

Bumi status for Indian Muslims: Najib accused of ignorance

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By Robin Augustin

An expert says the Federal Constitution enables Indian Muslims to claim Malay rights if they speak Malay habitually and practise Malay culture.

PETALING JAYA: A constitutional law expert has accused Prime Minister Najib Razak of ignorance about the Federal Constitution, saying he displayed this when he promised a government study on the possibility of recognising Indian Muslims as Bumiputeras.

Speaking to FMT, Abdul Aziz Bari said the question of Bumiputera status for Indian Muslims did not arise because it was clear in the constitution that they could qualify as Malays.

The constitution defines a Malay as one who is a Muslim, speaks Malay habitually and practises Malay culture.

Aziz said this meant that anyone of any ethnic background should be accorded Malay rights as long as he fulfilled those conditions. A convert to Islam could also qualify, he added.

“With his announcement, Najib is indirectly admitting that Umno has failed to protect the rights of the Indian Muslims who are, by the definition of the constitution, Malays and are entitled to Malay rights.”

Aziz said the term “Bumiputera” did not exist in the Constitution and was used by Umno after 1970 for the purpose of the New Economic Policy (NEP).

He said the Federal Constitution, in speaking of special rights, referred specifically to the rights of Malays and the natives of Sabah and Sarawak.

Historian Khoo Kay Kim told FMT on Wednesday that Indian Muslims could not become Bumiputeras but a case could be made to categorise them as Malays.

Khoo said the term “Bumiputera” was coined in 1963 to refer to the non-Muslim indigenous peoples of Sabah, Sarawak and Peninsular Malaysia.

“So, while the government cannot give the Indian Muslims Bumiputera status, it can give them Malay status if they want that,” he said.

Indian Muslims have been pushing to be recognised as Bumiputeras for a long time. Last Tuesday, Najib promised an in-depth government study when he spoke at an event organised by the Federation of Malaysian Indian Muslim Associations (Permim).

At the event, Permim president Dhajudeen Shahul Hameed made three demands, namely the gazetting of the Indian Muslim community as Bumiputera, the setting up of an Indian Muslim landmark in Kuala Lumpur or Putrajaya, and the appointment of a special officer in the Prime Minister's Department to manage the affairs of the community.

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