

SINCE BIRTH TILL DEATH, WHAT IS THEIR STATUS: A CASE STUDY OF THE SEA BAJAU IN PULAU MABUL, SEMPORNA¹

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Abstract

Sabah is known as the land below the wind and has gained independence through the formation of Federation of Malaysia in 1963. Although it has gained independence for 47 years (1963-2010), there is still a question on the status of citizenship such as the citizenship of the Sea Bajau or *Pala'u* who has to exist since the Sulu Sultanate reign and now most of them reside on boats along the coast and islands of Sabah. In conjunction with this reality, this article will re-observe the questions focusing on the Sea Bajau who is still living on boats and is categorized as the stateless people in Pulau Mabul.

Keywords: Sea Bajau, Pulau Mabul, the status of citizenship, stateless and boat.

Introduction

Before World War 2, the focus and writings of scholars focusing on Southeast Asia were more interested in focusing their writings on the history of the rich. Their writings did not discuss either the maritime history or lower class community. However, all these had changed after the war when many writers and scholars started to believe in the famous saying of Leopold von Ranke, i.e. *wie es eigentlich gewesen*, which means that history should be studied according to its actual happenings. This new group of believers or the *positivist* started to question the style of writings of the history of the previous scholars and suggested that history should be written 'collectively' and recorded "as exact as possible" (Muhd. Yusof Ibrahim, 2000). To date, studies and writings on the maritime community in Southeast Asia from different disciplines are still few compared to the land community. Among the famous

scholars who had conducted studies and writings on maritime community of the Southeast Asia are David E. Sopher in his book entitled, *The Sea Nomads: A Study Based on the Literature of Maritime Boat People of Southeast Asia* (Sopher, 1965) and James Warren in his book entitled, *The Sulu Zone 1786-1898: The Dynamics of External Trade, Slavery, and Ethnicity in the Transformation of a Southeast Asian Maritime State* (Warre, 1981).

Geographically, the Sea Bajau can be found in almost districts in the islands of Southeast Asia, namely Indonesia, Borneo islands, Philippines, Thailand and Burma. The Sea Bajau are given many nicknames by the locals such as the Sea Bajau of Riau-Lingga Islands, Indonesia; the Sea Bajau of the Sulu Islands, East Borneo Islands and Sulawesi as well as eastern Indonesia; and the Moken people of Mergui Islands, Burma and South Thailand. Today there are many terminologies given to this ethnic, e.g. *sea gypsies* (Forrest, 1771), *sea Jakun* (Skeat & Blagden, 1906), *sea folk*, *sea hunters and gatherers* and *sea nomads* (Sopher, 1977), *sea people of the sea* (Sandbukt, 1984), *sea tribe* (Chou, 2010) and they are even labelled by the colonial British (Borneo Islands), Spanish people (Philippines) and Dutch (Indonesia) as pirate that were led by the Iranun and Balangingi (Tarling, 1978; Wright, 1966; Ismail Ali, 2010).

History and Origin of the Sea Bajau

The Sea Bajau, who is grouped with the sea-nomad and nomadic boat people, comes from a Bajau big family who is still practising nomadic lifestyle. Today, Sabah is the only state in Malaysia which has the Sea Bajau ethnicity especially in Semporna (east coast), Tawau such as in Bangau-Bangau (Semporna), Labuan Haji (Bum-Bum Island), Gusungan and Mabul Islands, Taman Marin Tun Sakaran and many live in boats along Semporna coastal areas. The population of this ethnicity cannot be determined exactly and can only be estimated around 5000-7000 people. As a marginal group, who is also being left out in the modernization in Sabah, the identity, history of origin and status of this ethnicity in this state is questionable. This arises many questions and needs a careful observation. In other words, the history of the origin of the Sea Bajau in Sabah is unknown that they have to be 'grouped' together with the major big group, the Land Bajau. The theories of the Bajau's origins of Semporna and Sabah indicate that they are mostly linked or originated from Johor, and the story of their origin has been told in various versions and legends.

For example, according to Imam Malang, Imam Jamlang (Pulau Omodal) and Hj Bakara (Pulau Bum-Bum), the Bajau community in Sabah is originated from Johor. Sultan Mahalikul Alam, who had reigned Johor, had a daughter named Princess Siti Zairan Kebaran, who was known for her beauty. Her beauty had attracted two brothers from Sulu, Haklum Nuzum and Seliangaya Bungsu. To be fair, Sultan Mahalikul Alam had organized a *prahu*

or boat race between these two brothers they had to sail to Pulau Angsa that was situated at Johor coast and whoever won the race would be married to Princess Siti Zairan Kebaran. During the race, Seliangaya Bungsu's prahu broke, and he loses the race, which caused him not to return to Johor and decided to continue sailing until he reached Pulau Sambuanga (Zamboanga) at Southern Philippines.

According to the legend, Seliangaya Bungsu settled down at Pulau Sambuanga and married a local and had two children, a son and a daughter. It was believed that the two siblings committed incest that had shamed Seliangaya Bungsu, who was then sailed out to Pulau Omadal (*Omaral*), and it is believed that his ascendants were expanded in Pulau Omadal and also in other islands especially Pulau Bum-Bum that was situated opposite the mainland, Semporna. The areas that they settled down were called Kubang means "berkumpul" (to gather). Their settlement in new areas has caused them to lose their identity and nomadic culture which at the end, resulted in a new ethnicity. This new ethnicity is known as the Bajau Kubang, Bajau Sampulna (Semporna) and Bajau Darat (Land Bajau). Different from the Bajau Kubang, the other Bajaus living on the coast of major islands in Semporna are still continuing their nomadic culture, i.e. living on boats and moving from one island to another island.

Until to date, studies and writings on the history and origin of the Sea Bajau in Sabah are not extensively done. Among the locals and Western scholars, who have conducted studies on the Sea Bajau of Sabah are Clifford Sather (1997) in his book entitled *The Bajau Laut Adaptation, History and Fate in a Maritime Fishing Society of South-Eastern Sabah*; James Warren (1971) in his book entitled *The North Borneo Chartered Company's Administration of the Bajau 1878-1909* and Carol Warren (1983) in her book entitled *Ideology, Identity, and Change: the Experience of the Bajau Laut of East Malaysia, 1969-1975*; Gusni Saat (2003, 2008) in his books entitled *Suku Etnik Bajau: Urbanisasi, Perubahan dan Pembangunan* and *Komuniti Samah-Bajau di Bandar* ; Yap Beng Liang (1993) in his book entitled *Orang Bajau Pulau Omadal* and others. However, these studies have not been able to clearly explain how the identity and origin of this ethnicity start to form and be known as one of the family members of the Bajau community.

For the writer, the early history and origin of the Sea Bajau of Sabah are difficult to understand if it is studied through the perspective of the ethnicity itself within its major family group's history and origin. Based on the history, the story of the Bajau people living in boats along Sabah coast (Sulu Sea) has existed since the Sulu Sultanate era. From its social stratification, the Bajau people were controlled by datu-datu Tausug (Suluk) and administered by the Iranun and Balangingi. Under the Sulu Sultanate's reign, the Bajau people living in boats played a role as the main labour source for the datu-datu Tausug in the exploitation of marine sources such as pearls, sea cucumber,

salted and dried fish and others (Warren, 1981). The great reputation and expertise of this ethnicity in the fishing economy were pictured by David E. Sopher as “a quite distinct people, divers and fisherman, living in small boats, which usually congregate in groups”(Sopher, 1965). Alexander Dalrymple, in his journey from Balambangan to Jolo, had described the expertise of the Bajau divers in getting the pearls and sea cucumber in the Sulu Sea. He wrote:

The divers never use any expedient to facilitate their continuing under water, but drawing up their breath in the hollow of their hands, and even their scare ever is practiced by professed divers who commonly go down in depths of seven or eight to twelve or fifteen fathoms; but through a few can dive in 20 fathoms, that is too great a depth for the fishery. They can swim to the bottom, tumbling when they first plunge into the water and then making long strokes, get out of sight in three or four. They rise a considerable distance from the place where go down, but this distance is merely accidental from the directions they go along to the bottom, their fortune in finding shells, and the time the divers continues under water; they generally remain from one to two minutes, but in warm sunshine they can stay, perhaps longer. (Darlymple, 1808)

Under the administration of the British North Borneo Chartered Company (1878-1941) and British government (until 1963), the Bajau people were called by the West as 'sea-nomad', 'sea gypsies' and 'nomadic boat people'. Despite all the nicknames given by the colonial at that time, the Bajau continued to play a vital role as seamen and suppliers for protein (fishing) to the labours working in fields, logging and mines (those did not involve in fishing industry). The early history and these nicknames were soon disappeared once Sabah gained its independence through the formation of the Federation of Malaysia in 1963. Under the government of Sabah, the majority of the Bajau people choose to live on land and work in various government agencies; they have progressed more compared to those still living in boats and islands (sea-nomad, sea gypsies and nomadic boat people).



Photo 1: *Lepa Cantik* or Beautiful Lepa

Between the Land Bajau and the Sea Bajau, it can be seen that the Sea Bajau is far more drawn back and primitive, and that is why they are called the Sea Bajau or *Pala'u*² by the Land Bajau. Although the history, origin as well as the actual identity of this ethnicity (the Sea Bajau) were 'destroyed' as time goes by, its culture and authentic identity are still exist up till now and have awed the public through its performance in "Regatta Lepa Semporna" festival that is held every year in April starting from 1994. In 2003, this festival was regarded as one of the main tourism products of Sabah. Through this regatta festival, local and foreign tourists witness the *prahu* or boating culture in the Sea Bajau lifestyle that has been symbolized and interpreted through "beautiful lepa" a boat adorned with flags of various colours known as *sambulayang* and accompanied with music, songs and dances of the Bajau people.

Ethnographically, the Sea Bajau in Semporna is now can be categorized into four, the 'Bajau Laut-Darat' who reside permanently in *Kampong air* or water village in Bangau-Bangau of the mainland, Semporna; the 'Bajau Laut-Pulau' who reside permanently on islands such as Pulau Bum-Bum (Labuan Haji), Pulau Mabul, Pulau Omadal, Pulau Sabangkat, Pulau Dinawan, Pulau Gusungan and others; the 'Bajau Laut-Laut' who reside permanently in Taman Marin Tun Sakaran; the 'Bajau Laut-Terapung' who live in boat and have a nomadic lifestyle along the coast of islands in Semporna. For this article, the writer only focuses on the 'Bajau Laut-Terapung' or the 'Floating Sea Bajau', who is also called *Pala'u*, living in boats in Pulau Mabul coast. This sub-ethnicity was selected for this study because of their 'interesting' lifestyle as well as their dubious status compared to the other Bajaus.

The Sea Bajau along Pulau Mabul Coast



Photo 2: Sea Bajau house nearby the Sipadan Mabul Resort in Mabul Island

Pulau Mabul is situated in a district of Semporna, and it is the most popular destination among tourists in Sabah and generally, the world. Before it was developed as a centre for eco-tourism in the 1980s, the island was left unattended and was only occupied by a few Bajau and Suluk's families. Today, the island has transformed into a well-known tourist centre when a few renowned tourism companies like the Sipadan Water Village, SMART, Borneo Divers, Scuba Junkie and others have developed other islands, Sipadan Island as well as *Terumbu Kapalai* into an eco-tourism centre based on scuba diving and resorts. It is still unknown until to this day the exact number of the Sea Bajau people living in Pulau Mabul. According to Hj Mohammad, the chairman of the Village's Development and Security Committee of Pulau Mabul (JKKK) or also known as *Panglima*, the number can be estimated to 100-130 people who are living permanently along the coast of Pulau Mabul and about 30-50 Sea Bajau living in boats surrounding the island, and they are called *tempel*, *lanca* and *kumpit*. These group of people lead a nomadic lifestyle along the coasts of islands for economic and safety reasons, i.e. strong wind and stormy weather.

They will normally go ashore nearby the island during daytime and return to their boats during night time for fishing and will go ashore again the next morning. Based on interviews, it is found that they prefer to stay in boats and will feel dizzy and even fall sick if they prolong their stay on the land. Normally, they will only go ashore to collect fresh water, woods, to fix boats and sell their marine catch.



Photo 3: A Sea Bajau living in a boat

Economically, the majority of the Sea Bajau is still practising the economic tradition of their ancestors, i.e. doing marine-based economy that is fishing. They will normally catch fish, shells, sea urchin (*pehe-pehe*), sea cucumber along the reef mainly for food and they will only sell their catch (dried fish, lobster and sea cucumber) if they have extras in the town of Semporna.



Photo 4: Fish are being dried on top of boat's roof



Photo 5: Roasted Sea Cucumber



Photo 6: Sea Urchin (*Pehe-Pehe*)

Before the 80s, the Sea Bajau or *Pala'u* traded their sea yields to merchants³ to get their daily needs such as grated tapioca known as *putu*, bananas, clothing and cooking oil. However, today all their trades have changed in the form of money. This is to enable them to buy other stuff which cannot be traded such as clothing, boat petrol, boat and fishing equipment and others. All of these things are bought at groceries shops owned by the Bajau and Suluk that are built on waters nearby the Semporna-Pulau Bum-Bum jetty. Socially, the relationship between the Sea Bajau living in boats, along with the

coast of the island, and other ethnicities such as Land Bajau, Suluk and Ubian living on land is distant and limited. Their attitudes can best be described as loners and try to avoid contact with outsiders and prefer to live among themselves.



Photo 7: Tapioca (Putu)

Based on participative and non-participative observations, the writer feels that boats known as *tempel* are regarded as the centre of life for this Sea Bajau. Starting from birth, growing up, working, eating and drinking, sleeping, having children, getting married until they die, their life is based on boats. They bathe and wash using the sea water (salted).⁴ They eat tapioca is their staple food, where they stew (*putu*) or fry (*tempe*) and to be eaten together only with grilled or stewed fish or salted fish and *lato* (seaweed).



Photo 8: Frying Tapioca (Tempe)



Photo 9: Seaweed (*Lato*)

Based on observation, the Sea Bajau will only go ashore nearby the Pulau Mabul School and nearby Sea Bajau villages nearby Sipadan Mabul Water Village because they need to get fresh water for drinking, to fix their rowing boats called *bogo* (Ismail Ali & Mohammad Raduan Mohd. Ariff, 2009; Ismail Ali & Wong, 2008), to sell their sea yields and also to bury dead bodies. In other words, they will never enter any Land Bajau or Suluk villages and feel shy to be on land too long.



Photo 10: A Sea Bajau fixing a *bogo*

Until today, the Sea Bajau living in boats are pagans and believe in animism. Whenever deaths occur, there will never be a ceremony but to only wear the deceased with the dress they have and they will be buried on the

nearby islands with woods as their headstones. This is different with the Land Bajau and Suluk who will conduct many ceremonies when death occurs.



Photo 11: Sea Bajau Cemetery in Pulau Mabul

They are also not very fluent in speaking Malay and can only speak the Sea Bajau Language. In term of family aspect, the Sea Bajau living in boats will only marry those from other boats (marriage will only take place among them). In addition, it can be said that almost all of the Sea Bajau children do not go to school because they do not have any identification documents which are a must to have to get an education according to the Ministry of Education, Sabah. Normally, the children will spend their kids' age in a boat or play on beaches.



Photo 12: Sea Bajau children without clothes on

The Bajau Laut Issues

When Sabah gained its independence in 1963, the Sabah government faced a lot of issues and queries on the Sea Bajau which are difficult to solve such as their status, primitive lifestyle, poverty, maritime crime and much more. To date, there are a lot of questions regarding the Sea Bajau status in Sabah. Among the questions is their actual status in Sabah; whether or not they should be given as the citizenship status based on the historical factors and contribution to the economic development; should this ethnicity be sent back to their original country (Philippines)? What is the perception and acceptance level of the Sabahans on this ethnicity? What will be the future like for the children of this ethnicity? Lastly, what are the effects of giving them the citizenship status to Sabah and much more?

Today, the majority of Sea Bajau, who are recently occupying the coast of Pulau Mabul, originates from Pulau Sitangkai that is situated at the border of international waters of Philippines-Malaysia and they live nomadically in boats. When there was a formation of a country and international border between Philippines and Malaysia, this ethnicity is not given any citizenship status by these two countries as they do not live on lands owned by Philippines and Malaysia but they are free to 'move around' following the wind and flow of Sulu Sea. Without the understanding between the Philippines and the Malaysian government, the Sea Bajau people will have no place to stop by on land or own an island that they can regard as theirs, and they will continue to wander around the Sulu Sea, which also has problems in its ownership and control. This situation does not seem to affect the Sea Bajau as they prefer more to be along the coasts of islands in Sabah compared to the islands in the south Philippines because of its stability---safety and easy earnings. In other words, these unsolved matters relating to their citizenship and status have categorized them as 'stateless people' and not as the illegal immigrants or political refugees.

According to the data by UNCHR⁵, about 12 million people in the world are categorized as stateless people. For this reason, UNCHR is given a mandate by UN to handle this problem through the *Convention on the Reduction of Statelessness 1961*. Principally, 'stateless' is a *legal and social concept of a person lacking belonging (or a legally enforceable claim) to any recognised state*, and it is not always the same as lack of citizenship. Also, 'stateless' refers to *the condition of an individual who is not considered as a national by any state*. There are few reasons contributing to this issue such as discrimination towards the minority, failure to include some people when a state gains its independence, legal conflict between states and others. From the legal perspective, an individual can be stateless in two ways, namely *de jure*, which means that *there exists no recognised state in respect of which the subject has a legally meritorious basis to claim citizenship* and *de facto*, which means that *the subject may have a legally meritorious claim but*

is precluded from asserting it because of practical considerations such as cost, circumstances of civil disorder, or the fear of persecution.⁶ There are a few differences between stateless people and refugees, namely:

Stateless most commonly affects refugees although not all refugees are stateless, and not all stateless persons may be able to qualify as refugees. Refugee status entails the extra requirements that the refugee is outside their country of citizenship (or country of habitual residence if stateless), and is deserving of asylum based upon a well-founded fear of persecution for categorized reasons which make him/her unwilling or unable to avail the protection of that country.⁷

In 2008, the Sabah government and the federal government had conducted a programme to give a temporary citizenship through temporary identity card known as the 'green card' to illegal immigrants, political refugees and these stateless people. However, the programme was not conducted exhaustively and only aims at the illegal immigrants and political refugees on the mainland and islands. The majority of the Sea Bajau people who are stateless people do not benefit from this programme because there is a lack of information given to them and lack of awareness among the Sea Bajau who is illiterate and still lives and practise nomadic lifestyle on islands far from the mainland. Also, this program receives mixed reactions from political parties and even Sabahans. Although, a state must confer equal citizenship to any individual as stated in UN Convention, 'stateless people', still, the Malaysian government has not yet applied the charter and has the right to refuse any stateless individual from entering this country.

Due to humanity, the Sabah government has given this privilege to this ethnicity by not sending them back to their original states like the illegal immigrants and political refugees, and they can 'wander' freely on the Malaysia-Philippines waters. Now, the status of this ethnicity in Sabah has not yet become a major problem to the Sabah government, and they are left alone to live freely along the coasts and islands of Sabah due to humanity and support to the United Nations (UN)'s commitment. Although the Sea Bajau has a close relationship with the Land Bajau, they are still not welcome by the Land Bajau. Based on interviews with a few Land Bajau and Suluk people in Pulau Bum-Bum, Pulau Mabul and Pulau Omadal, it is found that this Sea Bajau is regarded as the third class community who are wild, unpleasant, and unclean and other negative perceptions.

Hj Musari Ebbih (a Land Bajau) of Kampung Kabimbangan, Pulau Bum-Bum had once said that "if the *Pala'u* has fish, we know and we are not going to eat the fish because it is not good and the *Pala'u* are *kapir* (*pagan*)".⁸ For the Land Bajau, the existence of the Sea Bajau in their community will affect their good image because of their nomadic and pagan lifestyle. The Land Bajau

will not approve the relationship between them. For them, the Sea Bajau is an ethnic that is related to the Philippines. Other than the issues on temporary citizenship and prejudice towards them, the Sea Bajau children are also far behind in education, and this worries them. Based on the writer's observation, none of the children living on the beach or boats attends schools.

According to the Ministry of Education, Sabah, the schooling facilities in Pulau Mabul are only given to local children who have birth certificates, and their parents or guardians must have an identity card. Therefore, these children are allowed to attend school, whereas the stateless children will have to watch the children of their age attending schools from their boats. Perhaps that is why the Sea Bajau children spend their time by playing in the boats or on beaches' or following their parents to fishing, begging money from tourists and others. The teachers in Sekolah Kebangsaan Pulau Mabul cannot register these children because they do not have any identification. However, some adopt these children so that they can attend school. It is very clear that these children will end up doing something illegal or contributing to social problems in future as they do not receive a proper education, and the people of this state must accept the fact that these children will grow up and permanently live in Sabah.

Conclusion

With all these issues, a mechanism to tackle the matters relating to the Sea Bajau people should be taken into consideration by the responsible groups. In matters relating to their citizenship, a follow-up action in giving out temporary citizenship cards (green MyKad) to this ethnicity should be conducted again by taking into consideration on what has been stated in UN Charter of 'stateless people'. At least, the programme will tell us the total population of the Sea Bajau in Sabah. Also, any negative perception on this ethnicity should be rectified, and history has shown us that the origin of the Bajau people is based on 'boat culture' that has long exist since the reign of the Sulu Sultanate. From the educational aspect, it is better to allow the children of the Sea Bajau people to get an education as they will create social problems in future. It may be in the form of informal education, which does not mean to give equal rights to them concerning education but to only ensure that these children will become more responsible when they are here in this foreign state. In relation to this, it is good that the children are taught to read and write and learn a few beneficial subjects that can be applied in their daily life like the Malay Language, mathematics, health and moral educations. By exposing these children to the importance of taking care of their health, manners and self-discipline, they will become independent, aware of the importance to sustain nature and much more.

Endnote

¹ The Idea to write this article started when the writer went to Pulau Mabul, Semporna in March 2010, where he witnessed the uniqueness of the Sea Bajau lifestyle and got the opportunity to stay one night with a Sea Bajau family in a boat. This has led to the writing of this article, especially on issues relating to their origin and citizenship status in Sabah.

² Until today there has been no record to prove the exact term for the Sea Bajau. However, it has known to exist since Sabah gained its independence in 1963 and the term Sea Bajau (people living in boats) was created to differentiate them from the Land Bajau. For the western scholars (except Carol Warren), they do not use the Sea Bajau term to refer to this ethnicity but to call them as sea-nomad, monadic boat people or seamen.

³ Normally this batter trade will benefit the traders because the value of these traded things like salted fish, lobsters and dried sea cucumber are much higher compared to their daily needs such as tapioca (*putu*), bananas and cooking oil.

⁴ One of the most amazing thing is that even though they use seawater for bathing and washing, their skin is normal and rarely to get skin diseases. During the study, Pulau Mabul was affected by cholera disease that forces many of its people to go to the hospital in Semporna for treatment. Despite this epidemic, none of the Sea Bajau people was affected by cholera although they live in poverty.

⁵ For further explanation, see UNCHR website, <http://www.unhcr.org/basics.html>.

⁶ See <http://www.unhcr.org/basics.html>.

⁷ See <http://www.unhcr.org/basics.html>.

⁸ An interview with Hj. Musari Ebbeh was held on 12 April 2009 at his house in Kampung Kabimbangan, Pulau Bum-Bum. He is a Bajau Kubang who is active in the making of lepa and the idea to write this article started when the writer went to Pulau Mabul, Semporna in March 2010, where he witnessed the uniqueness of the Sea Bajau lifestyle and got the opportunity to stay one night with a Sea Bajau family in a boat. This has led to the writing of this article, especially on issues relating to their origin and citizenship status in Sabah.

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