

# Remember Bapa Malaysia

FEB 8 was the 120th anniversary of the birthday of Bapa Malaysia, Tunku Abdul Rahman Putra al-Haj. Sadly, the day went unrecognised. Our nation, especially its younger generation, has forgotten our illustrious first prime minister. However, historians will probably recognise him as one of modern Asia's political giants along with Mahatma Gandhi, Deng Xiaoping, Jawaharlal Nehru, Lee Kuan Yew, Akio Morita and Soekarno.

Tunku designed a nation with everyone in mind. He showed compassion towards all citizens. He felt that if we come together, we can change the world. He balanced the needs of a dazzlingly diverse set of constituents and used their unique talents and the nation's ample resources to grow the economy and gain a respectful place in the region.

Many scintillating aspects of his multifaceted personality deserve remembrance. Let us look at just one aspect: his role in laying the foundation of our political system.

Inter-ethnic cooperation was his dream and mission, and his greatest challenge. Tunku was a mediator and reconciler par excellence. Bringing diverse people together in 1955, 1957 and in 1963 was his strong point. Though he was the head of an ethnic party (Umno) since 1951, he worked ceaselessly to bring the disparate racial and religious communities of the country together under one political platform. The political Alliance Tunku forged in 1955 was the precursor to almost all future power-sharing arrangements including the unity government today.

These coalitions were built on an overwhelming spirit of accommodation among the races, a moderateness of spirit and an absence of the kind of passions, zeal and ideological convictions that in other plural societies - like India, Pakistan, Sri Lanka, Myanmar, Palestine, Israel, Lebanon, Yugoslavia, Kenya, Uganda, Nigeria, Rwanda and Sudan - have left a heritage of bitterness.

The Constitution of 1957 that Tunku and his colleagues in the Alliance helped the Reid Commission to draft reflected the middle path of moderation and accommodation. Despite some flaws, our Constitution was, and is, a masterpiece of compassion and compromise. It sought to reconcile the seemingly irreconcilable.

A strong central government went hand in hand with the desire of the federated states for some



**Historic meeting:** While deeply aware of the aspirations of the Malay majority, Tunku Abdul Rahman was also conscious that, as a prime minister, he led Malaysians of all ethnicities, religions and regions. Part of his diverse government is pictured in the new Malaysian Cabinet's first meeting in Parliament on May 13, 1964: (From left) Finance minister Tun Tan Siew Sin; Defence and National & Rural Development, Land and Mines minister Tun Abdul Razak Hussein; Tunku; Home Affairs & Justice minister Tun Dr Ismail Abdul Rahman; and Works, Posts and Telecommunications minister Tun VT Sambanthan. - National Archives/The Star

autonomy. The Constitution adopted many indigenous features as well as many modern characteristics of democratic governance, like free elections on the principle of universal adult franchise. While preserving the special position of the Malays, it also included many guarantees for the rights of minorities.

In 1963, the Constitution gave to Sabah and Sarawak considerable autonomy in the executive, legislative, judicial and financial fields. Sadly, this has not been fully honoured.

Among the indigenous (autochthonous) features of the Malay archipelago that the Constitution adopted were the unique system of multiple Malay monarchies united by the unique institution of the Conference of Rulers; Malay reserve lands; Islam as the religion of the federation; affirmative action provisions to preserve the special position of the Malays; Malay customs; Bahasa Melayu as the official language; and weightage for rural areas in the drawing up of electoral boundaries.

At the same time, these Malay-Muslim features were balanced by many provisions suitable for our dazzlingly diverse, multiracial and multireligious society.

Citizenship was granted to nearly 1.3 million non-Malays on Aug 31, 1957. This was a remarkable act of accommodation for the age. The citizenship provisions do not discriminate on grounds of race or religion (though, sadly, gender parity was disregarded).

The electoral process grants rights to all citizens, irrespective of race or religion, to have a right to vote and to contest for public office. At the federal level, membership of the judiciary, the Cabinet, Parliament, the public services and the special commissions under the Constitution are open to all citizens. The chapter on fundamental liberties is available to all.

Though Islam is the religion of the federation in Article 3(1), Malaysia is not a theocratic state. Article 4(1) proclaims that the Constitution is the supreme law of the Federation. Syariah law does not apply to non-Muslims. All religious communities are allowed to profess and practise their faiths in peace and harmony.

Though Bahasa Melayu is the national language for all official purposes, there is protection for formal study in all schools of other languages. Article 152(1)(b) permits federal and state governments "to preserve and sustain the use and

study of the language of any other community".

Though Article 89 reserves some lands for Malays, it also provides that no non-Malay land shall be appropriated for Malay reserves. Even during a state of emergency under Article 150, some rights like citizenship, religion and language are protected by article 150(6A) against easy repeal.

Article 153 on the special position of Malays and the natives of Sabah and Sarawak is hedged in by limitations.

For example, the special position is not across the board but only in four areas: positions in the public service; scholarships, education or training; permits or licences; and post-secondary education. In these areas, monopolies are not allowed. "Reservations" of such "proportions" as may be "reasonable" are permitted.

Along with his duty to protect the Malays and the natives, the King is enjoined to safeguard the "legitimate interests of other communities".

All in all, Tunku and his Alliance partners in 1957 chose a mosaic and not a melting pot for this nation's blueprint. The overall spirit of the 1957 and 1963 Constitutions was one of tolerance, moderation, compassion and give-and-take. This was Tunku's enduring contribution.

In addition to the above legal features, Tunku used the economy to unite the people. Economic opportunities gave everyone a stake in the country.

In sum, he was deeply aware of the aspirations of the Malay majority but, at the same time, conscious that as a prime minister, he was the leader of Malaysians of all ethnicities, religions and regions.

Sadly, knowledge of the ethnic compromises of 1957 is neither widespread nor internalised. This should change. Tunku left footprints in the sands of time that, if we were to follow, may help us to restore our past reputation as an exemplar of a society in which diverse races, religions and regions can live together in peace, harmony and prosperity.

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