

Aziz Bari says Article 153 shortchanges no one
The Malaysian Insider
December 26, 2011
By Shannon Teoh

KUALA LUMPUR, Dec 26 — Constitutional expert Abdul Aziz Bari said Article 153 of the Federal Constitution protects all communities and not just Bumiputeras, saying Perkasa is wrong to claim it is only for the dominant majority.

Perkasa had warned Christians yesterday not to question the provision the Malay rights group says is to protect the rights of Bumiputeras.

The International Islamic University (UIA) law professor told The Malaysian Insider “the constitution is clear that no one should be shortchanged.”

“The wording of Article 153(1), that actually sets the tone and theme of the provision, seeks to be fair to all — the backward Malay and Borneo native communities as well as all other communities,” he said in an email sent to The Malaysian Insider.

On Saturday, National Evangelical Christian Fellowship (NECF) chairman Reverend Dr Eu Hong Seng said Article 153 is akin to “bullying” if it only protects the rights of one group.

But Perkasa responded by saying the Article helped keep the country peaceful, further claiming that the race riots of May 13, 1969 happened because it was not implemented properly.

“This country is peaceful because of Article 153 which protects the rights of Bumiputeras who are the majority in this country.

“The reverend needs to remember that Christians are able to practise their religion without worry in this country because of Article 153,” Perkasa secretary-general Syed Hasan Syed Ali said.

Article 153 states that “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.”

Aziz said this meant “the King must also make sure that (safeguarding Bumiputeras) must not be done at the expense of the legitimate interests of other communities.”

“It is not quite right for Perkasa to issue that challenge and bring back the May 13, 1969 issue. The priest never questioned the basis or continuance of Article 153, he merely expressed an opinion on the manner it has been practised.

“This is perfectly acceptable, nothing seditious about it,”

The provision in the Federal Constitution has been repeatedly invoked by Malay right-wing groups who insist on the continuance of pro-Bumiputera affirmative action.

These include quotas in education, scholarships, business equity and employment in the public sector.

Aziz was recently embroiled in controversy after stating the Selangor Sultan's intervention in a raid on a church by state religious authorities was "unusual and inconsistent" with Islamic teachings.

Sultan Sharafuddin Idris Shah had decreed that the Selangor Islamic Religious Department (Jais) had found evidence of proselytisation by non-Muslims during a dinner held at the Damansara Utama Methodist Church (DUMC) on August 3 but said there was insufficient for further legal action.

Aziz is being investigated by the International Islamic University (UIA) and police over his remarks but has since announced that he will quit the varsity at the end of the year.

The Malaysian Insider

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