



Conference On
**LEGAL PLURALISM AND
INDIGENEITY IN
SARAWAK AND SABAH:**
ISSUES AND CHALLENGES



7 AUGUST 2024
8.30 AM - 5.00 PM



DAYAK CULTURAL FOUNDATION

3rd Floor, Dayak Cultural Foundation, Tower A,
Lot 3492 Block 10 KCLD Jalan Ong Tiang Swee,
93200 Kuching, Sarawak

CONCEPT NOTE

This conference situates legal pluralism between pluriversality and everyday lived experience in coping with diverse systems. Issues of indigenous law jurisprudence, native laws and customs and institutional processes and jurisdictional issues, family and personal law, and the often problematic relationship between state law, customary law, and religious law continues to affect daily lives. New challenges in contemporary society including natural resources governance, environmental justice, intercultural intergenerational justice and social challenges warrant interdisciplinary exploration of how these are dealt with through interplay of constitutional, legislative and indigenous knowledge systems.

OBJECTIVE

To identify the issues surrounding legal pluralism with a specific emphasis on indigeneity; Explore the jurisprudential basis of customs and customary laws and institutional, jurisdictional within constitutional legal pluralism; Deal with the intercultural and intergenerational issues that are embedded in environmental governance, lands and resource management and access rights; Build understanding on the substance as well as methodology of indigenous traditional knowledge

PANELS

Panel 1: Constitutional Legal Pluralism and Indigeneity

Panel 2: Native Law, Customs and Customary Institutions

Panel 3: Access, Governance of Lands and Natural Resources and Environmental Justice



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CONFERENCE PROGRAM

- 8:00 AM : Arrival and Registration
- 8:35 AM : Opening Address
Dr. Ramy Bulan
Chairperson, Organizing Committee
Director, Centre for Legal Pluralism and Indigenous Law,
Universiti Malaya
- 8:45 AM : Welcome Address
Professor Dr. Jason Chuah Chin Tik
Dean, Faculty of Law
Universiti Malaya
- 9:15 AM : Official Opening
YB Dato' Sri John Sikie Anak Tayai
Minister in the Premier's Department
- 9:30 AM : Keynote Address
YAA Tan Sri Datuk Amar Abang Iskandar Abang Hashim
President, Court of Appeal Malaysia
- 10.00 AM : Tea Break
- 10:30 AM : Panel 1: Constitutional Legal Pluralism and Indigeneity
- Constitutional Legal Pluralism and Definitional Issues under the Federal Constitution
Prof. Emeritus Datuk Shad Saleem Faruqi, holder of the Tunku Abdul Rahman Chair as Professor of Constitutional Law at Universiti Malaya.
 - Legal Pluralism: Impact of Article 121 (1A) on Minority Rights and Institutions
Mr. Lim Heng Seng, Lawyer at Lee Hishamuddin Allen & Gledhill Advocate & Solicitor
 - Situating Native Customary Rights (NCR) to Land in Sabah and Sarawak within the Federal Constitution
Dr. Yogeswaran Subramaniam
- 12.00 PM : Lunch

- 1:00 PM : Panel 2: Native Law, Customs, and Customary Institutions
- Native Courts in Sarawak: Need for Restructuring and Reform
Francis Johen Adam, Native Courts Judge and Former State Deputy Attorney General, Sarawak
 - Codification of Customs: Benefits and Challenges
Datu Ronnie Edward, Ketua, Majlis Adat Istiadat Sarawak
 - Traditional Leadership and Alternative Dispute Resolution
En. Libat Langub, Lawyer at Dr. Yaacob & Ismail Advocates & Solicitors
 - Jurisdictional Contours between Civil, Syariah, and Native Courts: Co-existence and Administration in Sabah
YAA Ahadin Arinen, Ketua Hakim Syarie, Jabatan Kehakiman Syariah Negeri Sabah
- 3.30 PM : Tea Break
- 4.00 PM : Panel 3: Access, Governance of Lands and Natural Resources, and Environment Justice
- Indigeneity, Land, and Property Demarcation: Incorporating Statutory and Customary Rights
Dr. Ramy Bulan, Research Fellow at Faculty of Law Universiti Malaya and Director of CLPIL
 - Penan Concepts of Conservation of Lands and Forests
Jayl Langub Research Fellow Institute of Borneo Studies UNIMAS
 - Traditional Communal Management of Water Resources and Fisheries: The Tagal System in Sabah
Gerald Jetony, Secretary, Sabah Biodiversity Centre
 - Social Anthropology and Cultural Justice
Professor Dr. Poline Bala, Director Institute of Borneo Studies, UNIMAS
- 5.00 PM : Closing Remarks