

LOVE AND LOSS: THE MALAY RESERVE LAND PREDICAMENT IN MALAY NOVELS

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ABSTRACT

Malay Reserve Land is a topic that has been discussed less since COVID-19 hit the world. It is not just a simple issue about land and property; Malay Reserve Land is also a matter of Malay privilege in Malaysia. As a country with increasing pluralisation, diversification and practice of liberal economy, sustaining this special right is becoming a challenge. Historically, the practice of land possession in Malay customary law is strongly influenced by Islamic law. According to the teachings of Islam, real ownership belongs to Allah Almighty. However, after the British colonised Peninsular Malaysia for nearly 200 years, new land laws were endorsed to deal with the problems in land management that hindered their political and economic interest. Since then, the Malays have faced numerous problems to manage their special land. The following article, based on an in-depth reading of the selected Malay novels, provides the various voices of love negotiating with hate and the feeling of loss. Data from newspapers and academic articles in the last 10 years have shown that the main issue is the decreasing size of Malay Reservation Land. The findings of the textual analysis reveal the authors' voices of disenchantment in their novels related to the actual depletion of Malay Reserve Land throughout the 108-year-long journey.

Keywords: Malay Reserve Land, Malay literature, novels, Malay socioeconomic, special right

INTRODUCTION

This study investigates the current issues regarding Malay Reserve Land (MRL) by looking through the writings in novels titled *Nenek* (2014) by Razali Endun, *Ke Hujung Usia* (2018) by A. Rahman C.M. and *Matriark* (2018) by Samsiah Mohd Nor. These novels highlight the same theme, which raises concerns about MRL or called the “red-ink grants”. Interestingly, the reality of the situation voiced out by the research data show a steady decrease of MRL.

MRL is a subject of study in various disciplines, but there is a point of similarity that connects each discipline, which is the problem of land management. In the research by Muhammad Najit et al. (2020), MRL was highlighted from an economic perspective with the argument that MRL was the outcome of British affirmative action since 1913, and was strengthened by the Malaysian Government after the independence of Malaya. The British government introduced the Torrens System, where every registered land title came with ownership, which caused many Malays to lose their lands. In order to protect the rights of Malays as the indigenous people of the country, the concept of MRL was introduced in 1913 in the Federated Malay States of Perak, Selangor, Negeri Sembilan and Pahang. It was then replaced with the Malay Reservation Enactment (MRE) in 1933. This was followed by other Malay states, starting with MRE Kelantan in 1930, MRE Kedah in 1931, MRE Perlis in 1935, MRE Johor in 1936 and MRE Terengganu in 1941. The best example would be the way the British confined the Malays into permanent agricultural settlements by creating Malay reservation lands or Malay agriculture settlements (Bashiran and Nor Asiah 2007).

Rohayati and Rusnadewi (2014) examined the issues of MRL from a legal perspective. The implementation of MRL was to protect land owned by Malays from being sold, leased, or given away to non-Malays. However, there was a hidden agenda, which was to strengthen the British colonial divide and rule policy so that the Malay community remained in the traditional economy, hence explaining why most MRL is located in non-commercial areas (Ahmad Nazri 1985). After independence, various measures were taken by state governments to develop MRL through legislation, for instance through the Land Acquisition Act 1960. However, MRL taken by the government was not substituted with new land of equal value, causing the total area of MRL to decrease. Research by Resali (2009), Mohamed Khairi and Mazlan (2018) and Muhaymin and Ainur (2020) stated that the main factor that caused MRL to stray away from its original goal was, in fact, the law, which is in favour of the nation’s development. Malaysia’s economic trend which focuses on the industrial and manufacturing sectors has changed the landscape of certain areas in various regions and states (Yusniliyana and Kalirajan 2020).

Only three out of 14 states in Malaysia are not involved with MRL. Thus, most of the economic ventures from the 1990s until 2021 involved MRL. To accelerate the growth of the economy towards becoming a fully developed country, Schultz (1961) identified five national priorities, which are: (1) spending on health, (2) on-the-job training, (3) attaining formal education, (4) adult education programmes and (5) migration for better job opportunities. As a result, the government increased the construction of healthcare facilities, factories, supermarkets, housing areas, educational institutions and new urban areas on MRL. For instance, the Malaysian government planned to develop a private hospital worth RM300 million in a strategic area of MRL at Kampung Sungai Penchala, Kuala Lumpur under the 12th Malaysia Plan (Muhammad Yusri 2020).

Noor-Rosly et al. (2015) looked into MRL from the perspective of built environment by relating urbanisation and migration as the cause of MRL problems, especially in Kuala Lumpur. As a state with the highest composite development index in Malaysia (Yusniliyana and Kalirajan 2020), the Federal Territory of Kuala Lumpur recorded the highest migration rate since 1960. Data show a total of 18,523,632 people or 65.4% of peninsular Malaysia's population have migrated to Kuala Lumpur, Johor Bahru, Pulau Pinang and Kuantan since 2000. In 2015, a total of 101,500 people resided in six Kuala Lumpur MRL areas, which are Kampung Baru (45,000), Kampung Dato Keramat (25,000), Gombak (20,000), Kampung Sungai Penchala (5,000), Selayang (4,000) and Segambut (2,500). The frail land inheritance system of many generations coined the term "multi-level ownership", which complicates MRL development in Kuala Lumpur. Consequently, apart from the difficulties of facing landlords, the government and developers are unable to increase the value of MRL, even though the land is strategically located at the centre of urbanised areas. MRL values are four times lower than non-MRL (Salleh 1997). Thus, the value of MRL in rural areas is decidedly worse. Based on the built-environment perspective, Gopinathan (2020) conducted research in Segamat, Pontian and Muar, and agreed that MRL in rural areas experienced poorer conditions. The land is generally small and owned by many owners, and they have no capital to develop MRL in non-commercial areas.

Based on newspaper reports, it can be concluded that the main problem of MRL stems from poor land management, both at the state and federal levels. On 24 January 2021, *Mingguan Malaysia* revealed that the change of MRL status to non-MRL in Perak, exceeding 614.1 hectares, was due to political interference. MRLs that were originally leased to *bumiputera* (son of the soil) companies were then transferred to non-*bumiputera* companies, with the land status secretly converted (Fahmi and Roshihan 2021). On 16 and 25 August 2019, *Berita Harian Online* revealed that the decline of MRL in Terengganu was critical, with only

0.003% of 15% left, even though the state has the highest Malay population in Malaysia. The report also stated that there were irregularities in MRL management, including the role of the state government which turned MRL into commercial land area that can be controlled by non-Malays (Hanneeyzah 2019). On 30 June 2019, *Bernama* reported that the area of MRL in Johor is 557,518 hectares (*Bernama* 2019). It is a challenge to develop land owned by Malay people in Johor without involving foreign capital as the state has become one of the best choices for local and foreign investors to invest in. This can potentially lead to the same consequence as the MRL in Terengganu. Che Wan Badrul (2019) shared his thoughts in his *Harian Metro* column that only the government can help to increase the value of MRL according to market price, and that giving a low value for MRL is unfair to the Malays, such as in the case of the MRL at Kampung Baru in Kuala Lumpur. The land in Kampung Baru was valued at only RM850 per square foot when the actual market value was RM2,000 per square foot. On 11 November 2019, after being pushed by various parties, the government decided to increase the Kampung Baru land value to RM1,000 per square foot or RM43.3 million per hectare acre. Nonetheless, the MRL value is still low compared to non-MRL.

Scholars from various disciplines have discussed MRL based on their expertise. However, it is not discussed quite as much in the field of literature. Rosnani and Nik Rafidah (2017) discussed the social problems among the Malay people as portrayed in novels and indirectly related the research issue with MRL development and legislation. Similarly, Mohd Zain (2017) discussed the reality of the economy, politics and life challenges faced by the Malay society, including issues on MRL in Langkawi as mentioned in the novel *Wi & William* (Azizi 1995).

This research was initiated due to the lack of studies revolving around MRL in the literature. Although it has been in the spotlight for more than 100 years, MRL issues are still relevant now as a solution has yet to be found to complicated matters. The main question of this study is how do Malay authors express their feelings about MRL issues? Based on the question, this study has two objectives to pursue: to analyse and determine the representations of MRL in these novels, and to connect to the reality of MRL in society.

POSSESSION OF LAND BY PRE- AND POST-COLONIAL MALAYS IN MALAYSIA

Proto-Malays were the earliest settlers who arrived in Peninsular Malaysia in 2000 BC after the *orang asli* (aboriginal people). In contrast to the *orang asli* who were nomadic hunter-gatherers and isolated themselves in mountainous areas and jungles, the Proto-Malays were seafaring people who settled mostly in the central and southern regions of Peninsular Malaysia. They mixed with newcomers who migrated to the region as well as traders of various ethnicities such as Siamese, Javanese, Sumatran, Indian, Thai, Arab and Chinese. Their descendants are described as Deutro-Malay, who are the largest population in Malaysia nowadays (Wan Isa et al. 2011).

The history of land possession by Malays can be traced back to the Malay Sultanate era before British colonisation. It is reported that during that era, the Malay rulers or Sultans were the owners of state land which was not owned by anyone (Maxwell 1884). However, the natives could cultivate as much of this land as they needed. According to customary law practised in the era, the cultivators were bound by the condition that if they utilised the land, one-tenth of the produce must be payable to the sultan. In the event of a breach, the land would be reverted to the sultan (Pakhriazad et al. 2010). This means that possession of land was usufructuary. The tenure granted by the sultan to possess (not own) the land included the rights to succession, sale and pledge subject to the conditions mentioned earlier. The sultan might grant the tenure in perpetuity or temporarily (Pakhriazad et al. 2010). There was little accumulation of land for purposes other than cultivation (Jomo 2015), not to mention for commercial reasons, which only began after British colonisation (Nor Fahimah et al. 2017).

The practice of land possession in Malay customary law is strongly influenced by Islamic law. According to the teachings of Islam, real ownership belongs to Allah Almighty. The Quran says: "All that is in the Heavens and on the earth belong to Allah" (Surah al-Nisa, verse 126), and "To him belongs whatever is in the heavens and on earth" (Surah Al-Nahl, verse 52). Man being the vicegerent holds property in trust, of which he is accountable to Him in accordance with the clearly laid down economic philosophy of Islam (Fazlun 2002). The Quran says: "And He it is Who has made you vicegerents (to inherit the earth) and has raised some of you by degree above others, so that He might try you by means of what He has bestowed upon you" (Surah Al-An'am, verse 15). Based on these verses, the system of land ownership as viewed in Islam is founded in the concept of trust.

Land is naturally a universal property around the world. No person can deny the necessity of land in human life. In fact, protection of the right to land implies the protection of basic necessities, for instance, the right to food and shelter. The interest in land is basically founded upon the title or ownership of land. Every person depends upon land for shelter or their livelihood, either directly or indirectly. Therefore, the interest in land is a human right, and every person has natural ownership of land (Shahidul, Golam and Mominul 2015). With the advent of Islam, the concept of land ownership developed in accordance with the teachings of Islam. Muslim scholars have debated at length the imposition of property rights on land. From a survey of the classical literature, two main examples are often cited as illustrative of the acquisition of land: *iqṭāʿ* (granted by the ruler) and *ihya al-mawat* (revival of dead land) (Abdul Karim 1969; Al-Khafif 1996). These are the two types of practice that occurred during the Malay Sultanate era.

According to Islamic tradition, the practice of *iqṭāʿ* came into existence after the arrival of Islam (Syed Habibul 1971). *Iqtaʿ* is classified into three categories: *iqṭāʿ tamlik*, *iqṭāʿ istighlal* and *iqṭāʿ irfaq*. *Iqṭāʿ tamlik* is a grant which is made according to the sunnah of the Prophet Muhammad (peace be upon him) and becomes a private property with the right of ownership. The Prophet is said to have made *iqṭāʿ* to certain individuals (Al-Qarshi 1928; Al-Mawardi 2006). The Prophet granted land either to reconcile their hearts or for the sake of encouraging the reclamation of land. Following the practice of Prophet Muhammad, the first caliph and second caliph granted land in the same manner, and the grantee was secured in it and none was capable of revoking it. The second category of *iqṭāʿ* which is *iqṭāʿ istighlal* took place when the state granted the land to certain people upon payment of certain fees. The grantee did not obtain full ownership, but had the right to exploit or utilise the land. In the Islāmic Caliphate, land was granted to army officials for limited periods in lieu of a regular wage. Land subjected to *iqṭāʿ* was originally owned by non-Muslims and thus was subject to a special property tax (*kharāj*). While the land remained legally the property of its owner, the *iqṭāʿ* was a grant of appropriation to a Muslim officer entitling him to collect the *kharāj* from the owner. Out of this, the officer was expected to pay the smaller *ushr* on income, but was allowed to keep the balance as his salary.

Uthman, the third caliph, assigned crown lands to enhance the revenue of the state. *Sawad* (historically referred to the fertile alluvial plain in southern Iraq) lands and other properties were assigned by Uthman on a rental basis (Al-Baladhuri 2013). The last category, *iqṭāʿ irfaq* concerns the right to enjoy certain areas or public places such as mosque compounds, public roads, or markets (Al-Khafif 1996). In this respect, the state has the right to make grants of the unowned lands for public benefit purposes such as farming, building and agriculture. In addition,

these grants can be used to provide a means of reimbursement to individuals whose lands are intended for public use or limited to a public utility. At any rate, *iqṭā'* is an innovation introduced by Islam for the purpose of establishing private ownership of land within certain limits. Thus, in due course, the concept of *hima* (reserved land) was developed into *iqṭā'* and land became saleable property.

Another method of land acquisition is *iḥya al-mawat*, where unowned and unoccupied land was cultivated, and the cultivator would be entitled to possess it. The legal effect of reclamation or revival of land has been stated in a number of hadith. On this subject, the Prophet is reported to have stated, "Whoever cultivates the land and it does not belong to anyone has the most right to it" (Al-Bukhari 2000). In many ways, the first acquisition theory implicates labour and its value as the basis of the appropriation of wealth and property (Ibn Khaldun 1990). Thus, reclamation or the revival of dead land creates a right of ownership, with the claimant being given a grant.

The practice of Malay customary laws, which was rooted in Islamic teachings as discussed earlier, continued during the invasion of Melaka by the Portuguese in 1511 and the Dutch in 1641. Its abolition only occurred during the British occupation of Malaya (Pakhriazad et al. 2010). Prior to British intervention in the administration of Malay states, some lands in Malaya had been acquired by the British East India Company for plantation and agriculture. For this purpose, they imported Indian slaves to cultivate the crops. When the British started governing the Malay states in the 1870s, they brought in massive foreign labour to develop their tin mining and rubber industries. These modern activities were operated by Chinese and Indian immigrants (Mohd Noor 2014). Other than the British, some of these activities were also managed by Chinese merchants who had obtained mineral or agricultural concessions from local rulers (Kaur 2012). Since then, Peninsular Malaysia has been a heterogeneous society. The Malay majority continued their traditional way of economic activities as small-hold paddy planters and fishermen (Mohd Noor 2014).

Unlike the preceding colonial powers, the British colonised Malaya for nearly 200 years (Abdul Rahman 2002). They gradually endorsed new land laws to counter problems in land management, which hindered their political and economic interest. The laws were different in the Straits Settlements, Federated Malay States (FMS – Pahang, Perak, Negeri Sembilan and Selangor) and Unfederated Malay States (Perlis, Kedah, Kelantan, Terengganu and Johor). In the Straits Settlements, the Indian Act XXVI, which was passed in 1861, abolished Malay customary law with regard to the right to take wasteland in the future (Pakhriazad et al. 2010). In the FMS, the FMS Land Enactment and the FMS Registration of

Titles Enactment were enacted in 1911, whereas the Unfederated Malay States had their respective land laws. Later, the Torrens system which had been used in most of the British colonies was introduced to standardise the land administration in Malaya (Pakhriazad et al. 2010).

Under the Torrens system, the land must be duly registered with the authorities and title certificates would be issued to the owner of the land. Failure in doing so would render the former possession acquired under customary law void (Pakhriazad et al. 2010). A salient condition of the new land laws were injunctions on the peasants to cultivate any land they needed as practised according to customary law. The cultivation of land without permission from the state was a violation of the law and property rights. Land which had not been alienated, reserved for a public purpose, or reserved forest, were all considered as state and cultivable land that had to be acquired by purchase as the land had been transformed into a commodity, and land transactions and investment were encouraged by the British (Jomo 2015). The adoption of this system paved the way for the application of the National Land Code in 1965 as a way to standardise the diverse law practised in the Malay states beforehand (Nor Fahimah et al. 2017).

Before 1913, some Malays had sold their land to other people, including immigrants, due to various factors. The British realised that if this trend continued, Malays would lose their land, their economies would worsen, and they would live in poverty in their own homeland (Shahrom 2013). Hence, several efforts were made by the British to preserve the Malay land; the main effort was the endorsement of the Malay Reservation Law in 1913 in the FMS. This was followed by the Unfederated Malay States later in 1930 (Nor Asiah and Bashiran 2009). Some researchers perceived that the British had a twofold intention, where besides the above efforts, they also intended to keep the Malays in the rural areas (Nik Haslinda 2010) and to have them involved in their traditional activities. Conversely, the Chinese and Indian immigrants were involved in the modern sectors as intended (Abdul Rahman 2002). Either way, all of the intentions were in the best interests of the British as they provided political stability and security to the British administration in the region (Shahrom 2013).

After Malaysia's independence, the MRE was still in force, with several amendments. The FMS Enactment was revised and republished as the FMS Cap 142 in 1935, which applied to the four states plus the Federal Territory of Kuala Lumpur. The separated enactments for the Unfederated Malay States also underwent amendments, and are still in force in Kelantan (No. 18 of 1930), Kedah (No. 63 of 1931), Perlis (No. 7 of 1353H/1935), Johor (No. 1 of 1936) and Terengganu (No. 17 of 1360H/1941). No similar enactments exist for

Pulau Pinang and Melaka. MRL as stipulated by Article 89 of the Federal Constitution comprises any land in a state that immediately before Merdeka Day was a Malay reservation in accordance with the existing law. The Constitution also grants authority to states in declaring a new land as MRL with specific conditions. One of the conditions is that the land has not been developed or cultivated.

When land is declared as MRL, it means that the land is reserved for alienation to the Malays or the natives of the State in which it lies; a “Malay” includes any person who, under the law of the state in which he is resident, is treated as a Malay for the purposes of the reservation of land (Article 89[6] of the Federal Constitution). Malay as defined by the Federal Constitution is a person who professes the religion of Islam, habitually speaks the Malay language, and conforms to Malay custom (Article 160). However, there are still exceptions to these laws as the state may take the land for development, if necessary, as outlined by the Land Acquisition Act 1960 (Act 486) via section 8. If this involves MRL, the state may cease the MRL title with the condition that any other land in that state with a similar character and of an area not exceeding the area of that land must be immediately declared as a replacement. Without this, revocation is invalid (Article 89[3], Federal Constitution).

MATRIARK: THE REALITY OF MALAY RESERVE LAND IN KAMPUNG BARU, KUALA LUMPUR?

Samsiah Mohd Nor, an author known for popular romance novels in the 2000s, came out with a serious novel titled *Matriark* (2018) published by Dewan Bahasa dan Pustaka. This 400-page novel raises the issue of MRL in the middle of the cosmopolitan city of Kuala Lumpur. The village described by the author is located in the golden triangle area of the city - a Malay settlement that has never been disturbed by outsiders and has crowded squatters, a land filled with foreign immigrants and Malay vagrants that becomes the object of desire of several corporate giants. Although it does not name the exact location of the MRL in the novel, there are clues that point to Kampung Baru in Kuala Lumpur as the setting for Kampung Sempadan in this novel.

This novel highlights the problem faced by the MRL owners and their struggle to retain their land in a cosmopolitan city. Located in the golden triangle Kuala Lumpur, Kampung Sempadan in this novel is a commercial and strategic area. Hence, it attracts the attention of the developer to develop a luxury condominium that is deemed more suitable with the surrounding of the cosmopolitan city. On the other hand, Kampung Sempadan which resembles the traditional village and

its surrounding which has become the settlement of poor migrants and homeless people are regarded as an eyesore.

This novel also investigates the form of economic colonisation of the Malay community living in the heart of Kuala Lumpur. Interestingly, the author featured two opposing Malay groups who wanted to take control of Kampung Sempadan. The first group represented the natives of the village, the homeless, the small businesses group and the humanitarian mission group known as Richout. The second group is Kompeni Bandar, a real estate company headed by Tan Sri Raisudin and Tan Sri Khadri. Kompeni Bandar claimed that the owners of the houses in Kampung Sempadan were illegally occupying government land. On the residents' side, they claimed that the government and developers were deliberately hindering the land grants process due to high property values. Without involving other races, the struggle for land appears to show the attitude of Malay capitalists as colonialists towards their own people.

The narrative depicted in the novel can be related to reality. Kampung Baru was opened in 1900 as a Malay agricultural settlement in Kuala Lumpur (Sheikh Ahmad Zaki et al. 2020). After the Malayan economy shifted to industrial sectors, Kampung Baru was subjected to modern development pressures that impacted the economy, social and political issues, and the local environment. The migration of villagers to Kampung Baru has not ceased since 1900. Its location in the golden triangle of Malaysia's capital also contributes to the presence of immigrants. About 45,000 villagers have lived in Kampung Baru since 2000 (Nor Rasidah and Naziaty 2011). According to Sharifah Mariam (2010), the "golden" position of Kampung Baru cannot be enjoyed by the landowners; instead, it gives an advantage to the outsiders who can rent and live there at a low rental cost while at the same time having extensive access to the job market in the heart of the capital. This situation is highlighted by the author in her novel. Aisyah's character has several rental houses in Kampung Sempadan, but she is unable to increase the rent because most of the tenants are regular workers.

Abu Bakar Jani, on the other hand, is an example of some of the people outside Kuala Lumpur who migrated to Kampung Sempadan. Working as a garbage collector and aluminum for recycling, Abu Bakar Jani lives under a bridge with his wife and child. However, he feels that his situation still gives him an advantage over returning to the village. This is because there are humanitarian NGOs that bring free food every day. In fact, due to the NGOs' concern, Abu Bakar Jani's son and wife are able to enjoy free education and placement at Teratak Aisyah. Indirectly, this demonstrates the reason why there are so many homeless people in the capital.

The MRL issue in Kampung Sempadan is not just related to grants and land-grabbing among Malay capitalists but also explains the social impact on different layers of the population. Sharifah Mariam (2010) depicts the social environment in Kampung Baru as follows:

In such areas in (Kampung Baru), rental is relatively cheap and hence, attracts the poor and transient who come from the rural areas to make a living in the city. The deplorable living standard often breeds social problems such as crime, drug addiction, alcoholism and prostitution. Such areas are not regulated by the city authorities particularly due to opposition from the local inhabitants who do not want any infringement on their simple traditional ways of life and most importantly, because such areas do not generate income, less attention is paid to them by city councils.

The same situation occurs in Kampung Sempadan. The social and physical diseases are highlighted by the author, including the incident of Rykal, a real estate tycoon's son who was the victim of a child pickpocket, Aisyah who from a young age suffered as a hardcore drug addict, Rashidah the rape victim, and Sanusi Jones who died of dengue fever. In fact, Kampung Sempadan is also a place where children abandon their parents to live in squalor in their old age.

Noting that many MRL issues were not addressed by local authorities and the government, the author deliberately elevated female characters, youths and older men as the "main fighters" for MRL in her novel. Aisyah, a plus-sized, wheelchair-bound woman in her 40s, leads the fight to defend their land in Kampung Sempadan. For years, she and the landowners tried to get a grant but failed. Aisyah's spirit was also influenced by feelings of compassion for the 20 homeless children she looked after. On the land she inherited, she cared for, fed and educated these abandoned children to be respectable people. What Aisyah fears is that without a safe haven, these children will continue a life of social ills and crime that their parents and their families lived through.

On the other hand, the real estate company owners are portrayed as greedy Malay characters who are branded the "zionists of Malaysia" (Samsiah 2018, 158). Headed by Tan Sri Raisudin, he looked down on the poor. He was willing to do whatever it takes to clean up the traditional Malay settlements and rid them of homeless people. In his eyes, the land was money and progress, even if securing the land in Kampung Sempadan meant having to drive away, destroy the homes of, or kill stubborn residents (Samsiah 2018, 336). The author ended the narrative with a happy ending. The MRL in Kampung Sempadan was finally maintained in the

hand of the owners with the help of a professional lawyer who successfully proved their rights. The conflict between the two opposing parties also subsided when a remarkable incident occurred. It touched Tan Sri Raisudin's heart and challenged his perspective on the land and its inhabitants. This ending strongly signifies the author's hope and aspiration towards the retention of MRL to the Malay owner and her concern for the fate of the Malay race. The author credited victory to the residents, especially Aisyah, who finally obtained the land ownership grant with the help of the conscientious younger generation comprising Akasyah Benyamin, Kamilah Kasya, Rykal and Raimi.

NENEK: DISMANTLING THE MASTERMIND BEHIND THE DEPLETION OF MRL

Razali Endun's novel *Nenek* (grandmother) won the 2014 Premier Literary Prize (Hadiah Sastera Perdana Malaysia 2014 or HSPM 2014), demonstrating its importance in Malaysian literature. According to the HSPM 2014 report, this novel explained the reality of the aridity of MRL. Apart from losing MRL, the author also made a prediction that the changing Malay political landscape is in long term. It is a symbol of the fading identity of Malay people in the modern era (Laporan Akhir Hadiah Sastera Perdana 2014). The author presented the theme of the fight for MRL which took place in his own birthplace in Kampung Bertam Malim, Melaka. Although he elevated female characters such as Mak Som as an on-the-ground fighter similar to the novel *Matriark*, the author did not assign victory to the main character. The novel is more of an explanation of how MRL was subtly seized by developers who were hiding behind political power.

For a long time, Malaysia has been known as a multi-ethnic country with a Malay majority that adopts a peaceful and modern Islamic policy. Part of the Islamic policy is implemented through government projects and plans, which indirectly affect the attitude and actions of the Malays. *Nenek* depicts two conflicting views of the Malays towards abandoned or unused MRL. The first view is that of the conservatives, represented by Hajah Kalsom and Haji Khamis, who believed that MRL was an ancestral heritage and could not be sold. The second view is presented by Dato' Mahfus, Hajah Kalsom's eldest son, who was convinced that the land should be developed if it was to bring lucrative returns. In fact, MRL could be developed by any company, including non-Malay-owned companies. In general, this 232-page novel is driven by these two differences, using the elements of Islam as supporting arguments for the characters' actions.

The MRL sought by Syarikat Padu Menang is 100 hectares of agricultural land belonging to the villagers. The primary owner of the company was a Malaysian Chinese man, Dato' Siew. In general, Malaysian Chinese cannot buy MRL. However, subtle tactics were played by the company's shareholders so that eventually the land was successfully owned by Dato' Siew and his cronies. Mohd Khairi and Mazlan (2018) stated that during the 108 years of the Malay Reserve Enactment, the land area never reached the target of 50% of the total land of Peninsular Malaysia. In fact, its remaining area was only 12% in 2014, the year in which the novel was published. Mahfus's actions in the novel reflect the modus operandi of the sale of MRL to other races in real life. Mahfus was supported by a political figure named Tan Sri Dahlan, who was a close friend of Dato' Siew. He was urged to build a new housing estate at the site of the MRL in his village. In addition to personal remuneration for Mahfus, the company provided gifts in the form of *umrah* (small pilgrimage) flights to the Malay residents who agreed to the sale of land. *Umrah* was a much-anticipated form of worship for the people, who were mostly farmers. Conversely, Mak Som used the religious argument that the acquisition of land by the developer was invalid according to Islam because it did not have an equivalent agreement between the two parties. Those arguments eventually lost to legislation, which favoured the government through the Land Act.

The findings in Asiah, Razani and Khadijah (2006) showed that the depletion of MRL is also related to the concept of land hunger, which is the activity of land acquisition by capitalists with the goal of national development. Based on this intention, the government will allow any party with capital to take abandoned MRL, even without the permission of the landowner. Financiers can also choose MRL in urban or rural areas. This has caused some Malay leaders to commit breaches of trust as portrayed through Mahfus's character. On the outside, Mahfus was a Malay who performed prayers and visited the mosque, but another aspect of him showed his actions to be in pursuit of power and property, thus drowning out his Muslim Malay identity. For example, Mahfus used his influence to remove Haji Khamis from the list of mosque committee members as Haji Khamis was a member of an Islamic party that challenged the Mahfus-backed party. Mahfus also agreed to the authorities' detention of residents who objected to the land acquisition plans, including his own mother. Knowing that the Malays in the village could not afford to perform *umrah*, Mahfus used it as bait to cajole the Malays to sell their land at a cheaper price.

The author showed the political cunning of the Malaysian Chinese people in permeating and dominating the Malay settlements. Datuk Siew, who did not even have to go down to face the people, managed to take control of 100 hectares of

Malay land by using Malay politicians such as Tan Sri Dahlan and Dato' Mahfus. Apart from buying MRL at low prices, Datuk Siew trapped the Malays with the high sale price of housing units so that the majority of property ownership was Chinese-dominated. The strategy was further complemented by the establishment of Chinese political parties after the influx of Chinese residents equivalent in number to the Malays in the area. Little by little, the immunity of the local Malay political power waned and disappeared. This was further evidenced by the victory of Mr. Chua Ah Lek's election as the MP in the area. Although the Malays were bestowed with a package of Islamic religious privileges and *bumiputera* rights, as a result of greed and ignorance, they lost two main entities: land and power.

The loss of the MRL implies the loss of the rights and privileges of the Malays. The author's anger and frustration towards the political powers that have caused the erosion of Malay supremacy are clearly depicted.

KE Hujung Usia: THE SOFT NEGOTIATION OF MRL

Compared to the two previously discussed novels, the novel *Ke Hujung Usia* by A. Rahman C.M. shows good negotiation between the government and the owners of MRL. Tuk Aki was the owner of an Islamic studies centre called Pondok Haji Hamid. There were 38 *pondok* (huts), a *surau* (prayer hall) and a vegetable garden on the MRL. The *pondok* were the only traditional huts in Terengganu which had stood for over 40 years. Tuk Aki struggled to defend the *pondok* to the end of his life as most of the *pondok* that traditionally provided education were closed.

On 16 August 2019, the *Berita Harian* newspaper reported that MRL in Terengganu was at a critical stage, where the remaining area was only 0.003% or less than 100 hectares out of 1.295 million hectares. In a state with a Malay population of 95% (Department of Statistics Malaysia 2020), this created various negative perceptions towards the administration of state land. Before the 1970s, Terengganu was one of the states that suffered an economic slowdown due to insufficient natural resources (Pa 1986). However, things then changed when crude oil sources emerged from the South China Sea, resulting in an economic landscape focused on new industries and technologies (Rossidi et al. 2018). An example of an industrial economy that uses a lot of MRL is the East Coast Rail Link Mega Project. This is the reason for the complete depletion of MRL in Terengganu.

Hence, various approaches had been taken by the government to persuade MRL owners. Tuk Aki was faced with a problem when the government wanted to take the land on which his *pondok* were built. He was approached by four district

officers, Mr. Ruzaimi from the Administration Division, Mr. Ramli from the Land Assessment Division, as well as Mrs. Zaiton and Mrs. Ruzaimi from the Economic Planning Unit. As the reserve land owned by Tuk Aki was strategically located for regional development (A. Rahman 2018, 18), the state government wanted to acquire the land. When the government representative wanted to see Tuk Aki's land titles, he cooperated amicably. Tuk Aki's land measured 10 acres and had MRL status (A. Rahman 2018, 27).

Tuk Aki is of the view that only idle reserve land can be acquired by the government for development purposes. To him, his religious *pondok* were there and in place for the benefit of the people. There, he educated youths who were ignorant about religion to become *imam* (leader in congregation prayer) and teachers, whereby some of them had been involved in drugs and other social ills. They were educated day and night by Tuk Aki to become useful people (A. Rahman 2018, 40). Pondok Tuk Aki also provided teachers of Islam and *imam* who had memorised all 30 chapters of the Quran throughout Terengganu. These are the forms of spiritual development that society needs besides material development. However, this thinking is not in line with the state administration. The land is measured through a lens focused on material development, which depicts land that produces high economic returns for social needs as land that is put to excellent use (Nurliza 2009). Through the Land Acquisition Act of 1960, the state government reserves the right to acquire any land that could be used for such purposes.

Despite disagreeing with the government's actions, Tuk Aki took the silent approach after receiving a letter of negotiation on land prices. Tuk Aki did not want to spark a dispute with the government. This was evident when, after a handful of demonstrations, he went to meet the Menteri Besar to apologise because he had the utmost respect for the country's leaders. His principles form the basis of his behaviour towards the land disputes against the state government.

This is in contrast to the characters of Aisyah (*Matriark*) and Mak Som (*Nenek*), who defended their land with a resolute and firm approach. The two women gave reasonable justification to the government to not seize their inherited lands. Conversely, Tuk Aki allowed the land where his *pondok* was located to be taken by the government, but subject to that the government would replace it with the new land. In addition to that, Tuk Aki also put the condition that the land might be gazetted as a MRL to maintain the MRL in the state of Terengganu. Tuk Aki was a figure who understood the laws of the land and was even willing to sacrifice for the development of society. The opportunity for Tuk Aki to meet with the Menteri Besar was used to advise the highest-ranking leader in his state.

Tuk Aki also devised a strategy for his negotiations. Prior to giving permission to the land office, Tuk Aki extended a proposal to acquire new land, i.e., land that was not in a flooded area, was fertile ground for agricultural activities, was in an area with complete infrastructure and was accessible to the community. This is because Tuk Aki acknowledged that MRL acquired by the government might be replaced with reserve land of the same quality. Finally, at the discretion of Tuk Aki who did not oppose the government, he was given new land of equivalent value. The novel ended with the sudden death of Tuk Aki after securing the replacement land. The author demonstrated his attitude towards heritage land with ever-conflicting development. The way to overcome this was through a gentle negotiation between the landowner and the government.

CONCLUSION

Based on the analysis of the three novels above, it can be concluded that MRL has a high value of privilege to its owners. Although the government offered high compensation, it was rejected by Aisyah (*Matriark*), Mak Som (*Nenek*) and Tuk Aki (*Ke Hujung Usia*). All three characters placed love above all other feelings because land is representative of self-esteem and dignity. Without land, a person is ignoble and akin to a refugee in the land of his birthright. In addition, current data show that land is also very important for national development. All industrial projects and new technology require land for manufacturing, housing, schools, hospitals and modern urbanisation sectors. By laws namely the Land Acquisition Act 1960, the government can own both public and private land for such purposes. Based on an analysis of the novels, it is also found that the landowners would do various things to defend their land such as holding demonstrations, using the court system and the law, and negotiating in a tactful and delicate manner. The landowners' feeling of love is also combined with hatred and resentment towards the development policies that won the government MRL over the 108-year-long journey.

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