

CRYSTALLIZING THE SIGNIFICANCE OF TRADITIONAL RIGHTS AND PRIVILEGES IN LOCAL PEOPLE SUSTAINABILITY

Zurina Mahadi^a, Latifah Amin^b, Hukil Sino^c

^{a,b} Center for General Studies, Universiti Kebangsaan Malaysia, 43600 UKM Bangi, Selangor, Malaysia

^c Faculty of Health Sciences, Universiti Kebangsaan Malaysia, 50300 Kuala Lumpur, Malaysia

^a Corresponding author: kina@ukm.my

© Ontario International Development Agency. ISSN 1923-6654 (print)

ISSN 1923-6662 (online). Available at <http://www.ssrn.com/link/OIDA-Intl-Journal-Sustainable-Dev.html>

Abstract: While equity is derived as the driver in achieving social sustainability, it also imposes inappropriate pressure on traditional rights and privileges of local people. Sustainable development, which ideally should be equitable for every human being within environmental limits, may inevitably result in the loosening of the existing equities of local people. The expansion of development incentives and flexibilities in development policies may shatter the solid structure which has secured the equities for generations. This paper is an attempt to reflect the importance of traditional rights and privileges to local people well-being and its effect to local participation in sustainable development. The data for this paper is gathered from a study on sustainable development values of Malaysian public. Using qualitative methods, in-depth interviews and group discussions were held with the local people and the governors to represent their views and communities represented by them. This study implies that traditional rights and privileges are vital in ensuring the wellbeing and the sustainability of local people. It is also evident that tampering these systems will reduce local people's confidence towards sustainable development and therefore reduce their participation in the process. In specific, the local people refusal to participate in sustainable development process persists through the veneration to their traditions, defense towards the diminishing establishment and demands towards recognition. This study suggests the governors to encompass the policies on equities in development towards the existing structures of local traditions. In

conclusion, the governors should decide on policies that secure local people rights and privileges within the existing systems they are living in and supporting by in order to enhance their confidence in sustainable development and willingness to participate.

Keywords: Participation, privilege, right, sustainable development, traditional.

INTRODUCTION

As of today, concerns over social sustainability have been least developed and promoted in comparison to environmental and economic sustainability. Most of the time, social sustainability is conceived of as equity which is one of the tripartite understandings of sustainability along with economy and environment [1]. It is however still in doubt whether equity alone is eligible to represent social sustainability or whether equity is really a prerequisite in the construct of social sustainability.

As from the very beginning, sustainable development has explicitly position equity at the central of its principle. The most affluent notion of sustainable development endorsed by Brundtland Commission in 1987 has pronounces the critical importance of equity in sustainable development in particular intergenerational equity as its mean as well as its end. This notion has been adopted by numerous sustainable development strategies and policies world-wide and be re-contested, re-affirmed and re-established since then.

Equity in general implies a need for fairness in the distribution of gains and losses, and entitlement to acceptable quality and standard of living [2]. Harris and Goodwin [3] in defining social sustainability, elaborate equity as fairness in distribution and opportunity, adequate provision of social services, including health and education, gender equity, political accountability and participation. Jim et al. [4] explain equity is a belief that there are some things which people should have and basic needs that should be fulfilled. Jim et al [4] also concern that every occurrence of impartiality, unfairness and injustices should be addressed by policy. Berke and Conroy [5] imply equity as equitable access to social and economic resources which is essential to eradicate poverty and to equip the needs for the least advantaged. Haq [6] earlier did also refers equity as access to political and economic opportunities but also propose the strategy to reach equity which is through the restructuring of power in order to eliminate social, economic and legal barriers, and the removal of domineering political powers from powerful few. In summary, equity is about fairness, physically and mentally, to resources and services construct by nature or social environment.

Since the pertinence of equity in sustainable development has been extensively accepted, its possible adverse effect to certain group of people is seldom been evaluated. In attempt to be fair to everybody possible, economically and politically, amendment or deflation of existing social constructs including traditional structures is inescapable. Even though sustainable development is persistent in preserving traditional norms and practices, the overarching needs to reach for optimal economic growth frequently overshadow this notion. This scenario can be fully understood since the concept of balance economy-environment-equity espoused by sustainable development itself is still far from resolved. While progress has been made conceptually to account for the balance but in practices, the concept is so very difficult to be operationalized and what more to be fair.

Secondly, development concept is always in tandem with modernization which demands innovation and creativity and significant reformation in traditional norms and structures. Modern, generally defines as phenomenon or process in relation to recently developed or advanced systematic, methodology, or approach is overwhelmingly favored over traditional in development process. Traditional in the contrary is seen as irrelevant set of latent customs which would potentially hindered development process. This understanding has ignited the disengagement to local traditional custom resulted in many consequences including dislocation of traditional rights and privileges.

This paper is an attempt to explore and understand the significance of traditional rights and privileges towards local people sustainability and participation. The data for the analysis is gathered from previous research on local people sustainable development values which were conducted in 2007-2009. The paper will be looking into the tangible and intangible aspect of equities in particular related to traditional rights and privileges and triangulates the findings upon local people sustainability and participation in the research area.

MATERIALS AND METHODS

Conceptual framework

There are two components to be looked upon in this paper which is the equities and sustainability. The tangible and intangible equities component in term of traditional rights and privileges derive in this paper will be from the layman (local people) point of view and not concerning legal provisions. The element of fair and just equities as outline by National Academy of Public Administration's Standing Panel on Social Equity [7] of social equity will also be noted. The sustainability of local people is derives from the concept of sustainable community which define as a community that can persist over generations in healthy environment while enjoying prosperous economy and vibrant civic life without undermining its social or physical systems of support. The definition of healthy environment, prosperous economy and vibrant civic life in the concept however is tailored to the definition outlined by the participants in effort to understand the connection between their presumed sustainability and equity in local traditional context. To accomplish the sustainability concept, the element of social well-being which is the fulfillment of basic needs and the exercises of political, economic and social freedoms [8] will also be tagged along as they are significantly overlapping.

Research area

Selangor, Malaysia is selected as the research area due to the rapid development process which has transformed this previously an agriculture based, rural areas to semi-urban and urban areas. The scenario is resulted from the development of Kuala Lumpur International Airport (KLIA) and Federal Territory of Putrajaya as the central government administration centre in Selangor. The operation of KLIA is fully supported by highly upgraded infrastructures and highways linking it to the major trading points (e.g. Klang Port) and Kuala Lumpur, the capital city of Malaysia. Selangor was previously an agriculture based area where rubber and palm plantation were the major commodities. In 2005, approximately 46.37 percentage of total area was designated for agriculture activities (a deficit of 96.56

percentage of total agriculture area in 2002). This tremendous depreciation indicating the major transformation Sepang is experiencing in recent years.

The local people of Sepang are divided into the rural and urban communities. The rural communities reside in nineteen traditional villages in Sepang and led by the villages' heads. The village heads play the main role as the representative or spokesperson of the rural communities and act as the mediator between the communities and the government. The urban communities are represented by Council members, whom were appointed by the Municipal Council. The increasing urban area has been divided into 23 zones (increment of 10 from 13 zones in the previous year) to allow effective and systematic governance.

Sampling method and Approach

A qualitative methodology was used with the collection of data through a series of in-depth interviews and discussion groups with selected participants to represent rural and urban communities views to obtain in-depth understandings of the meanings and definitions people give [9, 10, 11, 12]. We decided on group discussion mode for the rural communities due to their limited knowledge upon sustainable development concept.

Data analysis

The interviews and group discussion transcripts are analysed using thematic analysis to explore the main perspectives of the topic studied. Thematic analysis involves methodically reading through the verbatim transcripts and segmenting and coding the text into categories that highlights what the group discussed [13, 14]. They were then assessed, compared and interpreted and any similarities and differences were noted between. The categories were combined and assigned to major themes that provide a framework to explain how the participants value the development in their area.

RESULTS AND DISCUSSION

The traditional tangible equities highlighted by the participants in this study are environment related equities which is the land and property rights and tenure, and economic equities which is the resources and the benefits. The intangible equities gathered in this study are identity including custom and tradition, and political power particularly in decision making and influence. The discussion on its affect to local people sustainability and participation will be conducted consequently.

The first equity to be discussed here is the tangible equities regarding the land and property, and economic. During development process, it is normative for vast areas of lands being reclaimed and developed to accommodate the arising needs and to

satisfy the increasing demands. This exercises however have inadvertently deprive the rights and privileges of local people towards the land and properties that have been traditionally passed through generations. Many of the lands involved in these exercises are those situated in rural areas and at the coastline. Those lands in the rural areas normally belong to individual whom inherit the piece of land primordially from their ancestors. These pieces of land will gradually become smaller and smaller in concessions to multiplying numbers of beneficiaries. The participants claim that despite the facts that their lands are becoming scarce in time to come, some of their lands are inappropriately reclaimed by the government (and developers) to be developed and some even without their consent [15]. Some of the lands did being compensated in the form of monetary rewards while some others were substituted with other piece of land but the participants claimed that the rewards and the substitutes are lesser in values. In the case of substitution, the participants claimed that they are facing complicated ownership-transfer procedures which left the process lagging over years.

Similar scenarios entangle the communities at the coastline. Majority of the communities here are traditional fishermen, whom acquire the fishing skills and knowledge from the elders. They do fishing in small scale using low tech fishing gears but manage to subsist their families for generations. These people unfortunately, are facing possibilities of losing their sources of income, their lands and their villages to development project at the coastline. The mega project has transformed large area (approximately 600 hectares in coverage) of the beach to an elite housing estate with enclosed private beach [15]. These exercises have pronouncedly restricted the access to the sea which is the traditional resource of income which eventually may cripple the fishing communities and impair the well-being of the village.

The other issue regarding to land and properties is the privileges that traditionally granted to the natives. Previously, certain areas of lands are reserved for natives as a privilege and recognition of their sovereignty. These provisions are also an effort to assist their survival and sustenance in their homeland. The participants claimed that these provisions however, have been gradually moderated where some of the lands that were previously reserved are lifted off from the status and are now available to the non-natives and foreigners in effort to induce the investment in properties [15].

These scenarios depicted the vulnerabilities of traditional rights and privileges of local people in development process. They seem to be least benefitted in development, socially and economically and the greatest loser in term of existing traditional

equities. How could local people survive and sustain if their existing rights and privileges are taken away from them? The participants perceived those exercises as discrimination and manipulation of their rights and hence their honor. Honor and the rest of intangible equities which is identity and power are next being discussed.

Identity denotes the ways in which individuals and collectivities are distinguished in their relations with other individuals and collectivities [16]. At earlier historic moments, identity was not so much issue; in current times however, the concept of identity carry the full weight of the need for the sense of who one is, together with an often overwhelming pace of change in surrounding social contexts, changes in the groups and networks in which people and their identities are embedded and in the societal structures and practices in which those networks are themselves embedded [17]. Identity as much about difference as about shared belonging. The similarities and consistencies among communities member have constructed culture, custom and tradition. Identity is a symbol that unites the members of the community and a statement that convey the proclamation of their honor. Identity and political power are closely intertwined since they are both very political in theories and practices. Capability to reside their identity is prominent for a community to retain their political power. A community incapable of maintaining their identities will progressively lose their authorities and influence.

The development process has vigorously drawn flock of foreigners into this area; many are construction and manufacturing workers and few professionals and investors. The participants claimed that the presence of the foreigners along with their identity has precariously protruding into the boundary of local people identity particularly the traditional norms. Their large numbers and long period of staying allow effective transfer of their foreign norms to the locals which mostly adopted by the teenagers and youngsters. This invasion is seen by the participants as identity violation which will eventually permeate into the communities of local people and disrupt the identity boundary and hence their solidarity. The identity of local people is also in threat in the exercise of community re-settlement from the area to be developed. These communities, majority estate communities, are re-located to a new settlement to allow their previous house compound to be developed. The participants claimed that the physical and structural changes at the new settlement have limited these people capabilities to observe their traditional norm.

As their identity is becoming vulnerable, the local people already anticipate their loosening political

power. The participants claimed that they are losing the privileges to decide on what and how their homeland to be developed. As the consequences, they are becoming decentralized, marginalized or cast away from development process despite their sovereignty. In the name of equitability, local people are demanded to compromise their traditional rights and privileges to foreigners whereby as natives, their equity should not be lessen if not more. The participants claimed that economic wise, this area has been prosperously developed but equity wise, it is going backward. The participants obviously eyeing this phenomenon as unfair and injustice which resulted them losing their confidence towards development and otherwise felt threaten. In resistance towards demolishing traditional rights and privileges, local people refuse to participate in development. According to the participants, they will persistently reject any development initiatives that release disintegrative forces towards the already stable and comfortable establishment. Apparently, the development in this area is not fully appraised by local people whom demand the previous social structures be revived. For these people, the traditional provisions are important endowment of equities, tangible or intangibles, which is critical for the sustainability of future generations.

If the sustainability of local people is derives from the concept of sustainable community which define as a community that can persist over generations in healthy environment with prosperous economy and vibrant civic life without undermining its social or physical systems of support, it is advisable to define their term of economy and civic life, and the nature of their social and physical support. In this study, it is evident that the participants favor empowerment of rights and privileges over economic achievement. This again illustrates the problematic relationship between the tripartite components of sustainability. As mentioned previously, it is very difficult to configure the balance between every component since they are very interactive and dynamic. Development is multi-dimensional and cannot be reduced to any single thing because several things matter at the same time. It is therefore advisable to conduct thorough evaluation on each attributes to determine the balance. The participants also have persistently displayed the importance of the existing social/traditional structure in support of their life. By defending their traditional rights and privileges, they have displayed their aspiration of sustainability which is the recognition, establishment and sustenance of honor and dignity. As for this study, it can be concluded that in term of equity, the traditional rights and privileges are very critical to the participants to ensure their survival and hence their sustainability.

CONCLUSION AND RECOMMENDATIONS

After comprehending the attributes that link traditional equities and local people sustainability, firstly we like to propose the governors to comprehend and acknowledge the existing social structure. In this study, the participants displayed their disagreement towards the amendment of traditional rights and privileges. The governors then should acknowledge these elements and recognize them as vital equities in development. Secondly, we recommend the governors to evaluate the relevancy of development plans towards present being. If the plans would jeopardize the local people present well-being at any cost, it should be considered irrelevant to be pursued despite its overwhelming prospects. The governors' initiatives to develop should not in any circumstances reduce the capability of the public to pursue their rights and privileges. They should instead increase public capabilities to be fairly equitable and not the other way around. Thirdly, the governors should exclude any allocation that may have social consequences. They have to tailor the development to local traditions and existing structures. In specific, the governors should decide on prospects that resemble local people aspirations within the existing systems they are living in and supporting by. At present, the local people perceive that development deprive their rights and suppress their privileges which incurs the feeling of insecurity and indemnity. The governors' seems not to realize this, drive the development in such a way they mistreated local people provisions which is crucial in sustainable development. The study pre-supposes that if the governors can tap back into existing social structures, they may recognize local people aspiration to be satiated in their journey towards sustainable development.

ACKNOWLEDGEMENT

This research is funded by Fundamental Research Grant Scheme (UKM-11JC-04-FRGS 0003-2006), Department of Higher Education, Ministry of Higher Education, Malaysia.

REFERENCES

- [1] Dillard, J., Dujorn, V., & King, M.C. (2009). *Understanding the Social Dimension of Sustainability*, New York:Routledge.
- [2] Beder, S. (2000). Costing the Earth: Equity, Sustainable Development and Environmental Economics. *New Zealand Journal of Environmental Law*, 4, 227-243
- [3] Harris, J.M., & Goodwin, N.R. (2001). Volume Introduction. In J.M. Harris, T.A. Wise, K.P. Gallagher, & N.R. Goodwin (Eds.), *A Survey of Sustainable Development: Social and Economic Dimensions*. Washington D.C.: Island Press.
- [4] Falk, J., Hampton, G., Hodgkinson, A., Parker, K., & Rorris, A. (1993). *Social Equity and the Urban Environment*, Report to the Commonwealth Environment Protection Agency, AGPS, Canberra.
- [5] Berke, P.R., & Conroy, M.M. (2000). Are we planning for Sustainable Development? *Journal of the American Planning Association*, 66(1), 21-33.
- [6] Haq, M. (1999). *Reflections of Human Development*. Oxford, UK: Oxford University Press.
- [7] National Academy of Public Administration's Standing Panel on Social Equity. (2000). 2-3.
- [8] Prescott-Allen, R. (2001). *The Well-Being of Nations: A Country-by-Country Index of Quality of Life and Environment*. Washington DC: Island Press..
- [9] O'Neill, J. (2001). Representing people, representing nature, representing the world, *Environmental Planning C: Government Policy*, 19, 483-500.
- [10] Bernard, H.R., *Social Research Method: Qualitative and Quantitative Approach*. London: Sage Publication Inc.
- [11] Williams, M., & May, T. (1996). *Introduction to the Philosophy of Social Research*. London:UCL Press.
- [12] Tesch, R. (1990). *Qualitative Research: Analysis, Types and Software tools*, Hampshire:The Falmer Press.
- [13] Boyatzis, R.E. (1998). *Transforming Qualitative Information: Thematic Analysis and Code Development*, London: Sage Publications, 1998.
- [14] Aronson, J. (1994). *A pragmatic view of thematic analysis. The Qualitative Report*, retrieved from: <http://www.nova.edu/ssss/QR/BackIssues/QR2-1/aronson.html>.
- [15] Mahadi, Z., Abdul Hadi, A.S. & Sino, H. (2011). Public Sustainable Development Values: A Case Study in Sepang, Malaysia. *Journal of Sustainable Development*, 4(2), 154-166.
- [16] Jenkins, R. (2008). *Rethinking Ethnicity: Arguments and Explorations*, 2nd edition, London: Sage.
- [17] Howard, J.A. (2000). Social Psychology of Identities, *Annual Review of Sociology*, 26, 367-393

