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ETHOS OF A JUST AND BENEVOLENT NATION

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Pg. 16

A shared vision is important so that people can live together, address differences in a peaceful manner



Tunku Abdul Rahman laid down the ideals and aspirations that our forefathers had envisaged for this nation in his proclamation on Aug 31, 1957 at the Merdeka Stadium in Kuala Lumpur. FILE PIC

UNLIKE some countries such as India, Ireland and the United States, there is a marked absence of a preamble in our Federal Constitution.

A preamble is an introductory statement that would normally state the source from which the constitution derives its authority, and contains the guiding purposes and principles of the document.

While the technical implication of the non-existence of a preamble in constitutional interpretation is a matter of academic interest, one can still argue the need to find a statement that sets out the shared hopes and aspirations of the people, as well as the ideals before our nation for the purpose of national unity and nation building.

The struggle to secure independence from the British was not an easy task. The fact that the demography of Malaya then was fundamentally changed from a predominant homogenous Malay society to a multiracial and multireligious society with the influx of immigrants of Chinese and Indian origins exacerbated the complexity of the matter.

It was evident during the pre-independence negotiation that a lot of effort went into ironing out differences of opinions on many issues. Despite conflicting demands and competing communal interests of various segments of society, the Constitution of the Federation of Malaya was ultimately approved.

Divisive issues, such as language, citizenship and special privileges of the Malays, were resolved after a laborious process of intense negotiation, lobbying

and compromise by all the relevant parties because everyone had a common goal of gaining independence.

Post-independence, there has to be a shared vision among the people so that we can continue living peacefully together and addressing our differences in the same manner.

In this festive Merdeka month, let us recall and reflect upon the concluding part of the solemn declaration of independence by Tunku Abdul Rahman, which may be considered an underlying idea of the Federal Constitution and a basic unifying rubric of our society.

Tunku laid down the ideals and aspirations that our forefathers had envisaged for this beloved nation in his proclamation on Aug 31, 1957, "...In the name of Allah the Compassionate, the Merciful, I Tunku Abdul Rahman Putra ibni Al-Marhum Sultan Abdul Hamid Halim Shah, Prime Minister of the Persekutuan Tanah Melayu, with the concurrence and approval of Their Highnesses the Rulers of the Malay States do hereby proclaim and declare on behalf of the people of the Persekutuan Tanah Melayu... is and with Allah's blessing shall be forever a sovereign democratic and independent State founded upon the principles of liberty and justice and ever seeking the welfare and happiness of its people and the maintenance of a just peace among all nations".

Arguably, the gist of Tunku's declaration of independence can be summed up as the ethos of a just and benevolent nation.

There are, at least, two reasons

why we need to have a vision of shared ideals and common goals.

Firstly, a shared vision is important for the purpose of defining the notion of the nationhood project that is taking place. Nation state is a social construct which, therefore, must rest upon reflexive ideals that are generally shared based on common goals and values.

In 1956, a commission was established with the mandate to review and recommend the constitution of the Federation of Malaya in preparation for independence in 1957. The commission was known as the Reid Commission. It was named after the chairman, Lord William Reid (who was then a judge of the Court of Appeal of England).

Members of the Reid Commission had two objectives in mind when they were preparing the report: "Firstly, that there must be the fullest opportunity for the growth of a united, free and democratic nation, and secondly, that there must be every facility for the development of the resources of the country and the maintenance and improvement of the standard of living of the people."

Secondly, the solemn declaration of independence by Tunku creates a legitimate expectation and a bond of reciprocity among members of the public.

This is an integral part of a successful nation because the rule of law that underlies a vibrant democracy could not be understood as a matter of standards and institutions only (which are normally enshrined in a constitution) without the right and appropriate culture in the society to support them.

In addition to standards and institutions, undivided loyalty to the state and fidelity to the rule of law require the commitment and mutual responsibilities borne by members of the ethos, including the responsibility to hold each other (both the ordinary subjects and those who are in power) to faithful execution of responsibilities in the struggle to establish a just and benevolent nation.

May God Bless Malaysia. And may we live in peace and harmony as Malaysians.

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