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Sabah/Sarawak (NEWS ANALYSIS)
IMMIGRATION CURB STILL "DIVIDES" MALAYSIANS

By: Azman Ujang

KUALA LUMPUR, July 28 (Bernama) -- During its nine-year rule in Sabah which ended in 1994, Parti Bersatu Sabah (PBS) set itself on a collision course with the Federal government mainly by harping on the issue of the 20-point agreement under which both Sabah and Sarawak gained independence within Malaysia in 1963.

This agreement basically guarantees certain autonomous rights for the two states, with the most significant being their right over immigration.

A lot of water has flowed under the bridge in the 34 years that both states have become part of Malaysia, but one thing still does not change -- the immigration curb which makes Malaysians from the peninsula in the west still feel like going to another country everytime they are heading for either Sabah or Sarawak in the east.

Although travel restrictions for Malaysians from the peninsula have somewhat eased over the years from the mandatory use of passports to just filling a simple arrival form, the process of the much talked-about "national integration" is still hampered by the requirement that they cannot work in the two states unless they are granted work permits.

By and large, Sabah and Sarawak politicians have managed to shrug off their parochial instincts, but so far none has gone to the extent of wanting to give up this immigration curb.

They normally would be the first to complain if rulings or policies made in Kuala Lumpur were seen not advantageous to the two states.

Some even like to blame Kuala Lumpur for "being insensitive to national integration", a somewhat tired phrase but much loved by politicians.

But the states' autonomy over immigration matters, a factor seen by many as retrogressive to the process of national integration, is a subject which leaders in the two states have chosen to avoid discussing in the spirit of national integration itself.

The peninsula is separated from Sabah and Sarawak by the vast expanse of the South China Sea, a factor which sometimes makes national integration that much harder.

Nothing can of course be done about this God-given geographical factor but certainly the same cannot be said of the man-made so-called 20-point agreement.

Deputy Minister in the Prime Minister's Department Datuk Nazri Abdul Aziz is one of those Kuala Lumpur politicians who sees no justification whatsoever for the immigration curb to remain, after over three decades of efforts of forging one Malaysian nation.

Describing the immigration curb as "ridiculous and parochial", Nazri said the "rationale" for it in the first place -- that Sabah and Sarawak will be swarmed with people from the peninsula if they open up -- is no longer valid.

Because of the nature of their work, lawyers from the peninsula are among those very vocal in wanting an end to this immigration curb.

Sometimes they might be called upon by clients in the two states at short notice to appear on their behalf.

But they have to go to the process of an "ad hoc" admission in courts in either Sabah and Sarawak and having obtained this, will have to apply for a work pass before they can represent their clients in court.

But lawyers in Sabah and Sarawak have vehemently opposed any move to scrap this requirement which forms part of Article 161B of the Federal

Constitution.

Sabah Law Association President Maureen Lind told Bernama that allowing lawyers from the peninsula to practise freely in the two states is like opening "the flood-gates".

What is questionable is that lawyers, the people who should oppose any form of denial of justice, have chosen to be selfish in matters where clients are denied lawyers of their choice in the event that such lawyers from the peninsula fail to get their work permit approved.

Even Prime Minister Datuk Seri Dr Mahathir Mohamad, referring to the same matter yesterday, said both the Sabah and Sarawak governments are not prepared to lift this immigration curb.

"They feel threatened. They are still of the opinion that they have not reached the stage when they can open up to professionals from the peninsula," said Dr Mahathir.

Professionals aside, the immigration autonomy also bars others from the peninsula from working in Sabah and Sarawak unless they have work permits.

Now, this is where such a ruling has indeed outlived its purpose.

With hundreds of thousands of foreign workers mainly from Indonesia, Bangladesh and the Philippines flooding job markets in the peninsula, the scenario of Malaysians from the peninsula flocking to Sabah and Sarawak in search of work as imagined by the authors of the 20-point agreement is unthinkable now.

In fact, many workers from Sabah and Sarawak working in the peninsula told Bernama that the opposite is true.

" There are so many from Sabah and Sarawak working in Kuala Lumpur and other states in the peninsula because the salaries are so much higher over here," said a chef from Sarawak's Bidayuh community, who works in a restaurant in Petaling Jaya.

With Malaysia opening up more and more ahead of the fast-track development in the Multimedia Super Corridor, the immigration autonomy which Sabah and Sarawak still jealously insist on retaining, seems like going back in time.--BERNAMA

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