

Illegal Immigrants and the Elections in Sabah, Malaysia

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이민자들은 문제는 가장 중요한 국가적인 과제 중의 하나가 되었고, 이것을 이해하기 위해서는 다수 종족들 간의 정치적·종교적인 경쟁을 이해하지 않고는 알 수가 없다. 말레이시아는 말레이계, 중국계, 그리고 인도계가 다수를 이루고 있고, 그 외에 여러 다양한 종족으로 구성된 다인종 국가이고, 식민지 시절부터 오랜 이민의 역사를 가지고 있다. 1969년 종족간의 유혈 충돌을 겪었고, 지금도 이민자 문제가 부각되고 있다. 특히 사바주(Sabah)의 경우, 필리핀 불법 이민자들로 인해 말레이시아-필리핀 간의 영토분쟁 조짐까지 보이는 곳이기도 하다. 사바주의 경우 다른 지역보다 더 이민자로 인한 갈등이 높은 지역이라고 할 수 있다. 이러한 이해를 바탕으로, 본 연구는 무슬림 말레이계(Muslim Bumiputera, MB)와 비무슬림 말레이계(Non-Muslim Bumiputera, NMB) 간의 정치적·종교적 경쟁에 이민자들이 어떻게 개입하고 그 결과가 무엇인지를 찾는 것이 연구의 목적이다. 본 연구는 말레이시아 사바주(Sabah)주의 Tawau, Kunak, Lahad Datu and Sandakan 지역을 기초로 하여 2008년 총선을 중심으로 인터뷰와 관찰을 하였다. 2008년 말레이시아 총선에서 이민자들이 어떻게 선거에 참여하고 영향을 미쳤는지를 알아보았다. 인구 구성에 있어 이민자들이 다른 지역에 비해 많은 부분을 차지하는 말레이시아 사바주는 선거와 이민자들의 정치적 행태에 관한 연구에서 좋은 사례가 되고 있다. 사바주의 이민자들 특히, 불법 이민자들이 정치적 영향력뿐만 아니라 경제·사회적으로 그 영역을 넓히게 되면서 종족 간의 갈등 문제가 발생하고 있다. 불법이민자의 선거에의 참여가 종족간의 갈등을 넘어 말레이시아의 안보문제와도 연계가 되는 것은, 이민자가 빠르게 증가하고 있는 우리에게 좋은 시사점이 될 것이다.

주제어: 불법이민, 선거와 참여, 말레이시아 사바주, 인종 갈등, 무슬림과 비무슬림

I. Introduction: Illegal immigrants and elections

The State of Sabah (formerly known as North Borneo) has experienced the presence of immigrants prior to the presence of colonials in this region. The process of immigrants' presence into this region increased rapidly when colonialism entered the region. Initially, the presence of immigrants was merely to meet the manpower requirements. It is therefore not surprising that the

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Chinese, Indonesian or the Philippines entered the North Borneo at a very high rate. However, beginning the mid-1980s, the presence of immigrants in the form of either foreign workers or refugees come to be seen as creating a major problem and create uneasiness in the state population. They are not only seen as an agent of economic problems, but also seen as the major contributors to the political and social problems.

The migration process is not a new phenomenon as it has occurred prior to the formation of the state system. However, since World War II, the movement of people across the international borders is a common phenomenon and occurs at a large rate. In year 1997 alone, the International Organization for Migration (IMO) estimates that there were more than 140 million migrants around the world. The developed countries are to absorb the large numbers of these migrants. In year 2009, for instance, the migration population represents approximately 60% of population growth in OECD countries, and over 85% in southern European countries, Austria, and Czech Republic(Soguk, 2000; International Migration Outlook(IMO, 2006).



<Figure 1> Map of Malaysia

※ Source: <http://www.google.co.kr/>

Nevertheless, it is difficult to perceive the immigrants as a problem for the reason that it is a subjective issue. It may be a problem by the society in a country, but at the same time it may be regarded as important to another group in the same country. As argued by Weiner.

An ethnically homogeneous society, for example, may place a higher value on preserving its ethnic character than does a heterogeneous society and may, therefore, regard a population influx as a threat to its security. Providing a haven for those who share one's values (political freedom, for example) is important in some countries, but not in others; in some countries, therefore, an influx of 'freedom fighters' may not be regarded as a threat to security. Moreover, even in a

given country, what is highly valued may not be shared by elites and counter-elites. The influx of migrants regarded as radicals may be feared by a monarch, but welcomed by the opposition. One ethnic group may welcome migrants, while another is vehemently opposed to them. The business community may be more willing than the general public to import migrant workers (Weiner, 1992).

Thus, it is not surprising that countries around the world have a different response towards the presence of immigrants. In countries like Qatar, for example, although the total immigrant population exceeds the local population, it never sees immigrants as a threat. Unlike in western countries where immigrants are not only seen as a threat to the identity of the society (Buzan *et al.*, 1998; Huysmans, 2000; Ceyhan and Tsoukala, 2002; Ole, 2008), but they are also described as representing the various types of threats, such as socio-economic, political, and national security (Heisler and Layton-Henry, 1993; Faist, 2002; Bigo, 2002; Fierke, 2007). This shows how immigrants can be fashioned as the main root of security problems or not (Buzan, *et al.*, 1995). The same thing happens when we see the issue of illegal immigrants in Malaysia and Sabah, especially when associating with various forms of immigrant problem, whether social, political or security. Kamal Sadiq, for instance, has touched the involvement of illegal immigrants in the election in his study at the end of the 1990s (Sadiq, 2005; 2009).

Normally the issue of illegal immigrants (PTI) is an issue that simply gets the attention of society, especially in Sabah.¹⁾ The presence of PTI in Sabah is very significant in the home, restaurants and shops as an assistant, estates or construction sites as a laborer. We also have heard the complaints that work would not be done without the presence of PTI. This shows our dependence on the PTI that the work will not smoothly run without them. The extreme dependency on PTI is observable not only in terms of employment but also in the election. This is not something new but has been happening in the past three decades.

Elections according to Robertson, is a method of selecting among candidates for office or employment. Elections are the only respectable way to choose political leaders or governments around the world (Robertson, 1985). Robertson added the election may be conducted through

1) Immigrants is a general concept that refers to those that are not from a single place and enter for reasons such as looking for work, living with relatives, away from political or economic pressure or simply migrated from the old to the new place. In this article, illegal immigrants refer to those who enter Sabah through the unofficial path, legally entered but stayed beyond the permitted time, enter as a student but later on work, legal or illegal possession of documents that are not privately owned and others. Immigrants that are being discussed not only from the Philippines and Indonesia but also from India, Pakistan or China (Hassan, *et al.*, 2007; 2008).

various techniques. Votes may be given to individuals, as in most national elections, to the collective entity or institution unit(Robertson, 1985). In Malaysia, the election is a medium for people to choose leaders who will represent them in Parliament or Legislative State Assembly for one term which is usually between four to five years. However, the custom of the ruling government, not to wait until five years, it could even be four years to hold an election. Thus, citizens that registered their names with the Election Commission(EC), aged 21 years and above are allowed to vote. It should not encompass any issues regarding the involvement of illegal immigrants in the elections. However, in 1999, the Barisan Nasional lost Pulau Gaya parliamentary seat when the court finds the use of phantom voters. Departing from this premise, this study attempts to explore the involvement of illegal immigrants in the 12th general election 2008.

This article attempts to look at this issue by looking at how immigrants are seen to contribute to political problems in the Sabah state by looking at their relationship and the assumption that they are involved directly in the election. In addition, this article argues that it is difficult to identify the immigrants as a major political problem in Sabah without trying to understand the demographics of the State which is not dominated by any ethnic group, whether Muslim Bumiputera(MB) or non-Muslim Bumiputera(NMB).

II. Understanding of ethnic politics in Sabah

The Sabah population can be divided into several ethnic groups such as Dusun, Murut, Chinese, Bajau, Lotud, Kwijau, Rungus, Paitan, Tambunuo, Dumpas, Idahan, Mangkaak, Orang Sungai, Maragang, Minokok, Illanun, Ramanau, Suluk, Bisaya, Kadayan, Tidong, Brunei and others (Jones, 1966). As a result of this ethnic and religious diversity, it prompted the government to divide this group into two main groups of Bumiputera and non-Bumiputera. The Bumiputera's category refers to a group of indigenous Malays and indigenous groups in Borneo states(Ahmad *et. al.*, 2005). The rights of the natives undoubtedly granted by the Constitution of Malaysia. Article 153 and 161A of the Constitution of Malaysia (including Malay and indigenous groups of Sabah and Sarawak) state with this privilege class(Jesudason, 1989; Gomez, 1999; Balasubramaniam, 2007). Therefore, the indigenous people of Sabah assume that they are the group who had benefited from the affirmative policy of the federal government. Chapter 4, Article 41 of the Sabah Constitution clearly provides the rights of the natives. Clause 10, Article 41 of the Constitution defines the natives of Sabah as follows;

A person who is a citizen, is the child or grandchild of a person indigenous to the State, and was born (whether on after Malaysia day or not) either in the State or to a father domiciled in the State at the time of the birth (State Government of Sabah).

However, the natives of Sabah issue is complex due to the different ethnic politics that occur at the federal level, where it is marked by the competition of Bumiputera (Malays) and non-Bumiputera (Indian and Chinese), in Sabah, it involves a competition between the Natives, particularly, it involves competition between Muslim Bumiputera (MB) and Non-Muslim Bumiputera(NMB)(Luping, 1985; Wah, 1992). This competition is an extension of political competition between Muslim natives and non-muslim in the state and it is exacerbated when a number of federal government policy in the eyes of non-Muslim natives are more favorable to Muslim natives. One of the key issues to be addressed is the question concerning the growth of Muslim natives' population compared to non-Muslims based on census reports issued every 10 years by the Government of Malaysia.

In Census 1931, NMB(Kadazan-Dusun and Murut) was recorded the amount of 134,907 compared to MB of 49,905. The 1951 Census shows an increase of NMB to 136,591 compared to 64,623 of MB. In the 1970 Population Census, the NMB was about 215,811 compared to MB of 135,162. Between 1971 and 1980, Sabah has a high population growth of 5.3% per annum compared to Peninsular Malaysia at 2.6%, and Sarawak at a rate of 3%. However, at this time, there is no division between Muslims and non-Muslims because the state government policy combines the Bumiputera population (Muslims and non-Muslims) into one category, which is the native. In the 1991 census, the population of NMB was recorded at about 365,996. The population of MB was about 310,185. The total of foreign citizens was 425,175(DOC, 1970; 1991; 2000). The increasing number of migrants triggers the concern to the people of NMB. They would see this increase as a direct threat to their position in the state. However, for the Federal leaders, this increase has a reason.

<Table 1> Proportion of ethnic in Malaysia

		1957	1970	1980	1990	2000	2008
Bupmiputra(Malay)		49.0	53.2	55.3	57.8	62.0	64.4
Non-Bumiputra	Chinese	36.6	35.4	33.8	29.1	27.8	26.0
	Indian	11.5	10.6	10.2	9.5	9.6	7.7
	Others	2.9	0.8	0.7	3.7	0.7	1.9
Total		100.0	100.0	100.0	100.0	100.0	100.0

※ Source: Census Report of Malaysia 1911-2008.

<Table 2> Proportion of ethnic in State of Sabah

		1957	1970	1980	1990	2000	2008
Bumiputra(Malay)							
Non-Bumiputra	Chinese						
	Indian						
	Others						
Total							

※ Source: Census Report of Malaysia 1911-2008.

This background is important in understanding the problem of how immigrants can be seen as a political problem in a country. This is for the reason that, in reviewing the election, the ethnic background of a country must first be known as it determines the political structure and greatly influenced the success of a political party. This is important as the competing political parties rely heavily on the support from specific ethnic groups for the victory in the elections. In Peninsular Malaysia, the trend is often rooted in ethnic political parties; UMNO-Malays, MIC-Indians and MCA-Chinese, for instance, are the parties of a particular ethnic-based. Although the DAP or the Gerakan is said established and opened to all races or ethnic groups, the public knows that both parties would be more acceptable by the non-Malays.

In Sabah, UNKO (later known as the United Pasok-Momogun Kadazan Dusun - UPKO) is the initial party which was established in August 1961. The establishment of UNKO by Tun Stephens and friends proceeds from the proposal of the formation of Malaysia. The UNKO is the party that embedded the Kadazan-Dusun-Murut, a group of NMB as the basis of its strength. In order to offset the political strength of NMB, in December 1961, the United Sabah National Organisation (USNO) under Tun Mustapha was established. USNO is the party of the Natives of Sabah, but the membership is also opened to NMB.

<Table 3> Number of Parliamentary seats won by parties in Sabah(the 2008 general election)

Party		Seats
Barisan National (Rulling Party)	UNMO	13
	CMA	0
	MIC	0
	PBRS	1
	LDP	1
	SAPP	2
	UPKO	4
	PBS	3
Pakatan Rakyat (Opposite Party)	DAP	1
	PAS	0
	PKR	0
Total		25

※ Source: Parlimen Malaysia(<http://parlimen.go.my/>).

The political competition between NMB and MB resulted in the awareness to the Tun Mustapha, the MB leader at that time, about the importance of retaining the domination of MB as the number of NMB is larger compared to MB in the state. Tun Mustapha realized it was difficult for MB to be in power in Sabah if something is not done to change the composition that favoring the NMB. Tun Mustapha would behold the political future of MB, although USNO has successfully be in the political power in Sabah. The awaited opportunity has arrived when there was unrest in the southern Philippines in the 1970s. As the descendants of Sulu, one of the main ethnic groups in the Moro struggle in the southern Philippines, Tun has taken the initiative by allowing many refugees from the southern Philippines into Sabah.²⁾ Ever since, the presence and influx of immigrants from the southern Philippines to Sabah has taken place very quickly. Means discusses in his book on how “Immigration is tolerated and encouraged on the assumption that the immigrants will take the majority of Muslims into this state”(Means, 1990; Yusoff, 1999). Complementing to this, Tun Mustapha also introduced the Islamization policy of the Kadazan–Dusun people with the hope that the Muslim native population will swell in the state (Shah, *et. al.*, 1998; Balasubramaniam, 1998). This will brace the political position during the time of Tun.

Even after the Berjaya party under the leadership of Harris Salleh succeeded in overthrowing the USNO in 1976, Harris has sustained the policy of allowing immigrants into Sabah. In the 1980s also witnessed the entry of the Bugis immigrants from Sulawesi in line with the rapid economic development of Sabah(Mak, 2006). However, the Mustapha’s policy that encourages the arrival of immigrants was not only motivated by the political goals, but it was also driven by economic problems faced by the state(Bahrin and Rachagan, 1984; Rachagan, 1987). This economic problem has been experienced since Sabah joined Malaysia in the 1960s. It is acknowledged by the Sabah Development Plan 1965–1970 which clearly affirmed that:

There is little doubt, however, that the pace of economic development cannot be maintained unless an alternative source is found to provide an annual increase in the number of persons

2) However, this does not mean that the presence of immigrants in the large numbers only occurred in the 1970’s, as it is believed that the presence of immigrants has occurred before that. A lucid example is in the event of the exodus, especially the people of South Sulawesi to Tawau (Sabah) in the years around 1957 to 1966 due to the Darul Islam rebellion led by Kahar Musakkar in Indonesia. Interviews with Mr. Uban in Tawau (2008). In addition, there was also the process of massive border crossing of Indonesian Chinese refugees to Sabah during the era of Malaysia–Indonesia Confrontation (1962–66). It was estimated about 8,000 to 10,000 people.

engaged in agriculture(Wai, 1989).

Meanwhile, the major investors in Sabah in the decades 1970s and 1980s have given warning to the government to ensure the adequacy of this workforce if the economy is to continue prosper. The Plantation Association in 1980, for instance, said;

The labour shortage in Malaysia is becoming a serious threat to the development of the nation's economy(Planter, 1980; 2004).

The combination of political problem, ethnic and economic is a major cause for Sabah continues to be one of the states in Malaysia that persistently to depend on immigrants. This situation becomes more complex when the immigrants are said to be involved directly by the relevant parties in the elections in the state.

III. Elections and the illegal immigrants in Sabah

The issue of immigrant participation in the election was actually discussed early on by the political leaders of the NMB group, mentioning that the state and federal governments have conspired to bring in the immigrants to the state to offset the political strength of the NMB. However, if we reconsider this case, the immigrants are seen to involve in this election due to the deteriorating political position of NMB in the state, particularly after Sabah has successfully been re-conquered by UMNO, the largest political party in Malaysia under Barisan Nasional, the ruling party in Malaysia in 1994. This issue reached its climax in the 1999 election when the illegal immigrants were associated with the money politics, phantom voters and counterfeit documents. Most significantly, the illegal immigrants were given the documents by the parties so that they can cast the votes during elections. This has led the opposition to make this as one big issue to attack the ruling party in the elections(Meng. 1999).

Based on the interviews with several representatives of the ruling party in the GE-12, most of them rejected the use of illegal immigrants. They learned a lesson from the 1999 election and thus, reject the use of illegal immigrants. Nonetheless, based on the surveys and observations made in the field, namely in Kota Kinabalu, Sandakan, Tawau, Lahad Datu, Kunak and Semporna, illegal immigrants were still used as the voters in this election and cannot be discarded.³⁾ But in

this election they were not made use explicitly to avoid the known of the society and the opposition parties.

The question is why illegal immigrants want to vote? What is actually gained by them? What the political party leaders obtained with the use of illegal immigrants in the elections? It is quite clear that a win-win situation is analogous to explain the above questions. The immigrants use the opportunity to vote during the elections for their survival in the state. The immigrants realized that their support is needed by a particular party during the election regardless of whether the ruling party or opposition parties. In fact, their manpower is also needed to assist the party particularly in putting up the banners or to assist the candidates to putting up posters. Most importantly, they will get the incentives in terms of the payment for jobs done for that particular party. Apart from that, the immigrants, especially those living in the Kampung Air (water villages which is quite well-known throughout Sabah) would take these opportunities for payments made by the political parties that contested in elections.⁴⁾ This is in particular for immigrants whose services are used for voting. They are known as the phantom voters.

Another trend observed is that most of the immigrants support the ruling party. This is for the reason that many immigrants who live in the Kampung Air would expect to obtain more benefits. For instance, the colony(settlement) will be protected, the opportunity to get the document and continue to live without any interference in the country. For immigrants, the document is a life line to them in this country. Without the documents, their lives will always be distressed by the authorities and cannot get benefits from such facilities as enjoyed by the people of this country. So unfortunately, they are likely to be deported by the authorities to their country of origin either to the Philippines or Indonesia. Therefore, the immigrants often wholeheartedly support the ruling party, thus, the possibility of their colony be deported or will be demolished by the authorities would not be a reality. For example, when the authorities flatten the illegal colonies throughout the state in 2002, many immigrants have complained and even threatened not to vote for BN as

3) In one case, two assistants of a restaurant in Lahad Datu, who are from India have mentioned that they would cast their votes in Lahad Datu and another in Kota Kinabalu. One of them thought that the authors are representing a political party and had asked for money to go to vote in Kota Kinabalu. Field work in Lahad Datu in February 2008.

4) The most interesting is that migrants use this opportunity to get money from political parties that contest. For instance, if party A pays an immigrant RM50, party B will multiply the money to RM100. Instead, party C (the ruling party) will pay RM150 just to ensure the immigrants will vote for party C. If they have many family members who can vote will mean that much more money can be earned by these families. This process is a highly profitable acquisition of money for illegal immigrants provides by the competing parties. Researcher's observation in Batu Sapi's by election in November 2011.

the BN did not do prevent during the demolition of colonies done (Hassan & Dollah, 2011). In fact, it is not surprising that the ruling party branch's leader is among the immigrants living in Kampung Air.

In contrast, to the candidates, they really need the support and vote of the immigrants or the phantom voters to ensure the victory in the elections. Customarily, this service of the phantom voters is needed, especially in the areas that the contending of the ruling party and opposition parties are 50-50. This is where the role of the phantom voters is very much needed for the reason that it can afford to win the ruling party. Generally the phantom voters will indeed vote the government candidates to ensure their victory⁵⁾. Therefore, such a relationship exists between both sides of the harness.

Even then, the GE-12 issue of illegal immigrants is not featured. This is due to the reason that, to the central UMNO, this is a very sensitive issue, especially in Sabah. The BN manifesto did not distress the issue of PTI. However, this does not mean that the PTI issues were not touched by the BN component parties, such as the PBS, LDP or UPKO. Among the BN component parties, UPKO and PBS are indeed very critical with the presence of PTI in Sabah, for instance, on the issues of forged IC or IC project.⁶⁾ These parties represent the Kadazan-Dusun which is the largest NMB group in Sabah. For the BN component parties, this seems to encompass a conspiracy in Kuala Lumpur, which endorses the involvement of immigrants as voters under the IC project.⁷⁾ Even though this issue should attentively not be raised but it does not prevent the party to 'highlight' the issue during the campaign.⁸⁾ The question arises then, do they completely decline the use of immigrants in the election?

During the survey⁹⁾, UMNO has not touched on this issue. This is for the reason that the ruling party does not want to be associated with the issue of illegal immigrants which is considered sensitive. Instead, the issues raised during the campaign were the issue of rising oil

5) In an interview, it has been described that the use of phantom voters has ensured the victory of a ruling party's candidate. Interview with an anonymous in Kota Kinabalu on June 24, 2008.

6) 'IC Project' refers to Mutalib MD who is a very critical in arguing the immigrant issues in Sabah. Several books have been written about this project. Interview with MD Mutalib in Kota Kinabalu on 30 April 2008.

7) Telephone interview with a politician of Kadazan-Dusun on 14/4/2008 who wants the identity undisclosed.

8) Realizing the component parties representing the Kadazan-Dusun uneasy with the federal government's approach to the issue of illegal immigrants, after the GE-12, Kuala Lumpur has launched the amnesty exercise in Sabah started on the west coast in October 2008. The amnesty exercise was performed on the east coast in 2009.

9) The survey has been conducted by researchers in Sandakan, Lahad Datu, Tawau, Semporna, Kota Kinabalu and Kunak during the campaign for 12th General Election.

prices and the consumer goods. However, this does not stop the issues of PTI not to be raised by the BN component parties. BN component parties still raise the issue of PTI during the campaign.¹⁰⁾

IV. What about the opposition?: The reaction of the people

The DAP has raised the issue of immigrants in their talks during the previous election campaign. Unfortunately, in the GE-12, the Sabah's DAP has no manifesto unlike of that the competing parties. Thus, it is undeniably this issue has become an issue that led the DAP to win in Kota Kinabalu. In fact, according to Dr Hiew, who won as the opposition member of Parliament for Kota Kinabalu, decided to bring this issue to parliament later on.¹¹⁾

What is the stance of Parti Keadilan Rakyat on the issue of PTI? Anwar Ibrahim appears to be quite critical on the immigrant issues in the campaigns during the election. Ansari Abdullah has raised this issue during the campaign. In fact, the seriousness of PKR on this issue is shown when the issues of PTI raised in the party's manifesto. However, when this issue has been raised to Datuk Seri Dr. Hasbullah Haji Mohd Taha, the answer was different. Dr. Hasbullah, the PKR candidate of Silam Parliamentary does not see this issue as a big issue as the people in this region are free to move in to and out from Sabah. For Datuk Dr Hasbullah the presence of the colonial has resulted in the use of documents was initiated in the region. To the PTI they had never thought of their presence in Sabah to be illegal. Commencing from this, the issue of PTI has aroused.

The presence of a foreign element in a society, indeed, would give the positive or negative impact. It is similar for the case of the presence of PTI in Sabah's society and their involvement in the election. Most of the interviewees expressed that they are unhappy with the PTI that disrupts their lives. Most of them complained that Kota Kinabalu or other cities in Sabah have been contaminated with the mound presence of PTI. Similarly, the high levels of crime being associated with their presence and creates the unsafe feelings to walk in Kota Kinabalu and in other cities. Undeniably, the people would not accept when the PTI was also involved in the election. The discontent among the NMB and Chinese interviewed is significant than the MB.

10) Telephone interviews with the anchor person of a BN component party on 22 April 2008.

11) Telephone interview with Dr Hiew, the DAP candidate who won the parliamentary seats of Kota Kinabalu on February 12, 2008. Dr Hiew said that DAP does not has a specific manifesto for Kota Kinabalu and Sabah but to use the federal DAP's manifesto.

This is inevitable for the reason that the immigrants on average are Muslim.

In Lahad Datu, the dirtiness of the city is significant, and is associated with PTI, particularly in the area close to the market. Even when the researchers were in Lahad Datu during the day, there were a large number of the Filipino and Indonesian immigrants involved in informal sector activities. At night, there is a row of food stalls in the vicinity of the hotel occupied by the researchers that the traders are the Bugis. The stalls sell the grilled fish, drinks, bananas, cakes, rice, etc. During the day, from 4 to 7, most of the immigrants sell clothes in the car park area which is one of the busy areas in the Lahad Datu town. Given the very significant presence of immigrants, it is not surprising that YB Lahad Datu, Nasron been putting up the big posters in several strategic areas in the town of Lahad Datu, with the motto, "Make the Lahad Datu town clean, safe and beautiful." Certainly, this slogan or motto suits to Lahad Datu.

Most of the voters in Lahad Datu are of the races such as Ida'an, Bajau, Bugis, Dusun, Chinese and Tidong. The candidates are of the Bajau. Certainly the Bajau's voters will ensure their candidates to win in the election. What about the voters of Bugis and other races? Definitely this group will give support to the YB Nasron especially those who still do not have the documents.

Another area of concentration of the immigrants is Kunak. The candidate was Nilwan, a Bajau. The question of heredity is an issue to be dealt while the selection of candidate has not yet been announced. Nilwan was said to be locals, but since 1995, the contesting BN's candidate was a Bugis. The most distressing part is that all the previous candidates are not the locals. Thus, this issue has been stressed at that time.

What about the issue of PTI in the campaign in Kunak? Despite Kunak is a landing spot of the PTI over the years, the issue of PTI has been subdued. It is not a secret that Kunak is popular enough to the PTI, particularly from the southern Philippines for landing spot. This is due to Kunak is populated mostly by Bajau and Bugis. Chain migration¹²⁾ is a very popular explanation for why Kunak becomes the PTI landing centers especially from the southern Philippines.

12) The chain migration refers to a situation in the United States where a migrant who had been settled will 'sponsor' a member or other family members to come to the United States. This means that migrants will be a motivation to the presence of other migrants to the United States. See Federation for American Immigration Reform, an NGO in the United States(). In the context of chain migration regarded to Sabah, in particular, it refers to the presence of migrants in a place will result in the presence of other family members illegally. This refers to immigrants, particularly from the southern Philippines and southern Sulawesi to Sabah. The family ties is the cause of the occurrence of migration.

In contrast, Tawau, is a city that increasingly dominated by the Bugis immigrants. This dominance is obvious if someone passed the Tawau Central Market, which is largely composed of descendants of the Bugis traders. They are also said to dominate the businesses such as the transportation, taxis, mini buses, express buses and lorries (Baharom, 2008). Tawau becomes the center for the Bugis presence as it is the gateway either legally or illegally. This is for the reason that Tawau is quite close to Nunukan, a port city of the last stop for ships from Indonesia. Every week, two ships that ply regularly from Makassar will dock in Nunukan.¹³⁾ In the Sebatek island, YB Muis Pichok is the BN's candidate of Bugis descent.¹⁴⁾

V. The Impact of Immigrant Participation in Elections

A lot can be said in terms of the impact of immigrant participation in the elections in Sabah. The election is a medium for people of a sovereign nation to elect a leader. In this case only the citizens of the country can cast the vote in an election. Instead, what is happening in Sabah in particular and Malaysia in general is that the immigrants have been given space and opportunity to cast the vote in an election exclusively to ensure that a particular party will rule. Kamal Sadiq had pointed this out in his writing (Sadiq, 2002). Thus, the intention of the government to use the illegal and make them citizens is just to ensure that there are more people of Bumiputera Islam and be capable of determining the power in Sabah's politics. On the one hand, the illegal immigrants can easily be exploited by certain parties for their political use. But on the other hand, permitting the non-citizens to cast the vote may invite the consequences for the country. This is because we tolerate an important aspect of life in a nation to the outsiders. In addition, we are also unsure to what extent of the state of their allegiance to this country is? We try to avoid of what had happened that Nur Misuari has claimed the Sabah to be returned to the Sultanate of Sulu. This should be a lesson to us that it is worthless of being sympathetic to those who would end up as the Malay proverb 'like a dog biting its master's hand'. We have given a lot of assistance to them to continue living, but our kindness is simply disregarded. Instead, we are opposed. The same thing would turn out when we help other immigrants. Thus, we should stop the move to grant the citizenship to immigrants for the sake of political interests as they may badly affect the nation.

13) Each ship or ferry can accommodate over 1000 passengers.

14) YB Muis succeeded the former YB Dr. Patawari in Sebatek Island.

The participation of immigrants in the elections clearly shows a high degree of awareness among them than the locals. It is pretty true that they cast the vote for several reasons, among which, they get the money, get the papers, hoping all the assistance and recognition. But this awareness does not exist among the locals. Most of the locals have a low level of attentiveness of voting. Recognizing this in many places, immigrants were brought in as the voters, and this resulted in the increase in voting percentage. This may raise the question of why the awareness of the local community is low. Several factors may be suggested. Among other reasons, the indifference of the locals, they assume that voting is not something that is important and various other reasons. Indeed, this attitude is detrimental to them in the long-term.

Immigrant participation in the elections was also dangerous in terms of security. This is for the reason that an immigrant's background is unknown - they might be robbers, pirates or criminals. Why do we need to provide the protection to such groups as eventually we are not getting any benefits? Undeniably, it's them we use for the interest of a particular party but a group like this is very dangerous. The incidence of kidnapping by the Abu Sayaff on a group of tourists and Malaysian citizens should be a useful lesson to us. It is quite obvious barely after the kidnapping incident, and then the Government of Malaysia starts to take a firm action with the launch of Ops Nyah in 2001. As a result, more than 200,000 immigrants were deported from Sabah. The question is do we need another incident like the year 2000 for the government to launch another Ops on immigrants?

One reason why the immigrants cast the vote is because they see the importance of this matter to them. To participate in the voting, they expect that the candidate will fulfill their hope of getting a document. The document is something very important to their lives in this country. To have the documents make them can be accepted as local people. As locals or natives, they can get the privileges enjoyed by locals, such as the scholarships, to buy the land, getting the education, employment or service in the hospital for free. Thus, the immigrants will attempt to be a member of the ruling party in the hope that one day they will be able to ask for assistance for the documents. Therefore, it is not surprising if in the Kampung Air colonies, immigrants are found to establish a branch of the party and become an active party member. In this case we should reconsider about the assistance that has been given out to the immigrants over the years. The United States, for instance, estimated in 1995, has spent a total of USD29 billion on immigrants in terms of services such as health, education, and other public services expenditure (FAIR, 2008). The worst scenario is that, these expenses are financed with the tax money imposed on all Americans. The same is spent by the Government of Malaysia for the immigrants

though the amount of expenses is not as big as the United States. If the money is not spent to cover the expenses of immigrants such as the detention center or the deportation of immigrants, it can actually be spent for the development of the nation.

The use of immigrants as the phantom voters is an unethical action. The action is against the law and inappropriate. It would be more rigorous when the political party or parties in power to act as such. The question is why they act as such? Concerned about losing to the opposition may be one of the reasons that can be given because the area is a stronghold of the opposition. Therefore, to guarantee and ensure the victory for the ruling party, immigrants are used as the phantom voters. In most cases, immigrants would be given forged documents to vote. After they have casted the vote they will be rewarded usually between RM30–50. Sometimes they will be voting in several other places. Perhaps, this has led to the proposal of the Election Commission to use the paint on the nail has been canceled.

VI. Conclusion

The migration process is not a new phenomenon as it has occurred prior to the formation of the state system in the world. Recently, many countries have facing various immigrants problems (or conflicts) included illegal immigrants. The illegal immigrants have brought a problem of new type in politics, which gives cause of for serious concern of Malaysia between ethnic groups. This study dealt with the illegal immigrants and the election as new type problem in Sabah state. The study looked at the impact of immigrant participation in elections. The participation of immigrants in the elections clearly shows a high degree of awareness among them than the locals. It is pretty true that they cast the vote for several reasons, among which, they get the money, get the papers, hoping all the assistance and recognition. Immigrant participation in the elections was also dangerous in terms of security. This is for the reason that an immigrant's background is unknown – they might be robbers, pirates or criminals. On the other hand, one reason why the immigrants cast the vote is because they see the importance of this matter to them. To participate in the voting, they expect that the candidate will fulfill their hope of getting a document. The document is something very important to their lives in this country. To have the documents make them can be accepted as local people. The use of immigrants as the phantom voters is an unethical action. The action is against the law and inappropriate. It would be more rigorous when the political party or parties in power to act as such.

The election is a medium that only involves the people given the opportunity to choose their leaders to lead the government. But when it starts to involve the foreign nationals, the privileges that should be enjoyed by the citizens of a country have been seized. In this case, the state of Sabah is facing a serious problem which witnesses the participation of immigrants in the election. Therefore, actions should be taken to stop these malpractices.

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Illegal Immigrants and the Elections in Sabah, Malaysia

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Malaysia is famously a nation of immigrants in the world. Recently, immigrants are seen as a major problem in the state. Especially, many illegal immigrants have come to Malaysia and caused a problem in the state. As the debate over illegal immigration in Malaysia rages on, there have been calls to change many systems. The illegal immigrants have an enormous influence over the politics of Malaysia, and recent the political enlargement of immigrant group in general election have brought latent ethnic tension out into the open. The problem of illegal immigrants will not be understood without looking at the background and the political and religious rivalry between the major ethnic groups that dominates the state. Thus, embedded from this assumption, this article will look at how the political and religious competition among Muslim Bumiputera (MB) and Non-Muslim Bumiputera (NMB) in the state will eventually lead to the involvement of immigrants as claimed, especially by the losing parties in the elections. This study explores how immigrants would become one of the main subjects in the study of the elections in this state. The study also conducts how immigrants would participate and influence to general election. This study based on the interviews and observations in Tawau, Kunak, Lahad Datu and Sandakan of the field work during the election 2008 throughout the state and the Batu Sapi's by election.

Key words: illegal immigrants, election and participation, Sabah, Malaysia, Muslim Bumiputera(MB), ethnic conflict