

THE "NATIONAL PARK" OF MALAYA

UNDESIRABLE LEGISLATION. By THEODORE HUBBACK



WILD ELEPHANT IN MALAYA

JUST over twelve years ago the suggestion was put forward that a national park should be created as a permanent sanctuary for wild life in the heart of the Malay Peninsula. A large game reserve of some 350,000 acres had been established in that neighbourhood in 1925, and it was proposed to add to this a sufficient area to bring it up to a little over a million acres. In 1930 the Colonial Office set up the Wild Life Commission of Malaya, and this was one of the matters referred to it, its instruction being "to report on the steps necessary to constitute a National Park or Wild Life Refuge in the vicinity of Gunong Tahan, including portions of the State of Pahang, and, if the Governments of those States shall signify their concurrence, of the States of Trengganu and Kelantan." The Report of the Commission was issued in 1932 and contained their proposals for the establishment of such a park, and later on it was suggested that it should be designated as a Memorial Park on the occasion of King George V's Jubilee. In May, 1936, the Colonial Secretary definitely stated in the House of Commons that the area had been formally declared to be permanently set aside for the preservation of wild life.

This pronouncement by the Secretary of State seemed to

imply that the George V National Park already existed. But even so late as the autumn of 1938 there was no legislation constituting the Park and no legal security for the area as a wild-life refuge. Since then the sultans of the three States of Pahang, Kelantan and Trengganu have dedicated the area known as the King George V National Park to the memory of a great King of England, and it should be recognised that the Park is now one unit to be administered by one authority. Nothing of the sort has been done or, so far as I know, even contemplated, although a centralised organisation is vital to the future success of the Park. Bills have been passed in Malaya by the State Councils of Kelantan and Pahang for the constitution and administration of State parks which are part of the King George V National Park. Although drafted somewhat on the lines of legislation for national parks in other parts of the world, these new Bills fall far short of the provisions necessary, and as instruments purporting to constitute a national park "in perpetuity for the propagation, protection and preservation of the indigenous fauna and flora of Malaya," as stated in the Act, they are inadequate.

The Malay Peninsula has been endowed with a very rich fauna, now rapidly disappearing owing to ineffective conservation. Among



IN THE NATIONAL PARK OF MALAYA

The river Tembeling forms the eastern boundary of the Gunong Tahan Game Reserve

the animals were elephant, two species of rhinoceros, tapir, a Malayan variety of the Indian gaur or bison, known in Malaya as the seladang, the finest species of wild cattle in the world, serow, sambhur deer, barking deer, tiger, leopard, clouded leopard, several varieties of jungle cats, the rare siamang gibbon, and a long list of beautiful and useful tropical birds. The rivers held many varieties of fish, both edible and sporting. Some of these wild creatures are near extermination. Some are in grave danger. Hence the crying need for the real conservation and protection that can only be obtained in a permanent sanctuary, properly developed and properly guarded for that object. The present position is this: the Governments of Pahang and Kelantan—Trengganu will I presume legislate on similar lines—have departed from the principles adopted elsewhere for the establishment of a national park, and, although purporting to set aside an area in perpetuity for a certain and definite object, have in fact done nothing of the sort. The whole project is prejudiced by making provisions in the Enactment for prospecting and mining. Although one sub-section definitely prohibits mining within the Park area, it is immediately followed by four sub-sections making provisions for prospecting, mining, and all necessary facilities to enable such acts to be done or carried out. The logical conclusion to these provisions is that the disintegration of the Park as a place dedicated for the purposes of the propagation, protection and preservation of the indigenous fauna of Malaya comes within the bounds of possibility. The filthy state of some of the rivers in Ulu Pahang at the present time is a sufficient testimony to the menace to the sporting fish in the Park area. Even now many miles of the Tanum River, which has been a portion of the boundary of the Gunong Tahan Game Reserve since 1925 and is now a part of the western boundary of the State Park, is being fouled by mining operations, recently undertaken outside the Park. The effect of these operations on the waters within the game reserve has been ignored.

Another most astonishing provision is that by which the officer in charge of the Park is given powers to allow certain aboriginal tribes the use of the Park if he thinks it advisable. A schedule is supplied giving the designations of six tribes, only one of which, the Pangan, exists anywhere near the Park. The Pangan are quite distinct from the other tribes in as much as they practise no cultivation, live a nomadic life, subsisting chiefly on tubers, roots and fruit, do little damage to wild life, and move about through the forest without causing undue disturbance. The other tribes, generally referred to as Sakai, are liable to be



TWO-HORNED RHINOCEROS MAKING ITS WAY THROUGH A SALT LICK IN ULU, PAHANG

a serious menace to all forms of the smaller wild life, are wasteful destructors of fish, and sometimes kill large wild life. They are the last persons any conservationist would invite into a national park area. Apart from this, inadequate arrangements have been made to confer on the officer in charge of the Park sufficient statutory powers to enable him to execute the functions of his office with the proper authority and prestige that are necessary. The provisions made to allow for free entry are wrong and will merely complicate the work, difficult enough under any circumstances, of guarding and saving the fauna of the Park.

The object of the King George V National Park is to prevent the extermination of the fauna of Malaya, as clearly indicated in the Pahang and Kelantan legislation. But attractive phraseology will achieve nothing unless it is implemented by work based on practical knowledge and carried out with honesty of purpose. Unsuitable legislation—and much of the legislation referred to is unsuitable—is liable to make achievement of the main object almost impossible. Much of the available expert evidence has been ignored, and, largely due to that fact, the menace of failure assumes formidable proportions.



A SAMBHUR STAG AT CLOSE RANGE