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Indigenous Cultural Priority in Customary land Development: A Case Study of the Communities Ulu Papar River, Sabah.

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Abstract. Customary land development in Sabah, Malaysia, involves the intersection of indigenous cultural priorities and the need for economic development. This study was mainly conducted to understand the significance of indigenous cultural priorities in the context of customary land development with the hope to provide an enlightenment on how land development can be implemented within the customary land area without compromising the true cultural value of the indigenous peoples. By examining the cultural priorities of indigenous communities, valuable insights can be gained to guide land development practices that respect cultural values. A qualitative involving 50 respondents comprising the villagers follow up with focus group discussion with local leaders. The result highlight two key aspects of indigenous priority based on individual actualization and community actualization. Individual actualization in relation to customary land refer to individual prioritizes opportunities for indigenous community members to develop their skills, pursue education, engage in meaningful work, and achieve personal goals. Community actualization on the other hand emphasizes community prioritizes initiatives that strengthen social cohesion, cultural continuity, and sustainable economic development. By incorporating individual and community actualization into customary land development practices, indigenous communities can maintain their cultural integrity, strengthen social bonds, and achieve sustainable development outcomes.

1. Introduction

The native customary right to land is a special privilege given to natives and indigenous communities for their settlement and livelihood. This right is highly significant to the native population in Sabah. However, disputes over NCR land involving landowners, developers, private companies, and the state government continue without resolution [1–5]. These conflicts arise due to factors like excessive development, population growth, and unauthorized land encroachment, which threaten the security of native land ownership [6–10]. The situation becomes more complicated when the cultural value placed on the land outweighs its economic benefits, leading to ongoing conflicts between customary landowners and land-related agencies regarding development plans [11].

The indigenous people of Sabah have long sought justice from the State Government regarding the land development issues concerning customary land. However, the ongoing dispute between both parties persists due to the state government's ownership of these lands [12]. As a result, a significant portion of the land claimed as customary land has undergone extensive development for public purposes. One notable case of Sabah native customary land acquisition for a public purpose is the controversy surrounding the Kaiduan Dam project which later to be rename as the Ulu Papar in the 1980s. The



Kaiduan Dam project was intended to provide water supply and hydroelectric power to the rapidly growing city of Kota Kinabalu in Sabah [13–16]. Other example cases related to the indigenous customary land acquisition for public purposes is Tanjung Aru Eco-Development (TAED) project [17]. While this project does not involve a dam, it showcases the ongoing challenges faced by indigenous communities in Sabah regarding land development and the preservation of cultural heritage.

The diminishing competition and concerns surrounding customary land due to ongoing development have compelled multiple stakeholders to acknowledge the gravity of the issues at hand. Consequently, the persistent dispute between the indigenous communities and the state government reflects the challenge of finding a mutually beneficial resolution that addresses the interests of all parties involved. Hence, adopting a grassroots approach that recognizes the needs and cultural priorities of indigenous communities in relation to their customary land is crucial for fostering mutual understanding. Such an approach not only benefits the indigenous communities directly but also addresses the gaps in implementing development initiatives that align with their customary practices.

As this dispute unfolds, it becomes evident that a body of research has been dedicated to understanding the complexities surrounding indigenous cultural priorities within the context of land development. A further study has been conducted by Stephenson’s in 2008 with the purpose to explore the indigenous cultural landscape and its connection toward the indigenous cultural identity. Stephenson's exploration of landscape models significantly contributes to understanding the intimate bond between indigenous cultural identity and the landscape (refer to figure 1). These models emphasize the interconnectedness of three key components shaping the cultural landscape: the tangible forms of the physical environment, the intricate relationships woven through cultural and spiritual connections, and the practices that mutually influence and are influenced by the landscape [18–20]. This study acknowledging that the landscape is a complex fusion of both human and non-human elements. Yet, a deficiency in this existing body of knowledge persists, leaving a crucial void in fully understanding and integrating sustainable development practices that not only respect cultural priorities but also ensure the preservation of indigenous heritage while fostering the well-being of both human and non-human elements within the landscape.

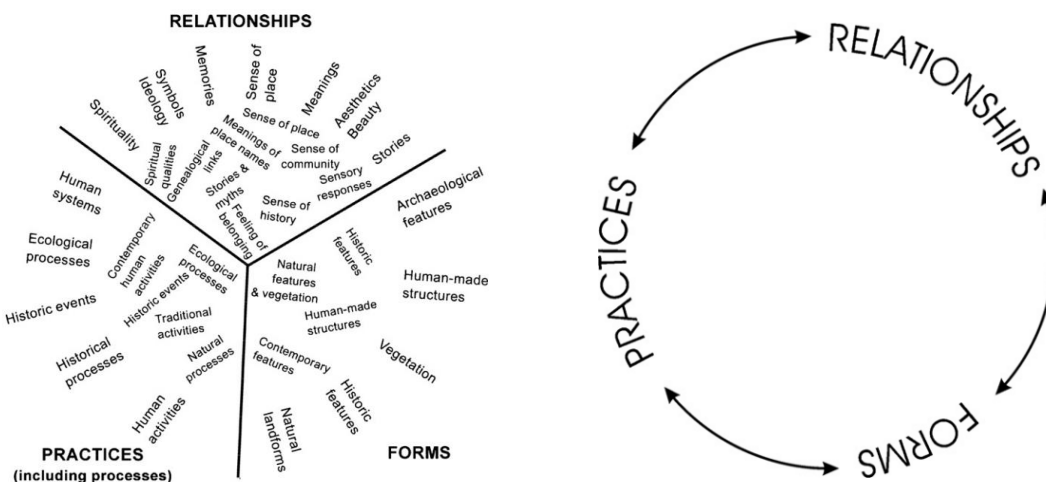


Figure 1. Three fundamental components of cultural landscape with (right) and the dynamic interaction of form, practices, and relationship (left).

Therefore, to ensure land development can be implemented appropriately, it is paramount to recognize that prioritizing indigenous cultural perspectives is a key ingredient in the recipe for achieving sustainable development objectives.

2. Methodology

This study employed a qualitative method through in-depth interviews and focus group discussion with people with knowledge concerning land issues among the indigenous people of Sabah. Two groups of key informants were selected. The first group comprised of 50 respondents among the native communities (in-depth interviews), while the second group of people was from the local leader, especially Village Community Management Council that deal directly with the indigenous affairs (Focus group discussion). The purpose of interviewing these key informants was to collect information related to their customary land development and cultural priority. In order to fill out the gap from the previous study on the connection of indigenous cultural identity and cultural landscape, a set of indigenous priority guidelines need to be conducted to bridge the modern issues related to modern development. The method uses to gather the data consist of multi dot voting approach which is suitable for prioritizing task as most of the indigenous peoples are more comfortable with voting approach. Other than that, content analysis also adopted to this study. Content analysis serves as a valuable method to ascertain priority categories within indigenous contexts. By systematically analysing qualitative data, such as interviews, documents, and cultural artifacts, researchers can discern prevalent themes and patterns that shed light on the cultural priorities of indigenous communities.

This research was carried out in the study area using an in-depth interview to understand of the subject matter. The study area that was chosen has four communities residing in nine (9) villages, as described in the following sections (Table 1). The selection of the case study for this study is based on the area that have issues in land development initiated by state government. This can be explained because the knowledge related to the lifestyle of the natives after the development is initiated is different from the lifestyle of the indigenous who have not yet been involved in any development.

Table 1. List of selected indigenous village. (Source: Memorandum Takad, 2019)

Village Name	Population
Kampung Timpayasa	175
Kampung Tiku	220
Kampung Buayan	593
Kampung Pongobonon	160
Kampung Terian	436
Kampung Kalanggaan	196
Kampung Kionop (merge with Kg Buayan)	43
Kampung Longkogungan	369
Kampung Babagon Laut (merge with Kg Terian)	100
Total: 2,292	

This above listed village were selected due to the areas have been proposed by the state government to develop a high-impact infrastructure (Hydroelectric Dam). Since the listed indigenous village above is from the same group of ethnic (Dusun Tagahas), makes it easier for the author to analyse the main features or attributes related to the cultural value that represent the identity of the indigenous community. Unfortunately, one of the above stated villages (Kampung Timpayasa) is later removed from the list since on the time of the site visit, the access to the villages has cut off.

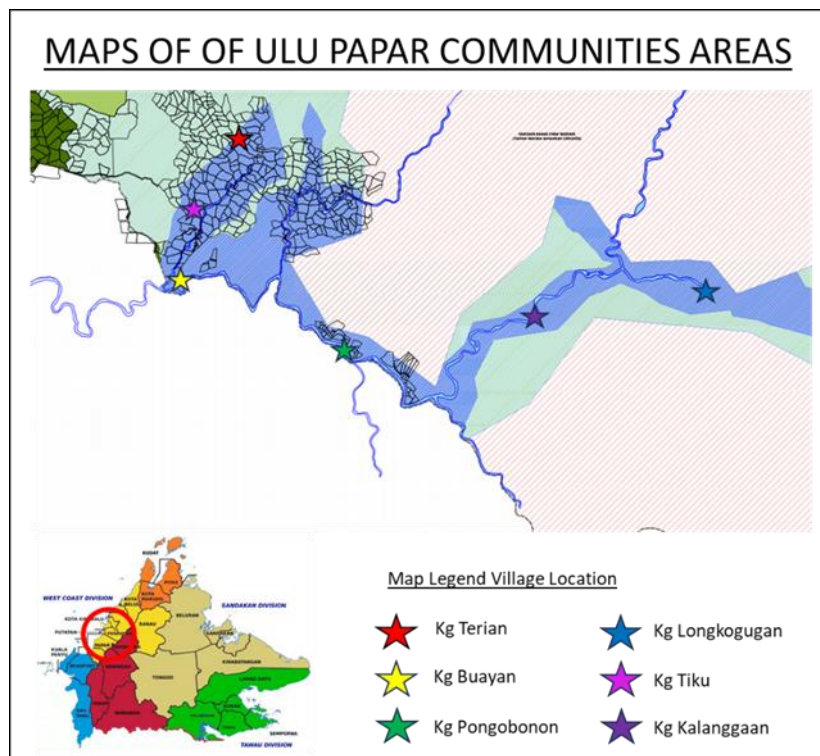


Figure 2. Map of the Villages within the Ulu Papar Rivers Areas

3. Result and Discussion

The main purpose of this research was to provide a better understanding of the native land development issues and their cultural priority based on their way of life. Based on data obtained from the present study, it is found that the majority of respondents are male, that is 58 percent (42 percent are female). The respondents are mostly having level of education up until the bachelor’s degree level. Specifically, 20 percent of respondents have no education, 36 percent are having primary and secondary level of education and 6 percent are having pre university level of education. Only 2 percent are at bachelor’s degree levels and none of them are post graduate degree than this level. Majority of respondents are married (82 percent) and majority of them is self-employed as either a farmer or as housewife (94 percent) as of the job status. Among them, 4 percent are working in the government sector and 2 percent are currently continues their studies on pre university level (refer to Table 2).

Table 2. Distribution of Respondents by Gender, Education Level, Marital Status, and Occupation Status

		Frequency	Percent
Gender	Male	29	58.0%
	Female	21	42.0%
			100.0%
Education Level	No Education	10	20.0%
	Primary School	18	36.0%
	Secondary School	18	36.0%

	Pre-University/Diploma	3	6.0%
	Bachelor's degree	1	2.0%
	Post graduate Degree	0	0.0%
			100.0%
Marital Status	Single	9	18.0%
	Married	41	82.0%
	Divorced	0	0.0%
			100.0%
Occupation Status	Private Sector	0	0.0%
	Public Sector	2	4.0%
	Self-Employed	47	94.0%
	Student	1	2.0%
			100.0%

3.1. Indigenous cultural significant to identity

Studies show that there are significant differences perspective in culture between indigenous communities. While cultural heritage referring to the expression ways of living developed by a community and passed on from generation to generation, including customs, practices, places, objects, artistic expressions and values, cultural identity in the other hand is constructed through the process of sharing collective knowledge of customs and constantly enacted, negotiate, maintained, and challenged through communicative practices.

Tables 3, 4, and 5 illustrates the significance of various cultural features to cultural heritage, cultural identity, and cultural preference among the indigenous community. The frequency and percentage distribution of these features shed light on the changing cultural perspectives of the indigenous people. It's apparent that certain features consistently hold high significance across all three categories. These features include Aesthetics (Uniqueness), Power, Ecological Process (Interaction), and Vegetation. Their prevalence suggests a shared recognition of the importance of these aspects in relation to cultural heritage, identity, and preference. However, what's particularly interesting is the variation in the significance of other features across the three categories. For instance, features like Historical Features, Man Made Features, and Symbol consistently hold high significance in relation to cultural heritage and preference but exhibit lower significance when it comes to cultural identity. This suggests a potential shift in focus or perception when it comes to the cultural identity aspect.

Furthermore, certain features show fluctuations in their level of significance across the categories. For example, Meaning/Meaning, Regional Bonds, Memory, and Literature and Art exhibit slightly varying levels of importance in different contexts, indicating that their value might be perceived differently depending on whether the emphasis is on heritage, identity, or preference. The most intriguing aspect is the emergence of features like Ideology (Belief) and Spirituality, which, while holding substantial significance in the context of cultural heritage and preference, show relatively lower importance in terms of cultural identity. This observation could signify a changing cultural perspective, with a potential re-evaluation of the role of belief systems and spirituality in defining cultural identity.

In essence, the data reveals a nuanced interplay of cultural features and their varying degrees of importance across the categories of heritage, identity, and preference. This suggests a potential evolution or transformation in how the indigenous community perceives and prioritizes different aspects of their culture.

Table 3. The significant level of cultural features to cultural heritage.

No	Features	Frequency	Percent
1	Historical Features (F)	49	100%
2	Activities and Practices (P)	48	98%
3	Aesthetics (Uniqueness) (F)	48	98%
4	Natural Form (F)	48	98%
5	Story (R)	48	98%
6	Ecological Process (Interaction) (P)	48	98%
7	Power (P)	47	96%
8	Human Made Features (F)	47	96%
9	Memory (R)	47	96%
10	Bond of Ancestors(R)	47	96%
11	Symbol (P)	47	96%
12	Scenery (F)	46	94%
13	Vegetation (F)	46	94%
14	Ideology (Belief) (P)	46	94%
15	Spirituality (R)	46	94%
16	Meaning (R)	45	92%
17	Human Systems (Way of Life) (R)	45	92%
18	Literature and Art (P)	44	90%
19	Myth (R)	41	83%
20	Regional Bonds (R)	39	79%

Table 4. The significant level of cultural features to cultural identity.

No	Features	Frequency	Percent
1	Aesthetics (Uniqueness) (F)	48	98%
2	Regional Bonds (R)	48	98%
3	Man Made Features (F)	48	98%
4	Ecological Process (Interaction) (P)	48	98%
5	Meaning/Meaning (R)	47	96%
6	Symbol (P)	47	96%
7	Power (P)	46	94%
8	Literature and Art (P)	46	94%
9	Scenery (F)	45	92%
10	Historical Features (F)	46	92%
11	Vegetation (F)	44	90%
12	Activities and Practices (P)	43	88%
13	Natural Form (F)	43	88%
14	Memory (R)	43	88%
15	Bond of Ancestors(R)	40	81%
16	Human Systems (Way of Life) (R)	34	79%
17	Story (R)	38	77%
18	Myth (R)	34	69%
19	Ideology (Belief) (P)	25	50%
20	Spirituality (R)	22	44%

Table 5. The significant level of cultural features to cultural preference.

No	Features	Frequency	Percent
1	Aesthetics (Uniqueness) (F)	49	100%
2	Power (P)	49	100%

3	Ecological Process (Interaction) (P)	49	100%
4	Vegetation (F)	48	98%
5	Man Made Features (F)	47	96%
6	Symbol (P)	47	96%
7	Natural Form (F)	46	94%
8	Meaning/Meaning (R)	46	94%
9	Regional Bonds (R)	46	94%
10	Memory (R)	45	91%
11	Historical Features (F)	45	91%
12	Literature and Art (P)	45	91%
13	Scenery (F)	44	89%
14	Story (R)	43	87%
15	Myth (R)	41	83%
16	Activities and Practices (P)	40	81%
17	Bond of Ancestors (R)	39	79%
18	Human Systems (Way of Life) (R)	34	70%
19	Ideology (Belief) (P)	29	60%
20	Spirituality (R)	21	43%

3.2. Indigenous Cultural Priority Toward Land Development

The insights gathered from the discussion (FGD) with indigenous leaders have further affirmed the intricate and interdependent nature of the relationship between cultural preference, cultural identity, and cultural heritage. The outcome of this dialogue has revealed a deeper understanding of how these three elements interact and contribute to the comprehensive comprehension of indigenous culture. The analogy of a nested structure aptly captures the essence of this relationship. Just as nesting dolls fit within each other, cultural preference, cultural identity, and cultural heritage are intertwined in a way that one layer envelops and informs the next. This visualization underscores the depth and complexity of indigenous culture, as well as the significance of these layers in shaping the collective identity of indigenous communities.

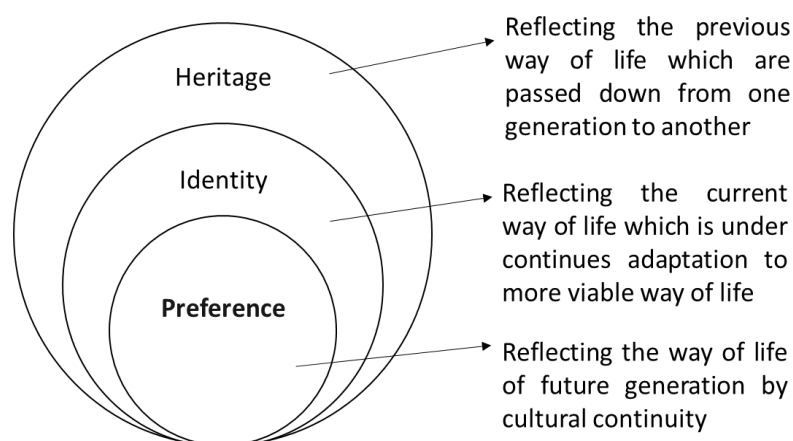


Figure 3. Summary of cultural heritage, cultural identity, and cultural preference in the eyes of the indigenous peoples

At the core of this construct lies cultural heritage, which stands as a repository of ancestral wisdom, traditions, and experiences. The discussion with indigenous leaders likely emphasized the paramount importance of cultural heritage as the foundational pillar of their identity. This reservoir of knowledge serves as the wellspring from which cultural identity and preference draw their essence. Building upon

this foundation, cultural identity emerges as the personal and communal articulation of one's connection to their cultural heritage. The input from indigenous leaders likely highlighted the dynamic nature of cultural identity, molded by historical narratives, shared practices, and a sense of belonging. This layer signifies how individuals and communities interpret and engage with their heritage in a way that aligns with their collective identity. The discussion's revelations likely indicated that cultural preference, as a manifestation of cultural identity, encapsulates the conscious choices and expressions that individuals make within their cultural context. Indigenous leaders likely provided insights into how these preferences are woven into daily life, reflecting individuals' deep-rooted connection to their heritage and identity.

Overall, the dialogue with indigenous leaders underscores the profound interplay among these layers, validating the notion that understanding indigenous culture requires recognizing the relationship between cultural preference, cultural identity, and cultural heritage. This holistic comprehension aligns with the indigenous worldview, where past, present, and future interweave to create a tapestry of identity that is simultaneously unique and interdependent within the broader cultural landscape. The conceptualization of this relationship as a nested structure provides a framework that both resonates with indigenous perspectives and enriches our comprehension of their cultural richness.

Table 6. Prioritization Cultural Element by Indigenous Leader

Categories	Characteristics	Priority Level
Individual Actualization	Spirituality	Low
	Human systems	
	Human-made features	
Community Actualization (Hybrid)	Scenery	Medium
	Literature, art, song	
	Activities and practices	
	Flora and fauna	
	Natural landforms	
	Aesthetics	
Community Actualization (Perpetual)	Ideology	High
	Historical features	
	Stories	
	Sense of place	
	Symbol	
	Ecological process	
	Meanings	
	Ancestral relationship	
	Myth	
Memory		
Power		

Based on the information presented in Tables 3, 4, and 5, it is evident that the cultural features have been categorized into three distinct priority categories, namely individual actualization, community actualization (hybrid), and community actualization (perpetual). These categories reflect the varying levels of significance that cultural features hold in relation to cultural heritage, cultural identity, and cultural preference. The prioritization of cultural elements by indigenous leaders, as presented in Table 6, provides valuable insights into the intricate connection between cultural heritage, cultural identity, and cultural preference within the context of individual and community actualization.

Individual actualization encompasses cultural features that contribute to the personal growth, self-expression, and self-identity of individuals within the indigenous community. The priority of features

in this category is generally lower in comparison to the other categories. These features include spirituality, human systems, and human-made features. While these elements are essential to individual experiences and expressions of cultural heritage, they may not carry the same level of communal significance as other features.

Community actualization (hybrid) on the other hand hold a medium level of priority and are instrumental in fostering a sense of community cohesion and shared identity. These features contribute to both personal and collective growth, serving as points of connection that bridge the gap between individual and communal experiences. This category includes elements like scenery, literature, art, song, activities and practices, flora and fauna, natural landforms, aesthetics, ideology, and historical features. The prioritization of these features suggests their importance in maintaining a balanced relationship between individual expression and collective well-being.

Community actualization (perpetual) consists of features that are deemed of the highest priority due to their central role in shaping and perpetuating the cultural heritage and identity of the indigenous community. These features are deeply rooted in the community's history, values, and shared experiences. They serve as the backbone of cultural continuity and play a significant role in passing down knowledge from one generation to the next. The features within this category include stories, sense of place, symbols, ecological processes, meanings, ancestral relationships, myths, memory, and power. These features not only define the community's sense of self but also ensure the perpetuation of its unique identity over time.

In summary, the categorization of cultural features into the three priority categories of Individual Actualization, Community Actualization (Hybrid), and Community Actualization (Perpetual) underscores the multi-faceted nature of cultural significance within the indigenous context. Each category represents a distinct layer of importance, contributing to both individual and collective actualization while honouring the community's cultural heritage, identity, and preferences. This categorization allows for a nuanced understanding of how different elements contribute to the holistic growth and sustainability of the indigenous culture.

4. Conclusion

This paper offers a concise overview of the cultural priorities as perceived by the indigenous peoples toward land development. It highlights the indigenous cultural characteristic and categories in shaping their cultural priority. The ideas presented herein can serve as reference points for the state government to mediate land development and ownership disputes between indigenous communities and state agencies. Additionally, these findings are valuable for indigenous communities to archiving well balance land development without compromising their cultural identity.

For future research in this field, it is crucial for researchers to consider bridge the perspective from the outsider over the indigenous cultural priorities toward land development. Moreover, the considerable distances between villages presented logistical challenges. It is evident that indigenous peoples heavily rely on customary land for their livelihoods, and any loss of such land significantly impacts their entire community.

While the consistent observance of the indigenous people's cultural cosmology system is influenced by their religious beliefs, documenting it is essential as it risks being forgotten by future generations. The cosmology, specific to the indigenous community, holds great importance as it serves as a means of interacting with the environment they have inhabited for generations. Furthermore, respecting the rights of indigenous peoples and considering their customary as part of the land development process is crucial since they possess profound knowledge of their land and environment.

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