dam.

a study on how the Kayan tribe on Borneo suffers from a censored media.

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Abbreviations

AFC Asian Financial Crisis

BHEP Bakun Hydro Electric Project

BN Barisan Nasional

B.P Borneo Post

C.P.J Committee to Protect Journalists

E.I.A Environmental Impact Assessment

I.S.A Internal Security Act

N.S.T New Strait Times

O.S.A Official Secrets Act

P.P.P.A Printing, Press and Publishing Act

R.S.F Reporters Sans Frontiers (reporters without borders)

S.T Sarawak Tribune

U.M.N.O United Malay National Organisation

Definitions

Asian Values- Can be seen as a reaction against a Western view on humanity. Malaysia, and some other Asian countries feel that there need to be more emphasising on respect for authority and a focus on collectivity rather than the individual.

Censorship- The act of hiding, removing, altering or destroying (normally by a government) any publication so that the general public access to it is partially or completely limited. A systematic use of power to control freedom of expression.

Developmental journalism (a.k.a responsible journalism)- A media that focus on nation building in order to create harmony and unity. It shies away from negative reporting about the country, instead human interest stories take up a lot of space.

Ethnicity – A historically grown or rediscovered community of people who subscribe to a shared name, culture, language, myths, origin and collective memory (Derichs:2001:1).

Indigenous people- The word indigenous can sometimes been seen as somewhat discriminatory. I use the term sparingly, preferring the term ethnic group. I have chosen to only use it when deemed necessary and in that case I'll use it in the context of Malaysians who inhabited the country of which became the State of Malaya and later Malaysia,

Minorities- I am not using the word minorities when I talk about the Chinese, Indians or the Orang Ulu as they make up a significant number of the population. They might be treated as minorities in politics, but percentage wise they are not. The Kayans are a minority in themselves, but not grouped together under the term Orang Ulu.

Tribe- An affiliation of families and clans sharing common values, customs and traditions, as well as regarding themselves as a tribe. Its a social formation existing before the development of, or outside of, states. Normally its a unit of people able to support themselves in a permanent settlement.

Vision 2020- A project aiming to take Malaysia into a country with developed status by year 2020 implemented by ex PM Dr. Mahathir.

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1. Introduction

The purpose of this study is to highlight the interaction in the press between the indigenous people -the Orang Ulu – in Sarawak state, Borneo, and the Malaysian government. The focus lies on the Kayan tribe in the *Uma Juman* settlement, and how the government controlled media and lack of an open two-way dialogue affects them.

A people without freedom of speech are a people in permanent danger of abuse by the state; without free expression no political action is possible as is no resistance to injustice and oppression. Thus, without freedom of expression, elections have little meaning. Without this freedom it is futile to expect political freedom or consequently economic freedom. Malaysia's complex relationship between ethnicity and politics is being played out through issues of media freedom.

On the backdrop of these conditions, the guiding research question is: How does censorship affect the minorities in terms of Vision 2020? Vision 2020 (*Wawasan 2020*) is a project aiming to take Malaysia into a developed country by the year 2020. This project has included a Hydro Electric Power Dam; the Bakun Dam. The dam has been the subject of much controversy in terms of media censorship; thence it caters for a solid and relevant case study.

1.1 Aim of the study

The overall aim is to see if freedom of expression really matters, or if a government per se holds more powers than that of a free media? What is more powerful? Had there been an open dialogue between the Kayans and the government, would things look different now?

I will look at the issues from the aspect of Vision 2020.

2. Background and Problem

2.1 Politics and religion in Malaysia

Malaysia's official religion is Islam, and it is an Islamic party that has ruled Malaysia since Independence 1947,¹ namely the United Malay National Organisation, (UMNO). UMNO is part of a coalition, the National Front (*Barisan Nasional*) including the Malaysian Chinese Association, (MCA) and the Malaysian Indian Congress, (MCI).

Formal democratic institutions and elections have been in place since independence (*merdeka*), but the opposition has never really had a chance to defeat the coalition (Kinnvall and Jönsson 2001:154) and the MCI and MCA often have to agree with UMNO to stay in power. Also, the UMNO has been blamed for as of late being more radical in their religious political stance in order not to lose votes against the progressive Muslim party; Parti Islam Se-Malaysia (PAS), who has grown stronger during the last decade.²

In Malaysia, Islam and Malay ethnic identity are synonymous, partly because Malay ethnicity has been conflated with Muslim identity by article 153 of the Constitution, (http://en.wikipedia.org/wiki/Article_153_of_the_Constitution_of_Malaysia), which defines Malay as someone who speaks Bhasa Malay (Malaya language), practices Malay custom and is a Muslim. Thus, to be a Malay is to be a Muslim. Non-Malays, are assumed to be non-Muslim, and the widespread term *bumiputera*, meaning 'son of the soil', is used to describe the Malays only.

The Muslims hold the political powers, albeit only making up 55-60% of the population as a whole. The Chinese -who holds most of the economic power- is the second largest ethnic group with circa 20% of the population. The Indians and all other indigenous peoples grouped together make up another 10 plus % respectively. The indigenous people³ have overall little political and economic powers. These corrupt practices clearly do not cater well for a liberal democracy.

However, Malaysia is generally regarded as a liberal Islamic country that has succeeded in creating a multiracial society in harmony. People of different religions can work and study together, but commonplace positive discrimination is implemented to improve the Malay's financial power, for instance by often weighing scholarship in favour of the Malays (Tan 2001:949).⁴

Importantly though, Malaysia still deserves credit for having managed to avoid such violent upsurge as seen in neighboring Thailand and Indonesia for example. E.g. you can see a mosque next to a Hindu temple or a Buddhist shrine. Opposite a shop selling

¹ Great Britain was the last nation who ruled 'The federation of Malay', after the Portuguese who conquered the peninsular in 1511 after some fierce battles in the Strait of Melaka. In between Portugal and Britain, the Dutch ruled the country for 200 years.

² In fact, PAS in holds the majority in one of Malaysia's 13 states; Kelantan, situated at the Eastern part of the Peninsular, where it has implemented some Islamic laws (the Sharia).

³ I.e. the Orang Ulu on Borneo and the Orang Asli on the peninsular. Orang means 'people' in Bhasa Malay

⁴ Journalist Mrs Hin Yue was denied a scholarship simply because she was not a Malay. "I have lived in this country all my life, I hold a Malaysian citizenship and worked and risked my life [at the company that denied her the scholarship], how can they tell me I'm not a Malay?" Interview, 26.10.2005

alcohol you can buy Halal meat.

The last racial violent uprisings took place in 1969.⁵ (Note the exemption of when Anwar and 1000s of his supporters gathered to demand Dr. Mahathir resignation in May 1998. That rally can be seen as part of an ongoing *reformasi* movement that had started in Indonesia demanding liberal democracy⁶ (Uhlen in Jönsson & Kinvall 2001:151)).

In 2003, and after 22 years of controversial rule, Abdullah Ahmad Badawi took over from Dr. Mahathir after an infamous scandal that saw the then newly appointed foreign minister Anwar Ibrahim arrested by Dr. Mahathir under the ISA –the Internal Security Act-⁷ for sodomy and slander.⁸ The contentious arrest has plagued Malaysia's credibility as a democracy, and there have long been circulating rumors about a set-up.

Under Mahathir's leadership Malaysia was one of the fastest growing developing countries in the world, which also included a growing corruption (www.techcentralstation.com/111403B.html) and neglected rural sector (Derichs 2001:8).

2.1.1 economy

Malaysia was the country in Southeast Asia who re-coporated best from the Asian Financial Crisis, AFC, in 1997-1998. (Kinvall and Jönsson 2002: 154)

Their economy has grown incredible well in comparison with e.g. Thailand and Indonesia. P.M. Dr. Mahathir introduced the Vision 2020 promoting domestic-led privatization, capital control and restrictions to trading of the Malaysian currency (Ringgit), thus rejected policies dictated by the IMF.⁹

(www.wawasan2020.com/vision/p30.html, www.france.attac.org/a2943 and Uhlin in Kinvall 2001:151ff). He also promised not to censor the Internet not to put off foreign direct investment (FDI) and create an 'Information Super Highway.'

Asian Values play a significant part of Malaysia's politics and economy. The values have often been criticized by the West for promoting authoritarian rule and abuse of human rights (Kinvall and Jönsson 2002:22, 34-35).

It is West Malaysia that holds the economic and political powers. East Malaysia - Sarawak and Sabah state have always been regarded as underdeveloped

⁵ Tension between Chinese and Malays led in 1969 to serious violence and a 22-month suspension of parliament. This uprising of where some 900 were killed forced the government to implement Emergency law, which in turn delayed the making of the constitution by two years.

⁶ The reformasi movement tried to rid President Sukarno from power. The Indoensian reformasi (=reform) was much more violent than that of Malaysia's. It fought corruption, conspiracy and nepotism.

⁷ See more on the Internal Security Act, under section 4.1: Malaysian media, human rights and Asian Values.

⁸ Mr. Anwar was released from prison in September 2004

⁹ Then Finance Minister Anwar Ibrahim seemed more open to adopt IMF's policies, whereas Mahathir refused instead preferred more nationalistic economic policies and development. Ibrahim was sacked in September 1998.

2.2 Domestic Media

An economic success, Malaysia's media has not seen any development towards independence. Instead, external pressures for transparency reforms are being met without serious compromise of the restrictions of media freedom.

Rodan (Rodan 2005) means that the free flow of ideas and information is therefore an anathema to authoritarian rule. Almost by definition, an authoritarian regime involves censorship. This doesn't mean that media are necessarily discouraged, but that sophisticated authoritarian regimes utilize it to propagate their own messages and to promote economic objectives. Naturally, selectivity is prevalent. I would suggest that this is what UMNO is doing as a party favoring authoritarian rule.

Authoritarian regimes are thus characterized by a concentration of powers and the obstruction of serious political competition, or media scrutiny.

In 2001, Committee to Protect Journalists voted Dr. Mahathir one of the 10 worst enemies of press freedom (www.cpj/enemies/enemies_01.html) in the world. In 2005, a global press freedom index published by Reporters Sans Frontiers ranked Malaysia at 113 of a total 167 (www.rsf.org/article.php3?id_article=15336).¹⁰ In 2002, Malaysia was on the same list at 110. (www.rsf.org/article.php3?id_article=4116).

Deputy Information Minister Zaiuddin Maidin declared in 2003 that Malaysia would not celebrate World Press Freedom Day because it embodies the agenda of Western media imperialism. (Rodan 2005:171)

This shows, more than anything else, that the country's economic developments have not improved freedom of expression, rather the opposite.

Yet, despite the growth the independent media did gain in the late 90's and early this decade¹¹ it nevertheless remained fragile and fell short of striking a significant blow against authoritarian controls. Consequently, the gains have not forced the authorities to withdraw their efforts to control the media

2.3 The Kayans

¹⁰ Sharing the place with Tajikistan. In the Southeast Asian region Burma, the Philippines and communist Vietnam and Laos lie below Malaysia. Indonesia, Cambodia and Thailand have a better record. North Korea is the last on the list.

¹¹ This is especially in terms of not censoring the Internet. However, the Internet is not flawless; the independent website Malaysiakini.com has suffered major blows and had their computers taken from their office, not being allowed to attend press conferences etc. See more in the Malaysian media and human rights below.

Orang Ulu is a term used to collectively describe numerous tribes that live upriver in Sarawak's interior, and the name literally means 'upriver people.' Such groups include the major Kayan¹² and Kenyah tribes, and smaller groups such as the Kajang, Ukit and Penan.

Together the Orang Ulus make up roughly 5.5% of Sarawak's population. There are approximately 15,000 Kayans in Sarawak.

The Kayan tribe built their longhouses in the Northern interiors of Sarawak. A long house is basically what the name suggests; a very long house resting on tall stilts and divided into blocks of flats.

More often than not, each long house has a headman. It is he who speaks with outsiders, such as politicians, media and NGOs.

Different tribes live in different long houses and each has its specific look. The last few years have seen many long houses getting fridges, TV sets and running water.

Logging and the construction of dams have caused the relocation of people into towns or to government sponsored long houses. As a result, the Kayans have been affected by a wide spectrum of problems. Some of the elderly could not cope with the sudden changes induced by their resettlement. The young had to face a soaring unemployment rate. As a whole, the Kayans had to come to terms with the multi-faceted tensions of forced urbanization, trying to preserve their cultural identity while adapting into a more urban context.

Although many Kayans have become Christians, some still practice pagnastic beliefs.

2.4 Sarawak politic and development

Sarawak has a rather different history from that of the peninsular. It was colonised by the Brit James Brooke in mid 19th century and for three generations Sarawak (not Sabah) was ruled by the Brooks.

Generally regarded as a more laid back form of colonialism¹³, Sarawak and Sabah did not join the Malaysian Independence in 1947, but two years later. Some Sarawakians don't even celebrate Independence Day (Aug. 17). There is a general feeling of nationhood and strong identity of the Sarawakians as Sarawakians, and not Malaysian as such.

¹² The Kayans are sometimes referred to as the Dayaks, then including the Kenyah and Iban tribes as well.

¹³ On the topic, researcher at UNIMAS University Jayl Egay says "It was a benevolent rule" (Interview 27.09.05).

The tribes have felt that they are not receiving a sufficient share of the benefits of the economic growth and the wealth from the local timber industry. The Parti Raykat Sarakwak, (PRS) is an opposition party, dealing with their dissatisfaction. They have campaigned for more respect for native land laws and greater rights for ethnic tribes and have accused the government of excessive logging, albeit with little significant input

There is indeed extensive legal and illegal logging of the rainforest on the island. Politics in Sarawak has often been about timber and timber concessions. Prominent timber tycoons have influential connections in the state government, and politicians have personal economic interest in the industry (Harold 1996:54).

2.5 The Bakun Dam

UMNO decided to build the Bakun Dam in order to meet the rising command of electricity on the path towards development.

Project proposed 1986
Approved by cabinet 1994
Shelved 1997
Revived 1999 -from 2400 MW to 500 MW
Revised again 2001, back to 2,400 MW, but without the 600 km of underwater cables.
Land inundated 69,640 hectares ¹⁴

The dam is situated on the longest river in Malaysia, *Rejang* (or *Rajan*) river, at the Bakun rapids.

The many complaints surrounding the project has not only concerned the displacement inhabitants, but also concerns about new waterborne diseases, potential collapse of the dam, earth tremors etc. Moreover, it has always been some doubts whether Malaysia actually needed so much electricity.

A newspaper report in *the Edge* (part of the Star daily) on September 26, 2005 says that completion of the dam could be delayed by 18 months, while the government is to loan millions of dollars to the main contractor. The dam should have been completed by August 2007. The government has approved the loan of Ringgit¹⁵ 200 million to "ease the cash-flow situation", citing an unnamed source (AFP Edge.26.09.2005).

UMNO decided to go ahead with the project in 1986, and it was approved by the Cabinet in 1994. In June 1990, Dr. Mahathir declared during an international conference on

¹⁴ <http://www.umich.edu/~snre492/Jones/malaysisia.htm> (source: Sahabat Alam Malaysia)

¹⁵ The Malaysian Ringgit, RM, stands currently at 100 to \$26 (Dec. 2005)

conservation of tropical biodiversity that he would cancel the project, claiming that this showed Malaysia's commitment to the environment (Hui Ling Lee www.umich.edu/~snre492/Jones/malaysia.htm).

In 1997 however, the development once again got green light, and the construction proceeded. I was told by numerous sources that despite the standstill in the early 90s, a diversion tunnel was built and the relocation of some indigenous people continued. To this day, despite Sarawak being a lightly dense area, the development has displaced more than 10,000 indigenous people.

In 1999 it was revived 1999 from initially 2400 MW to 500 MW, but changed back to the initial plan 2001, but without the first intended 600 km of underwater cables.¹⁶

In 1993 Bakun was privatized. Ekran Berhad, a company with close ties to the government was granted the project without proper public tender.

When Ekran abandoned the project in 1997 crisis a compensation of \$253.3 million was given to Ekran by the government as payment for what had already been done. In September 1997, the Swedish-Swiss firm ABB with its Brazilian partner, CBPO, terminated their contract after much international pressure, or as the Cornerhouse claim, were rather sacked. (www.thecornerstonehouse.org.uk/item.shtml?x=51979). Soon after ABB had left the scene, Mahthir put the project on ice.

The local population field a law suit in 1996 against Ekran and the Barisan for failing to include the public participation principle. The Malaysian High Court declared on 19 June 1996, the Bakun illegal and invalid because it did not comply with federal environmental law, which required public participation of the Environment Assistant Study (EIA).¹⁷ However, as Barisan and Ekran took it to the court of appeal, the file was overruled by the High Court on 17 February 1997. At this point they exempted the dam from complying with the federal Environmental Quality Act 1974.

The dam would cost between RM 4 billion to RM 5 billion, and once finished the Dam will be the largest of its kind in all Southeast Asia, 204 meters in height. Currently it stands on some 80 to 100 meters.

Today the dam is operated by Sarawak Hidro, a Malaysia-China Joint Venture comprises six Malaysian companies forming 70% of the consortium, with China's Hydro at 30%. (The Star 26.9.2005)

¹⁶ Which then would have become the longest in the world.

¹⁷ The EIA is a report in four parts carried out by UNIMAS University on the environmental impact on the Dam. The handling of the EIA has always been one of the main critiques in terms of the lack of transparency of the project, as the reports were never adequately shown to the public. See more the in the Environmental Impact Assessment section; 4.5

3. Methodology

This is an analytical qualitative case study. My goal is to link the discriminatory situation of the indigenous people in Sarawak with the role of media censorship. I will contribute to the numerous studies on the role of the minorities in Malaysia¹⁸ from a new perspective, namely that of the media.

Using a qualitative method has advantages for the study, since there is an emphasis on processes and meanings rather than on definite results.

The authors I have chosen to look at are John Stuart Mill and Voltaire both of which can be categorized into the school of social liberalism. Liberalism is an ideology, or current of political thought, which defines itself as striving to maximize individual liberty through a democratic system of rights under law. In this system, the form of society is determined by the outcome of e.g. free exchange of ideas, and political expression within a defined framework.

Liberalism is not always compatible with people seeking a society ordered by religious values. As Malaysia is a Muslim state, the use of liberalism point of view makes even more so relevant.

One of the difficulties inherent in discussing freedom of speech is that it contains what libertarians often describe as the paradox of freedom. The classical account of this paradox is described by John Stuart Mill as:

" [T]here ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it might be considered." (Mill; 1869:chapter 2)

Better known is perhaps the quote:

"I disapprove of what you say, but I will defend to the death your right to say it." ¹⁹(E.B Hall:1906)

On a more practical plane, freedom of expression serves many functions. One of its most important functions is that decision-making is preceded by discussions of different views. A decision made after an open dialogue is likely to mirror the opinions, interests and needs of all parties concerned better than a decision taken with little or no consultation. A government that does not know what its people feel and think is in a dangerous position. (Dr Cooray www.ourcivilisation.com/cooray/rights/chap6.htm)

I am aware the freedom of expression is a right, imprecise and difficult to define precisely. It includes freedom of media, arts, literature, the individual's right to free

¹⁸ See for example King1993 *The peoples of Borneo*, Kua Kia Soong 2001 *People before profits* The rights of Malaysian Communities in Development.

¹⁹ Actually the quote was not written by Voltaire himself, but is to be found in *Friends of Voltaire* (1906) by Evelyn Beatrice Hall under the pen Stephen G. Tallentyre. Voltaire is pseudonym for Francois Marie Arouet.

speech etc. No matter what form, it should be a system of open justice, not saying it is necessary followed by justice. I will only concentrate on the press.

In line with J.S Mill and Voltaire I will work from the point of view that the right to freedom of expression marks a state's civilized behavior. Furthermore, it is a measure that distinguishes democracies from dictatorships and totalitarian regimes.

3.1 Selection of data

My primary data have been constructed from interviews with journalists, editors and people of the Kayan tribe. I have done my fieldwork in Sungai Asap, an area where the Kayans, and several other minorities had to relocate to make place for the dam, under what was called '*Operation Exodus*'. My chosen community lived in Uman Juman long house.

I chose people who could speak English and analyzed only English newspapers (of which there are several in Malaysia²⁰). This has obviously limited my scope of people to talk with. But that all my in-depth interviews have been conducted with only English speaking persons, may not all be that bad. It shows i.e. that many of the tribal people now actually do speak English, and this illustrates that development has actually taken place during the last decade. Also, it focus' on those people who have had the ability to talk with the media on a more frequent and in-depth level. These people, if any, would have had the possibility to influence government and media. Moreover, to interview people who did not speak English would have influenced the quality of my data.

Journalists and editors I spoke with in Kuala Lumpur and in Kuching (the latter being Sarawak's state capital).

As this thesis is about censorship, my problems are obvious. I had to keep a low profile in order for the state government not to interfere and make my research more difficult.

There are reasons for governments to keep some agendas hidden from the public and they are not keen on people interfering with their domestic affairs, especially as Malaysia has already suffered a lot of negative reporting on the Bakun Dam by Western media.

In all my interviews I used open-ended questions with much space for narratives.

I claim much of the problems have been due to a restrained media, but I don't claim to be free of bias myself. Everyone sees what you see through your own filtered eyes due to previous experiences. I am aware that I'm in control of the situation and I, myself, have chosen what data, by who, are relevant and what is not.

This selection bias is present in all studies that make use of empirical evidence, which is basically what Geertz mean when he says that that the author is always there and cannot be hidden behind methods (Geertz 1988:1-24).

²⁰ In fact, there are more newspapers in English than is there in Bhasa Malay. Gunaratne lists 12 papers in English and only five in Bhasa. There are numerous papers in Chinese and four in Tamil (South Indian language, making up most of the Malay Indians). (Gunaratne 2000:340)

However, my aim has been to produce a 'polophony' or voices rather than a single voice in order to reduce this kind of bias. This kind of postmodernism work relies on a 'narrative dialogue' (Krieger 1993). Of the editors and journalists; three have been against the Dam, two are pro and one is somewhere in between.

I do think that by and large, my subjects told me accurately what they felt and thought as all interviewees were offered anonymity and my findings would not be published in Malaysia. Some chose to go out with their names regardless, some at the condition that it was only used for this academic purpose. Some wished to stay anonymous.

I chose to look more closely and interviewed journalists and editors at the daily government controlled newspapers *New Strait Times* and *Sarawak Tribune*. Two of the journalists I have interviewed work on a freelance basis, but use to work for the NST. I have also looked at *Borneo Post* and *the Star*. *New Strait Times* is one of the biggest newspapers in the country, and *Sarawak Tribune* is the second after *Borneo Post* in East Malaysia. *The Star* is generally regarded as more outspoken than the former three. Their editorial stance were all pro the BHEP.

There are only two non-government controlled outlets I could have used. Both have been somewhat critical to the Dam. Of these sources one (*Malaysikini*), figures only on the Internet, the other, (*Aliran*) is a monthly, rather expensive paper. Neither is accessible to the Uma Juman long house as the area has not got any Internet access. To analyze something I know to be censored has however the advantage that this is the only media the Uma Juman can have access to on a more frequent basis. Using this censored material, we can understand better what kind of media influences the population is subject to.

My time scope is from 1994-2005

3.2 Disposition

A country cannot fully develop politically and socially if its citizens are not informed of the workings of the government objectively, free from government propaganda. For people to make informed choices, they need to be informed in the first place.

With information people can participate and express their views, they listen to others, they have a 'voice', and they are heard. Although they necessarily don't make the decisions, they have the opportunity to influence people and decisions.

Human rights mean that civil and political rights cannot be violated in the name of development. Without these rights corruption increases, wrong and damaging development decisions can be made.

For example, lack of freedom of expression can create a world where decision-making and solutions are engagingly simple and one sided. A society like this runs the risk of, albeit being simple and quick to create solutions on the surface, the underlying problems

are not solved, the result being people are overlooked and feel neglected.

3.3 Theory and Concepts

This study is not a study of an authoritarian regime at random point in history or a random state, but with Malaysia's Vision 2020 and its indigenous tribes living in one of the most impenetrable location on earth as well as having one of the poorest media freedom records on the earth, Malaysia stands at a significant turning point where is trying to marry advanced market capitalism without undermining authoritarian rule (Rodan 2005:X1).

Therefore, this is not a theoretical study of an authoritarian regime per se. Instead, I want to understand how democracy and freedom of expression are linked. I want to understand the process' that are active now and what form it take. Therefore, Malaysia is the ideal case to observe.

I have come across no study that link these two phenomena together, and I think this is an important issue to highlight, lying at the core of some contemporary domestic problems. A point of departure for this study are two observations, firstly, that the Malaysian media is fragile, and that is has not improved since economic development started, and that this in turn has excluded the indigenous people from the political arena.

The co-existence of high living standards and illiberal politics make Malaysia an international exception to the 'rule' that democracy follows economic ripeness²¹. (Thompson 2004:1079pp). Thus, the notion that developmental journalism²² was a priority to nation building (Rodan 2005:8) can be dismissed. Malaysia has developed a lot during the last decade, but nevertheless, the press has continued to be a state affair.

Controls have always targeted information and expression perceived as threatening to the interest of the ruling elites. Censorship is when the leaders stick to the belief that too much liberty will lead to instability and chaos. "[O]nce the people take to the streets, the danger arouses that a spark flies over..." (Derichs 2001:10²³) Crudely, Rodan argues that

²¹ Thopson includes one more country to this, and that is the city state of Singapore. Singapore is still the richest non-oil producing country on earth, at the same time suffers from extremely harsh censorship laws. It's controversial former leader Lee Kuan Yew, has had taken much criticism for his authoritarian rule. Singapore is sometimes referred to as the 'nanny-state.' For more see Rodan, Gary in *The Pacific Review*. Vol 16. No 4. 2003. "Embracing electronic media but suppressing civil society: authoritarian consolidation in Singapore.

²² Developmental journalism is an expression meaning responsible journalism, focusing on nation building to achieve economic development. It includes little critical coverage about domestic affairs, instead focusing on human interest articles and positive accounts on political and societal events in order to create harmony and a sense of unity.

²³ Quoting an interview with Veerasingam, 10.08.2000, and NST 07.08.2000.

ensorship can kill and did so when e.g. China covered up the extent of SARS for months after it broke out in 2002 (Rodan 2005:183)

In countries where there are monopolised control over the media it clear that the media serves the ends of a dominant elite. Authoritarian leaders have in some respect been able to exploit the market economy to restrict information flows as fears of loosing lucrative markets prospects have resulted in the media engaging in extensive forms of self-censorship. (Rodan 2005:179).

Importantly, UMNO does not clamp down on the press as such, in fact Malaysia has a large number of newspapers, both in Chinese, Malay, Hindu and English, instead it is the way they use the media for their own benefits that makes it more often than not a mouth piece of the government.

4.The issue of the Kayans and censorship

4.1 Malaysian media and human rights

The Constitution of Malaysia 1957 guarantees freedom of expression as a fundamental right. It contains however clauses which put a restraint on these rights.

([www.iraqiconstitution.org/files/Constitution%20of%20Malaysia%20\(1957\).doc](http://www.iraqiconstitution.org/files/Constitution%20of%20Malaysia%20(1957).doc))

Malaysia's Charter on Human Rights article 14 states:

Everyone has the right to freedom of opinion and responsible exercise of the freedom of expression without interference and persecution. Everyone is entitled to seek, receive and impart information and ideas through an independent and responsible mass media without interference or persecution.

Mass communication owned by the state must be governed and run by an autonomous impartial board made up of representative appointed by the state, the non-governmental sector and the opposition political parties.

(http://www.geocities.com/CapitolHill/Parliament/4990/CH8CIV_1.htm)

The International Security Act (ISA) 1960 provide for arrest without trial. The Minister of Home Affairs have powers to ban or censor any imported publication deemed prejudicial to public order, national interest, morality, or security. (Gunaratne 2000:325-326)

Printing Press and Publication Act 1948 (PPPA) holds that printing, publishing and newspaper publishing are annually required to obtain a license from the Ministry of Interior to carry on publishing. It can be banned if he thinks it will pose threat to public order and peace as well as good morals. (ibid.)

Any speech or publication that could be interpreted as endangering resentment between ethnic groups was outlawed under the Sedition Ordinance 1948's amendments in 1971. (ibid.)

Mahthir stated however that "no efforts will be spared in the creation of an information-

rich Malaysian society” (Rodan 2005:141), talking about Vision 2020. Yet, shortly after the AFC, the international media was seen as the biggest obstacle to the country's economic recovery. Mahathir partly blamed international media for the crises.

“Quite a few people in the media and in control of big money seem to want to see South-East Asian countries, and in particular Malaysia, stop trying to catch up with their superiors and to know their place.” (Rodan 2005:143)

The crisis increased the discrimination between the international and domestic media. The international media were excluded from press conferences involving government-related companies and the private sector. Often, however, these attempts seemed counter-productive, as Malaysians disillusioned with the Mahathir agenda, turned to the international media and the Internet (Rodan 2005:151).²⁴

Non-establishment media started to emerge, especially so on the Internet. Anonymity and the use of offshore servers was a common modus operandi for these sites. Malaysiakini.com is the most known site fighting for independent news set up in 1999²⁵. Server break in and a ban from attending press conferences still make it difficult for Malaysiakini to operate efficiently, (Rodan 2005:156) and it has been forced to introduce a subscription fee.

Still, when the financial climate had improved somewhat in 2002, Dr. Mahathir said:

"The dilemma that the Malays and the peoples of Malaysia face is whether we should in the name of democracy, allow the country to be destroyed or we ensure that people are not subject to the point where they will use democracy to destroy democracy." (Rodan 2005:169)

It seems as if economic interest was not the biggest concern to the government. We can now also see a link of the deteriorating political and economic environment and the government's frustration over its inability to curtail the impact of non-established media, thus buttressing the media even more.

4.1.1 Malaysian media and Asian Values

‘Asian values’ implies that social, economic and political characteristics are based upon a shared value system. It includes a stress on the community rather than the individual, the privileging of order, a rejection to separate religion from other spheres of society, a particular emphasis on family loyalty, respect for political leaders, and a belief that government, media and business doesn't necessarily need or should be natural opponents. There have in my interviews been suggested that Western countries would do well to

²⁴ Statistically, the fall in the domestic press after the crisis can easily be seen in the fall of NST's readership between 1998 and 2000, which amounted to by 34 %. (Rodan 2005:154)

²⁵ It won international journalistic acclaim at 2000 International Press freedom award by CPJ. Its founders, Steven Gan, and the chief executive officer Premesh Chandran were ranked by Asiaweek in 2001 as one of the 50 most powerful people in the region (www.asiaweek.com/asiaweek/features/powers50_2001.p18.html).

learn from 'Asian values'.²⁶ Asian values are often being criticized in the West for promoting authoritarian rule, but looking at the gist of it, it has little to do with repressing whole communities. "Asian Values has nothing to do with suppressing human rights."²⁷

But, it is wrong to state that the guided journalism in Malaysian is not influenced by the Asian Values. The media is 'pally'²⁸ with politicians; making them feel obliged to focus on positive stories. Group editor of Sarawak Tribune, Mr. Mamora argues that in some societies the media must cooperate with the government to develop, i.e. they need to work in symbiosis.

"One needs to consider the Asian values and Malaysian society before making Western-based judgments on its media and politics __ Malaysian media synchronizes with the Asian values. That is: collaborating, social values, like a neighborhood spirit. There is a patronage in Asian society, you listen to the authorities, you respect your parents, local headman, boss. A unity is thus created. I think that's good. __ __ We allow ourselves to be a tool of the government, not because of perks or gains, but because of Asian Values." (Toman Memorandum 18.10.05)

4.2 Bakun Dam and censorship

Journalist Mrs. Pang Hin Yue calls herself 'a lone voice in the wilderness.' She was one of the few domestic journalists who tried to critically analyze and report on the Bakun Dam. In the Bakun case there have been no real freedom in the press and lots of inequalities. The Kayans were cut off from participating in an open debate and possibilities to raise their voices in the media were limited.

Journalist's articles were frequently killed. This does not amount to the Bakun case alone, but many issues, related to the state of the indigenous people, is often scrapped by editors.

The government have advised local residents not to be swayed by Western media and NGO criticising the dam, since these evaluators have come from outside, thus does not understand the Asian Way and Malaysian culture. The mistrust of the West is a major cornerstone in terms of trying to liberalise the press in Malaysia.

I found that the stories that did make it were often placed in the back pages of the feature sections. It makes less of an impact than should it have been published in the news section. Many pieces are cut and/or edited by the editor before going to print. The journalists that tried to work on the project were frequently questioned by their editors and constantly had to rewrite their stories, wait several days or weeks to see it published.

More concrete ways of censoring the journalists have been to prohibit common people and journalists to visit the Bakun site by law, it has been classified a restricted security zone (Ashok and Ang Ming 104). The Barisan publicly threatened to use ISA on those

²⁶ E.g. Mr Memorandum and Mr. Firdaus expressed such pointers

²⁷ Quote from Mr. Tigang on the issue of how media is influenced by the Asian Values. 20.10.05

²⁸ Quote from interview James Rithie 19.10.05

who campaigned against the dam. (Ashok and Ang Ming 105) Findings of the EIA have been classified as a confidential report under the Official Secrets Act. This judicial measurements can see those who violate it imprisoned and/or fined.

Mrs. Hin Yue was much involved in the press politics of the Bakun case and had to put a lot of efforts into getting her pieces published, despite this being a great national project, which should help Malaysia on its path towards development:

"Some days I could pull through, some days I could not. Some days they could forget that I had written an article and didn't clear it, so I could put it on again... My [Bakun] stories did not come out in the main paper where it could have much impact. It was buried in the back pages in the feature section... Even if I could write a lot of stuff, I was not a threat. __ After the [second²⁹] court ruling there was a ban on writing about the Bakun." (Mrs. Hin Yue 21.10.05)

This outright ban on journalists to write on a national project of which the government invests a large amount of money seem from my point of view, -and in line with press freedom, a great violation on human rights.

The lack of adequate information has always been at the centre stage for UMNO's criticism of the BHEP. UMNO has however not just refused to answer critical questions, they have also not being present at all for journalists and NGO's. Thus, they have simply ignored the public's right to know. Furthermore, they have refused to bring journalists to the site that are likely, or already have, written critical pieces on the project. However, one could argue that should you do such reporting of where you have to follow the guides of the politicians involved, it must be difficult to stay independent, even from the very beginning.

"If you write something negative, they [politicians] won't bring you again [to the Bakun site] __ Otherwise it's difficult to the independent reporting from the site if you're with the government" (Mr. Ritchie 19.10.05)

To get published, the journalists had to go through many process and hinders, but in times of pressure, humans often find alternative routes to play the game. One solution is to restrict your own reporting somewhat, to use self-censorship or to share your stories with others.

"I don't believe in exclusive material. If there's an important issue that the public should know, I would give my story to a colleague at another paper." ³⁰ (Mrs. 21.10.05Hin Yue)

"I don't write like a Westerner, I use self censorship. I do balanced reporting. I never slander anyone. Sometimes I maybe throw in some suggestions, which is good. Off course I would like to use more suggestions, but if I so do, I'm being blamed for being too political and supporting of one group...I take it as part of life." (Mr. Ritchie 19.10.05)

However, the general feeling on the Bakun according to, Mr. Mamora was that:

"We [journalists] don't want to go there. It's so far away and difficult to get to __ In some societies the media must cooperate with the government to develop...to work in symbiosis. __ The press is a moral advocate. It portrays a caring society, helping each other... We have more to gain

²⁹ As the court first ruled the project illegal, it was overturned in the High Court six months later, where they also exempted the dam from complying with the federal Environmental Quality Act 1974. See 2.7; Bakun Dam section.

than to loose. __ Authority, media and the people can shape and share a triangle of where everyone co-exist. It does not need to be as in the West, where the media stays outside and fight government all the times "(Mr. Mamaora 18.10.05)

Whether that can be justified or not, we have seen that some journalists did manage to get to the site and speak with the Kayans.

Mr. James Ritchie³¹ says that he feels he has managed to stay true to his reporting by focusing on facts. He has developed friendship with politicians, and when approached on the issues of his reporting he tells them they are lucky because he is a Malay and not a Westerner. Simply, he's not an outsider. Should he have been a Westerner, his reporting would not have been published in Malaysia.

Some points during my interview Mr. Ritchie said that a government-controlled press has advantages, and that too a powerful media is dangerous. Sometimes he says that it's bad to be on friendly terms with politicians, yet he often is. In Malaysia, we see that the government is more powerful than the media and Mr. Ritchie means that the politicians don't take writers seriously. Mr. James Ritchie's swaying to and fro shows more than the complexity of the issue, it shows the sensitivity of it.

Obvious a grand construction as Bakun, is not one-sided. It will benefit certain people and it will supply Sarawak with electricity, albeit questioned if necessary. Energy, Telecommunication Post Minister Datuk Seri Samy Vellu has dismissed critique on the Bakun Dam stating that:

"World experts have found it [the Bakun project] feasible and viable."
(www.idsnet.org/Resources/Dam/Bakun/debating.html)

But the debate have been without any doubts been gagged. There have been severe difficulties in accessing necessary information as well as limitations on the coverage and publication of opposing views³² to that of UMNO. In Malaysia the political environment hinders an open debate that has led to dams rejections elsewhere in the world.³³ Those affected have been urged to sacrifice themselves in the interest of national interest and the good of Malaysia. The opposite thence mean that you are selfish and unpatriotic. Sarawak Tribune editorial compares it with treachery:" *For Malaysians, nothing can be worse than betraying their own country by working in cahoots with the investigators. Such an act, as the PM points out, amounts to treachery!*" (Jun. 96)

³¹ Mr. Ritchie has worked for 25 years at NST, now written more than 20 books. He used to work for the NST, has spent roughly 20 years of his life in the long houses. His not yet published book 'Who gives a Damn?' is a recap of the Bakun saga up until today. The book is filled with press releases, news articles and features.

³³ British Colombia and Quebec in Canada was rejected after much public debate. See www.idsnet.org/Resources/Dmas/Bakun/debating.html, quoting Caroline Spears in "Public Participation in the Environmental Impact Assessment for the Bakun Hydroelectric Project, Sarawak, East Malaysia in the period from September 1993 to June 1995. University of London, Wye College, October 1996.

4.3 The minorities, Uma Juman and censorship.

The main problem dealing with minorities in the media is perhaps that they are not considered important enough. If you're the majority, you can fight for your rights, if you're a minority, it's much up to the government to listen or not. Often the minorities are unable to express their point of view and often just have to accept their situation. This is the case in Uma Juman where none of people have to any extent spoken with members of the media, let alone being approached by them.

Policy makers have not provided adequate information to the Bakun residents. They have not arranged any dialogue and consultation with the different tribal groups regarding the details of the resettlement

I never question that there has been an unbiased dialogue regarding the Uma Juman and Bakun. But I do argue that it is a complex issue, difficult to solve. Perhaps made more so difficult by not accepting the Kayans as a benefit to the country, rather than only a hindrance for development. Moreover, the people at Uma Juman have a great deal of respect for the authorities and does not always speak their up. The people at Uma Juman are divided in their opinions about the workings of the domestic press; whether it makes a difference or not. Few think is totally free from propaganda, but many opinions are blurred, -sometimes contradictory, as on the whole, they think domestic journalists can do a good job, even if they are controlled. It's much up to the readers to decide, what they try to say and decide for themselves. This put a lot of responsibility on the readers themselves who have not got frequent access to the press. This is something many of the journalists I have spoken to also mentions; 'we have to trust that our readers think independently and understand that we are under constraints'. Most obvious is however that media is not a significant part of their lives.

Malaysian journalists are often advised to report responsibly, mainly to avoid racial strife. They want to avoid providing *the spark*³⁴, which could trigger e.g. racial riots and disturb 'unity within diversity, or anything that could see UMNO loosing the foothold of its people. This form of censorship is claimed to have been created for keeping the nation safe and is a necessity for a plural society such as Malaysia.

I would however argue that it is not the reporting of a matter that is likely to create the 'spark', it is more likely the underlying inequalities and discrimination that is already present. To report on it merely makes it more tangible for others, those who are not aware of the current problems. This would lead to heightened understanding between the classes different ethnic groups, a more open debate and eventually having UMNO to answer some question. This could lead to some improvements in civil society.

Both Mrs. Faezah Ismail and Ms. Elizabeth John, editor for the weekly *Education*

³⁴ 'The spark' is something often referred to; in this context it means that media don't want to be responsible for trigger violence due to religious and ethnic differences. Instead of saying '10 Chinese youths started to fight with 10 Indians' the journalists simply reports that there were a fight between two gangs. (Mr. Firdaus own example) It becomes part of sustaining the 'unity within diversity' so important to the country.

supplement in *New Strait Times* and a staff writer respectively said that occasionally you can write about the indigenous people, but it won't get a lot of play-out and you might not be able to write it frequently or with any kind of consistency. Says Ms John:

" (A)n open dialogue would be very difficult. When you do meet them they do ask, why don't you cover this issue? But they also understand they way things work."--- [At the time when most of the bigger development projects were being built] you were either pro-development or not. And you knew were the stance of the indigenous people lay. They [the media] could try and raise the issue, but it's just not on the national agenda. ___ The government would not question you directly as such, they would probably go through some higher powers in the company [in question]. . . But there is never the direct threat or direct questioning. It peters down through the hierarchy. You get to hear about it somehow. Eventually, your articles don't come out as frequently, or they're being chopped into pieces. You get the message."

Mrs. Faezah has too faced problems when trying to write about the indigenous people:

"We [journalists] talk amongst ourselves, and we talk with others, and they're so angry. It's even worse for the indigenous community. Sometimes I can get a piece through on the Orang Aslis³⁵, but not often with any consistency. I'm being asked on why I write about them all the time ___ _ When I report, I want the readers to make up their own judgements"

Mr. Mohamad Firdaus, editor in chief for NST in Kuching says that the media should try harder to reach out to the communities. But to get the media to focus on it is quite tough.

"Maybe some truth to it.[that he minorities feel neglected by the media],but to say that everyone has been neglected is not totally right. Even amongst them, there are different opinions___ To get this people to talk, it's tough. They say everything is fine. You'll have to stay with them for one or two weeks, and you might start to see. But even then, for them is not a problem. There is not enough awareness ___ Despite knowing not to report anything that could cause a 'spark', I think the Malaysian press is free, ___ but it's far from perfect. [But] we've only been independent for around 50 years." (Mr Firdaus 17.10.05.)

Mr. Elli³⁶ in the long house says that media power is quite limited, and it's a sensitive subject as it can affect the peace of the country:

"We cannot really express our point of view. We just have to accept it.---The minorities are not really that important to the country, we are being neglected....If you're the majority, you can fight for your rights. If you're a minority, it's up to the government to listen or not___ _... In our country, the freedom is there, but if the subject is too sensitive, it will affect the peace."

Mr. Jatam Nugang at Uma Juman says that he thinks some media are afraid of some members of government, whereas the Orang Ulu are brought up to listen to their head man:

"The media power is great, but less great than that of Malaysian government."

Hank Sagij,in Uma Juman, 57, believes in the journalists.

"The journalists are good, even if they are controlled. If they can't say it, they say it another way. It's up to the readers to decide."

³⁵ The Orang Asli is the term for the indigenous people on peninsular Malaysia.

³⁶ Not his real name.

Malaysia does from these examples show little consent to any significant international human rights on civil and political rights treaty. Albeit, they have endorsed the Vienna Declaration of Human Rights 1993 (http://www.geocities.com/CapitolHill/Parliament/4990/CH8CIV_1.htm) and are thus they are responsible to adhere to international clauses of freedom of expression.

4.4 News clippings

Having looked at circa 500 news clippings from 1994-2005, I came across four investigative articles critical to the dam.³⁷ This shows a heavy censored and biased media, toeing the editorial (read government) line, without any individual freedom to elaborate and analyze important domestic issues.

It also shows that those who actually do try to report independently have a heavy political machinery to combat and an intricate system of a media attached to cultural values. Those who do try fight against a complex system a pseudo democratic society with repressive laws. Though there exists such people, four out of 500 is next to nothing and, it is clear that it is the government that control the daily news agenda.

There is little difference between the editorial lines of the papers and their news reports. We can see this from e.g. *Borneo Post* when it ends one of its articles with; '*For the people of Sarawak, the Bakun HEP heralds the beginning along the path to rapid industrialisation and better standard of living.*' (24.5.96) '*Why they are against the Bakun.dam. - opponents of the BHEP lack info.*' (S.T. 21.05.96) and the like diminish the editorials from news. It shows a lack of a two-way dialogue, but also maybe somewhat contradictory, an acknowledge of the importance of having access to information.

Overall, the media has decided to report in the BHEP as something positive for the development of the nation and necessary for the tribes living in the area. They focus on the safety of the project and the material solutions that have been offered the tribes that had to resettle vis-a-vis their ignorance towards financial improvements.

Most of the articles are what I would consider press releases of government speeches and statements. Albeit the articles don't ignore the fact that the resettlement of the affected indigenous people will harm their way of living and loss of culture and identity, they often downplay it by quoting the need for them to progress and integrate into modern society. There are few direct quotes from any of the affected indigenous people themselves. Rather, they are more often seen as not knowing their own best. Some of the

³⁷ For people not familiar with the Malaysia's media this might sound absurd. However, as I have mentioned, the restrictions on independent reporting are severe. Dr. Mahathir was by the RSF ranked on of the worst enemies of press freedom and in 2003 they refused to celebrate World Press Freedom Day as it embodied Western imperialism.

quotes I have come across have been racist remarks and some have ridiculed them, without any space for them to respond.

Johannes Ridu reports in *Sarawak Tribune* (S.T: 29.5.94) on a movie screened for some villagers by an opposition group, showing negative affects of dam building (such as dam bursting). He quotes Sarawak Chief Minister; *'I do not know from where they got such films...They might be from a special effects studio in Hollywood...Such activities are intended to trap the people in useless squabbles, preventing them form adjusting to new situations and leaving them out of the mainstream of development.'* On the same issue *the Sunday Star* quotes them as *'trouble makers'*. (Sunday Star: 29.5.94),

Dr Chan –Finance and Public Utlitiy Minster- is quoted in the *Sarawak Tribune* (Seaman Endawie and Johannes Ridu; 28.3.94) as; *'No true Sarawakians has (sic) the right to stop the development of Sarawak for his own her own selfish reasons'*.

The same year the *New Strait Times* carries a longer feature titled; *Tribes folk wait in fear and hope'* (17.5.94). The journalist has interviewed 17 tribe people. Eight is pro the dam, five is opposed and four have no opinion or are divided. *'...We don't want to be left behind'* vis-à-vis *'Nobody tells us anything. They just bulldoze through their project.'* The introduction to the articles goes; *'The Bakun Dam has been hailed as cheap and efficient way to meet Malaysia's growing energy needs. Little, though, has been heard from the perspective from the people whose ancestral land will be submerged.* This article seems to be an attempt to investigate and analyse from the point of view of the indigenous people, however having to be aware of the censor in order to get the article published and showing both sides.

In September 2005, *Sarawak Tribune* shows that they can't shy away from the issue of living with a censored media. Recapping the words of Dr. Ritom, commissioner for a domestic NGO, *Suhakaram*³⁸, the article says; *'...to implement total press freedom in the country was a very hard reality as members of the media admitted that there were some restrictions as they would need to renew their operating license, and that there were also censorship....'* (Maloh S.T: 23.9.05:6)

James Ritchie writes another more analytic piece where he ends the feature with a quote from a tribes member; *'If we complain we are bad, if we don't then we can loose our culture. The authorities can ensure that the people are fairly rewarded for their sacrifice.'* (NST 18.5.94)

*New Sunday Times*³⁹ (NST:3.96) heading says; *'Dr Mahathir: Ridiculous spending RM 156 just to cause hardship. Bakun not meant to vicitmice people.'* Later in the text *'...we love our people and want them to joining the mainstream of development...we want the to change and accept a new and better way of life' ...[international NGOs] wanted the people to remain backward so that they could become masters.'*

³⁸ *Suhakaram* means Friends of the Earth and is one of Malaysia's largest independent, -and most influential- human rights group.

³⁹ *New Sunday Times* is *New Strait Times'* Sunday Paper

A Sarawak Tribune editorial says; *"It has become crystal clear that the interest of the so-called champions often environment are wholly and dangerously self-centred. They are all out to protect their own interest and hurt ours, make no mistake about that!"*

Toman Mamora writes: *"The resettlement of families affected by the construction of the Bakun Hydroelectric dam project must be viewed from a broad and long-term perspective, as it concerns the transformations of a rural community into a modern socioeconomic entity."*(ST: 2001. 04.25)

Mrs. Hin Yue have used sentences like *"The bitter experiences of the United States, India...have proven the that monumental dams are not economically, ecologically and socially sound. (NST:1997:7). And: "The spirit of the EIA demands transparency and that would mean any decision made on an EIA excersies reflect public concerns__ _ The public has the right to know. Much is at stake. (NST:1999:07).⁴⁰ One articles has the title: 'Answering some dam questions' ...ultimately, the real issue is whether all parties concerned, including members of the public, will be able to gain more information on the project and engage in a meaningful dialogue. The more transparent the project...the less need for them to be antagonistic towards the proponents of the project.' The article ends; 'It is a matter of public accountability.'*(NST 15.03.96)

James Ritchie works on the same line quoting the Bakun Development Committee, BDC,⁴¹ in NST; *'...Basically, what we [the indigenious] want is to be heard and to be consulted rather than have the private sector or bureaucracy telling us what is best for us. After all, we are talking about our lives.'* (N.S.T 19.5.94)

The problem in Malaysia is that the political environment hinders an open debate that has led to dams rejections elsewhere in the world.⁴² Those affected have been urged to sacrifice themselves in the interest of national interest and the good of Malaysia. The opposite thence mean that you are selfish and unpatriotic.

To advocate for informed consent and right of choice do not necessary mean to comply with all requirement, it does however mean that one should be part of the democratic system where all Malays should be treated equally declared under the 1957 Declaration. The above clippings and interviews contradict this.

⁴⁰ NST-LTIMES; 6.07.99 Don't keep public in the dark with Jasbir Singh.

⁴¹ Bakun Dam Committee makes up 40 NGOs opposing the Dam.

⁴² British Colombia and Quebec in Canada was rejected after much public debate. See www/idsnet.org/Resources/Dmas/Bakun/debating.html, quoting Caroline Spears in "Public Participation in the Environmental Impact Assessment for the Bakun Hydroelectric Project, Sarawak, East Malaysia in the period from September 1993 to June 1995. University of London, Wye College, October 1996.

4.5 Environmental Impact Assessment

I was given the much controversial *Environmental Impact Assessment*, EIA report copied only into a few numbers by an anonymous source. The EIA has always been one of the main critiques in terms of lack of transparency, as they were never released adequately, to the public e.g. not published in the domestic press in Malay. The four separate reports were carried out by UNIMAS on behalf of Ekran Berhad.

Still, more controversial is that UNIMAS could not look into the issue of the indigenous people and the resettlement scheme: “*Studies on socio-economic, socio-cultural, resettlement and other related aspects for the population within and in the vicinity of the Bakun catchment are excluded from the Terms of reference for UNIMAS, the director of the Bakun EIA. These studies are being carried out separately by the Sarawak State Government.*”(UNIMAS:1997:1-7)⁴³ (Not my highlight.)

The EIA said amongst other things that ‘*there are potentials for an enhanced risk or new and chronic erosion, slope failure, transport of eroded material and sedimentation of surface waters and habitat (UNIMAS:6:11), reduction in fresh water bio diversity (UNIMAS:6-13), change in microclimate, disturbance to wildlife, long term loss and change of existing freshwater, long term loss of economic unites (forestry, fishery, paddy and other crops).* (UNIMAS:8-2) *A reduction in biodiversity, with its consequent loss of biological knowledge, erodes our ability to enhance the economic wellbeing and quality of life of all people.* (UNIMAS:6-1)

A year after the EIA was released one can read in the *Sarawak Tribune* (13.3.96):
...*Ibrahim...dismissed the notion held by some people that the government was pandering to the wishes of the private company selected to build the dam_ _ _ Ibrahim disclosed findings of the re-evaluation Board. They include:*

- *the hydrology, geology and site topography are favourable...the design and its adoption...provide for an inherently safe dam*
- *selection of structures conform to current practice and provide for a satisfactory power project*
- *government would now overlook the interest of villagers...satisfactory in terms of compensation_ _ _the decision to implement the BHEP was based on its economic viability, technical feasibility and environmental friendly characteristics.”*

4.6 Summary

- Official propaganda pushes the Kayans to make ‘sacrifices’ for the larger interest of the nation. Policy makers have imposed decisions on the local population in the name of modernity, economic growth, and national prestige. (Ashok and Ang Ming:4) They are being blamed in the media for being ‘foreign agents who are against national development.

- The Kayans at Uma Juman are torned between thinking the journalists are doing a good job, their having respect for authorities, that the media being largely free and that they have little say in any matter as a minority. In the Bakun resettlement programme, no one from the media came to speak with them.
- To write analytical and critical articles, journalists have to be persistent and accept the fact that their pieces might not get published, or be so in a edited version and in the back pages of their respective paper.
- Common people and journalists were prohibited to visit the site, as it has been classified a restricted security zone. (Ashok and Ang Ming:104, EIA 1995).⁴⁴
- The feasibility studies and EIA of the project have never been brought to light, despite being required to under federal law. (Ashok and Ang Ming:104) Instead the findings have been classified as a confidential report under the OSA. The government assured only by giving verbal assurance that the project was 'safe and environmentally friendly' (Ashok and Ang Ming:105)
- The Barisan have publicly threatened to use ISA on those who campaigned against the dam.⁴⁵ (Ashok and Ang Ming:105)
- The Kayans at Uma Juman long house have not daily access to newspapers, let alone the Internet. The nearest town is three hours drive away.

As the *Barisan* stress' the lack of information, they show that they are aware of the importance of being informed, however, they have not questioned their own activities in that matter. It does not seem to compromise with any public opposition, instead it gives the impression that it views it as a force that needs to be suppressed.⁴⁶ (Ashok and Ang Ming:107) In Energy Minister's Datuk Moggie's compendium, he states regarding those who hold "...genuine concern to those of outright contempt of the project [the BHEP]. Wee see these as the result of lack of understanding and the misrepresentation of facts..." (Moggie 1996:IV)

Herein lies UMNO's danger of becoming irrelevant in a future Malaysia. If UMNO fails to project a fair definition of Malayness, i.e. including *all* Malays into its vision, the future might belong to someone else. From these lines of reasoning, UMNO could be digging its own grave.

⁴⁴ It is today easier to get into the site as the development is near its completion, thus less point for any opposition trying to stop the development

5. Current conflicts and hindrances

Apparent to my research is that there seem to be two contracting sides, and I get the feeling they seldom meet. As it is now, the dialogue is shut within each community of likeminded people, with the consequence of neither being able to represents the people wholly.

The complexity between ethnicity and politics in Malaysia is being played out through issues of media freedom, where UMNO currently rules an indifferent people. Government propaganda or not, from this perspective it doesn't matter as there is little you can do as a common people or journalist to change it.

Seeking to marry advanced market economies with extensive political control (Rodan 2005:47) has not benefited freedom of expression in Malaysia. This has invariably affected the Kayans in terms of their feeling –and being - left out from the political arena. It is, again, the government that sets the agenda, and in violation with international human rights, a dialogue with all its citizens is non-existent in contemporary Malaysia.

Mr Mamora argues:

“Media does help to shape the environment. Media is part of a value system. Censorship is not imposed on us [by the government].”

But how can the media shape the environment if it only reflects the current value system of UMNO? There is a general idea that if you don't speak about problems, it doesn't exist, and no repercussions will take place. But, if there is only biased reporting and propaganda, it will make the press unimportant. It will have little significance not only for the Kayans, but for all Malaysians. It will also have a negative impact on the UMNO, if the people distrust the media, they will distrust whatever good it says about UMNO. Herein lies the danger of the media doing nothing more than just exist for itself. Currently, UMNO shows little respect for the journalists and use the media for their own gain in order to stay in power.

On the backdrop of this, Mrs. Hin Yue paints a bleak picture:

“[We will] never have total freedom, never to the point where you can say I'm so proud to be a Malaysian. We need a change in the whole value system”

6. Conclusion

My general feelings are that, firstly, the government is even in control over what seems to be the more independent outlets, as well as journalists.⁴⁷ Secondly, that this is not about to change any time soon. There is much debate on diversity within unity, the concept of Asian values and a development country trying to achieve developed status.

As I would argue, these explanations are not valid, and sometimes even contradictory. Albeit Asian Values are about respect for authority, this respect must be mutual for any country to develop. If only a small part of the population benefit from the massive development that is taking place at the moment, it will not benefit Malaysia as a fully stable economy, thus it'll make it difficult for them to achieve Vision 2020.

It's more complex a matter than changing the laws and i.e. scrapping ISA, PPPA and ISA. True is however that these laws do make the reporting of the Bakun more difficult, but it is not the sole reason for the lack of it; Mrs. Hin Yue 'the lone voice in the wilderness,' might not have made much of a difference in terms of changing the outcome of the Bakun saga and the current situation of the Kayans despite her efforts.⁴⁸ The problem might in this case not be that some of her articles were scrapped or that they ended up in the back pages of the feature section, but that she indeed was the sole voice (or felt as is she was). Thus, it is only the people (including the journalists), if mobilized that could take Malaysia on to a more democratic path. It is not likely that it will be a top down process. It requires a lot of courage, but as we have seen, the UMNO is very keen to rule a peaceful country in harmony, and perhaps they would have no choice but to listen –and act.

The overall aim of my thesis was to see is if in Malaysia a free media really matters, or if the government per se held more powers? What was more powerful? It should now be clear that it is the government that is in control of the people and workings of Malaysia, whereas the media has little impact. Despite there being people who try to break free from government propaganda, they do so with limited support and much hard work. It is a difficult practice to sustain.

For anything to change in Malaysia, they would have to not only focus on the financial aspect of Vision 2020, but try to achieve a fair society where respect includes all citizens. This, together with what would then inevitably become a more free press, the Kayans and other suppressed groups could participate more in the workings of the country. But until then, the Kayans and the like will have little interest in the press. And the press will have little interest in trying to voice their concerns.

Would then the outcome of the Bakun saga have ended differently had there been a free and accessible media?

Few of those I interviewed thought so. Says Mr. Elli:

⁴⁷ E.g. UMNO raided Malaysikini's office, taking their computers, Mrs. Hin Yue having to leave her job (see below)

⁴⁸ That eventually saw Mrs. Hin Yue having to leave her job, this was not only because of her involvement in the Bakun case, but other factors too played a large part. She left voluntarily as she felt disheartened and frustrated with the politics of the press and domestic politics in general.

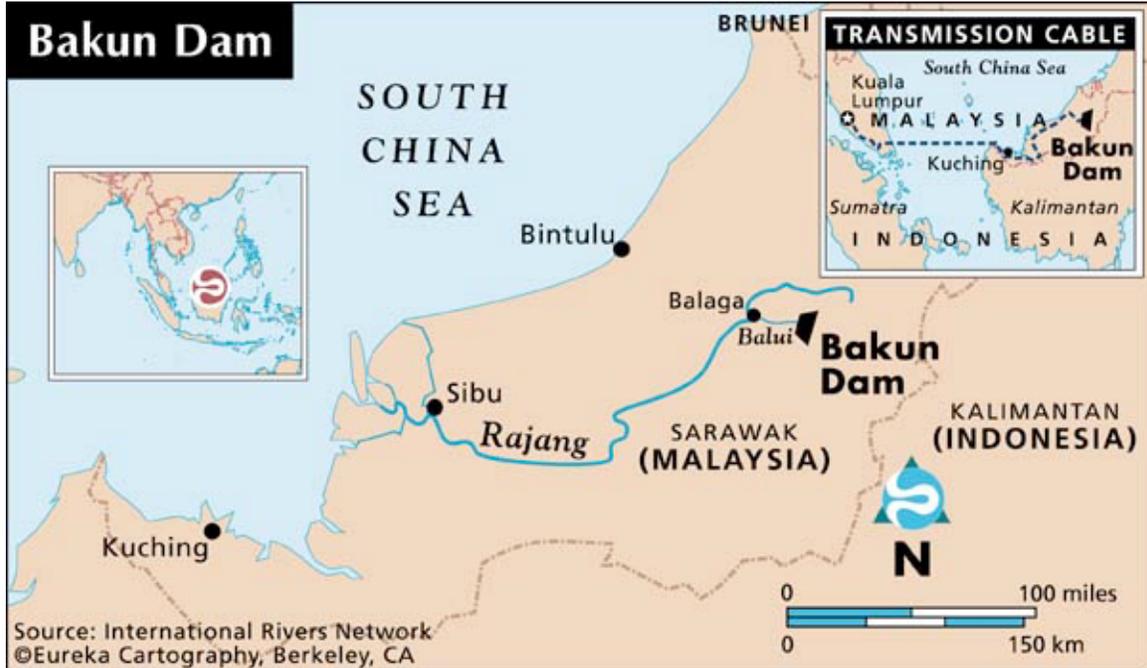
“I don’t think it’s possible for the media to change this [what happened].”

But a free press does lead to a more open dialogue -the question is, who would listen? From my findings I would argue that it would be the common people, not the Barisan. However, it would be more difficult for the Barisan to use the press for their own personal gain to the extent they currently are doing as people then would have more alternative sources of information. It would depend on what the people would do with these new powers. One problem is that the Kayans are used to answers, not questions and to realise that you are capable of making changes is a slow process.

If the media can’t back the UMNO, and perhaps even come to criticize the state of the indigenous people in a significant manner, I think they would face more opposition, making it harder for them to keep their current political agenda. The Kayans and a large part of the Malaysians are not interested in the media, but should it become less of a mouth piece, it is possible that this would change and the Kayans and other minorities could then use this to their advantage.

7. Appendix

7.1 Map of Sarawak and the Bakun site



7.2 Uma Juman Community



7.3 Bakun Hydro Electric Project site



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