

Longhouse woes no concern of Parliament
Malaysiakini.com
July 23, 2010

DAP senator S. Balakrishnan's question on the fate of Sarawakian longhouse dwellers deprived of the ownership of the ancestral land they live on has been rejected by the Dewan Negara on the grounds it has no jurisdiction to debate land matters.

Authority over land is one of the powers accorded to the states under the federal constitution.

Balakrishnan submitted the queries on the longhouses to the Ministry of Housing and Local Government under the questions session of the current Dewan Negara sitting.

ulu niah 5 iban longhouse sarawak 011007 rumah busang"I was asked by the people of several longhouses in Sarawak to raise this matter in Parliament. I visited three longhouses in the Sibuan area and they spoke to me of their problems. I presume this problem is true for the rest of Sarawak as well," he told a press conference at the Dewan Negara lobby.

However, he said, he was informed via a hand-delivered letter from the secretary to the Dewan Negara today that his question had been rejected.

The letter, which Balakrishnan showed to reporters, says his question was rejected under standing order 23 (1) (q), which states that questions on matters stated in the state list, as detailed in the ninth schedule of the federal constitution, cannot be asked.

Balakrishnan expressed shock over the response.

"I am disappointed as I believe this is an injustice to the people. This is a serious matter. Some of the longhouse dwellers are even considered to be squatters.

"They are not pendatang... these people are natives," he said.

Out of Parliament's scope

Contacted by Malaysiakini on the matter, constitutional law expert Abdul Aziz Bari concurred that the matter was indeed out of the scope of parliamentary discussion.

"Land matters are accorded to the state. Parliament (which is part of the federal government) has no authority over it," said the law professor.

Abdul Aziz was referring to the separation of powers between state and federal levels of governance under federalism.

Malaysia, which practises federalism, has clear delineation of powers between the two which are detailed in the state and federal lists under the ninth schedule of the federal constitution.

Power over land has been accorded to the states for administration by their respective land and minerals departments.

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Source : <http://www.malaysiakini.com/news/138134>