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Walking the Invisible Lines: Ethnographic Reflections on Statelessness Among Indigenous Communities in Rural Sarawak

Dayang Hajyrayati Awg. Kassim
Universiti Malaysia Sarawak
akdhajyrayati@unimas.my

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ABSTRACT

This article reflects on the ethnographic journey undertaken to explore the lived realities of statelessness among rural indigenous communities in Sarawak, Malaysia. The objective of the study is to examine how legal invisibility intersects with historical marginalization, administrative barriers, and everyday precarity to shape the experiences of indigenous individuals who remain excluded from formal citizenship. Utilizing a qualitative ethnographic methodology, the research draws upon in-depth interviews, participant observations, and case studies conducted between 2021 and 2023 across selected stateless individuals and stakeholders in Kota Samarahan, Lundu, Sibu, and Kuching. The findings reveal that statelessness is not merely a legal anomaly but a structurally produced and socially lived condition, perpetuated through unrecognized customary marriages, intergenerational documentation gaps, religious conversion complexities, and rigid bureaucratic systems. Everyday life for stateless individuals is characterized by restricted access to education, healthcare, and employment, compounded by emotional distress and societal invisibility. This reflection highlights the methodological challenges and ethical considerations encountered during fieldwork, particularly in negotiating trust and representing vulnerable communities with dignity. The article concludes that addressing statelessness among Sarawak's indigenous peoples demands a critical rethinking of citizenship frameworks, emphasizing historical justice, cultural sensitivity, and the amplification of indigenous voices in policymaking processes.

Keywords*:* statelessness, fieldwork, reflection, Sarawak, Malaysia, indigenous people

INTRODUCTION

Fieldwork is often described as the heart of anthropology, a space where theory meets lived realities. Yet during my study of statelessness among rural indigenous communities in Sarawak, I found that the 'field' was not merely a physical site, but a deeply emotional and political terrain. Statelessness in Sarawak is not a distant or abstract issue; it is a lived crisis rooted in colonial legacies, administrative marginalization, and geographical isolation. Many indigenous individuals particularly from the Iban, Bidayuh, and Orang Ulu communities are born into legal invisibility, often through unregistered births, customary marriages not recognized by the state, or administrative errors compounded by poverty and remoteness (Awang Kassim & Mohd Noor, 2024; Liew, 2019; Berma et.al, 2006; Jayasooria, 2014).

The landscape of Sarawak, with its vast rural interiors and dispersed longhouse settlements, presents both a literal and metaphorical distance from the centres of legal recognition. Fieldwork thus became an encounter with lives suspended between existence and erasure, where citizenship was not an assured right but a fragile, often unattainable aspiration. The consequences of statelessness such as restricted access to education, healthcare, mobility, and employment were not mere statistics; they unfolded vividly through personal narratives of struggle, frustration, and resilience.

Malaysia, as a postcolonial nation-state, officially guarantees citizenship rights under its Federal Constitution (Federal Constitution under Articles 14-22, Part I and II of the Second Schedule). However, the realities on the ground expose significant gaps between legal promises and lived experiences, particularly among indigenous communities in Sarawak. Statelessness among these populations is often invisible within national discourses, overshadowed by urban-centric narratives and assumptions that documentation processes are accessible and neutral. In reality, historical neglect of rural regions, cultural mismatches between adat practices and state legal frameworks, and ongoing administrative rigidities have combined to exclude entire generations from legal recognition.

This article reflects on my ethnographic engagement with stateless individuals, focusing on the emotional, methodological, and ethical challenges encountered during fieldwork. In addition, it incorporates insights from several key stakeholders including non-governmental organization (NGO) founders and activists, government servants, and researchers whose perspectives were crucial for understanding the structural barriers, policy gaps, and institutional practices that shape the everyday realities of statelessness. Through qualitative narratives gathered between 2021 and 2023, it explores how indigenous individuals dealt with the fragile spaces of legal invisibility while constructing alternative forms of belonging and resilience. It also examines how broader structural forces, including colonial histories, bureaucratic discretion, and rural poverty shape the everyday experiences of statelessness.

In sharing these reflections, I argue that fieldwork on statelessness cannot remain a purely academic exercise. Rather, it demands a critical and empathetic engagement that acknowledges the historical injustices underpinning legal exclusion. Anthropology must move beyond documentation toward recognition, recognizing the human cost of state-produced invisibility and amplifying the voices of those whose existence challenges dominant definitions of citizenship and nationhood.

METHOD AND APPROACHES

This study employed a qualitative methodology using a narrative approach to explore the lived experiences of stateless individuals and the perspectives of key stakeholders. Narrative inquiry, as emphasized by Bernard (2011), enables the researcher to understand how individuals make sense of their experiences. It is especially valuable for research involving marginalized communities, such as the stateless, because it captures the complexity, diversity, and subjectivity of their lives

A total of ten informants participated in the study: five were stateless individuals and their families, and the remaining five were stakeholders such as NGO representatives, activists, and local academics. Participants were identified through purposive and snowball sampling, beginning with contacts among local NGOs and activists. This approach was crucial given the sensitivity of the topic and the lack of official data on stateless populations in Sarawak. To protect the anonymity and safety of all participants, pseudonyms are used throughout the article.

From June 2021 to September 2023**,** data were gathered through a mix of online and face-to-face in-depth interviews**,** along with participant observation and document analysis. Early fieldwork was significantly affected by the COVID-19 pandemic, which restricted travel to rural longhouses in Serian, Tebedu, and Lubok Antu due to Enhanced Movement Control Orders (EMCO). Consequently, field sites were relocated to Kuching, Kota Samarahan, Lundu, and Sibu**.** Online platforms, such as Zoom, became an essential means of interviewing stakeholders when in-person access was impossible.

Entering the Field: Invisible Lives, Visible Barriers

From the outset, accessing communities affected by statelessness was fraught with difficulty. The COVID-19 pandemic layered additional barriers over already remote geographies. Longhouses in Serian, Tebedu, and Lubok Antu were under Enhanced Movement Control Orders, forcing a shift in my field sites to Kuching, Kota Samarahan, Lundu, and Sibu. The pandemic taught me that fieldwork plans are aspirational, not absolute. Travel restrictions, movement control orders, and social stigma against outsiders entering villages meant that I had to constantly rework research strategies. Online interviews became an unexpected bridge, allowing me to hear the voices of NGO workers and activists even when physical borders closed.

As Hammersley and Atkinson (2007) emphasize, ethnography is not a rigid blueprint, but an emergent practice shaped by continuously renegotiated relationships and contexts (Hammersley & Atkinson, 2007). This methodological flexibility challenges the assumption that the "field" is a fixed location, instead rendering it a dynamic intersection of physical journeys and virtual encounters. In this respect, Tim Ingold's idea of anthropology as "an act of walking", tracing social lines across landscapes rather than mapping static territories resonates deeply with the adaptive pathways my research followed (Ingold, 2007).

Yet even as restrictions lifted, I had to learn to let go of rigid notions of 'completeness'. Not every village could be reached; not every participant could be found. Fieldwork became an exercise in humility, acceptance, and gratitude for whatever stories were shared with me. Even after physical access became possible, legal invisibility remained the real barrier. Many participants hesitated to speak, mainly not from disinterest, but from fear. Without citizenship

documents, they lived precariously under the shadow of potential legal repercussions. Their hesitations were reminders that I was working not just with vulnerable communities, but with people whose very existence was precariously negotiated every day.

DISCUSSION

Negotiating Trust, Positionality, and Reflexivity in Ethical Fieldwork

Building trust was a slow and delicate process. My positionality as a Sarawakian Malay, fluent in local dialects and familiar with indigenous customs, opened some doors. Yet my identity as a university researcher also carried associations with authority, a reminder of the very systems participants had learned to distrust. As noted by England (1994), positionality is not a static attribute, but a dynamic relationship shaped by power, identity, and context, requiring ongoing self-reflection and sensitivity throughout the research process.

I often found that conversations about daily life surrounding financial hardships, family struggles, and personal crises are needed to precede discussions about citizenship status. Informality, empathy, and patience became essential tools. Participants had to feel seen as full human beings before they could open up about the painful bureaucratic barriers that shaped their lives. Reflexivity, as noted by Pillow (2003), involves not only acknowledging the researcher's influence on the field but also embracing discomfort and uncertainty as integral to ethical ethnographic engagement.

Ethically, I was constantly aware that my research could not and should not offer false hopes of legal assistance. Hence, managing expectations while offering dignity and respect became central to my field practice. Recognizing the uneven power dynamics inherent in ethnographic encounters was crucial for ensuring that the act of documentation did not reproduce the very forms of marginalization that the research sought to expose.

Emotional Landscapes of Statelessness

There were days when interviews would end in heavy emotional silences, a shared weight carried by both the participants and myself. There were moments when informants would pause and say, “I don't know what else to hope for.” Such moments made it clear that statelessness is not merely a legal condition but a psychic wound, a form of slow violence that erodes dreams, aspirations, and a sense of belonging over time.

The consequences of statelessness became strikingly visible in the personal narratives I encountered. Liman, a Bidayuh man in his late thirties from Kota Samarahan, reflected on how his inability to register for formal schooling during his youth had severely limited his opportunities. Although intelligent and hardworking, he remained trapped in precarious, informal labor markets, excluded from formal employment pathways due to his lack of legal documentation. Additionally, Liman often had to hide from authorities, avoiding police checkpoints and concealing his identity when traveling to work, fearing that law enforcement officers would demand identity papers he could not produce. Lia, a 20-year-old Iban teenager living in Pasai Siong, Sibu, affected by intergenerational statelessness within her family, shared her ongoing struggle to pursue higher education. Despite her academic achievements, her undocumented status barred her from entering universities, forcing her to plead for assistance through social media in the hope of securing

opportunities that should have been her right as a Malaysian-born citizen. Meanwhile, Ila, a 17 years old teenager, statelessness was further complicated by her family's unregistered *adat* marriage, which not only affected her own legal status but also that of her two siblings, Denny and Ira that consequently disrupted their education and left them marginalized within the formal educational system.

Similarly for Faiz, a 17-year-old teenager born from an unregistered *adat* marriage, statelessness quietly shaped his social experiences. He described feeling isolated from his peers, unable to participate in school-organized trips that required official identification. His exclusion from such seemingly ordinary experiences fostered a growing sense of difference and inferiority. Moreover, Faiz and his brother, Mark, both suffered the compounded consequences of their parents' religious reconversion, a process poorly regulated under Malaysia's legal framework. The existing laws surrounding religious conversion and reversion remain inadequate in addressing the citizenship status of children born from such religious transitions, often leaving them in legal limbo despite being born within Malaysian territory. This legal gap has deepened the vulnerability of children like Faiz and Mark, effectively disenfranchising them from basic rights to education, healthcare, and formal recognition.

Another case involving Flo, a young woman who was adopted as a child and whose biological parents' identities remain unknown, shared her deep insecurities about her future. Flo spoke about her fear that, without official documentation, she could one day disappear from all formal systems untraceable and unprotected, a fear that shadowed her daily life.

At the end of fieldwork, I came to realize that part of my ethical duty was to bear witness and to honour their stories not merely as data points but as acts of courage. Each testimony was a powerful reminder that statelessness is not an abstract legal issue but a deeply lived reality of exclusion, precarity, and abandonment. Their willingness to share their struggles, despite fear, exhaustion, and societal stigma, revealed not only the depth of their marginalization but also their profound resilience in the face of an indifferent system.

Critical Moments: Seeing Structures Through Everyday Lives

One key realization was that statelessness is not simply the result of individual negligence or ignorance, but it is structurally produced (Van Waas 2008; UNHCR 2014). The lived realities of my informants revealed how geographical isolation, biased legal interpretations of adat marriages, and bureaucratic inertia converged to perpetuate chronic exclusion. As Van Waas (2008) noted, statelessness is not an isolated or incidental outcome, but a systemic failure produced by legal and administrative structures that fail to recognize the lived realities of marginalized groups. Statelessness is a direct result of how state systems selectively ignore, distort, or under-address the needs of certain populations. And in this case, rural indigenous groups in Sarawak were found the be severely affected. Such systems are not neutral but actively contribute to dispossession and disenfranchisement by rendering entire communities invisible.

Insights from stakeholders further highlighted the structural causes of statelessness. NGO worker Angeline emphasized that the high incidence of statelessness among Sarawak's indigenous communities, particularly the Orang Ulu in remote areas like the Ba'Kelalan highlands, is linked to historical neglect and the state's failure to adapt civil registration systems to local needs.

Angeline manages 20 to 30 statelessness cases per month, many involving the Lun Bawang ethnic group, with issues dating back to 1963. She noted that many individuals born between 1960 and 1969, during the Konfrontasi era are still unable to obtain documentation, particularly in Lawas. This, she suggests, is a consequence of historical events.

As activists and government officers, such as Andrew, noted, the discretionary application of Article 15A of the Federal Constitution allows bureaucratic actors to decide citizenship status on an ad hoc basis, reinforcing inconsistent and biased decisions. This leads to the perpetuation of systemic inequality, where indigenous people are routinely excluded from accessing basic rights, simply because their documentation is treated as secondary or irrelevant to the state's narrow, formalistic approach to citizenship.

Furthermore, activists such as Eli emphasized the entrenched nature of these administrative practices that have evolved over decades, with little to no reform, and without political will to address the underlying causes of statelessness. This failure to act leaves communities such as the Penan community vulnerable to compounded marginalization, not just due to their geographical isolation, but also because of their position within the socio-economic hierarchy. The double marginalization faced by the Penan, socially and economically invisible to the state has reinforced a system of intergenerational exclusion that blocks access to education, healthcare, and formal employment. This political inaction ensures that statelessness persists as a structural condition, perpetuating cycles of poverty and exclusion across generations.

In their everyday lives, stateless individuals demonstrate forms of resistance and resilience in navigating this oppressive system. Whether taking illegal "shortcuts" to access education, relying on informal networks to secure basic services, or using familial ties to circumvent bureaucratic barriers, stateless individuals actively contest the state's boundaries. They do not passively accept their exclusion; instead, they carve out survival strategies within a system designed to erase them. These practices reveal a remarkable agency and an acute awareness of their precarious legal and social status, suggesting that the state's exclusionary structures are contested daily, not just by legal or policy reform, but through these acts of defiance and adaptation.

CONCLUSION

This fieldwork taught me that anthropology must move beyond documenting suffering to actively amplify silenced voices, interrogate entrenched structures, and advocate for more humane frameworks of belonging. Statelessness among Sarawak's indigenous peoples is not an outlier but a stark reflection of Malaysia's unfinished nation-building—a moral and political failure that demands our urgent attention (Van Waas 2008; Malkki 1995). In the quiet persistence of Liman's evasion of police checkpoints, Lia's thwarted university ambitions, Faiz's exclusion from school activities, and Flo's daily fear of "disappearing," I witnessed a profound resilience born of material deprivation and psychic injury. This resilience underscores that citizenship is far more than a legal status: it is a deeply subjective claim to identity and a vital psychological safeguard against the slow violence of exclusion (Rosaldo 1994; Vlieks 2017).

The research findings reveal statelessness as structural violence rooted in a legal system misaligned with local customs. Direct causes such as rigid bureaucratic procedures, unrecognized

adat marriages, and discretionary application of Article 15A intersect with indirect barriers of remoteness, poverty, and low civic awareness to perpetuate intergenerational marginalization. Stakeholders such as Angeline attribute high caseloads among Orang Ulu communities to historical neglect and the state's failure to adapt civil registration to indigenous realities, while activist such as Andrew acknowledge how administrative discretion entrenches inequality. At the same time, these communities enact alternative forms of agency by reconfiguring kinship networks and cultural practices to contest their erasure.

This study has humanized statelessness in Sarawak by centering on the personal narratives of affected individuals and revealing the concrete ways in which lack of legal identity undermines fundamental rights to healthcare, education, and social participation. By engaging directly with stateless Bidayuh, Iban, Penan, and adopted communities, hence this study dismantles stereotypes of passivity and highlight the agency and resilience these individuals deploy as they navigate and contest the legal and bureaucratic boundaries that exclude them.

Ultimately, reconciling Malaysia's legal frameworks with the cultural realities and lived experiences of its indigenous peoples is not only a matter of policy efficacy but a moral and political imperative on the path toward genuinely inclusive citizenship.

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