

## WHEN BEING “NATIVE” IS NOT ENOUGH: CITIZENS AS FOREIGNERS IN MALAYSIA\*

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*Why do the natives of Sabah oppose the internal migration of natives from the rest of Malaysia? Why is being “native” not enough? The hostility is in direct contrast to what most scholars know about Malaysia: a multiethnic country with successful preferential policies for its natives—the “sons of the soil.” In a plural state like Malaysia, there are competing native claims on citizenship. Here, regional natives (Kadazandusun from Sabah) contest claims by federal natives (Malays). The conflicts over culture, economy, and political power fracture a national citizenship into its regional and federal parts, pitting native against native. In particular, regional natives empower the notion of a regional citizenship by supporting restrictions on the internal migration of fellow citizens. As a consequence, Malaysia’s goal of a “national” citizenry fashioned on native Malay norms is undermined. Malaysia offers important insight into the enduring dilemma of modern plural states: how to create a common national citizenship.*

**Key words:** Malaysia, nationalism, democracy – East Asia

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## Introduction: Citizenship in a Multiethnic Society

“[I]n a plural society the basic problem of political science . . . is the integration of society.”

J. S. Furnivall, 1944<sup>1</sup>

In 1999, I was standing in a queue at the immigration office in the Malaysian state of Sabah (East Malaysia) when I noticed Malaysian students from Peninsular Malaysia (West Malaysia) filling out immigration forms.<sup>2</sup> We were providing the same biographical details, such as our name, sex, age, address, race, and residential status, and were going through the same immigration procedures, yet I was an international visitor to Sabah and they were Malaysian citizens. The experience seemed counterintuitive to the common view of Malaysia as an integrated multiethnic union, and led me to reflect on the broader implications of migration in Malaysia, especially in regard to the rights of “outsiders.” Freedom of movement, according to the literature on plural democratic societies, is a fundamental right for all citizens, yet Sabah was treating citizens and foreigners on an equal footing when it came to internal movement within the country.<sup>3</sup> Why were West Malaysians excluded from this citizenship right in their own country? If democratic societies provide for the equal movement of all citizens regardless of race or ethnicity, why is Malaysia different? What can the Malaysian case tell us about the scope and limitations of citizenship in pluralistic societies, and the justification of specific regions to control migrations (both internal and external)?

At a time when most states facilitate domestic freedom of

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1. J. S. Furnivall, *Netherlands India: A Study of Plural Economy* (Cambridge, U.K.: At the University Press, 1944), p. 463.
  2. Kota Kinabalu, Sabah, Malaysia, 1999. West Malaysia (Peninsular Malaysia) is over 1,000 miles from Sabah, a regional state in East Malaysia, and is separated from it by the South China Sea. It takes about three hours to reach Sabah from West Malaysia by airplane.
  3. The right to free internal movement is restricted in some totalitarian and communist states such as Russia and China. Most democracies—liberal or illiberal—maintain this right to movement. See Myron Weiner, *Sons of the Soil: Migration and Ethnic Conflict in India* (New Delhi: Oxford University Press, 1978).

movement as a fundamental right, and large regional organizations such as the European Union call for the removal of internal barriers to mobility, Malaysia continues to restrict internal migration to Sabah (and Sarawak). These practices contradict conventional wisdom about immigration, which focuses overwhelmingly on the regulation of international migration.<sup>4</sup> Restricting the internal movement of citizens to a region within a country challenges traditional accounts of membership in which citizenship is thought of as a nationally unifying force, and reveals potentially dangerous fissures between federal authority and state rights. The contest between federal-state regulatory measures uncovers a regional citizenship doggedly regulating both internal and international migrants.

What we see in Sabah, Malaysia is the formation and perpetuation of a regional citizenship, founded on historical claims to territory and sovereignty, and the preservation of a native cultural identity. Immigration restrictions on fellow citizens from Peninsular Malaysia undermine the formation of a federally-defined national citizenship. Analyzing the competing visions of citizenship in Malaysia is essential to tracing the future trajectory of federations like Malaysia.

Opposition to international immigration is a rising global phenomenon. Natives resist international immigration because of its socio-cultural impact, burden on local economic resources, and challenge to their political dominance of the region.<sup>5</sup> Natives view the arrival of new immigrants as a demographic threat to their cultural, economic, and political rights.<sup>6</sup> As a result, states are inclined to segment the political community by erecting walls *around* citizenship.<sup>7</sup> In contrast, Malaysia has erected walls

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4. Rey Koslowski, *Migrants and Citizens: Demographic Change in the European State System* (Ithaca, N.Y.: Cornell University Press, 2000).

5. Natives are groups claiming ownership of land as original inhabitants of the territory. Natives often claim that the territory is critical to the production of their group identity.

6. Myron Weiner, *The Global Migration Crisis: Challenge to States and to Human Rights* (New York: Harper Collins College Publishers, 1995), pp. 131-49. For a critical view see Leo Chavez, *The Latino Threat: Constructing Immigrants, Citizens, and the Nation* (Stanford, Calif.: Stanford University Press, 2008).

7. Linda Bosniak, *The Citizen and the Alien: Dilemmas of Contemporary Member-*

between its citizenry—those eligible for unfettered entry into Sabah or Sarawak, and the rest. Malaysia is typical of a plural society, “comprising two or more elements or social orders which live side by side, yet without mingling, in one political unit.”<sup>8</sup> The formation of a regional citizenship in East Malaysia is in contrast to what most scholars know about Malaysia: a plural society with successful preferential policies for its natives—the “sons of the soil” or *bumiputeras*.<sup>9</sup>

Like other plural societies, Malaysia seeks to integrate diverse populations around the idea of a common citizenship. The nation always seeks a “deep horizontal comradeship” between its subjects.<sup>10</sup> Both developed states such as Belgium, Canada, and Spain and developing states such as India, Pakistan, and Indonesia have implemented constitutional and legal measures to integrate diverse populations.<sup>11</sup> This is especially the case for a regionally concentrated group possessing a distinct identity and claiming ownership of the region. In such a case, civil society raises regional citizenship claims in opposition to any universal, nationwide shared citizenship. This case study adds a new dimension to the literature on differentiated membership and citizenship rights inherent in a plural society.<sup>12</sup> Examining competing visions of citizenship between the center and a region reveals a neglected feature of the plural state—the regional opposition to internal migration.

Aggressive Malay domination of the state has fueled resentment and aggravated fears among non-Malay Muslim natives in

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*ship* (Princeton, N.J.: Princeton University Press, 2006).

8. Furnivall, *Netherlands India*, p. 446. Other examples of a plural society in the developing world include India, Pakistan, and Indonesia.

9. Bumiputeras are “sons of the soil” or natives of Malaysia. Importantly, Malays are native to Peninsular Malaysia while Kadazandusun and Murut (Sabah), and Iban (Sarawak) are native to East Malaysia.

10. Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1991), p. 7.

11. Julie Chernov, “Plural Society Revisited: Chinese-indigenous Relations in Southeast Asia,” *Nationalism and Ethnic Politics*, vol. 9, No. 2 (June, 2003), pp. 103-27.

12. Furnivall, *Netherlands India*; Peter H. Schuck and Rogers M. Smith, *Citizenship Without Consent: Illegal Aliens in the American Polity* (New Haven, Conn.: Yale University Press, 1985).

East Malaysia.<sup>13</sup> The overwhelming focus on Peninsular Malaysia and its bumiputera-immigrant divide hides a deeper fault line—between Malay (federal) and non-Malay (regional) bumiputeras. The persistent fear of a possible native-led secession in Sabah makes it imperative to understand the contours of a regional citizenship. Indeed, it is critical to Malaysia’s survival as a plural state.<sup>14</sup>

Is Malaysia unique? Are regional citizenships undermining the state-wide claims of federal citizenship in other plural states? Malaysia illustrates the challenges posed by hierarchies of citizenship and migration within plural states. Malaysia shows us that in regional states swamped by outsiders to the region, natives oppose both internal and international immigrants. Sindhis in Pakistan, Assamese in India, and Tibetans in China would all concur with Myron Weiner’s observation on India that

the nativist reaction in India is not to foreign migrants from another country, but to so-called “foreigners” from other cultures within the same political system . . . the Indian experience is more typical of what is found in many other developing countries where plural conceptions of nationality (or what may be precisely called “regional cultural identities”) are often emerging within a single political framework.<sup>15</sup>

Malaysia demonstrates how in plural developing countries the arrival of migrants from other regions of the country creates disputes over citizenship. Native communities in Tibet (China), Assam (India), Sindh (Pakistan), and Aceh (Indonesia) all claim ownership of their region on the basis of their early settlement—they came before others. These groups resist federal government attempts to create a nation-wide labor and resource market, thereby frustrating efforts at a shared nationhood or citizenship. Native regional groups feel threatened by “outsiders” from

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13. Calls for Ketuanan Melayu (Malay Supremacy) by Malay leaders further alienate non-Malay natives in Sabah. See Jeffrey Kitingan, *The Sabah Problem* (Kota Kinabalu: KDI Publications, 1997), pp. 24, 31-32.

14. In the 1990s, several individuals were accused of plotting the secession of Sabah from Malaysia. They were arrested under the draconian Internal Security Act. See Kitingan, *Sabah Problem*, p. 3. Also, see Johari Ismail, *Jeffrey Kitingan: The Champion of Sabah State Rights* (Kota Kinabalu: 3D Multimedia, June 1995), p. 29.

15. Weiner, *Sons of the Soil*, p. 269.

other cultural regions within the country who are eroding their culture, exploiting their natural resources, and competing with their political claim over the region.

This article begins by analyzing the features of a regional citizenship that obstructs the equalizing goals of a homogeneous federal citizenship. Regional safeguards and claims in a plural state reveal a regional citizenship confronting the goals of a federally-sponsored national citizenship. I analyze the *bumiputera* or “sons of the soil” constitutional politics of regional citizenship in Sabah. Malaysian federal authorities view constitutional guarantees to a regional identity as impediments to integration, to a common market, a common citizenship. The struggle between the federal authorities who seek to erode regional guarantees and regionalists who desire to safeguard their claims grounds this study. Second, I evaluate the evolution of a regional citizenship that is consistently reinforced by grievances over the preservation of native culture and exploitation of native resources. Third, I discuss the effort to protect regional citizenship by restricting internal migration. The fear of being overwhelmed by Malays from Peninsular Malaysia drives the political contestation between regional and federal claims on citizenship. Lastly, I assess the political implications of regional citizenship on Malaysian federalism, and argue that the manner in which federal states contend with regional conceptions of membership will determine the fate of their plural societies.

### **Regional Versus Federal Citizenship**

Who has the power to legislate, distribute, and protect rights in a region? Is it the federal or the regional authority that governs the territory? Embedded in any claim to regional citizenship is the conflicting desire between the federal and regional authority to be the guarantor of rights. On the other hand, how does the federal government contend with native claims to a preferred regional status based on historical “ownership” of regional “soil”—the territorial region of Sabah in East Malaysia? If federalism is thought of as overlapping circles of authority, between center and periphery, what happens when one circle resists the overlap and maintains regional difference?

### *What Is Regional Citizenship?*

Regional citizenship has two major components. First, the regional state has legal and constitutional powers on critical issues concerning the territory, such that in matters of governance, regional authority overrides federal authority.<sup>16</sup> For example, the regional body may determine eligibility for entry and membership status. This legalistic or thin conception of regional autonomy and citizenship focuses on the extent of the law-making and law-enforcing bodies in the regional state. Such legal capacity defines the framework of a regional citizenship. Second, we go beyond institutions of formal governance and examine whether the exercise of regional power translates into the attainment of civil, social, and economic rights.<sup>17</sup> This is a thick, substantive understanding of citizenship practiced at the regional level. Thus, both the formal and practical sinews of regional power define regional citizenship.

Regional citizenship in Sabah seeks constitutional protection for three historical issues critical to the survival and continuation of regional natives—the non-Malay Muslim Kadazandusun and Murut communities. First, the native’s culture—language, religion, or any combination of the group’s ethnic characteristics—are to be given priority over the culture of other groups. This involves legal and constitutional safeguards for the preservation of the native’s language, religion, and cultural practices. The protection of regional identity is a primary goal of regional citizenship. Second, native claim to “ownership” of all local natural resources and access to its utilization on a preferential basis must be maintained. Natives feel entitled to at least a major share of the revenue generated from regional natural resources since they “own them.”

The failure of the federal government to meet these two historical concerns triggers the inclusion of a third regional safeguard

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16. Vicki C. Jackson, “Citizenship and Federalism,” in Alexander T. Aleinikoff and Douglas Klusmeyer, eds., *Citizenship Today: Global Perspectives and Practices* (Washington, D.C.: Carnegie Endowment for International Peace, 2001), p. 133. I draw on Jackson’s excellent discussion about legal norms underpinning the relationship between federal and state authorities.

17. *Ibid.*

to the constitution—restricting the numbers of citizen “foreigners” who can migrate internally to Sabah. Control over migration, a crucial political demand, comes at a time when evidence from the national census indicates the demographic decline of Sabah’s major native groups. In 1960, Kadazandusuns and Muruts (regional bumiputeras) were dominant ethnic groups, forming 32 and 4.9 percent of the population respectively, while Muslim Malays (federal bumiputeras) comprised a miniscule 0.4 percent of the population.<sup>18</sup> By 2000, the Kadazandusun and Murut population had declined to alarmingly low levels of 18.1 and 3.2 percent respectively, while the Muslim Malay population had leaped to 12.4 percent.<sup>19</sup>

Fueling demographic concerns is the influx of Muslim immigration from the southern Philippines and Indonesia. These migrants can claim native Malay status due to ethnic/religious overlap. They speak a version of Bahasa Melayu or related linguistic dialects, are Muslims, and can often find extended kinship communities among the local Bugis, Javanese, Sulus, Bajaus, and others. Migrant laborers entering Sabah legally or illegally to work in palm oil plantations or construction eventually settle down permanently. Native non-Malay sentiment in Sabah is that this immigration is condoned by federal authorities since it demographically overwhelms non-Muslim native communities. By 2000, census categories such as the Bajaus (13 percent), indigenous (14.9 percent), and non-Malaysian citizens (23.5 percent) absorbed a substantial number of the Indonesian and Filipino Muslim immigrants.<sup>20</sup> The Kadazandusun and Murut bumiputera majority had eroded. Now more than ever, regional citizenship meant native control of demography to ensure numerical superiority, which in an electoral system translates into political sovereignty, and therefore control over regional governance and culture.

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18. The rest of the population consisted of the Bajau’s (13.1 percent), Indonesians (5.5 percent), Chinese (23 percent), and Other Indigenous (20 percent). See, Richard Leete, *Malaysia: From Kampung to Twin Towers* (Selangor Darul Ehsan: Oxford Fajar Sdn. Bhd., 2007), p. 62.

19. *Ibid.* The Bajau’s (13 percent), Chinese (10.1 percent), Other Indigenous (14.9 percent), and Non-Malaysian Citizens (23.5 percent) comprised the remaining population.

20. *Ibid.*

Constitutional protection for native communities (bumiputeras) was guaranteed to Malaya (Peninsular Malaysia) at independence from British colonial rule in 1957.<sup>21</sup> Recommendations from the Reid Commission, the Federation of Malaya Agreement, and the Working Party underpin the 1957 constitution of Malaya, which provides special protection for Malay natives (bumiputeras).<sup>22</sup> It was recommended that British North Borneo (later named Sabah) and Sarawak also join the Federation of Malaya. In 1962, the Legislative Council of North Borneo approved the formation of the Federation of Malaysia comprising Malaya, Singapore, Sabah, and Sarawak. The Cobbold Commission proposed constitutional arrangements to expedite such a process.<sup>23</sup> Entrance into the federation was contingent on native approval from Sabah. Five political parties united to form the Sabah Alliance and submitted a manifesto called the “Twenty Points” demanding safeguards for native groups on joining the Federation.<sup>24</sup> These preconditions concerning the special status and autonomy of native religion, immigration, education, and citizenship were analogous to the special Malay rights in the federation of Malaya. All Sabah asked was that its indigenous population enjoy similar rights.<sup>25</sup>

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21. During constitutional deliberations on Malaya, all three major ethnic groups were represented—Malays through the United Malays National Organization (UMNO), the Chinese through the Malaysian Chinese Association (MCA), and the Indians through the Malaysian Indian Congress (MIC).

22. Andrew Harding, *Law, Government and the Constitution in Malaysia* (Kuala Lumpur: Malayan Law Journal Sdn Bhd, 1996), pp. 21-56.

23. Nicholas Fung Ngit Chung, “The Constitutional Position of Sabah,” in F. A. Trindade and H. P. Lee, eds., *The Constitution of Malaysia: Further Perspectives and Developments* (Petaling Jaya, Malaysia: Penderbit Rajar Bakti Snd. Bhd., 1986), pp. 92-113.

24. *Ibid.*, p. 94.

25. Harding, *Law, Government and the Constitution in Malaysia*, pp. 40. The Inter-Governmental Committee responsible for the emerging constitutional arrangements of the Federation added amendments and transitional provisions to the preexisting constitution of 1957, rather than construct an entirely new constitution in 1963. The 1963 Federal Constitution of Malaysia extended to Sabah via amendments and articles the special native privileges of the 1957 Constitution of Malaya.

*Preferential Status*

At Malaysia's inception a bargain was made giving native Malays (and the indigenous communities of Sabah and Sarawak) preferential status and power in exchange for citizenship of the non-Malay immigrants.<sup>26</sup> The need to provide a common citizenship scheme was diluted by the desire of native communities to maintain a hierarchy. For example, at the time of independence in 1957, *jus soli* citizenship was adopted through the recommendation "that all those born in the Federation on or after Merdeka Day (13 August 1957) should be citizens by operation of law." A horizontal citizenship meant to recognize equality for all those born in the state. Yet, Article 159 of the constitution speaks of the responsibility of the state "to safeguard the special position of the Malays and the *natives of the states of Sabah and Sarawak*"—the bumiputeras. In practice, Article 159 has been used to promote the "special rights" of Malays—a vertical citizenship that establishes Malay dominance.

The fundamental dichotomy in Malaysian citizenship and nationhood is between bumiputera (natives) and non-bumiputera (immigrants). This is the consociational bargain struck at the formation of the Malaysian state. The "affirmative action" policies of the state vis-à-vis indigenous Malays, Kadazandusuns, and Muruts is justified in terms of birth rights, historical underdevelopment, and bumiputera practices. Malays, as well as natives of Sabah, are eligible for preferences in educational institutions, renting and buying property, public-sector jobs, governmental employment, and state contracts (licenses or loans for business). Articles 153 and 161a of the Federal Constitution enshrine affirmative action policies for all bumiputeras (Malays and natives of Sabah and Sarawak), thus separating and upgrading them from non-bumiputera immigrant groups (Chinese, Indians and other non-natives). Bumiputeras are at the top of a vertical citizenship, followed by non-bumiputera immigrants (Indians and Chinese) below them.

However, through subsequent legislation and constitutional amendments (e.g., a 1971 constitutional amendment), the Malaysian state has developed a *Malayised* or ethnicized concep-

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26. The bargain also included economic primacy for the Chinese.

tion of citizenship at the federal level. Such affirmative state practices put Malays at the top of the preferential hierarchy.<sup>27</sup> In one hierarchy, natives are placed above immigrant communities, while in the other, hierarchy exists between the natives with Malays above the rest. Structuring federal citizenship in Malaysia is a dominant Malay Muslim cultural identity. The systematic attempt by the federal government to augment the three pillars of Malayness as national identity—*bahasa* (Malay language), *agama* (Islam), and *raja* (Sultan)—strengthened Malay claims to national citizenship. On the other hand, the increasing tendency to couple national citizenship with Malay Muslim culture produces contradictions for a multicultural pluralist state such as Malaysia that harbors strong non-Muslim regional and cultural identities.

A Malayized conception of citizenship threatens non-Muslim bumiputera groups in the regional states of East Malaysia—the Dayaks in Sarawak and the Kadazandusuns in Sabah. Since the Kadazandusuns and other native groups are bumiputera (sons of the soil) in their respective regional states, they are the beneficiaries of affirmative-action policies in those states as well as in the rest of the federation. Part V, Article 41 of the Constitution of the State of Sabah deals with provisions for safeguarding the position of those natives in Sabah. Clause 10 of Article 41 defines a native of Sabah as

a person who is a citizen, is the child or grandchild of a person indigenous to the State, and was born (whether on or after Malaysia day or not) either in the State [i.e., Sabah] or to a father domiciled in the State [i.e., Sabah] at the time of the birth.<sup>28</sup>

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27. These practices stand in sharp contrast to the affirmative action policies in the United States where benefits have accrued to minorities such as African-Americans and others on grounds of historic and existing discrimination. In the United States, such practices were a mechanism for producing a level playing field and rectifying under-representation for these oppressed groups. In Malaysia, it is the ruling majority ethnic group, the Malays, that benefits from affirmative-action policies on grounds similar to the American case (i.e., past discrimination and under-representation).

28. Government of Sabah, *Constitution of the State of Sabah* (Sabah: Dicitak Di Jabatan Cetak Kerajaan, 1996), p. 57.

“Indigenous,” here, refers to the Kadazandusuns, Muruts, Bajaus, Suluks, Orang Sungais, and other “native” groups of Sabah. This would exclude all groups that came after the formation of Malaysia such as the Chinese, Indians, Malays from Peninsular Malaysia, and immigrants from the Philippines and Indonesia. A regionally defined polity of natives excludes Peninsular Malays from its narrow boundaries.

Recall that Sabah (Borneo) joined Malaysia under special conditions outlined in the “Twenty Points.”<sup>29</sup> They included safeguards for the state over matters relating to religion, immigration, the special position of the natives (bumiputeras), language, education, and fiscal arrangements.<sup>30</sup> However, even though Kadazandusuns and other natives of Sabah were to be given preferential treatment (in the “Twenty Points”), *in practice* the citizenship rights of these groups were eroding. A dominant Malay Muslim culture from West Malaysia was being imposed on East Malaysia in an effort to create a shared Malaysia-wide “Malay will.” A *Malayised* citizenship undermines the 1963 “social contract” on an equal horizontal citizenship shared between natives of West Malaysia (the Malays) and natives of East Malaysia (Kadazandusun)—the bumiputera nation. No wonder Kadazandusun leaders and intellectuals often complain about the undermining of their rights by the growth of cultural “Malayization” and Muslim migration (from West Malaysia and the neighboring states of the Philippines and Indonesia).<sup>31</sup>

Henryus Amin, a prominent legislator and spokesman of the native Parti Bersatu Sabah (PBS),<sup>32</sup> asserted that “since we have been here longer than anyone else,” his people are the orig-

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29. R. S. Milne and K. Ratnam, *Malaysia—New States in a New Nation: Political Development of Sarawak and Sabah in Malaysia* (London: Frank Cass, 1974).

30. Government of Sabah, *Malaysia: Report of the Inter-Governmental Committee, 1962* (Sabah: The Government Printing Department, reprint, 1962).

31. Interview with Maximus Ongkilli, vice president, PBS, July 9, 1999. Currently, he is a minister in the federal government. Also, conversations with various Kadazandusun leaders including Herman Luping (a former attorney general of the state) and Joseph Pairin Kitingan (a former chief minister and supreme spiritual leader of the Kadazandusun). Other interviewees chose to remain anonymous.

32. PBS is the main regional “sons of the soil” political party. It draws overwhelming support from native Kadazandusun and Murut communities.

inal inhabitants of the state.<sup>33</sup> This statement implies that Sabah "belongs" to Kadazandusuns before anyone else. Kadazandusun leaders from PBS were quick to point out that the "we" included other natives, as well as indigenous Muslim ethnic groups such as the Orang Sungais, Bajaus, and Suluks. PBS, which draws overwhelming support from the non-Muslim natives, tends to call for an equitable and "sincere" implementation of Sabah's special preference policies for all Sabah bumiputeras.

### *The Politics of Sabah Representation*

Even as the natives of Sabah assert their regional citizenship by maintaining historical safeguards, they are dependant on federal authorities and its leadership to ensure such rights. Strains between federal coalitions and regional political outfits can often undermine federalism.<sup>34</sup> Since political parties in Malaysia are often based on ethnic and regional lines, the national coalition Barisan Nasional (BN) provides a vital institutional space where regional interests are advocated and negotiated with the federal authorities. PBS membership in the ruling BN coalition is one way of defending Sabah's interests. However, political contestation in a federal coalition can both diminish and exacerbate regional-federal tensions—mere political participation is not enough.

For example, two rupture points mark the relationship between the federal BN coalition and regional parties in Sabah. The first was in 1975, when strains between regional parties and the ruling BN led Prime Minister Tun Abdul Razak to create a new multiracial regional political entity, Berjaya, which was the first multiracial party established in Sabah since 1963.<sup>35</sup> However, divisions within Berjaya led to its dissolution—thus compromising federal-state relations. The second was in 1990, when PBS (which emerged out of the Berjaya conflict) withdrew from the

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33. Interview, June 13, 1999. Henrynus Amin is a prominent legislator of the native Parti Bersatu Sabah (PBS).

34. For example, federal-state relations have deteriorated into violence and insurgencies in parts of Northeast India and Northwest Pakistan.

35. James P. Onkili, "Political Development in Sabah, 1963-1988," in Jeffrey G. Kitingan and Maximus J. Ongkili, eds., *Sabah: 25 Years Later* (Kota Kinabalu, Sabah: Institute for Development Studies, 1989), pp. 72-74.

BN coalition. Prime Minister Mahathir deployed the draconian Internal Security Act (ISA) against prominent regional leaders of Sabah, accusing them of secession. Lack of trust and acrimony marked both the PBS withdrawal from the ruling coalition and the deployment of the ISA against PBS leaders.

Given the federal distrust of PBS leadership, the United Malays National Organization (UMNO)—the dominant Muslim-Malay party in Peninsular Malaysia—entered Sabah politics to contest the claims of PBS to represent all Sabahans.<sup>36</sup> UMNO became a strong political force in Sabah, largely representing the Muslim-Malay interests while de facto reducing PBS to its core constituents—the Kadazandusun and Muruts. Regionalist groups such as PBS were marginalized, seemingly promoting narrow non-Muslim indigenous interests while viewing UMNO as an extension of Malay-Muslim interests backed by the federal government. Despite being part of the federal BN coalition, tensions mark the relationship between the PBS and UMNO, as each seeks to promote contending conceptions of citizenship. Political engagement in a federal coalition can further exacerbate cultural and economic grievances in a federation.

### Cultural and Economic Grievances

Furnival asserted that “in a plural society there is no common will.”<sup>37</sup> Indeed, we can observe conflicts between the *Malayised* center’s conception of citizenship and a de facto shadow regional vision based on Kadazandusun and Murut (non-Muslim Malay) norms. In Malaysia, two separate regulatory agents and institutional players (i.e., federal and regional authorities) are competing for control over culture and natural resources.

Religion is central to this power struggle. At the formation of Malaysia in 1963, Kadazandusuns were the majority ethnic group

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36. Uesugi Tomiyuki, “Migration and Ethnic Categorisation at International Frontier: A Case of Sabah East Malaysia,” in Abe Ken-ichi and Ishii Masako, eds., *Population Movement in Southeast Asia: Changing Identities and Strategies for Survival* (Osaka: Japan Center for Area Studies, 2000), p. 52.

37. Furnivall, *Netherlands India*, p. 447.

in Sabah. Since many Kadazandusuns and Muruts are animists or Christian, they were given constitutional guarantees in the Report of the Inter-Governmental Committee (Chapter III, Section 15 [I]), which allowed Islam to be a religion of the state even as other religions would be practiced in peace (Article 5a). It was hoped that any active propagation of Islam would be regulated by the Legislative Assembly and the Yang di Pertua Negeri (Head of the State) of Sabah. However, these guarantees were abrogated with the constitutional amendment of 1976. Spirited policy interventions by Malay political outfits such as the UMNO and the United Sabah National Organization (USNO) amplified the role of Islam in Sabah. Active conversion of Kadazandusun, Murut, and other communities to Islam (*masuk Melayu*),<sup>38</sup> deportation of Christian missionaries (by cancelling or not renewing their work or residential permits), and the encouragement of Muslim illegal immigrants from the southern Philippines and Indonesia put non-Muslim natives on a path of conflict with the Islamic goals of federal citizenship.<sup>39</sup> The “social contract” between Muslim and non-Muslim bumiputeras was breaking down. The Malaysian state sought a common will based on Malay-Muslim norms native to Peninsular Malaysia. It is no surprise, then, that the extension of Malay-Muslim religious norms is resisted by historical non-Muslim regional communities in Sabah.

The tension between bumiputeras is also reinforced by the cultural claims on language. Bahasa Malaysia, the language of the Muslim Malays of West Malaysia, was accepted as a national language when Sabah and Sarawak (East Malaysia) joined the federation of Malaysia in 1963. Yet Sabah was allowed the use of English for a ten-year period in both houses of the federal parliament, the state legislative assembly, judicial courts in Borneo, and other official locales. English was a protective constitutional safeguard to a Kadazan- and Murut-speaking native population against the encroaching influence of the lesser known Bahasa

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38. *Masuk Melayu* or “entering Malayness” is to convert to Islam. In this case non-Muslim natives convert to Malay native status through conversion to Islam. The “born again” Muslims are called *saudara baru*.

39. Interview with Herman Luping, June 16, 1999. See Herman Luping, *Sabah’s Dilemma: the Political History of Sabah: 1960-1994* (Kuala Lumpur: Magnus Books, 1994).

Malaysia. However, the federal push to bind the state of Malaysia with a common national language was too strong. From 1969, many state and quasi-state agencies began the transition from English to Bahasa Malaysia.<sup>40</sup> Through a language bill in the state Assembly in 1971 and a constitutional amendment in 1973, Bahasa Malaysia became the undisputed language of Sabah, in conformity with West Malaysia. Radio broadcasts in regional native languages such as Kadazan, Murut, Bajau were stopped in 1974, as federal funding for the instruction of Bahasa Malaysia soared.<sup>41</sup> Today, Article 11a of Sabah's constitution heralds the supremacy of Bahasa Malaysia as "the official language of the State Cabinet and the Legislative Assembly."<sup>42</sup> For the regional non-Muslim Kadazandusun and Murut communities another major safeguard to their culture had fallen within ten years of joining the federation of Malaysia.

Evidently, attempts by the center to override regional cultural identities in the periphery have deepened the fault line between federal and regional nations-of-intent.<sup>43</sup> National citizenship based on Malay *bumiputera* cultural norms, such as Islam and Bahasa Malaysia, confronted the cultural demands of regional citizenship by non-Malay bumiputeras (Kadazandusuns and Muruts). Ironically, as the source of abiding tension in plural Malaysia, the focus has primarily been on the discord between bumiputeras and non-bumiputeras, ignoring the competing visions within bumiputera. Regional nations-of-intent such as non-Muslim Kadazandusuns and Muruts have struggled to preserve their distinct regional identities through the cultural and constitutional autonomy offered by a *de jure* regional citizenship.<sup>44</sup> In this view, regional citizenship is not a challenge to a more unifying common citizenship; it is an expression of an ethnic and linguistic identity.

In Malaysia, the effort to integrate, to create a common will, a common labor and resource market, and a common "social

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40. Luping, *Sabah's Dilemma*, p. 528; Kitingan, *Sabah Problem*, pp. 6-7.

41. *Ibid.*, p. 528.

42. *Constitution of the State of Sabah*, p. 18.

43. A. B. Shamsul, "Nations-of-Intent in Malaysia," in Stein Tonnesson and Hans Antlov, eds., *Asian Forms of the Nation* (Surrey, U.K.: Nordic Institute of Asian Studies, 1996).

44. *Ibid.*

demand”<sup>45</sup> is in direct conflict with the desire to protect the culture, land, and resource rights of a major regional ethnic group—the Kadazandusuns. The fact that Kadazandusuns (and Muruts along with other non-Malay natives) are geographically concentrated in Sabah further strengthens their claim of regional ownership and autonomy. Physical resources are central to this claim. Why? First, indigenous groups such as Kadazandusuns link their identity to the physical topography of Sabah: Their cultural and spiritual practices (birth, burial, marriage, naming rituals, religious beliefs) are intimately linked to the topography. Second, since they claim to have been in Sabah before any other group, it is their “homeland”—unlike other groups such as the Chinese, Indians, and Malays that have migrated from elsewhere. This regional claim is historically recognized in the negotiated settlement that brought Sabah into the federation with Peninsular states.

Control over the revenue flows and physical resources was a major feature of the “Twenty Points” and the 1963 Inter Governmental Report. Since Sabah and Sarawak obtained special economic provisions in the constitution due to their low economic development, legally they “have considerable advantages over the other States in terms of grants, revenues and borrowing powers.”<sup>46</sup> Articles 109 to 112 D of the federal constitution define the financial relationship between Sabah and the central government of Malaysia.<sup>47</sup> However, these constitutional protections fail to deliver economic development. Sabah had modest annual growth (GDP) rates of about 4.5 percent on average between 1991 and 2005; the national average was roughly 6 percent for the same period.<sup>48</sup> Importantly, the state of Sabah has the highest poverty

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45. Furnivall, *Netherlands India*, p. 449.

46. Harding, *Law, Government and the Constitution of Malaysia*, p. 175. Sabah and Sarawak have eight other revenue sources not available to other states. Significantly, given their natural resources, these include import and excise duty on petroleum products, and export duty on timber, forest produce, and minerals—provided the net royalty and export duty do not exceed 10 percent of their value (inclusive of fees and dues arising from local ports and harbors). *Ibid.*, p. 179.

47. Percetakan Nasional Malaysia, *Federal Constitution* (Kuala Lumpur: Percetakan Nasional Malaysia Berhad, 1997).

48. Lette, *Malaysia: From Kampung to Twin Towers*, p. 145.

rate in Malaysia—about 23 percent in 2004, compared with the national average of 5.7 percent.<sup>49</sup> Extreme poverty marks the indigenous bumiputera communities from Sabah (and Sarawak), further fueling regional anger towards the center.<sup>50</sup>

Native resentment against West Malaysia also occurs due to the erosion of regional economic rights. Kadazandusuns assert their ownership of the natural resources of Sabah by claiming a decision-making role in the exploitation of its resources, such as oil, timber, and rubber, and the profits that accrue from such activity. The natives claim that the revenue generated from Sabah belongs to its people. Both Sabah and Sarawak are major producers of timber, petroleum, and gas, but in each case federal authorities are accused of having appropriated these regional resources without due benefits to the regions. While all states are subject to government appropriation and federal intervention, the continued underdevelopment and poverty of native bumiputeras of Sabah is of particular concern. From this arises a regional native belief that a higher percentage of royalties from natural resources should go directly to the state, for the funding of state-based social and economic programs directed at native communities.

Sabah receives only a 5 percent royalty on the gross value of the petroleum produced, while the federal government benefits from petroleum dividends and income tax in addition to a 5 percent share in the royalty. According to the Petroleum Development Act (PDA) of 1974, the control and development of petroleum resources are allocated to the federally owned company PETRONAS.<sup>51</sup> PETRONAS contracts out the exploration and production of petroleum to other companies, such as Shell Limited. *Figure 1* shows the distribution of royalties according to the PDA.

The overall result is that the federal government receives more revenue from Sabah's petroleum than does Sabah. On the other hand, natives would like a greater share of the royalty as revenues generated are critical to Sabah's ability to catch up with other states in the federation. Consequently, natives of

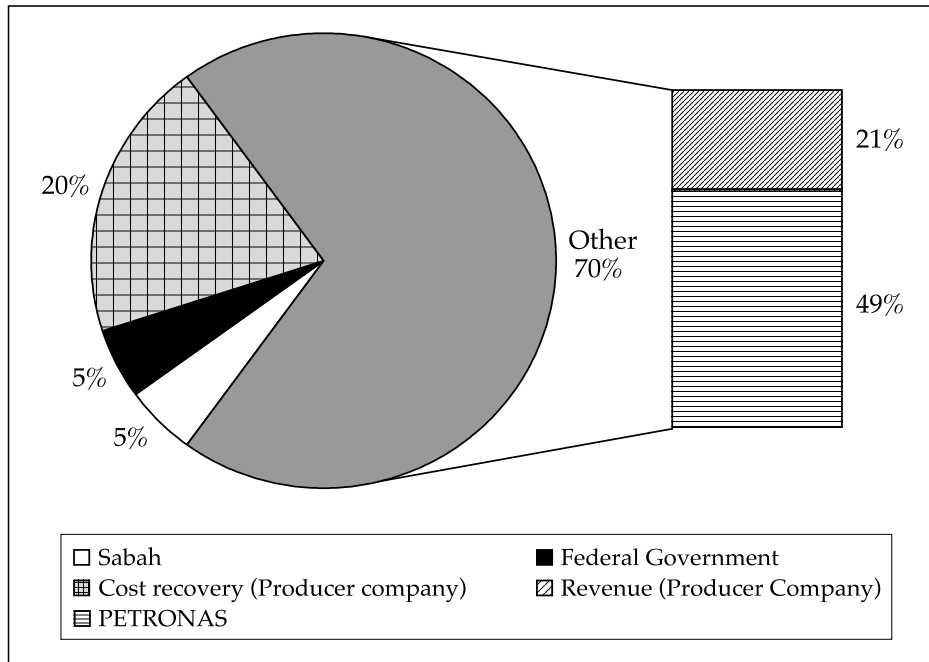
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49. *Ibid.*, p. 147.

50. *Ibid.*, p. 175.

51. W. C. Hui, *Sabah and Sarawak in the Malaysian Economy* (Kuala Lumpur: INSAN, 1995), p. 24.

Figure 1. Distribution of Royalties on the Gross Value of Petroleum



Source: Wee Chong Hui, *Sabah and Sarawak in the Malaysian Economy*, p. 25.

Sabah nurse economic grievances against the federal authorities on account of “their” state being unfairly treated. Economic disenfranchisement is a common native grievance. Even as natives they feel inferior to the Malays—the preferred natives.<sup>52</sup>

### Political Control: Citizens as Foreigners

#### *Restricting Immigration*

As the “nation building” project of a *Malay* Malaysia sought to impose national uniformity through its institutions, it made regional ethnic groups even more resistant to “outsiders.” Yet, who is an “immigrant” or “outsider” may be answered differently by the federal and the regional state. In a plural society, a

52. For an interesting discussion of second-class citizenship, see Linda Bosniak, *The Citizen and the Alien*, pp. 87-89.

moral and political distinction is made among citizens if one community is given preference over another.<sup>53</sup> Such distinctions produce strains within an overall multiethnic framework. In a dual-level federal and regional government arrangement, there may be a universalistic “all ethnic groups can play” position at the central level, but there is a particularistic politics that comes into force at the point of contact between internal migrants and a regional state, i.e., West Malaysian Indians, Chinese, and Malays entering Sabah. Kadazandusuns treat migrants from West Malaysia, who are fellow “natives” of Malaysia, as they might treat citizens of another nation-state.

Politically restricting “outsiders”—both citizen-foreigners and immigrants—requires regulating sovereignty in two ways: as a political community and as a territory. Gatekeepers protect the political community by restricting access to the “status” of a Sabahan, especially the rights, privileges, and protections that follow with such native status. Guarding the territory involves patrolling the international and domestic border and restricting internal and international migrants. Regionally located federal government immigration officers regulate both internal and international migration to the regional state of Sabah. Such conditions were mandated by the guarantees given to the region at independence. At the same time, by law, all citizens, regardless of their regional affiliation, were considered Malaysian citizens by the federal government. So while most immigration restrictions target foreigners, Sabah is also targeting fellow citizens.

The right to control immigration (both internal and international) was one of the crucial safeguards given to Sabah as a result of the “Twenty Points” agreement. This condition was visualized as a check against marginalization of the natives by preventing better-educated and trained West Malaysians from swamping the most sought after jobs and positions in Sabah. The expectation was that at independence “Borneonization” of the bureaucracy would ensure that British personnel would be replaced by native Sabahans,<sup>54</sup> but this did not happen. By 1989,

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53. Weiner, *The Global Migration Crisis*, p. 182.

54. Borneonization is another term for “indigenization.” The term comes from the island of Borneo which is divided into the Malaysian part (Sabah and Sarawak) and an Indonesian part (Kalimantan).

85 percent of the sixty-four central agencies were headed by West Malaysians.<sup>55</sup> Out of 46,780 civil servants employed by the central departments in Sabah, 23,606 were designated as central government staff, of whom 23,000 were West Malaysian officers.<sup>56</sup> According to another study by an opposition legislator in 1989, out of the eighty-nine federal departments and agencies in Sabah, only nineteen were headed by locals; the rest were headed by migrants from West Malaysia.<sup>57</sup> Until recently, the head of the University of Malaysia, Sabah (the national University located in Sabah), the dean of different faculties, and many senior professors were all academics from West Malaysian institutions. It is such "over-representation" of West Malaysians in official positions that immigration controls were expected to prevent.

The constitutional position on immigration is complex. Article 9 provides for freedom of movement within the Federation of Malaysia. Immigration (both internal and international) is in the Central List. At the same time, Sabah and Sarawak were constitutionally entitled to control immigration through the addition of clause 3 to Article 9 and by Article 161E to the Federal Constitution.<sup>58</sup> Article 9(3) of the federal constitution says:<sup>59</sup>

So long as under this Constitution any other State is in a special position as compared with the States of Malaya, Parliament may by law impose restrictions, as between that State and other States, on the rights conferred by Clause (2) in respect of movement and residence.

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55. Jeffrey Kitingan and G. William, "Development of Administrative System in Sabah, 1963-1988," in Jeffrey Kitingan and Maximus Ongkili, eds., *Sabah 25 Years Later: 1963-1988* (Sabah: Institute for Development Studies, 1989), p. 190.

56. From a statement issued by the Public Services Department, Sabah quoted in Kitingan and Ongkili (1989).

57. Kitingan, *Sabah Problem*, p. 17. The author's research is credible since he was part of the ruling party in Sabah at the time. I would like to thank him for sharing his thoughts with me as well as providing me with some of his monographs and papers.

58. Mohammed Salleh bin Abas, *Selected Articles & Speeches on Constitution, Law & Judiciary* (Kuala Lumpur: Malaysian Law Publishers, 1984), pp. 3-5. Mohammed Salleh bin Abas is the former lord president of the federal court and also a former solicitor general of Malaysia.

59. Percetakan Nasional Malaysia, *Federal Constitution*, p. 20.

Therefore, under Article 9(3), the central parliament is empowered to make laws restricting the entry of persons into Sabah and Sarawak. When passed by the parliament, Article 161E makes the Immigration Act an integral part of the constitution under clause (4).<sup>60</sup> No amendment or repeal is possible without the state of Sabah's concurring by a two-thirds majority. This was meant to prevent constitutional challenges being brought against Sabah when it exercised its special immigration powers to control entry of both international migrants and migrants from West Malaysia.

The central parliament passed the Immigration Act No. 27/1963, which in effect divided federal citizens from the rest of Malaysia into two categories: citizens who can enter Sabah, and citizens who cannot enter.<sup>61</sup> The first category includes persons belonging to Sabah: officials of the government, members of the executive council or legislative assembly of Sabah, judges of the federal court or high court in Borneo, and officials of Sabah or the federation public services.<sup>62</sup> However, the federal government has some overriding powers. In the name of the "national interest" it can permit or prohibit any person from entering Sabah (Section 9[3]). Ordinary citizens of Malaysia, (i.e., those not "native" to Sabah) are required to obtain a pass or permit to enter. As a result of these provisions, persons from mainland Malaysia (West Malaysia) wishing to travel to Sabah have the status of a "foreigner." As the former lord president of the federal court opined: "The distinction between *citizens who are citizens* and therefore entitled to enter these two states [i.e. Sabah and Sarawak], and *citizens who are foreigners* and therefore have no right of entry would make assimilation . . . a difficult process."<sup>63</sup>

### *Duality in Citizenship*

Thus, regional conceptions of nationhood, combined with

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60. Salleh bin Abas, *Selected Articles & Speeches*, pp. 3-5.

61. *Ibid.*

62. Legal Research Board (Kuala Lumpur), *Immigration Act, 1959/63 Part VII* (Kuala Lumpur, Legal Research Board: International Law Book Services, 1997), pp. 41-48.

63. Salleh bin Abas, *Selected Articles & Speeches*.

the institutionalization of separate immigration controls for Sabah, create a duality in citizenship: one at the "federal" level and the other at the regional level. By creating rights and obligations at the regional state level, a de facto shadow citizenship exists at the regional level. In essence, duality marks citizenship in plural societies.

If people from the rest of Malaysia are treated as "foreigners" in Sabah, how are Sabahans received in West Malaysia? There is nothing that prohibits the *citizens* of Sabah and Sarawak from entering West Malaysia (mainland Malaysia). Their freedom of movement is guaranteed by Article 9 of the constitution. Since over a thousand miles separate Sabah from West Malaysia, air travel is the only connection between the two parts. With expensive airfares between eastern and western Malaysia,<sup>64</sup> movement between the two parts is mainly confined to governmental or business trips. PBS has repeatedly called on the federal government to reduce air fares between Sabah and Peninsular Malaysia since high air fares hinder "national integration."<sup>65</sup> Most people in Sabah have had no experience of visiting Peninsular Malaysia, and those who have complain of being treated as "foreigners."<sup>66</sup> This exacerbates the difference between the two parts of Malaysia. According to a 1997 migration report, 15,979 people left Sabah for other regional states in Malaysia, with most frequenting Kedah (3,298 migrants) and Selangor (2,880 migrants) in West Malaysia.<sup>67</sup> Many Sabahans are small traders, electricians, mechanics, guards, and factory and restaurant workers. However, since Sabahans do not have to clear immigration procedures on reaching West Malaysia, these figures may be underreported.

In the same year, 9,523 other Malaysians entered Sabah. Most of these individuals are likely to be senior civil servants, armed forces personnel, technocrats, and professionals such as

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64. "Ministry Reviewing Air Fares to Sabah," *New Straits Times* (Kuala Lumpur), March 12, 1999.

65. "Reduce KK-KL fare for national integration," Press Release, Parti Bersatu Sabah, Kuala Lumpur, July 26, 2001.

66. Interview with Henrynus Amin, June 13, 1999. The same feeling was shared by other Sabahans, more acutely amongst the Kadazandusuns and the Muruts.

67. Migration Survey Report, Department of Statistics (Malaysia), July 1998, pp. 21-22.

doctors, lawyers, and businessmen. It is a common sight at the immigration office in Sabah to see foreigners and Malaysian citizens waiting in line to extend or acquire passes and permits to visit a state within the same nation! Even for domestic travel, West Malaysians, like foreigners, have to submit two forms, provide their personal details (such as name and residence), and submit photographs to get an internal travel document. For reentry, West Malaysians need reentry permits. For employment they need work passes. In order to work in Sabah, *both Malaysians from the mainland and international migrants* need to acquire work permits and identity cards from the immigration department in Sabah. Both foreigners and West Malaysians have to go through immigration procedures regardless of how they crossed the border. Anyone who fails to do so can face a jail term of as much as five years and a fine. Natives in Sabah continue to support restrictions on the movement of internal (Malays and others from the rest of Malaysia) and international migrants in the hope of safeguarding their sociopolitical and economic position in the state. So, inside or outside, demography is destiny.

The economic and cultural concerns of Sabah, which circumscribe free movement within Malaysia, reflect how pluralism itself limits democracy for the sake of regional preservation. Malaysia's migration reality suggests that national unity is contingent on the acceptance of multiple autonomous identities.

## Conclusion

Since the formation of Malaysia in 1963, a unified bumiputera category has ensured the rising hegemony of Malays. Yet, visions of a nation embracing an unquestioned bumiputera citizenship are premature. Today, bumiputeras resent bumiputeras, highlighting the differentiated, hierarchical, and contested conceptions of bumiputera. Grievances color the conflict between Sabah's "sons of the soil" led by the Kadazundusuns and Muruts and the West Malaysian "sons of the soil" represented by the Malays. Both lay claim to their respective areas on the basis of their "indigenous" roots. However, the natives of Sabah seem to be losing both cultural and political control over their territory to a powerful federal state now controlled by the Malays. Many

prominent Kadazandusuns in Sabah believed that Malays were being treated as *first-class* bumiputeras and Kadazandusuns as second class.<sup>68</sup> Other Sabah Kadazandusuns spoke of Malays as *first-class citizens*, the Kadazandusun and other natives who had converted to Islam as *second-class citizens*, and the rest—the non-Muslim Kadazandusuns, the Muruts, the Chinese, the Indians, and other—as *third-class citizens*. This hierarchical citizenship was based on lived experience of discrimination and a perception that rights that were due to them were not implemented by the government. Will the bipolarity<sup>69</sup> of competing visions of citizenship—a federal Malay and a regional non-Malay—tear apart the native consensus in the Malaysian federation?

Federal citizenship is contesting regional citizenship in an effort to create a common Malaysia-wide national will. Aggressively eroding the regional rights of non-Malay natives, such as Kadazandusun in Sabah, the federal authorities expect the bumiputera bargain at the formation of Malaysia to hold. To the Malaysian state, only a substantial assimilation of Kadazandusuns and other non-Malay natives in Sabah will ensure the success of a horizontal citizenship. This will transform Malaysia from a federal to a centralized state.<sup>70</sup>

Kadazandusuns as a "nation-of-intent" are struggling to escape the political dominance of the Malays by combining their top-down constitutional-legal entitlements with a bottom-up assertion of their ethnic identity.<sup>71</sup> Ironically, their assertion of "native" status in Sabah brings them in opposition to national, Malay-based conceptions of "native." Native versus native; *bumiputera* versus *bumiputera*. Do these claims at the regional-level trump national conceptions of bumiputera? If regional claims are given priority, then Malaysia will have to move from a thin conception of native citizenship in the form of legal entitlements to a "thick" conception whereby these entitlements are actually practiced with regard to the natives of Sabah—a *bumiputerahood*-

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68. Based on my conversations and interviews with various Kadazandusuns in the state during 1999.

69. R. S. Milne, *Politics in Ethnically Bipolar States: Guyana, Malaysia, Fiji* (Vancouver: University of British Columbia Press, 1981), pp. 7-10.

70. Fung Ngit Chung, "The Constitutional Position of Sabah," p. 102.

71. A. B. Shamsul, "Nations-of-Intent in Malaysia."

*in-practice.*

The tension between a regional citizenship and a federal citizenship can only be resolved once Malaysia gives up the drive to create a centralized state based on Malay dominance. Doing so will open up equal space for non-Muslim bumiputera communities. This implies broadening its increasingly narrow conception of bumiputera to accommodate the rising needs of the Kadazandusun and other non-Muslim native groups. It will have to give up the unspoken hierarchy in its citizenship, in which native Malays are prioritized over non-Muslim natives. This, in turn, will reinforce the political power and social reality of a Kadazandusun identity. Competing citizenships brings us to the enduring conundrum facing Malaysia: how to expand the powers of a unifying federal identity and yet protect smaller regional minorities. The tyranny of a majority occurs at both the federal and the regional level. Kadazandusuns of Sabah are afraid of Malay federal dominance, while the possible hegemony and abuse of power by Kadazandusuns trouble Malay and other Muslim groups in Sabah. Malaysia's goal to create a common-citizenship remains a chimera. On the other hand, the devolution of power and practice between federal and regional authorities guards against the tyranny of either native.

Malays, Kadazandusuns, and other natives will have to live with the plurality of their federal situation—endless balancing between regional and national conceptions of citizenship. Future theory on pluralist societies will have to analyze the limits imposed on inter-regional migration and its accommodation. At both the federal and regional level, host plural societies have implicit priorities about what can be absorbed or integrated, priorities colored by race, religion, and degree of competitive advantage. Because both “federal” and regional levels command loyalty, internal migrant flows to federal states reproduce the problems of international immigration into territorial nation-states. This is counter intuitive to the results that we would expect in a country with preferential policies for its “native” peoples. Being native is just not enough.

### Principal References

- Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso, 1991.
- Bosniak, Linda. *The Citizen and the Alien: Dilemmas of Contemporary Membership*. Princeton, N.J.: Princeton University Press, 2006.
- Chavez, Leo. *The Latino Threat: Constructing Immigrants, Citizens, and the Nation*. Stanford, Calif.: Stanford University Press, 2008.
- Chernov, Julie. "Plural Society Revisited: Chinese-Indigenous Relations in Southeast Asia," *Nationalism and Ethnic Politics*, vol. 9, No. 2 (Summer, 2003), pp. 103-27.
- Fung Ngit Chung, Nicholas. "The Constitutional Position of Sabah," in F. A. Trindade and H. P. Lee, eds., *The Constitution of Malaysia: Further Perspectives and Developments*. Petaling Jaya: Penerbit Fajar Bakti Bhd, 1986.
- Furnivall, J. S. *Netherlands India: A Study of Plural Economy*. Cambridge: University Press, 1944.
- Harding, Andrew. *Law, Government and the Constitution in Malaysia*. Kuala Lumpur: Malaysian Law Journal Sdn Bhd, 1996.
- Hui, W. C. *Sabah and Sarawak in the Malaysian Economy*. Kuala Lumpur: INSAN, 1995.
- Ismail, Johari. *Jeffrey Kitingan: The Champion of Sabah State Rights*. Kota Kinabalu: 3D Multimedia, 1995.
- Jackson, Vicki C. "Citizenship and Federalism," in Alexander T. Aleinikoff and Douglas Klusmeyer, eds., *Citizenship Today: Global Perspectives and Practices*. Washington, D.C.: Carnegie Endowment for International Peace, 2001, pp. 127-82.
- Kitingan, J. *The Sabah Problem*. Kota Kinabalu: KDI Publications, 1997.
- Koslowski, R. *Migrants and Citizens: Demographic Change in the European State System*. Ithaca, N.Y.: Cornell University Press, 2000.
- Leete, Richard. *Malaysia: From Kampung to Twin Towers*. Selangor Darul Ehsan: Oxford Fajar Sdn. Bhd, 2007.
- Luping, H. *Sabah's Dilemma: The Political History of Sabah: 1960-1994*. Kuala Lumpur: Magnus Books, 1994.
- Milne, R. S. *Politics in Ethnically Bipolar States: Guyana, Malaysia, Fiji*. Vancouver: University of British Columbia Press, 1981.
- Milne, R. S. and K. Ratnam. *Malaysia-New States in a New Nation*:

*Political Development of Sarawak and Sabah in Malaysia*. London: Frank Cass, 1974.

Ongkili, James P. "Political Development in Sabah, 1963-1988" in Jeffrey G. Kitingan and Maximus J. Ongkili, eds., *Sabah: 25 Years Later*. Kota Kinabalu, Sabah: Institute for Development Studies, 1989.

Salleh bin Abas M. *Selected Articles & Speeches on Constitution, Law & Judiciary*. Kuala Lumpur: Malaysian Law Publishers, 1984.

Weiner, M. *The Global Migration Crisis: Challenge to States and to Human Rights*. New York: Harper Collins College Publishers, 1995.

Weiner, M. *Sons of the Soil: Migration and Ethnic Conflict in India*. Delhi: Oxford University Press, 1978.