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Ambivalent Accommodation: Temporary Labour Migration and its Impacts in Malaysia

In the late 1970s, Malaysia embarked on a radical shift of its economic policies, which resulted in a growing deficit of labour in key economic sectors. In the 1980s, to fill these gaps, it began authorizing the large-scale recruitment of migrant workers from surrounding countries, beginning with Indonesia, Philippines, Thailand, Bangladesh, India and Pakistan. This practice of mass recruitment has continued until the present, albeit with numerous policy shifts concerning the choice of source countries and the numbers of workers brought in every year. Over a fifteen-year period, from 1990 to 2008, authorized recruitment per year multiplied from an estimated 242,000 to 2.1 million. Although it allowed some migrants from Indonesia to obtain permanent resident status, Malaysia's migration policies have focused on accommodating migrant workers on a strictly temporary basis. Specifically, migrant workers are only allowed to stay for specified periods of time in specified jobs, and were neither allowed to apply for settlement, nor to bring and raise their families in Malaysia. These imposed restrictions also have a negative effect on employers, who face difficulties adjusting the supply of workers to meet changes in the demand for labour. Bureaucratic loopholes, administrative irregularities, poor regulation and corruption result in great imbalances of power between migrant workers and other agents involved in the complex migration process, such as recruitment agents, employers and law enforcement agents. Migrant workers who enter Malaysia in good faith, expecting secure legal status and promised conditions of work in exchange for large sums of money, find themselves vulnerable to cheating and exploitation without effective access to legal redress. Those who lose their legal status are subject to arrest, detention, whipping and deportation as irregular migrants. This paper challenges the dominant idea of a distinct, impermeable difference between documented and undocumented migrant workers in Malaysia. It analyses the weaknesses in Malaysia's temporary labour migration policies and makes concrete recommendations for policy reform.