

# Malaysian studies revision note essay



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Malaysian Studies – Revision Notes 1. The Japanese Occupation • The Japanese occupied Malaya for only 3 ½ years (from 15 Feb 1942 to 15 August 1945) • Had a great impact on the country – the conquest of the whole of Malaya was fast and effective • The attack started from two directions, from the East and the West • After landing in Kota Bharu, the Japanese soldiers rushed to Kuantan and then to Mersing. • On 12 Dec 1941, Jitra was captured, followed by Penang Island and Slim River. • In Jan 1942, the Japanese soldiers entered Kuala Lumpur, and both the Japanese military troops met in Johore Bahru On 15 Feb 1942, Singapore fell to the Japanese army. • The main aim of the Japanese was to establish a New Great East Asia government. • The Japanese promised to declare independence in certain South East Asian countries.

1. The Japanese Victory • The Japanese military conquered Malaya quite easily although the British military was equipped with better firearms and were greater in number than the Japanese • There are a few lessons to be learnt from this. • 1. The British were not prepared for the war. They did not anticipate the Japanese attack from the north. 2. The fact was the Japanese had a comprehensive plan in which they had a network of spies in Malaya. 3. In addition to that, the Japanese soldiers were in excellent form because of intensive training and were led by capable and experience leaders (such as Yamashita and Tsuji). 4. The Japanese were enthusiastic and inspired to fight for the importance and supremacy of Japan. 5. Furthermore, they had practical war tactics, such as using the bicycle even in the jungles and villages. 6. The British military on the other hand, lacked the spirit of war, especially after the first round of attacks. 7.

Also, a large number of the British soldiers consisted of Indians who were still young and inexperienced in warfare. \* All the above show that success needs proper planning, leadership skills, determination and and the spirit to fight on.

## 2. The Effects of the Japanese Invasion

- The Japanese invasion had a great impact on the life of the citizens in Malaysia.
- The effects were social, economic and political.
- From the social aspect, the Japanese invasion worsened the relationship among the races in the country because the Japanese were against the Chinese and on the side of the Malays.

This made the Chinese seek refuge at the edge of the jungles. The misunderstanding between the Malays and the Chinese continued even after the Japanese had surrendered.

- From the economic aspect, Malaya was in complete confusion. Much of the economic infrastructure was destroyed and economic activities were disrupted causing the lives of the people to become worse and inflation continued to escalate.
- From the political aspect, it was found that the Japanese administration was a period of misery for the local citizens and the experience raised their political awareness.

The Malays were attracted to the slogan “ Asia for Asians” which stirred them to build their own government.

- The Chinese, on the other hand, established the Malayan Peoples’ Anti-Japanese Army (MPAJA) to fight the Japanese and strengthen the Communist Party of Malaya.
- The Japanese used the police force (mainly Malays) to fight against the MPAJA (consisting mainly of Chinese) thus causing racial friction and fighting between the Chinese and the Malays.
- When the Japanese surrendered towards the end of World War II, the MPAJA had the chance to be in power.

They took advantage of the tardiness of the British in their peacekeeping efforts. • The MPAJA terrorized and took revenge on the Malays, whom they accused of supporting the Japanese who had treated the Chinese badly during the Japanese rule. The bloody conflict between the Chinese and Malays lasted two weeks until the British established the British Army Administration. • However, this experience had left lasting negative racial sentiment between the two communities.

## 2. MALAYSIA'S SYSTEM AND STRUCTURE OF GOVERNMENT

\* Within the country's system of government are three basic bodies - the executive, legislative and judiciary. . 1

### Specialization of Power (Separation of Power)

\* The Federation of Malaysia practices a system of parliamentary democracy. There are three main bodies (divisions) in the system. \* Theoretically, the powers of the three bodies, the executive, legislative and the judiciary do not overlap and each has its own role. \* This means there is no interference between the bodies. \* The aim is to ensure the neutrality or objectivity of each of the bodies. \* Each body cannot influence the decision or action taken by another body. \* This concept is known as specialization or separation of power.

### 2. 2 The Executive

At Federal or state level has the power to govern \* It is responsible for carrying out the matters of governing and administration and does not involve itself in the matters and affairs of the judiciary or legislature. • This body, with its officers at both federal and state levels, as specified in the Federal Constitution, has the role of implementing the laws that have been passed by the Legislative body whether in Parliament, or in the State Legislative Assembly • The executive at the federal level known as the Cabinet and at the state level as the State Executive Council. . 3

### The Legislative Body

\* The function of the legislative body is to draw up, amend

and pass laws. \* The legislative body also exists at two levels. \* At the federal level the Legislative body is the Parliament, while at the state level, It is the State Legislative Assembly. • Theoretically there is no overlapping of powers or interests between the two bodies but In the Malaysian context, it is a little different.

The difference is embodied in the federal Constitution which permits the Cabinet (the executive) to draw up, amend and pass the laws on behalf of Parliament to be enforced by the minister or another empowered party (executive officer). • This means, the power to draw up laws, according to Parliament is entrusted and delegated to the Executive body. Such a practice is known as delegated legislation. The same situation occurs at the state level where the State Legislative Assembly makes laws within the given jurisdiction. • The laws, regulations guide the executive at both the federal and state levels to administer and manage the ruling of the country. • However, the laws drawn up by Parliament or the State Legislative Assembly cannot be enforced until they have the consent of the King (Yang di-Pertuan Agong) for the Federation and the Sultan or Yang di-Pertua Negeri or the State within a fixed period of time. 2. 4 The Judiciary \* To ensure that the executive does not abuse its power by drawing up laws as and when it fancies, it is the responsibility of the Judiciary to keep watch, so that the laws do not go against the provisions in the Federal Constitution itself. \* The Judiciary can decide if the laws are valid or cannot be enforced because they exceed their powers of jurisdiction as specified in the Constitution. The primary role of the Judiciary in this matter is to act as an institution that defends the supremacy of the Constitution and sees to the balance of power

between the Executive and the Legislative bodies to reinforce the people's belief in the government. \* The next important function of the Judiciary is to defend justice. \* It judges all offences committed in the Federation and imposes punishments that befit the offence committed, settle disputes between parties, whether it be between the central and state government, the two state governments, the public and the central or state government, or between individuals. The Judiciary acts objectively in carrying out its duties of respecting the sovereignty of the country's laws. \* The judgments and punishments decided upon by the Judiciary do not take into account, nor are they influenced by, the status, rank, race, religion or descent of the individual. 3. CITIZENSHIP Citizenship is a special status held by the people who have the right to be in a country. Some of the special rights a citizen obtains are: 1. The right to vote in an election. 2. The right to take an active part in politics including contesting for an election seat.

Hence this right enables one to get a political position including that of becoming a minister. 3. The right to fill a post that is exclusively for citizens only. 4. Free to own landed property and to be considered for special terms relating to property development. 5. The right to receive a number of benefits and facilities in the country including, welfare benefits, education and so on. 6. Freedom of movement throughout the country. 7. The right not to be exiled. In return for the protection and special rights, a citizen should fulfill his responsibilities and play his role in the country.

He is expected to: 1. Give national service including joining the army if required to. 2. Abide by the laws and help run the systems in the country. 3. Contribute to the productivity of the country in whatever field he undertakes

(every citizen, regardless of his role in the country's economy is important to the progress of the nation and the well-being of society); and 4. Participate, and support national programs and events such as the Independence Day celebration. Citizenship laws are very useful for determining the status and rights of an individual in his country of domicile.

The citizenship laws of 1948 are embodied in the Federation of Malaya Agreement. In 1952, the laws were improved. Ways of acquiring citizenship A person can obtain citizenship status in Malaysia, based on one of the following: 1. Jus soli 2. Jus sanguinis 3. Marriage, and 4. Naturalization 1. Jus Soli • Based on the laws of the birth place. • Regardless of the status of the mother or father, citizenship status is automatic for people born in Malaysia between Independence Day, (31 August 1957) and October 1962. • Those born after 1962 can become citizens if they fulfill one of the conditions below: i.

The mother or father is a citizen at the time of his birth ii. At the time of his birth, the mother or father has been residing in the country, or iii. At the time of his birth he was not a citizen of any country. 2. Jus Sanguinis • This concept refers to the law according to blood descent. • The factor jus sanguinis relies solely on the citizenship status of the father. If the father of the newly born is a citizen of the Federation, he too becomes a citizen, regardless of whether he is born outside the country.

However, for the child of a citizen who is born outside the country, the child only inherits the father's citizenship status if, i. His own father was born in Malaysia, or ii. His father holds a post in the Public Service at the Federal or

State level; or iii. His birth was registered at the office of a Malaysian Consulate or with the Malaysian government within one year after his birth.

3. Marriage • The marriage factor operates in terms of giving the right to a foreign woman who is married to a Malaysian citizen to apply to become a citizen.

In this case, citizenship is given through registration. The following conditions must be fulfilled: i. If the husband is a citizen in October 1962 or prior to that, and the marriage is still binding; or ii. The foreign woman has lived in the Federation for two years before the application is made, has the intention to continue living in the Federation and is of good conduct. • Citizenship through the registration method is also given to others besides women married to Malaysian citizens. However, several other conditions need to be fulfilled first.

Among the conditions are, the citizenship of the parents, the place of residence, knowledge of the Malay language, interested to stay permanently and takes an oath of allegiance to Malaysia. 4. Naturalization • Article 19 of the Malaysian Constitution provides the opportunity to residents who are not born in Malaysia to become Malaysian citizens. Applicants are required to fulfill the following conditions: i. Aged 21 and above, and ii. Have lived in the Federation for at least 10 out of 12 years from and up to the date of application, and iii. Have the intention to live permanently in the country, and iv.

Of good conduct, and v. Have sufficient knowledge of the Malay language. • Every applicant is required to take an oath of allegiance to the Federation.



From the above explanation, it is obvious that citizenship status is not something that is obtained automatically, neither is it a heritage from a father. Loss of citizenship A person who becomes a citizen can lose his citizenship in two ways. 1. First, he himself rejects the citizenship for personal reasons. 2. Second, he has violated the laws and committed a prohibited action, that can be one of the following: i. He has become the citizen of another country. ii.

He is enjoying all the rights and facilities in another country, whereas those rights are given only to the citizens of those countries, for example, he participates in the foreign country's elections or possesses a foreign passport. iii. A woman becomes the citizen of a foreign country through marriage with a man from the country concerned. iv. Acts negatively showing he is no longer loyal to Malaysia. v. Has business or ties with a hostile country. vi. Has been sentenced in a state within a period of five years after becoming citizen of the Federation, with a jail sentence of not less than 12 months or fined not less than RM5, 000. 0 vii. Gives services to another country without permission. viii. Lives continuously for five years in a foreign country unless he is on service with or on behalf of the Malaysian government. ix. The citizenship has been falsely obtained. x. A foreign woman who acquired her citizenship status through marriage, is divorced from the husband, except in the case of divorce where the husband has passed away. • It is obvious that citizenship is a special status; and is not immune from any withdrawal action.

Irrespective of whether the citizenship status is acquired automatically or inherited or through application, it can be withdrawn or annulled for certain

offences. Hence, every citizen should appreciate his citizenship status and look after it properly.

More Notes -TOPIC 1 – THE EARLY HISTORY

1. Factors for The Golden Age of Malacca:

- Malacca grew into a great Empire – well-known mainly as a centre for maritime trade and the spread of Islam
- Had a vast territory and strong trade relations with powerful countries such as China and India.
- Malacca was also an empire with an advanced civilization. Malacca's strategic location midway along the trade routes between India and China, was the main factor for Malacca becoming a famous port of call to merchants from the East and West.
- The spread of Islam became easier with Malay as the lingua franca or medium of communication among the races.
- Malacca's prosperity was supported by factors as strong trade ties with foreign countries and an efficient administrative system.

2. Factors for the Fall of Malacca Empire:

- Internal factors – the Malay Kingdom of Malacca lacked an efficient leader. Sultan Mahmud was a weak ruler because he paid little attention to the administration. Defamation and bribing were rife and the high taxes forced the merchants to divert their attention to other ports.
- Malacca's weak position caused the people to split into factions and become disunited.
- Weak administration by Chief Minister Tun Mutahir caused the Malays to become hostile towards the Indian-Muslims.
- External factors – the discovery of the Cape of Good Hope in South Africa made it easier to sail from the West to the East; it was easier for the Portuguese to invade Malacca.
- Furthermore, internal conflict, and high taxes caused many of the merchants to move to other ports.

This combination of factors weakened the position of the Malay Kingdom of Malacca. By understanding the factors that contributed to the rise and fall of

the Malay Kingdom of Malacca, we can see that the country was itself responsible. A country can become weak and fall prey to her enemies because of unrest due to weak leaders, bribery and corruption, betrayal among ministers and disunity among the people. COLONIAL ERA • The Portuguese, Dutch, British, Japanese and even the Siamese had colonized the country before, but only the British and the Japanese succeeded in colonizing almost the whole country and left an impact on the people. The factors for colonizing Malaysia are closely tied to: - The vast natural resources and other sources of wealth much sought after by the colonialists. - Furthermore, the Malay Archipelago was also a place for them to extend their political influence and Christian faith. 2. The Acquisition of Penang Island and Singapore The English merchants set up the British East India Company in 1600 with the intention of improving trade in the region, especially with China. However, China was never interested in trading with the English, so the English looked for other trading zones in the Malay Archipelago.

On 11 August 1786, after an agreement between Francis Light and Sultan Abdullah to protect Kedah from Siamese threat, Penang Island came under occupation of the British. On 6th February 1819, Stamford Raffles occupied Singapore, as it was seen as a suitable new base for the British in the Islands of the Malay Archipelago. This was achieved through the manipulation by the British of a local issue of misunderstanding between the Chief Military Officer Abdul Rahman (Singapore Administrator) and Sultan Abdul Rahman in Riau. With the occupation of Penang Island, Singapore and subsequently Malacca, the spread of British colonization in Malaya began. . Reasons for British

Intervention in the Malay States, Sabah & Sarawak i. The colonization was spurred by internal weaknesses - such as unrest and civil war in the states concerned. There was no unity among the inhabitants and this gave the British the chance and excuse to intervene by installing an advisor (and later Resident) ii. The presence of important economic resources such as tin ore and agricultural products (commercial agriculture) iii. There was strong competition among the western powers for colonies to meet the economic needs of their country thus increasing the need for intervention This shows that it was the rich natural wealth that attracted the foreign powers but it was the people's own mistake that the land was colonized. 4. Non-federated Malay States -the consequence of the 1909 BANGKOK TREATY Before 1909, Kelantan, Terengganu, Kedah and Perlis were under the protection of Siam. As a consequence of the 1909 Bangkok Treaty, the Siamese agreed to hand over these states to the British, and a British advisor was appointed in each state. However, the 1909 Bangkok Treaty was rejected by the states involved, in particular, Kedah and Perlis.

Among the many objections was the reluctance of the states concerned to accept a British advisor. The British had for a long time attempted to exploit the natural resources in the northern states of the Peninsula. For example, in 1826, the British had made an agreement with the Siamese, known as the Burney Treaty. This treaty was a conspiracy between the British and the Siamese to suppress and control the states in the Peninsula; Siam held sway over the northern states, while the British concentrated on the states in the south. Meanwhile, the 1909 Bangkok Treaty Had restricted the expansion of Siamese power to other Malay states and protected British interests in

Malaya. • It also determined British-Siamese relationship with the northern Malay states in the early 20th century. • The agreement made it difficult for other western powers to penetrate the Malay states, thus benefitting the British. To the British the states in question had economic and trade potential while they were of no benefit to the Siamese. • The importance of the treaty was that it facilitated the process of expansion of British power in Malaya, Johore accepted a British advisor in 1914. It was also an important event that established the border between Malaya and Siam. In 1919, the British administratively combined the five states as the Non-Federated Malay States. Therefore, beginning 1919, the states in Malaya were under three political units, namely the Strait Settlement, the Federated Malay States and the Non-Federated Malay States. This ruling structure continued until the Japanese occupation that began in 1941. UNIT 2 - The Struggle for Independence [Nationalism] 1. Malaya achieved independence on 31 August 1957, after 446 years of foreign subjugation. 2.

The struggle for independence in the country can be divided into two stages: the struggle with bloodshed and the struggle through the spirit of nationalism and negotiation. 3. The fight with bloodshed started from the capture of Malacca by the Portuguese to the early 20th century, during which time the people in every colonized state rebelled and risked their lives to drive away the colonialists. 4. The struggle with bloodshed began because: the colonialists imposed taxes, prevented the local citizens from working on the land, violated local customs and practices and oppressed them . . . The struggle through nationalism and negotiation gathered momentum when the British suggested setting up the Malayan Union. Strong

opposition came especially from the Malays because the position of the people and that of the rulers were challenged. 6. The Malayan Union failed and was replaced by the Federation of Malaya on 1st February 1948. 7. Under the Federation of Malaya, the sovereignty of the sultans and the special rights of the Malays were protected, while the conditions for citizenship were tightened. Nonetheless, there were other matters that disturbed the people. . The formation of the Federation of Malaya was also opposed by certain groups whose demands were not met by the British. 9. In the process of forming the Federation of Malaya the British concentrated more on UMNO's demands rather than those of other groups because the British considered UMNO to be pro- British. 10. The Federation of Malaya comprised nine Malay states, together with Malacca and Penang Island. A British High Commissioner was head while the state rulers had jurisdiction over their respective states. 11.

Malaysia is a multi-racial country in which the races are differentiated according to economic, social, political and cultural differences; all these differences gave rise to the problem of unity. 12. The British also acted to give the local people the chance to learn how to administer a country by introducing the Member System through which community representatives were appointed to hold posts of departmental heads in the central government. 13. Political parties that grew were still communal in outlook and were fighting their respective causes. 14.

The Georgetown City Council election (December 1951) was the first election to be held in the country. In the February 1952 Kuala Lumpur City Council election, UMNO teamed up with MCA (later they joined to form the Alliance)

and had a landslide victory. This was the beginning of the power sharing between the Malays and the non-Malays and it was on the strength of this that Alliance claimed for independence. 15. The strength of racial unity was more clearly seen in the first general election (was held on 27 July 1955 throughout Malaya) in which Alliance (UMNO, MCA and MIC) won 51 out of 52 seats contested. 6. As a result of winning the general election, Alliance was given the mandate to negotiate with the British for independence. The London Agreement was signed and the British agreed to grant independence on 31st August 1957. 17. The Federation of Malaya Constitution was formulated for a country about to be free. The drafting of the Constitution took into account the views of the citizens of the country. The status of the rulers, the special position of the Malays and the citizenship right of the non-Malays are clearly stated in the Constitution. 8. Independence was proclaimed on 31 August 1957 in the field outside the Selangor Club and Tunku Abdul Rahman [also known as Bapa Malaysia] was appointed the first Prime Minister while Tuanku Abdul Rahman, the first Yang di-Pertuan Agong for independent Malaya. UNIT 3: THE FORMATION OF MALAYSIA 1. Many parties suggested the integration of the countries in the region with Malaya, but it was Tunku Abdul Rahman's Malaysia Plan of 27 May 1961 that was well-received and followed by definite effective actions until Malaysia was proclaimed on 16 Sept. 1963. 2. Unlike the suggestions of other people Tunku's Malaysia plan was successful because of several factors: a) The suggestion was concrete with a clear vision b) Media comments in the future member countries were very supportive c) Follow-up action such as talks and surveys helped to convince the people. 3. All the prospective member countries at that time except for Malaya were still under British control. The

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formation of Malaysia brought at the same time independence to all the member countries. 4.

Brunei pulled out at the last minute because of the issue of seniority for the Sultan in Malaysia and because of disagreement over the terms relating to the control of oil revenue. 5. The fundamental factor which encouraged the prospective member countries to join Malaysia was to strengthen the wall of defence and protection from the communist threat. 6. Besides the issue of security and independence, the prospective member countries were also attracted to join Malaysia because of the benefit from more organized and orderly economic development. . Kuala Lumpur felt that the more influential factor with all the countries was the aspect of social development and unity. The participation of Brunei, Sabah and Sarawak not only brought together tribal groups from a variety of backgrounds but also maintained the balance between the Malays and non-Malays. 8. The British agreed to the formation of Malaysia because they expected the strength of the new country to safeguard the peace and stability of the South East Asian region which the British valued for guarding their investment interests. 9.

In Singapore, disturbances against the formation of Malaysia broke out because the left-winged United People's Party, a splinter party of the PAP wanted to form a different form of government with a different ideology in Singapore. 10. Other oppositions against the formation of Malaysia were: in Brunei, A. M. Azahari, leader of the Brunei People's Party wanted to establish the North Kalimantan government; in Malaysia, PAS was taken up with the concept of MAPHILINDO. 11. The Singapore referendum was held to ascertain the sincerity of the people of Singapore towards the proposal for the



formation of Malaysia. 0% of Singaporeans were found to be in favour of Singapore joining Malaysia. 12. The Cobbold Commission had members from Malaya and Britain. The reports presented separately by the two parties differed in terms of the method of implementation. (Britain suggested Malaysia be implemented in two stages over a period of 5 years). Hence, consultations were held in London prior to the drafting of Malaysia to iron out the differences. Britain generally accepted the report from Malaysia. 13. The Inter-Government Committee was also known as the Landsdowne Committee. Its primary objective was to draft the Constitution. 14.

The report from the Inter-Government Committee was accepted by all the parties concerned and became the foundation for the Malaysia Agreement that was signed in London by all the members of Malaysia on 9 July 1963. 15. United Nations team went to Sabah and Sarawak to verify the claim (by Sukarno) that the people there were not in favour of joining Malaysia. The outcome of the opinion poll showed that the majority were for it. 16. The independent UN body also checked and confirmed the validity of the Cobbold Commission report. 17. The proposal to form Malaysia received opposition from other countries namely the Philippines, and Indonesia.

The Philippines broke off diplomatic ties; Indonesia launched a movement of confrontation which continued until August 1966. 18. Singapore quit Malaysia because of deterioration in the relations between Kuala Lumpur and Singapore as a result of racial polarization between PAP and UMNO extremists that finally turned into the Kuala Lumpur-Singapore conflict. 19. The rift in the relations between Kuala Lumpur and Singapore started when the PAP tried to take over the role of the MCA to look after the interests of

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the Chinese community, accusing the MCA of being too soft in the hands of an allegedly unfair Alliance. 0. The Kuala Lumpur side tried many times to improve on the differences but failed. The official separation document was signed in August 1965. UNIT 4: System of Government and National Administrative Structure 1. Malaysia practices a system a system of parliamentary democracy. 2. The 3 main bodies in the country's administrative system are the executive, legislative and the judiciary, each with its own role. 3. The head of state for the Federation of Malaysia is the Yang di-Pertuan Agong, His majesty is chosen to hold the post for five years by the Council of Rulers. 4.

The country's structure of government and administration is generally divided into two levels, the federal level and the state level. 5. At the federal level, the executive tasks are carried out by members of the Cabinet on behalf of the Yang di-Pertuan Agong while at the state level they are carried out by members of the State Executive Council on behalf of the Sultan/ruler or the Yang Dipertua Negeri. 6. The position, special rights and action of the Yang di-Pertuan Agong and rulers or sultan are specified in the Malaysian Constitution. This is what is meant by the concept of onstitutional monarchy. [The power and institution of the Yang Di-Pertuan Agong, ruler or sultan is created, protected and based on the Constitution. ] 7. His Majesty the Yang Di-Pertuan Agong has discretionary powers in certain matters only and acts on the principle of acting on advice. 8. The Council of Rulers is an institution whose members consists of all the rulers, sultans, and Yang Dipertua Negeri and plays the role of looking after the interests of the Malay rulers and matters of the Islamic religion and is the liaison between the government

and the people. . Laws made in Parliament are known as acts which are accepted and applied throughout the federation, while laws drawn up in the State Legislative Assembly are known as enactments and are used by the states that approved them. 10. The components of Parliament are made up of the Yang Di-Pertuan Agong and both the Houses of Parliament. However, His Majesty is not involved in the process of making the laws. The same goes for the sultans/rulers or Yang Dipertua Negeri at the state level. 11.

Before a law that is drawn up is accepted and applied, it must be approved by the Yang Di-Pertuan Agong at the federal level or the sultan/ruler or Yang Dipertua Negeri at the state, within thirty days from the date of submission. But if His Majesty does not agree with the law that has been drawn up on grounds of details or other legal aspects, then Parliament or the State Legislature must improve upon it before resubmitting it for approval. 12. In the endeavour to safeguard the peace of the country and to protect justice, the court has to lay the role of guardian of the laws in terms of their legality according to the Constitution. 3. In principle, the court is an independent and neutral body that upholds the supremacy of the country's laws through a system of justice that does not differentiate race, origin, or rank of a person. 14. There are many types of courts, each with its own jurisdiction, the highest of the m all is the Federal Court and the lowest is the Penghulu or Mukim Court. 15. The concept of distribution of power is the sharing of power between the central and state government where the administrative power is distributed at the state, district and village levels. UNIT 5: PARLIAMENTARY DEMOCRACY IN MALAYSIA.

General Election and Significance of the General Election. 1. The election is a mechanism that protects the practice of democratic government in the country. 2. All Malaysians who are legally qualified can ballot to pick the candidate they think is qualified to represent them and the voters in their electoral district. 3. Generally an election is the official channel for the people to voice their feelings as regards the past leadership and their hopes in the candidate or party that will lead them. 4. There are three types of elections, general election, the by-election and the local government general election. . The general election can be held at the latest five years after the last general election, after Parliament and the State Legislative Assembly are dissolved but can also be held earlier for specific reasons. 6. The state election can be held separately from the general election for the Federation according to provisions in the Federal and State Constitution. 7.

Representatives of the people are those who represent an electoral constituency while a member of the State Legislative Assembly represents a State Legislative Assembly constituency. 8.

Representatives of the people are members of the House of Representatives. Their primary role is to make the country's laws, discuss matters related to the people and to protect the financial trust of the country. 9. The number or total seats for a House of Representative electoral constituency is specified in the Federation of Malaysia Constitution. 10. The Prime Minister can be appointed from the representatives of the people whereas the Chief Minister or Menteri Besar is appointed from among the members of the State Legislative Assembly. 11.

The position of 'The Honourable / Yang Berhormat' (member of State Legislative Assembly or member of Parliament) is not very special. A person can be dismissed from the said position if found guilty of offences as specified in the Constitution even though he is still within his term of office.

12. The independent and non-aligned body that manages and administers the election process is the Election Commission. Its members are appointed by the Yang di-Pertuan Agong. 13. Not all Malaysians can or are qualified to stand for election because there are conditions that must be observed. 4. The Senate is the highest body in the country and its members are termed Senators or Senate members. They are appointed based on the Constitution. The primary task of a Senator is to closely study and approve bills drawn up by the House of Representatives before sending them to the Yang di-Pertuan Agong for his approval. 15. Following the 1980 Constitution amendment, the Yang di-Pertuan Agong must approve a bill submitted by the Council of Parliament within a specified period of time. UNIT 6 – The Supremacy of the Constitution. 1.

The Malaysian Constitution is a written constitution that contains 15 Sections, 183 Articles and 13 Schedules. 2. The Malaysian Constitution was inaugurated on 16 September 1963, the day Malaysia was proclaimed. 3. Before Malaysia was proclaimed, Malaya under the Malayan Union had a Malayan Union Constitution that was cancelled upon the dissolution of the Malayan Union. 4. The Malayan Union Constitution was replaced by the Constitution of the Federation of Malaya (PTM) 1948. The highest executive under the PTM was the British High Commissioner.

The local people participated in the government through membership in the Executive Council and the Legislative Council. 5. As preparation for independence, the Reid Commission was formed to draw up the Federal Constitution. The Constitution was inaugurated on Independence Day as the Federal Constitution 1957. 6. The responsibility of drafting the Malaysian Constitution was entrusted upon the Cobbold Commission (established in July, 1962). The latter used the 1957 Constitution of the Federation of Malaya as base.

The Malaysian Constitution was inaugurated on 16 September 1963, that is the day of the proclamation of Malaysia. 7. With the formation of Malaysia, the new member states (Sabah and Sarawak) and also Singapore at the time, accepted to use the adjusted Constitution of the Federation of Sabah and Sarawak also retained certain elements used in the respective states before that. 8. The Malaysian Constitution is supreme and is above Parliament and the judiciary (in Britain the Parliament is considered the highest body because it has unlimited legal powers).

In Malaysia, the Constitution gives Parliament and the court their powers according to certain provisions and for certain situations only. 9. The Malaysian Constitution is supreme and is above Parliament and the judiciary (in Britain the Parliament is considered the highest body because it has unlimited legal powers. ) In Malaysia, the Constitution gives Parliament the power to make the Federal laws (Acts) and DUN, the state laws or enactments. 10. Besides clear power separation between the Federation and the State, the Constitution also makes provisions for certain common areas of legislation by both Parliament and DUN. 1. The court, upon powers fixed

by the Constitution and upon its own status, can deliberate to cancel legal action that exceeds the power of Parliament or DUN. 12. The Yang di-Pertuan Agong as determined by the Malaysian Constitution is the highest person in the country with his status as the chief head of state. 13. According to the power separation doctrine, the Yang di-Pertuan Agong is at the same time the head of three areas of power in the government namely, the legislative, the judiciary and the executive. These areas are carried out separately by different parties on His Majesty's behalf. 4. In the Federal section, the Constitution explains the concept of constitutional monarchy in which the Yang di-Pertuan Agong is the Chief Head of State (like a king) who is chosen from the rulers for a period of five years. This is a unique feature of the Malaysian Constitution. 15. The Malaysian Constitution contains a number of special Articles for Malaysian unity and identity: national language, citizenship (with special considerations), religion, the special rights of the Malays and the 'sons of the soil' of Sabah and Sarawak. 16.

In the practice of the Federation, the Malaysian Constitution gives certain important powers to the states and the Central Government. Sabah and Sarawak have special provisions. 17. The provision for amendments and the implementation of amendments make the Malaysian Constitution always practical and up-to-date to continue to function in the entirety all the time. 18. Amending the constitution is done for the purpose of ensuring efficiency in the government, to guard the peace and to provide protection to the people. UNIT 7: Important Provisions in the Malaysian Constitution i. Language ii. Religion iii. Citizenship iv.

Fundamental Liberties

1. The Malay language was easily accepted as the national language because it was relatively easier to learn and was widely used among all the communities.
2. The Malay language was made the official language on the condition that anybody who wants to study any other language was able to do so.
3. The time-frame for the switch from English to Malay as the official language (as provided in the Constitution) is 10 years.
4. To ensure that nobody raises the language issue, the (1971) Constitution (Amendment) Act was passed. Whoever raises the issue could be charged under the Internal Security Emergency Act of 1948.
5. Islam is the official religion of the Federation, but followers of other religions are not hindered from practising the teachings of their religion.
6. For states without a Ruler/Sultan, the Yang di-Pertuan Agong is the head of Islam in the state.
7. Citizenship is a special status for a citizen because it gives rights, benefits and advantages in terms of protection and security, the right to own property and the eligibility for welfare benefits.
8. A citizen can be active in politics including contesting for an electoral seat that enables him to hold an important political post such as becoming a minister.
9. A citizen cannot be exiled.
10. A citizen is expected in return to repay in the form of national service if necessary, follow the laws and contribute to the economy of the country.
11. The first citizenship laws for the country were those drawn up in 1948 in the Federation of Malaya Agreement. The laws were improved upon in 1952, to decide on the citizenship status of the people.
12. The changes in 1952 decided that all subjects of the Rulers or Sultans in every state are automatically citizens of the Federation.
- 13.



The four methods by which citizenship status can be acquired are founded upon the following factors; jus soli (place of birth), jus sanguinis (descent of blood), marriage and naturalization. 14. Under the naturalization method (through registration) a resident who has been here for a long time (at least 10 years) can apply for citizenship status if he fulfils certain conditions such as a good knowledge of the Malay language and good behavior. 15. A person's citizenship can be withdrawn if he violates the laws of the land or has acquired his status dishonestly. 6. Generally the withdrawal of citizenship is carried out when the person in question is a criminal or has done something to show that he has switched allegiance to a foreign country. 17. Three important aspects of the basic rights given to the people of the country are freedom of the individual, freedom of worship and economic freedom. 18. The basic freedoms are coded (made into laws) as a check and balance to the executors of power so that the people will not be oppressed or unfairly treated. The laws are moderated at the international level.

Neutral bodies such as Suhakam also function nationally to ensure the basic human rights are protected. 19. The fundamental freedoms are given within the confines of the law that gives priority to the public peace. This right is withdrawn in the event an action on the part of a citizen is found to threaten the public peace and the moral good of the people. 20. The special provisions of Article 153 like the provision on citizenship and the National Language are the outcome of the special attention given to the matter by the Reid Commission that was asked to deliberate on the questions of national identity and unity.

Special Provision Article 153 • Protects special rights of the Malays and the Bumiputras of Sabah and Sarawak • Special reservation for Malays and Bumiputras of quotas for scholarships, posts in the public service, business and industrial licences as well as reserve land • The Constitution also made provision for people of non-Malay descent to enjoy Article 153 by making himself eligible to be categorized “ Malay” The Constitution contains Articles on important matters such as: • The position of the Rulers. The position of Bumiputeras and non-Bumiputeras in socio-economic development of the country • The Malay Language, as the National Language; with recognition of other languages • Islam as the official religion, while freedom of religion is guaranteed/allowed • The basic rights of citizens are guaranteed • Provisions for citizenship • Arrangement and procedure on administration including division of authority between the Federation and the State governments.

UNIT 8: Ethnic Composition of the Malaysian Population The Malays . Several factors that encouraged the migration of Indonesians to Malaya: • Poverty – increased population caused rise in poverty besides many tax charges imposed by the Dutch colonialists • Political stability and growing economy in Malaya – Malaya was peaceful • Indonesian traits – for instance, the Bugis descent were skilled in sailing and business • Political instability in Indonesia – pressure from the Dutch colonialists & hatred towards them were factors that push the Indonesians to migrate to Malaya. 2.

Economy – The Malays Although there were poor Chinese and Indians, the Malays were the poorest. WHY? • Poverty among the Malays is often related to a number of factors such as occupation. • Many of the Malays were involved in the agricultural and traditional industries sectors that were said

to have low productivity. They are not using the latest technology in production. • It is also due to the area in which they live. Most Malays live in the rural areas where the standard of living is low. Most Malays also live in states classified as backward. The Malays are not exposed to similar opportunities as other communities living in urban areas. The area in which they live, is less endowed with physical, social and economic amenities. • Poverty among the Malays was also connected to the “immigrant culture” among the migrant community. The Immigrant Culture emphasized the importance of working hard for ‘survival’ in a foreign country thus causing the indigenous community to be left behind. The Chinese - Factors that led the Chinese to migrate to Malaya • Difficulties of living in China Political instability in the districts of South China • Growth in the tin and rubber industry • Political stability in Malaya • Migration facilities - transportation systems such as steamships, immigration agents available • Chinese population characteristics - hardworking and like travelling MCA is the main Chinese party in the country. + Because relatively few Chinese could acquire land for agriculture, many of them were involve in business as merchants, businessmen and craftsmen.

This created a stereotype belief that the Chinese are business-minded. The Indians - Factors that encouraged the migration of Indians to Malaya • Difficulties living in India • Rapid economic development in Malaya • Encouragement from the British government + The main Indian political party in Malaysia is the MIC (Malaysian Indian Congress) UNIT 9: Unity and National Integration 1. Malaysia is a country inhabited by a multi-racial society.

In a plural society such as Malaysia, unity and national integration is vital to ensure the people live in peace and harmony. 2. J. S. Furnival – defined the concept of a plural society as: a society in which there are several ethnic communities living in a country, but are separated by economic, settlement, social and cultural traits. 3. The concept of integration refers to the process of unification of groups with different backgrounds to become one entity tie by norms and values as well as common interest.

This is portrayed by a sense of belonging among members of a society based on deeper ties and feelings. 4. The main psychological factors that are obstacles / hindrances to racial unity and integration are: prejudice, racism, and ethnocentrism. 5. In Malaysia the obstructive factors are further reinforced by ignorance about the other ethnic groups, the process of restricted socialization, racial politics, socio-economic differences, cultural differences and separation in areas of residence. 6.

Unity is achieved through important government policies with activities and programs that encourage closeness and understanding among different ethnic groups. 7. Malaysia was successful in implementing her policies based on the sharing of political power, a democratic government, strong economic growth and cultural tolerance. 8. Malaysia has certain strategies for creating unity and integration that include the strategy for development of the self, such as socialization and re-socialisation, reducing group identification, reducing group demands and the realization of cohesive relations. . Physical development strategy consists of changing concepts that are divisive in character, inter-territorial transfer of officers, exposure to other communities, increasing the role of social institutions. ASEAN and UNESCO 1.

ASEAN – the Association of South East Asian Nations – established on 8 August 1967. 2. The six member countries of ASEAN: Indonesia, Singapore, the Philippines, Brunei, Thailand and Malaysia were joined by Cambodia in 1999 as the 7th member and later by Myanmar, Laos and Vietnam, making a total of ten members. 3.

ASEAN was set up to build up the strength of regional unity which before that failed to achieve unanimous agreement from all the members. 4. Regional agreement was focused on problems of boundary, elimination of drug smuggling activities, socio-economic development and help to refugees. 5. ASEAN became the channel for improving the quality of security and development of member countries through various programs including APEC and EAEC. 6. The Commonwealth Organization is an organization of countries that were once British colonies but had become independent. . The Commonwealth organization is made the base for forging ties of friendship among over 50 member countries. 8. Malaysia takes advantage of the Commonwealth organization to participate in a variety of development programs like training in agriculture, environment and technology. 9. The South-South Cooperation is a strategic program for the non-aligned countries to unite and build up close ties especially in trade, banking and finance, price fixing and commodities, industry, exchange of information, investment, and technical alliance. 10.

South-South Cooperation is most important for creating individual opinions to attain progress that is competitive. 11. The forging of unity for development and economic cooperation is emphasized through expertise link-up, training, equipment, and placing of institutions of training and research among

member countries. 12. Malaysia's bright idea supported by member nations for forming a South-South Commission became a reality in 1987. 13. Malaysia plays an active role in expanding and developing the Islamic nations of the world. 14. The Organization of Islamic Countries was formed in May 1971. 5. Malaysia gives priority to the glory of Islam and fights against activities that belittle the image of Islam. 16. The United Nations Organisation (UN) is the base for forging international linkages with member countries in economic, social and political development. 17. The United Nations Organization was set up on 24 October 1945. 18. UNESCO was set up on 4 November 1946. 19. Poor, backward countries are the main focus of UNESCO for carrying out development, particularly in science and technology. UNESCO - United Nations Economic and Social Cooperation