

Social contract shouldn't be politicised
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The phrase 'social contract' had been referred to regularly in recent times by Perkasa, Mahathir and also at the just-concluded Umno General Assembly as 'what our forefathers agreed to'.

Wikipedia has dedicated a page on the Malaysian social contract which postulates a different meaning from the actual term which means an agreement where the governed (people) give up some freedom in exchange for governance (government) through the rule of law.

The social contract as is discussed in Malaysia refers to the various sacrifices and corresponding benefits each community agreed to as a pre-requisite for Britain granting independence to Malaya.

Article 153 is typically the focal point of interest in this regard and it reads thus: It shall be the responsibility of the Yang di-Pertuan Agong to safeguard the special position of the Malays and natives of any of the States of Sabah and Sarawak and the legitimate interests of other communities in accordance with the provisions of this Article.

It goes on to explain that the reservation for Malays and natives of any of the States of Sabah and Sarawak be made as his Majesty deems reasonable for positions in the federal public service, for scholarships and other similar educational or training privileges and when any permit or license for the operation of any trade or business is required by federal law.

The Reid Commission which drafted the Malaysian Constitution recommended a 15-year period following which Article 153 should be revisited to take stock of the attainment of the Malays and other natives and if need be the Malayan legislature could 'determine either to retain or to reduce any quota or to discontinue it entirely.'

With the onset of the 1969 riots, Article 153 which was due for review in 1972, became a permanent feature of the constitution and it is now an offence under the Sedition Act for its repeal to be debated even in Parliament.

Article 153, which was broadly worded, is the enabling provision for the New Economic Policy (NEP) and successive policies like the National Development Policy (NDP) and these policies have specific quotas and limits, hence could be altered by the Government depending on the achievements to-date.

Thus, the 30 percent bumiputera equity quota etc is not cast in stone - they could be increased or decreased as the case may be.

In essence, the Malaysian social contract is the Merdeka Constitution which came into force on 27 August 1957. 'What our forefathers agreed to' has gone through 650 individual amendments to-date with most taking place post-1969. If at all a social contract is ever referred to, it must be the Merdeka Constitution and nothing else.

In light of Umno's proposal for history to be made a compulsory pass in the SPM examination, it is hoped that future generations are not taught a politicised version of our history where the social contract is defined to suit the vested interest of some parties.

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