



*Malaysia*  
**REPORT TO THE  
UNITED NATIONS COMMITTEE  
ON THE ELIMINATION OF  
DISCRIMINATION AGAINST WOMEN**  
*(First and Second Report)*

MINISTRY OF WOMEN, FAMILY AND COMMUNITY DEVELOPMENT





KEMENTERIAN PEMBANGUNAN WANITA,  
KELUARGA DAN MASYARAKAT

**MALAYSIA**

**REPORT TO THE  
UNITED NATIONS COMMITTEE  
ON THE ELIMINATION OF  
DISCRIMINATION AGAINST WOMEN**

**(FIRST AND SECOND REPORT)**



MINISTRY OF WOMEN,  
FAMILY AND COMMUNITY DEVELOPMENT

**PUSTAKA PERDANA**



1011520



PERDANA  
LEADERSHIP  
FOUNDATION  
YAYASAN  
KEPIMPINAN  
PERDANA

# Foreword



**DATO' SERI SHAHRIZAT ABDUL JALIL**

*Minister of Women, Family and Community  
Development, Malaysia*

I am pleased to present Malaysia's report with regards to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). This report highlights Malaysia's progress in implementing the Convention and provides an overview of the achievements in Malaysia. In addition, the report outlines the constraints and challenges faced as we progress in the implementation of CEDAW.

The preparation of the report was started by the Women's Affairs Department and finalised by the Ministry of Women, Family and Community Development, Malaysia with the cooperation of other ministries as well as the private sector and non-governmental organisations. The coordinated effort resulted in a fuller and more objective recording and assessment of the status of women in the country, despite the challenges in collecting data concerning women in many sectors.

The completion of this report does not mean an end to our efforts in implementing innovative initiatives to advance the equality of women in

Malaysia. We do recognise that there is still much more to be done as we are setting new targets and challenging goals for the future.

This clearly demonstrates that we are about to add a new building block to an unfinished, but already impressive structure. Therefore, the Government of Malaysia will continue to provide the enabling environment for the advancement of women. Along with the non-governmental organisations and the private sector, we will ensure non-discrimination against women and the protection of the human rights of women.

We will continue to report on the progress in fulfilling our commitment to the successful implementation of the Convention on the Elimination of All Forms of Discrimination Against Women in our future reports.



**DATO' SERI SHAHRIZAT ABDUL JALIL**

December 2004



***Published by:***

**Ministry of Women, Family and Community Development**

Level 1-4, Block E  
Bukit Perdana Government Office Complex  
Jalan Dato' Onn  
50515 Kuala Lumpur  
Tel : 03 - 2963 0095  
Fax : 03 - 2693 8498  
E-mail : [info@kpwkm.gov.my](mailto:info@kpwkm.gov.my)  
Website: [www.kpwkm.gov.my](http://www.kpwkm.gov.my)

Published December 2004  
ISBN : 983-41432-1-4

*Copyright @ 2004 Ministry of Women, Family and Community Development. All Right Reserved. Request for permission to reprint any material should be directed to the Ministry of Women, Family and Community Development.*

# Contents

---

<b>PART 1:</b>		
<b>The Malaysian Context</b>		<b>1</b>
<b>PART 2:</b>		
<b>Article 1</b>	<b>: Definition of Discrimination Against Women</b>	<b>17</b>
<b>Article 2</b>	<b>: Obligations to Eliminate Discrimination</b>	<b>20</b>
<b>Article 3</b>	<b>: The Development and Advancement of Women</b>	<b>24</b>
<b>Article 4</b>	<b>: Acceleration of Equality Between Men and Women</b>	<b>29</b>
<b>Article 5</b>	<b>: Sex Roles and Stereotyping</b>	<b>31</b>
<b>Article 6</b>	<b>: Suppression of the Trafficking and Exploitation of Women</b>	<b>36</b>
<b>Article 7</b>	<b>: Political and Public Life</b>	<b>43</b>
<b>Article 8</b>	<b>: International Representation and Participation</b>	<b>58</b>
<b>Article 9</b>	<b>: Nationality</b>	<b>62</b>
<b>Article 10</b>	<b>: Education</b>	<b>64</b>
<b>Article 11</b>	<b>: Women in Employment</b>	<b>84</b>
<b>Article 12</b>	<b>: Equality in Access to Health Care</b>	<b>93</b>
<b>Article 13</b>	<b>: Social and Economic Benefits</b>	<b>115</b>
<b>Article 14</b>	<b>: Rural Women</b>	<b>119</b>
<b>Article 15</b>	<b>: Equality Between Men and Women in Family Matters</b>	<b>127</b>
<b>Article 16</b>	<b>: Equality Between Men and Women in Political Matters</b>	<b>145</b>

# List Of Tables

---

<b>Table 1.1</b>	: Population According to Religious Denominations Based on Cencus 2000	<b>2</b>
<b>Table 1.2</b>	: Population by Age Group and Sex, 2000	<b>3</b>
<b>Table 1.3</b>	: Population by Ethnic Group and Sex. 2000	<b>3</b>
<b>Table 1.4</b>	: Percentage of Student Enrolment According to Gender and Institution, 2001	<b>6</b>
<b>Table 7.1</b>	: Women in Elected / Appointed Offices in 1986, 1990, 1995 and 2000	<b>45</b>
<b>Table 7.2</b>	: Members of Exco and the State Assembly According to Sex in 2000	<b>45</b>
<b>Table 7.3</b>	: Members of Parliament According to Sex and Political Parties in 2000	<b>46</b>
<b>Table 7.4</b>	: Major Political Parties in the National Front Coalition & Some Portfolios by Women 1996/1997	<b>46</b>
<b>Table 7.5</b>	: Number of Personnel in the Public Sector According to Sex and Year	<b>47</b>
<b>Table 7.6</b>	: Civil Servants According to Sex and Scheme of Service 1998-2000	<b>48</b>
<b>Table 7.7a</b>	: Personnel in the Public Sector According to Sex and Agency (excluding the Police and Armed Forces) 1998	<b>51</b>

<b>Table 7.7b</b>	: Personnel in the Public Sector According to Sex and Agency (excluding the Police and Armed Forces) 1999	<b>53</b>
<b>Table 7.7c</b>	: Personnel in the Public Sector According to Sex and Agency (excluding the Police and Armed Forces) 2000	<b>54</b>
<b>Table 7.8</b>	: Personnel According to Sex and Service Group in the Public Sector 1998-2000	<b>55</b>
<b>Table 7.9</b>	: Administrative and Diplomatic Officers According to Sex and Grade (1998-2000)	<b>55</b>
<b>Table 8.1</b>	: Malaysian Foreign Service Staff According to Sex in 1992, 1994 and 1999	<b>59</b>
<b>Table 8.2</b>	: Malaysian Foreign Staff in Middle and Higher Management According to Sex in 2002	<b>59</b>
<b>Table 8.3</b>	: Malaysian Women Attached to International Organisations in 2002	<b>61</b>
<b>Table 10.1</b>	: Distribution of Government Schools and Students According to Locality and Gender in 1998	<b>65</b>
<b>Table 10.2</b>	: Participation Rates in Government Schools According to Sex and Age Group, Population (1999)	<b>65</b>
<b>Table 10.3</b>	: Dropouts from Government Schools and Secondary Schools (1999)	<b>66</b>
<b>Table 10.4</b>	: Enrollment in Government Schools, by Sex (1999)	<b>66</b>

<b>Table 10.5</b>	: Literacy Rate by Age Group and Gender in 1991 (per cent)	<b>70</b>
<b>Table 10.6</b>	: Enrolment by Gender in Primary and Secondary Schools-1990, 1994 and 1998	<b>71</b>
<b>Table 10.7</b>	: Student Participation in the Living Skills Subject in the Lower Secondary Assessment According to Option and Gender in 1998	<b>71</b>
<b>Table 10.8</b>	: Student Participation in Technical / Vocational Subjects According to Gender 1997	<b>72</b>
<b>Table 10.9</b>	: Student Participation in Technical Courses According to Gender-1998	<b>73</b>
<b>Table 10.10</b>	: Student Participation in Vocational Courses According to Gender 1998	<b>73</b>
<b>Table 10.11</b>	: Students Enrolments in the Polytechnics According to Gender-1998	<b>74</b>
<b>Table 10.12</b>	: Student Enrolments in the Public Institutes of Higher Learning According to Gender 1997/1998	<b>76</b>
<b>Table 10.13</b>	: Graduates in Sciences, Medicine, Agriculture and Engineering in Public Institutes of Higher Learning According to Gender, 1997/1998	<b>76</b>
<b>Table 10.14</b>	: Private Sector Training Centres 1998	<b>77</b>
<b>Table 10.15</b>	: Enrolments in Pre-Schools 1997	<b>73</b>

<b>Table 10.16</b>	: Numbers of Scholarship and Loan Recipients According to Gender 1998	<b>80</b>
<b>Table 10.17</b>	: Officials in Key Positions in Education According to Gender in 1997 and 1999	<b>81</b>
<b>Table 10.18</b>	: Heads of Public Educational Institutions According to Gender 1999	<b>81</b>
<b>Table 10.19</b>	: Faculty Members of Public Institutions of Higher Learning According to Gender 1997	<b>81</b>
<b>Table 10.20</b>	: Number of Teachers/Lecturers in Teachers Training Colleges/Polytechnics/Schools 1997	<b>81</b>
<b>Table 10.21</b>	: Distributions of Teachers by Academic Qualifications and Gender-June 1998	<b>82</b>
<b>Table 10.22</b>	: Distributions of Teachers According to Years of Service and Gender-State of Johore 1998	<b>82</b>
<b>Table 11.1</b>	: Employment by Sector and Gender, 1995-2000(%)	<b>85</b>
<b>Table 11.2</b>	: Distribution of Men and Women in Employment, 1993 and 2000 (%)	<b>85</b>
<b>Table 11.3</b>	: Number of Employers, Trade Unions and Membership by Gender, 1995-2000	<b>88</b>
<b>Table 11.4</b>	: Trainees (2003) by Learning Institutions (2003)	<b>89</b>
<b>Table 12.1</b>	: Maternity Leave and Maternity Benefit (MIB) (Million Ringgit) by Gender (2003)	<b>90</b>

<b>Table 12.2</b>	: Infant Mortality in Malaysia by State 1975-1998 (Infant Deaths per Thousand Live Births)	<b>103</b>
<b>Table 12.3</b>	: Health Problems Experienced by Elderly Men and Women	<b>108</b>
<b>Table 12.4</b>	: Distribution of Health Workers by Sex 1980 and 1991	<b>113</b>
<b>Table 14.1</b>	: Selected Economic Indicators for Rural Areas in 1995 and the Mid Term Review of the Seventh Malaysia Plan (MTR 7th MP-1997)	<b>119</b>
<b>Table 14.2</b>	: Literacy Rate: 1970,1980,1991,1996 and 2000	<b>121</b>
<b>Table 14.3</b>	: Percentage Distribution of Employed Persons in Selected Agricultural Occupations by Sex in Malaysia 1992 and 1995	<b>123</b>
<b>Table 14.4</b>	: Distribution Educational Attainment of Malaysian Population by Gender,1970,1980 and 1991	<b>128</b>
<b>Table 14.5</b>	: Number of Children in Primary, Secondary School by Gender and Stratum 1996,1997, 1998	<b>129</b>
<b>Table 14.6</b>	: Number of Women's Self-Help Groups Under Various Agencies	<b>134</b>

# List Of Charts

---

<b>Chart 10.1</b>	: Enrolment in Teacher Training Colleges According to Gender 1996-2000	<b>75</b>
<b>Chart 12.1</b>	: Percentage of Females Among HIV-Infected Persons in Malaysia 1989-1997	<b>105</b>
<b>Chart 14.1</b>	: Distribution of Rural Females in the Labour Force by Occupation, 1980, 1991 and 1995	<b>122</b>

# The Malaysian Context

## General Background

1. Thirteen states and three federal territories form the country known as Malaysia. Straddling the South China Sea, the land comprises Peninsular Malaysia and the northern portion of the island of Kalimantan. Countries bordering Malaysia are Thailand, Cambodia and Vietnam to the north, the Philippines to the east and Indonesia and Singapore to the south. To the west, Malaysia is separated from the island of Sumatra by the Straits of Malacca.
2. Malaysia lies entirely within the equatorial zone, which is characterised by a hot, humid and invariable climate throughout the year. The climatic regime is governed by the seasonal northeast and southwest monsoons, which bring heavy rainfall to nurture the luxuriant flora of the tropical rainforest, which extends over a large part of the country. The coastal areas are typified by mangroves, tropical wetlands and sandy ridges.
3. The monsoon winds were an important factor during the days of sailing ships, which brought traders, settlers and colonisers to the Malay Archipelago, particularly from the north, west, and south. Chinese, Indians, Thais, Indonesians, Arabs and later Europeans, mainly the Portuguese, Dutch and British, have contributed to the multi-ethnic population mix along with the indigenous peoples namely the Malays, aborigines (orang asli) and natives in Sabah and Sarawak such as Minangkabau, Dayak, Penan, Kadazan, Murut, Senoi and Negrito.
4. The Malays and other indigenous peoples are collectively known as Bumiputera (sons of the soil). The various Bumiputera groups share the characteristics of being rooted in an agricultural-seafaring economy and having a village society where leadership is largely through consensus and where attitudes are formed by a belief in an-all pervasive spirit world. The animistic culture of the Malays came to be overlaid by Hinduism and later was subsumed by Islam.

5. The non-indigenous (non-Bumiputera) people are descendants of later migrant settlers. Around the time of the British colonial administration, the Chinese came into Malaya (as the country was then known) as tin-mine workers, traders and support workers. The Indians, notably the Tamils and the Telegus, were brought in by the British as indentured labour to work on rubber and oil palm plantations and as teachers and other professionals.

6. The migrants brought with them their social, religious and cultural traditions. Hence, we have Hindu and Buddhist traditions, Confucian and Taoist values, Christianity in its various denominations, Sikhism and Islamic religious and legal practices. Today, Islam is the official religion and Muslims form the largest single religious group i.e. 60.4 per cent in 2000. However, the right to freedom of worship is protected by the Constitution and other religions are freely practiced in Malaysia.

*Table 1.1: Population According to Religious Denominations Based on Census 2000*

Religion	Percentage
Muslim	60.4%
Buddhist	19.2%
Confucian, Taoist	2.6%
Christian	9.1%
Hindu	6.3%
Folk, Tribal	0.8%
No Religion	0.8%
Others	0.4%
Unclassified	0.3%
<b>Population</b>	<b>23.27 million</b>

## The Population and Demographic Indicators

7. The Malaysian population increased at an average annual rate of 2.4 per cent during the period of the Seventh Malaysia Plan (1995-2000) to reach 23.27 million in 2000. The mid-year population estimate for 2002 is 24.37 million. It is estimated that the population will reach 26.04 million by 2005, growing at an average annual rate of 2.5 per cent. The growth rate during this time is expected to be lower than during the period of the Seventh Plan due to the decline in births as a result of the high standards of education and training. In 2000, about 49.1 per cent of the population was female.

8. As shown in Table 1.2, the population is a fairly young one with most Malaysians falling into the 15-64 year old age group and only a small proportion into the 65 years and above group:

Table 1.2: Population by Age Group and Sex, 2000

Age Group	Sex				Total ('000)
	Male ('000)	%	Female ('000)	%	
0-4	1,347.6	51.57	1,265.1	48.42	2,612.7
5-9	1,365.0	51.57	1,281.5	48.42	2,646.5
10-14	1,276.3	51.22	1,215.4	48.77	2,491.8
15-19	1,195.8	50.52	1,171.2	49.48	2,367.0
20-24	1,050.9	50.34	1,036.3	49.65	2,087.2
25-29	972.7	50.63	948.4	49.36	1,921.1
30-34	915.8	50.87	884.4	49.13	1,800.2
35-39	866.2	50.80	838.8	49.19	1,705.0
40-44	764.7	51.40	722.8	48.59	1,487.5
45-49	604.8	51.75	563.7	48.24	1,168.5
50-54	480.3	52.27	438.6	47.73	918.9
55-59	320.1	51.91	296.5	48.08	616.6
60-64	274.2	49.76	276.8	50.23	551.0
65-69	164.9	47.56	181.8	52.43	346.7
70-74	125.9	47.67	138.2	52.33	264.1
75+	128.1	44.20	161.7	55.79	289.8
<b>Total</b>	<b>11,853.4</b>	<b>50.93</b>	<b>11,421.3</b>	<b>49.07</b>	<b>23,274.7</b>

Source: Department of Statistics, Malaysia

Table 1.3 shows the distribution of the population according to ethnicity and sex:

Table 1.3: Population by Ethnic Group and Sex, 2000

Ethnic group	Sex		Total ('000)
	Male ('000)	Female ('000)	
<b>Malaysian Citizen:</b>	<b>10,854.7</b>	<b>10,667.6</b>	<b>21,522.3</b>
Bumiputera	7,181.0	7,067.2	14,248.2
Chinese	2,913.7	2,778.2	5,691.9
Indian	843.1	837.0	1,680.1
Others	135.3	134.4	269.7
<b>Non-Malaysian</b>	<b>780.3</b>	<b>604.4</b>	<b>1,384.8</b>
<b>Total</b>	<b>11,853.4</b>	<b>11,421.3</b>	<b>23,274.7</b>

Source: Department of Statistics, Malaysia

9. Since 1980, both fertility and mortality rates have declined. The crude birth rate declined from 30.6 per thousand in 1980 to 26.8 and 24.4 per thousand in 1995 and 1999 respectively while the crude death rate declined from 5.3 per thousand in 1980 to 4.7 per thousand in 1995 and 4.6 per thousand in 1999. The total fertility rate declined from 4.2 per woman in 1980 to 3.4 per woman in 1995. Infant mortality rates declined from 23.8 per thousand live births in 1980 to 10.3 and 7.9 per thousand live births in 1995 and 2000 respectively. Life expectancy for both men and women has increased-whereas in 1980, women had a life expectancy of 71 years and men of 66.5 years. In 2000, their life expectancy was 75 years and 70.2 years respectively.

## The Economy

10. The general path of the country's economic evolution has been mapped out in a series of five-year plans. During the period 1971-1990, national development was guided by the New Economic Policy (NEP), which focused on growth with equity. The two-pronged strategy of the NEP was to i) reduce and eventually eradicate absolute poverty by raising income levels and increasing employment opportunities for all Malaysians; and ii) restructure society to correct economic imbalances so as to reduce and eventually eliminate the identification of race with economic function.

11. During the two decades following 1970, Malaysia achieved significant progress in economic growth as well as in meeting its social objectives. The nation was able to sustain its pace of development with the GDP growing at an average rate of 6.7 per cent per annum, while the incidence of poverty was reduced from 49.3 per cent in 1970 to 16.7 per cent in 1990.

12. The National Development Policy (NDP) (1991-2000), which succeeded the NEP, retained the main elements of the NEP and introduced several new thrusts for balanced development. These served to emphasise the non-materialistic aspects of national development, especially the strengthening of social and spiritual values and the protection of the environment and ecology.

13. In addition, Vision 2020, which outlines the progress we should have made by the year 2020, is a key blueprint for the country's future. It emphasises the call for total development and the concept of 'Bersekutu Bertambah Mutu' - or 'to live in harmony in a country, which is united and together we can do more'.

that has strong moral and ethical values, and is democratic, liberal, tolerant, caring, progressive and prosperous.

14. Macroeconomic performance during the initial period of the NDP was impressive. The economy expanded at an average rate of 8.2 per cent per annum. However, with the onset of the economic crisis, the growth rate declined to 7.3 per cent in 1997 and 7.5 per cent GDP in 1998.

15. The incidence of poverty reduced further from 8.7 per cent in 1995 to 6.1 per cent in 1997 and 7.5 per cent in 1999. However, the economic downturn resulted in the incidence of poverty increasing to 8 per cent in 1998. To tackle the crisis, the Government formulated the National Economic Recovery Plan in July 1998. The measures introduced in this Plan include adopting an appropriate exchange rate regime and increasing foreign reserves, strengthening the banking system and continuing with the socio-economic agenda of providing appropriate social programmes for people adversely affected by the crisis. Recent figures indicate that Malaysia is on the road to recovery.

16. The Malaysian economy is projected to grow at an average rate of 7.5 per cent per annum with low inflation and price stability for the period of 2001 to 2005. This growth will be supported by domestic demand with the strong recovery in private investment. Foreign investment will remain important, particularly for the upgrading of technology, skills and management expertise.

## **Education and Literacy Rates**

17. Education and skills training is accorded a high priority in nation building in order to provide a sufficient pool of educated, highly skilled, strongly motivated workers and responsible citizens with high moral and ethical values. There are measures to increase accessibility and participation, especially for the low-income groups and rural communities, in education and training. In addition, the Sixth and Seventh Plans emphasised promoting educational opportunities in the fields of science and technology.

18. A good indicator of the progress of human development is the literacy rate. Using the population aged 10 years and above who ever attended school as a proxy for literacy, it was found that the literacy rate in 1991 was 85 per cent compared to 72 per cent in 1980. Interesting to note was the increasing literacy

levels among females and the narrowing sex differential in the proportion of those who have ever been to school. While in 1980 only 64 per cent of the female population aged 10 and above had ever been to school, in 1991 this figure had increased to 80 per cent. For males, it improved from 80.1 per cent in 1980 to 90 per cent in 1991 (Population Census 1991).

*Table 1.4: Percentage of Student Enrolment According to Gender and Institution, 2001*

Type Of Institution	2001	
	Male	Female
Primary School	51.4	48.6
Secondary School	49.5	50.5
Polytechnic	61.2	38.8
Teacher's College	32.5	67.5
University	42.2	57.8

Source: Ministry of Education, 2001

19. Consequently, the literacy differential between the sexes was reduced to 10 percentage points in 1991 compared to 16 percentage points in 1980. The overall literacy rate further improved to 93.8 per cent in 2000 as a result of continuing efforts to expand education opportunities to all citizens.

## Labour and Employment

20. Overall, the labour force participation rate (LFPR) continued to increase during the period of the Seventh Malaysia Plan (1996-2000) at an average annual rate of 2.8 per cent to reach 62.9 per cent in 2000. Labour force participation during this time was affected by the economic crisis, which reduced employment opportunities and increased the number of workers who opted out of work under voluntary separation schemes. Nevertheless, the size of the labour force continued to increase albeit at a slower rate than during the period of the Sixth Plan, at 3 per cent per annum to reach 9.8 million in 2000.

21. A Labour Force Survey conducted by the Department of Statistics 2000 indicates that 53.0 per cent of the labour force is based in urban areas. The LFPR increased from 64.7 per cent in 1995 to 62.9 per cent in 2000. In 1995, the male LFPR decreased from 72.1 per cent in 1990 to 67.5 per cent in 2000 while the female LFPR decreased from 57.3 per cent in 1990 to 46.7 per cent in 2000.

22. The size of the labour force is expected to increase by an average annual rate of 3.1 per cent to reach 11.2 million persons by 2005, of which 5.1 per cent will be foreign workers. The labour force is expected to continue having a young age profile and to be better trained and educated. The LFPR is expected to increase to 66.6 per cent by 2005 with the rate for females rising to 46.2 per cent.

23. To augment the labour force during the period of labour shortages, the government liberalized its policy on foreign labour utilisation. The end of 1995 saw a total of 649,680 temporary work permits issued to migrant workers. About two thirds of the temporary work permits were issued for work in the plantation and construction sectors, 11 per cent for work in the manufacturing sector and 23 per cent for female domestic helpers.

## General Political Structure

### Political History

24. Three major periods in Malaysian history were largely responsible for shaping its current legal system. <sup>1</sup>The first period saw the founding of the Malacca Sultanate at the beginning of the 15th century; the second was that of the spread of Islam to South-East Asia and its subsequent entrenchment in the indigenous culture and the third and probably most significant for Modern Malaysia was the period of British colonial rule, which brought constitutional government and the common law system to the country.

25. The establishment of Malacca as a port in the 15th century resulted in Islam being spread to Malacca by Indian and Arab traders. Eventually, Islam became the state religion and Muslim laws were applied alongside customary law. Malacca was occupied by the Portuguese from 1511 to 1641, by the Dutch from 1641 till 1795, then by the British, reverting to Dutch control in 1801. In 1824, British rule was restored. These events brought with them the colonial system, which included the appointment of magistrates to try civil disputes and criminal cases, whilst local people continued to practice Islamic Law and Malay customs.

<sup>1</sup> Wu Min Aun, *The Malaysian Legal System*, first published 1990. The description of Malaysian political history hereafter excerpted (with modifications) from the same.

26. Britain established its colonial presence in the Malay Peninsula in the middle of the 18th century with the acquisition of the island of Penang in 1786. Sovereignty over Singapore (which was then part of Johor) was obtained in 1824 and Malacca was acquired from the Dutch in the same year. These three states became colonies. Many of the other Malay States came under British control through a series of treaties.

27. In states under the rule of the Sultans, the British imposed a system of indirect rule in contrast to the direct government practiced in the other states (known as the Straits Settlements). The Malay States were theoretically independent and ruled by their respective sovereigns and their status was accepted and recognised by the English Courts. In some States, a council of State was set up to advise the Sultan; in others, the Rulers each accepted the office of a Resident-General who had exclusive authority over the administration of the State.

28. In 1909, the Federal Council was established. This formed the basis of the centralisation of authority by the British. After the Second World War, during which Malaya fell under Japanese occupation, the Federation of Malaya was brought into being. It comprised the nine Malay States, but not Singapore. A High Commission, an Executive Council and Legislative Council were introduced and each state had its own Executive Council. The Council of Rulers was to meet regularly with the High Commissioner. The statutory introduction of English law occurred in 1937 and 1951, although English law had been practised previously.

29. In 1956, a Constitutional Conference was held in London in which an agreement was reached with the British government that full self-government and independence within the Commonwealth should be proclaimed by August 1957. A commission known as the Reid Commission was appointed to make recommendations for a suitable constitution for the nation. These recommendations form the basis of the Federal Constitution. Malaya was granted independence on 31st August 1957.

30. The constitutional development of Sabah and Sarawak took a somewhat different path from that of the nine Malay States. Sabah and Sarawak were British protectorates. They were merged with Malaya in 1963 when they were merged with Malaya, Singapore, Sabah and Sarawak and thus Malaysia was created. Singapore was later separated from Sabah and Sarawak.

