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Tuesday
18th December, 1962

PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

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FEDERATION OF MALAYA

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

Fourth Session of the First Dewan Ra'ayat

Tuesday, 18th December, 1962

The House met at Ten o'clock a.m.

PRESENT:

- The Honourable the Prime Minister, Minister of External Affairs and Minister of Information and Broadcasting, Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M. (Kuala Kedah).
- „ the Deputy Prime Minister, Minister of Defence and Minister of Rural Development, TUN HAJI ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ the Minister of Internal Security and Minister of the Interior, DATO' DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, P.M.N. (Johore Timor).
- „ the Minister of Works, Posts and Telecommunications, DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).
- „ the Minister of Agriculture and Co-operatives, ENCHE' MOHAMED KHIR BIN JOHARI (Kedah Tengah).
- „ the Minister of Health, ENCHE' ABDUL RAHMAN BIN HAJI TALIB (Kuantan).
- „ the Minister of Commerce and Industry, DR LIM SWEE AUN, J.P. (Larut Selatan).
- „ the Minister without Portfolio, ENCHE' ABDUL AZIZ BIN ISHAK (Kuala Langat).
- „ the Assistant Minister of the Interior, ENCHE' CHEAH THEAM SWEE (Bukit Bintang).
- „ the Assistant Minister of Labour and Social Welfare, ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).
- „ the Assistant Minister of Commerce and Industry, TUAN HAJI ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).
- „ the Assistant Minister of Information and Broadcasting, ENCHE' MOHAMED ISMAIL BIN MOHAMED YUSOF (Jerai).
- „ ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Malacca Utara).
- „ ENCHE' ABDUL RAUF BIN A. RAHMAN, P.J.K. (Krian Laut).
- „ ENCHE' ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ ENCHE' ABDUL SAMAD BIN OSMAN (Sungei Patani).
- „ TOH MUDA HAJI ABDULLAH BIN HAJI ABDUL RAOF (Kuala Kangsar).
- „ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., P.I.S. (Segamat Utara).

The Honourable TUAN HAJI AHMAD BIN ABDULLAH (Kota Bharu Hilir).

- „ ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ ENCHE' AHMAD BOESTAMAM (Setapak).
- „ ENCHE' AHMAD BIN MOHAMED SHAH, S.M.J.
(Johore Bahru Barat).
- „ TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- „ ENCHE' AHMAD BIN HAJI YUSOF, P.J.K. (Krian Darat).
- „ TUAN HAJI AZAHARI BIN HAJI IBRAHIM (Kubang Pasu Barat).
- „ ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- „ DR BURHANUDDIN BIN MOHD. NOOR (Besut).
- „ ENCHE' CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- „ ENCHE' CHAN SIANG SUN (Bentong).
- „ ENCHE' CHAN SWEE HO (Ulu Kinta).
- „ ENCHE' CHAN YOON ONN (Kampar).
- „ ENCHE' CHIN SEE YIN (Seremban Timor).
- „ ENCHE' V. DAVID (Bungsar).
- „ DATIN FATIMAH BINTI HAJI HASHIM, P.M.N.
(Jitra-Padang Terap).
- „ ENCHE' GEH CHONG KEAT (Penang Utara).
- „ ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- „ ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- „ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- „ ENCHE' HARUN BIN PILUS (Trengganu Tengah).
- „ TUAN HAJI HASAN ADLI BIN HAJI ARSHAD
(Kuala Trengganu Utara).
- „ TUAN HAJI HASSAN BIN HAJI AHMAD (Tumpat).
- „ ENCHE' HASSAN BIN MANSOR (Malacca Selatan).
- „ ENCHE' HUSSEIN BIN TO' MUDA HASSAN (Raub).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN
(Kota Bharu Hulu).
- „ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ ENCHE' ISMAIL BIN HAJI KASSIM
(Kuala Trengganu Selatan).
- „ ENCHE' KANG KOCK SENG (Batu Pahat).
- „ ENCHE' K. KARAM SINGH (Damansara).
- „ CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- „ ENCHE' LEE SAN CHOON (Kluang Utara).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' LIU YOONG PENG (Rawang).
- „ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- „ ENCHE' MOHAMED BIN UJANG (Jelebu-Jempol).
- „ ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).
- „ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- „ ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).

The Honourable DATO' MOHAMED HANIFAH BIN HAJI ABDUL GHANI, P.J.K. (Pasir Mas Hulu).

- „ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ NIK MAN BIN NIK MOHAMED (Pasir Mas Hilir).
- „ ENCHE' NG ANN TECK (Batu).
- „ ENCHE' OTHMAN BIN ABDULLAH (Tanah Merah).
- „ ENCHE' OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ ENCHE' QUEK KAI DONG, J.P. (Seremban Barat).
- „ TUAN HAJI REDZA BIN HAJI MOHD. SAID (Rembau-Tampin).
- „ ENCHE' SEAH TENG NGIAB (Muar Pantai).
- „ ENCHE' D. R. SEENIVASAGAM (Ipoh).
- „ ENCHE' S. P. SEENIVASAGAM (Menglembu).
- „ TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S. (Batu Pahat Dalam).
- „ TUAN SYED HASHIM BIN SYED AJAM, A.M.N., P.J.K. (Sabak Bernam).
- „ TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N. (Johor Tenggara).
- „ ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ ENCHE' TAN CHENG BEE, J.P. (Bagan).
- „ ENCHE' TAN PHOCK KIN (Tanjong).
- „ ENCHE' TAN TYE CHEK (Kulim-Bandar Bahru).
- „ TENGKU BESAR INDERA RAJA IBNI SULTAN IBRAHIM, D.K., P.M.N. (Ulu Kelantan).
- „ DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).
- „ ENCHE' TOO JOON HING (Teluk Anson).
- „ ENCHE' V. VEERAPPEN (Seberang Selatan).
- „ WAN SULAIMAN BIN WAN TAM, P.J.K. (Kota Star Selatan).
- „ WAN YAHYA BIN HAJI WAN MOHAMED (Kemaman).
- „ ENCHE' YAHYA BIN HAJI AHMAD (Bagan Datoh).
- „ ENCHE' YEOH TAT BENG (Bruas).
- „ ENCHE' YONG WOO MING (Sitiawan).
- „ PUAN HAJJAH ZAIN BINTI SULAIMAN, J.M.N., P.I.S. (Pontian Selatan).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).
- „ ENCHE' ZULKIFLEE BIN MUHAMMAD (Bachok).

ABSENT:

The Honourable Mr Speaker, DATO' HAJI MOHAMED NOAH BIN OMAR, S.P.M.J., D.P.M.B., P.I.S., J.P.

- „ the Minister of Finance, ENCHE' TAN SIEW SIN, J.P. (Melaka Tengah).
- „ The Minister without Portfolio, DATO' SULEIMAN BIN DATO' HAJI ABDUL RAHMAN, P.M.N. (Muar Selatan).
- „ the Minister of Transport, DATO' HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ the Minister without Portfolio, DATO' ONG YOKE LIN, P.M.N. (Ulu Selangor).

- The Honourable the Minister of Labour and Social Welfare,
 ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).
 „ the Minister of Education, TUAN HAJI ABDUL HAMID KHAN
 BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
 „ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
 „ ENCHE' KHONG KOK YAT (Batu Gajah).
 „ ENCHE' LEE SIOK YEW, A.M.N. (Sepang).
 „ ENCHE' LIM JOO KONG, J.P. (Alor Star).
 „ ENCHE' LIM KEAN SIEW (Dato Kramat).
 „ ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI
 (Kuala Selangor).
 „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
 „ ENCHE' TAN KEE GAK (Bandar Malacca).
 „ WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).

PRAYERS

(Mr Deputy Speaker *in the Chair*)

BILL

THE SUPPLY BILL, 1963

Order read for resumed consideration in Committee of Supply (Eleventh Allotted Day).

House immediately resolved itself into Committee of Supply.

(Mr Deputy Speaker *in the Chair*)

SCHEDULE

Heads S. 39 and S. 40—

Resumption of Debate on Question:

That the sum of \$2,399,380 for Head S. 39 and the sum of \$87,648,815 for Head S. 40 stand part of the Schedule.

Question again proposed.

Mr Chairman: Ahli² Yang Berhormat, mengikut waktu yang saya beri kepada Kementerian ini ia-lah satu jam sahaja dan perbahathan telah dijalankan pada malam tadi, tetapi oleh sebab perkara ini mustahak, jadi saya benarkan dua jam lagi sa-hingga pukul 11 untuk memberi peluang kepada Ahli² Yang Berhormat yang hendak berchakap. Apabila sampai 11.30 pagi saya akan jemput Yang Berhormat Menteri menjawab hujah² atau soalan² yang di-datangkan oleh pehak Ahli² Yang Berhormat.

Enche' K. Karam Singh (Daman-sara): Mr Chairman, Sir, as I was saying yesterday, the Government has already begun a coup towards the overthrow of the Constitution of this country. The democratic mask that the Alliance Government has been wearing up to now has been torn off, and the fangs of tyranny have already been unveiled for the whole country to see. The Alliance—by its actions, not by its words—has proved that it is the enemy of the happiness of the people, that it is the enemy of the inviolability of the family and that it is the enemy of the family which is considered the basis of society. So, what the Minister has done is an attempt to destroy one of the sacred bases of the society, i.e., the family. Sir, I have said that the Alliance has dealt a death blow to democracy, and we do not know whether it can ever recover from that blow.

Mr Chairman, Sir, as Mark Antony said, "I come not to bury Caesar but to praise him", I come here not to bury democracy that has been murdered by the Alliance but to praise it, because the responsibility of this crime, of murdering democracy, is placed upon the Government, and I will not bury the crimes of the Government. Let it face the full consequences of its acts.

Sir, the Alliance Government pays lip-service to democracy, and I will say that democracy is as safe in this

country as a lamb among a pack of wolves! It is unfortunate that it is the Government in power today that is behaving like a pack of wolves. The actions of the Government will have far-reaching consequences, because if it denies the people the constitutional means of changing the Government, then it is proclaiming to the people of this country that it will only understand force, that it will only understand the language of violence, that it lives by violence and that it will not be removed except by violence. The Government is already showing to the world that it lives by the sword and that it will die by the sword. Sir, despite what the Government has done, we on our side affirm our faith in the democratic process and the people of this country will see that it is the present Government that is committing undemocratic, dictatorial, excesses in the use of its powers and that the Opposition is remaining calm and pursuing its work in a peaceful, democratic and constitutional manner.

Mr Chairman, Sir, we expect those people who become Ministers to realise that the people in this country are not fools, and we expect that the Ministers, on whom so much public money is being thrown, when they talk in this House they should do so with sense. Perhaps, it has become a practice for some back-benchers of the Alliance Government to talk without thinking, but when a Minister does that, I think he is presuming that the country will swallow whatever he says. There is no more unreasonable statement, i.e., a statement devoid of reason and sense, than the one made by the Minister of Internal Security if what the *Straits Times* quotes is right. Mr Chairman, Sir, I quote from page 8 of the *Straits Times* of today:

"The Minister, Dato' (Dr) Ismail bin Dato' Abdul Rahman, also listed two other reasons why the police strength must be maintained." And it goes on—"One of the reasons is prevention of crime in rural and urban areas in view of the improved economic conditions."

Sir, "... in view of the improved economic conditions."—I must say that these are very strange improvements in the economic conditions, if they are going to lead to increase of crime in

rural and urban areas. If these improvements are going to result in increasing crimes in rural and urban areas, then I will say that the sooner the Alliance Government buries its development plan the better, because if these development plans are really going to produce improvements in the sense the Minister meant, they are going to produce a mountain of crimes, and then we will be asked to pay for them by getting more and more police. But, as I have said, this reason is not even a reason at all. This statement is so without a basis, so without logic that even a child will be able to see through it. I will now see whether our Alliance backbenchers have got a sense of logic in them because, if they have, they will be able to take this matter up, and take the Minister to task, for making statements without logic and reason.

Mr Chairman, Sir, what I can say is that the increased requirements for the police force are not the result of improved economic conditions as the Minister would want us falsely to believe, but the result of Government's neglect to improve the economic conditions of the masses and the Government's neglect to destroy the disparity in economy that exists between the "haves" and "have-nots". So, Mr Chairman, Sir, the Government must not deceive itself and deceive the people that the increase in the strength of the Police is necessitated by the so-called improvements in the economic conditions. It is the result of its failure in the very improvement of economic conditions that causes this Minister to come to this House and ask for more money to suppress crime.

Enche' D. R. Seenivasagam (Ipoh):

Mr Chairman, Sir, before I touch on matters of a real political nature, may I, speaking under item (1) Minister of Internal Security, ask for some clarification as to the physical requirements of a person who wants to join the Police Force. My information from a person who applied to join the Police Force is this: that because he happens to be a Northern Indian, or Sikh to be more particular, his height is required to be 5' 9" and nothing less, whilst in the case of others, I understand, it

varies from 5' 2" with a margin of two or three inches. If that is correct, then I am sure it is a most peculiar circumstance and I cannot see why the Sikh should be penalised and required to be 5' 9" and nothing less. If that is so, I hope the Honourable Minister will look into that matter because there is definitely a handicap for persons from Northern India who may want to join the Police Force and who are citizens of this country.

Mr Chairman, Sir, speaking again under item (1) Minister of Internal Security, whilst it is true that there should be a policy in every free nation to watch out for crimes of a political nature, to watch out for subversion and possible revolution within the State, but in looking for this I hope that it is the policy of the Government to look for it not only from the angle of communists or communist-inspired agitation but also from all other avenues that such possible difficulties or agitations may come. Recently, with the talk of Malaysia and with the growing opposition to it, to give one example, we have reached a stage where we will have to look beyond the problem of communism itself and look out for possible subversion from other quarters. Now, when we were speaking on the India/China border issue the Honourable Prime Minister said that at one stage India and Indians shouted "*Bhai/Bhai*" in relation to Chinese, saying "We are brothers". That would recall to our memory that the Prime Minister has often said that Indonesians are our blood-brothers, and I ask the Honourable Minister that until such time as the Treaty of Friendship with Indonesia is revoked, and I am sure that will come about in due course, the Minister of Internal Security should look for possible subversion and possible trouble-makers from Indonesia in this country; and until the time the Treaty of Friendship is revoked I propose that as a policy the Honourable Minister look for difficulties with Indonesia with its hated policy of being anti-everybody else except Indonesians and it may try to cause trouble in this country itself.

Mr Chairman, Sir, on internal security, the powers granted to the

Minister under the Internal Security Act are extreme, are so wide that there is no judicial control at all—and that is one of the features which I say is unsatisfactory, and it is most clearly a denial of democratic rights to the citizens of this country or, in fact, to the residents of this country. I know the answer will be that Malaya is not the only nation to have such extreme laws, and that other nations have had it, or still have it. But one must remember—and here the Honourable Minister can hold his horses, if he realises it—that in this country the security laws are entirely different from those of other well-known democracies of the world. For example, let us take India: there they have security laws, powers of preventive detention, but those powers, by the laws themselves, are challengeable in courts of law, and they have been so ruled and even successfully challenged on several occasions. Whereas, in Malaya it has been held that these security laws are not challengeable in the courts of law in this country.

Mr Chairman, Sir, the arrest of 50 persons the day before yesterday in the early hours of the morning is not *sub judice*, because there is no judicial proceedings in respect of it, and I say it is a matter of regret that the Internal Security Act should have been used. I am not in a position and, therefore, I do not say that arrests for possible crimes were justified or not justified. That is a matter on which I can only comment when the true facts are known, and known to the Opposition of this House. Therefore, I would like to make it clear that I am not suggesting that these persons have not committed any crime, and what I am asking the Honourable Minister to do is that, if he wants the people of Malaya, if he wants the world, to have confidence in the protestations of democracy in this country, then—there is a specific law for any specific offence which a person may have committed—the proper course and the just course, the humane course, would be to take these persons to a court of law and try them for the offence they are alleged to have committed.

Mr Chairman, Sir, it is significant here that in the press statement by the Internal Security Department, I take it, or official source—it says only one thing: that documents of a subversive nature were found. Now, there is a law dealing with subversive documents, and there is a process by which these persons can be proved conclusively in a court of law whether they are guilty or not guilty. Therefore, I, to use the Honourable Minister's word, charge this Government for arresting persons, who may possibly be innocent and, therefore, the Government is cowardly, and will not dare to charge these persons in a court of law. Otherwise, there is no explanation. In a court of law, if a person is convicted, he can get a very heavy sentence of imprisonment; thereafter he can be banished from this country if he is a citizen of a certain type, or if he is not a citizen of this country. Why, then, should the Government hesitate to take legal action? Extreme laws should not be used, as a policy, by the Ministry except in very clear cases, cases beyond all possible doubt; it is then only could an extreme law be used where, perhaps, the legal requirement or technical requirement or legal evidence will not be forthcoming. But, touching on these arrests, one thing has shocked me more than anything else; and I say it has also shocked the legal brethren of this nation because I have spoken to a number of them in Kuala Lumpur yesterday—it shocked them as much as it shocked me. Therefore, I hope that my shock was not wrong—and I do not think a number of the legal fraternity can be wrong—and that was that the statement allegedly to have been made from the official side saying this—according to the *Malayan Times* of 17th December: "A quantity of documents was seized. A Ministry of Information statement declared that the documents are prejudicial ones." It added: "The activities in support of the Communist Party of Malaya by the people detained are clear." Mr Chairman, Sir, no democratic country and no democratic Minister of Internal Security will tolerate a statement of that nature. We are told that these men are going to get a hearing at a Com-

mittee of Review. The final authority is the Minister of Internal Security himself. Here is a statement from his Government saying that these men are clearly involved in supporting the Communist Party of Malaya. Why, then, do you want this enquiry? Whom are you trying to fool—to fool yourselves, to fool your conscience or to hoodwink the conscience of the people of Malaya? Which government, which country, which democratic nation will accept the protestations of this country that we are democratic when statements of that nature go unchallenged and uncorrected by the Government itself? Can these men, or their relatives, or their crying mothers, or fathers or their fellow citizens in this country ever feel that that Committee of Review would have had a chance to be impartial? Will they ever feel that the Honourable Minister, or his delegate, in considering the report of that Committee of Review will be unbiased and clean in his own mind? That can never be, because the Government has already expressed its view that these men are guilty—I use the word "guilty" in its ordinary sense—and that allegations against them are clearly proved by the documents found on them. Even the back-benchers of the Alliance would find it difficult to understand, and I ask them: Do you think that is fair? If it were your own brother, do you think that it is fair for the Authority, which is going to decide, even before the review is held, to say, "Well, it is clear. You are already implicated with the Communist Party."? I ask the back-benchers: Can you answer that? Is there any answer to that? Perhaps, the Member for Larut Selatan, with his usual understanding or non-understanding may be able to explain it, but understandable by himself only and to people of his own category. I say no person of logic, of commonsense, of decency of morals will be able to understand any explanation on a statement of that nature. And I would like to say that whilst I criticise, I realise that from time to time errors can be made, statements can be loosely issued. But I raise this matter so that the Minister of Internal Security may give this House an assurance today that when

these cases come up the statement here will not influence his mind, or that of his delegate, in arriving at a proper and just verdict in this matter, because obviously innocent men have been arrested under the Internal Security Act and, in fact, out of the 50 arrested one was innocent, because he was released a few hours after his arrest. He was arrested although nothing was found on him and no subversive documents of any nature were found on him. Is that not then wrong; is there not this possibility that one innocent man may suffer under the Internal Security Act; and is it not the policy of the law, the policy of human beings and of democracy itself that no innocent man shall lose his liberty even for one second? Therefore, to the backbenchers of the Alliance, I say this: you must accept that as a fact that innocent men, too, are arrested under the Internal Security Act. That is an admission from the Government side, on its report, where one man outstanding in a political party, outstanding in society, was arrested and released after two hours. There can be no argument on a matter of policy. These swoops were planned—swoops planned, calculated by the Police and executed by the Police. How, then, did they execute it on innocent men? That should show you how good or how bad Police information is and how dangerous it can be to detain people and lock them up without trial for year in and year out on Police statement and Police action.

Mr Chairman, Sir, it is true that the people of Malaya have lost considerable confidence in the Administration on the question of democracy and democratic rights but I, as a citizen of this country, say to the Honourable Minister of Internal Security that all those who support my Party as a political organisation have not lost confidence in the administration of justice, or democracy in this country, to the extent of saying that this Government can only be overthrown by the use of arms or violence—and I dissociate myself from any such statement or implication that may have been made or may have come from any quarter either in

this House or outside this House, because so long as there are democratic elections in the nation, that is the only way in which this Government can or should be overthrown. Therefore, I think it is wrong—although I do not like to disagree with the Opposition—I think it is wrong to say that the people of Malaya have no constitutional means of overthrowing this Government. The people of Malaya have the constitutional means and the people of Malaya will use those constitutional means to overthrow this Government during elections time.

Speaking of elections, it is my hope that elections will be held in this country. We have got the assurance that elections will be held, and we are satisfied. However, I would like to say that, on account of internal security and the policy executed under the Ministry of Internal Security, the people of Malaya are ready to throw out this Government—that is becoming more and more clear and more and more evident. In fact, it is becoming so dangerously serious, if one considers that we as Members of Parliament have received by post a number of letters yesterday purporting to be from the military of this country. These are subversive documents, I understand. I have not read the letter; I cannot read *Jawi*, unfortunately; but I got a translation and I think it must be a subversive document. That feeling of frustration, of injustice, has gone so far.

Mr Chairman, Sir, if these letters are genuinely from the military, then they are a definite indication that even the military of this country, if it does not have the process of democracy, will be ready to overthrow not only this Government but any Government by a *coup d'état* if and when necessary, because that letter says that the sending under the Internal Security Act of 150 policemen to Brunei is something which the military does not agree with. It also says that for every ounce of blood split in Brunei an equal amount of blood will be split in this country. That, Sir, is the situation to which this country has come to.

Sir, I religiously handed over what I call a subversive document to the Honourable Minister of the Interior, because in this House I have the privilege to look at it, to read it, but outside this House I may be arrested if I carry it with me—and I advise Honourable Members of the Opposition to do the same. Mr Chairman, Sir, that is an indication that although many things may be good with the Alliance Government—I do not say everything is bad; nobody is everything good or everything bad—but if you weigh your bad against your good, your bad out-weighs your good, and the bad which you do you do to the lives and liberties of the subjects of this country—and the people of this country will not stand that—I ask the Honourable Minister of Internal Security not to abuse the Internal Security Act wildly. Use it properly, use it only when necessary.

In the case of the 50 persons who have been arrested, you do not need the Internal Security Act. You have already the law of the land. Why don't you use it? If you use it as a policy for internal security, then somebody will have to shut up. You prove your case and those who make a lot of noise saying that all these arrests are unlawful arrests will have to close their mouths, because it will be proved that the arrests are proper arrests. So long as you do not do that, then I say there will be doubts, there will be grounds on which people can from time to time make allegations—and rightly so.

Mr Chairman, Sir, on the question of the Anti-Corruption Agency under Head S. 39, page 203, I do not think the situation of corruption is getting any better in this country. In fact, I think it is getting worse, and getting worse at all levels—from the highest to the lower-downs. The Anti-Corruption Agency does not seem to be achieving its objective, because you will find—and this is common knowledge—that corruption in the country has, I think, gone up. With these few comments, I leave it to the Honourable Minister of Internal Security to find out ways and means of putting

down corruption in this land, because it eats into the daily affairs of human beings.

The Honourable Minister of Internal Security and the Police under the Ministry of Internal Security have a very important duty to perform in relation to labour problems in this country. Now, Sir, trade unions have been spoken of. It has been suggested that workers must organise. I fully support that. But workers must be organised by responsible persons who are working for the benefit of the workers, not by persons who get into trade unions for political ends, or for their own glorification, or for the lining of their pockets, because we know that there are professional trade unionists in this country, who are not satisfied with running one union—and that also not efficiently—but also many unions in order to line their pockets from the funds of the different unions, and they poke trouble where there is, in fact, no trouble to justify the salaries which they get. That is the danger which faces the labour movement in this country. It is not so much suppression or oppression of the labour movement by the Government, but the misuse by political opportunists and professional trade unionists of the labour movement for their own purpose. In that case, I suggest, where officials of that nature are involved, that the Police should watch their every step and not interfere with the workers. If you want to punish the people who are responsible for misleading the workers, get these people and charge them in court, but not the innocent workers who are misled by them. If that is done, then the Minister of Internal Security can justly claim credit for doing good justice not only for the labour of this country, the workers of this country, but also for everybody. Thank you.

Enche' Othman bin Abdullah (Tanah Merah): Tuan Pengerusi, saya berchakap dalam hal Kementerian ini yang berhabit dengan pasokan Polis di-Raja kita yang telah pun menjalankan tugas-nya pada masa yang telah sudah dengan amat chemerlang-nya, dan mereka itu telah berani

mengurbankan segala apa yang ada pada-nya untuk menjaga dan mengawasi demokrasi negeri ini yang berjalan dengan baik-nya. Maka saya disini memberi tahniah dan pujian yang sa-tinggi²-nya kepada anggota² Polis di-Raja kita yang dari satu masa ka-satu masa dapat mematohi dan men-ta'ati perintah daripada Kerajaan yang memerintah sekarang ini bagi menjaga keselamatan dan keamanan negeri ini sendiri. Mereka pada masa² yang telah sudah telah banyak terkurban dan telah banyak berkurban untuk kepentingan negeri dan ra'ayat negeri ini, serta telah banyak pula menjadi aruah dalam perjuangan mereka. Ini bukan sahaja dengan sebab mereka itu menjadi anggota polis yang bertanggung-jawab sa-bagai anggota, atau pun sa-bagai alat negara, tetapi juga sa-bagai satu alat bagi mempertahankan sa-barang anasir² yang hendak menyeludupi masuk ka-negeri ini yang hendak merosakkan keamanan negeri ini.

Oleh kerana negeri kita sekarang ini, Tuan Pengerusi, telah kita nampak bayang dan gejala²-nya yang tidak sihat yang akan timbul dalam negeri ini sama ada di-keluarkan dalam Dewan atau di-luar Dewan ini yang telah menudoh Kerajaan Persekutuan Tanah Melayu mengancham demokrasi dan telah meleborkan demokrasi, dan mereka telah menchabar Kerajaan, akan kejahatan² yang ada pada Kerajaan sekarang ini yang hendak di-leborkan dengan kekuatan, dengan kekerasan pula, maka ini berti bahwa sekarang kita berada di-ambang pintu merbahya. Kerajaan mesti-lah berhati² dan menengok, atau menjengokkan kepala-nya kerana mungkin ada sa-barang anasir yang boleh menimbulkan kachau-bilau dalam negeri ini sendiri. Oleh hal yang demikian, saya berpendapat, anggota² polis sa-bagaimana yang ada dalam Anggaran Perbelanjaan pada muka 208 ia-itu dalam tahun 1962 berjumlah sa-banyak 15,221 orang manakala dalam tahun 1963 berjumlah sa-banyak 14,521 orang ya'ani kurang daripada tahun yang sudah. Maka saya berharap kepada Kementerian ini supaya anggota² polis ini di-tambah lebeh banyak lagi dan di-tambah dengan

berlipat ganda daripada tahun yang sudah, oleh kerana kita akan menghadapi satu hal yang kita sadikit pun tidak tahu bila-kah akan berlaku hal² yang saperti itu. Di-samping itu, saya suka menganjorkan supaya menambahkan anggota² polis ini, maka mungkin pada masa² yang akan datang anggota² polis kita ini akan bertambah, tetapi jangan-lah kita lupa dengan keadaan anggota² polis yang ada pada hari ini, yang pada tahun yang sudah pernah saya kemukakan dalam Dewan yang mulia ini bahawa mereka sekarang ini sadikit sa-banyak menghadapi kerumitan mereka dan mereka itu pernah mengemukakan tuntutan tambahan gaji yang sampai pada hari ini kita belum mendapat tahu, ada-kah Kerajaan akan menimbangkan tambahan gaji bagi anggota² polis atau tidak.

Pada pendapat saya kekurangan atau pun kegelisahan sa-bahagian anggota polis yang tidak mendapat tambahan gaji (oleh anasir yang suka hendak meleborkan keamanan negeri ini akan di-pergunakan) menghasut sa-tengah daripada mereka itu dengan menyatakan bahawa Kerajaan Perikatan ini ada-lah satu Kerajaan yang dzalim yang tidak menimbangkan tuntutan gaji anggota polis dan mungkin juga anasir² yang hendak memecahkan keamanan negeri ini akan chuba pula menyeludup ka-dalam Persatuan Polis saperti mana yang telah mereka buat kapada Trade Union. Tuan Pengerusi, oleh hal yang demikian, Kerajaan atau Kementerian ini patut-lah menimbangkan dengan sa-dalam²-nya akan tuntutan gaji yang telah di-kemukakan oleh anggota polis kapada Kerajaan, dan di-beri tambahan yang menasabah, bukan sahaja kapada gaji yang di-tuntut-nya, tetapi juga kita hendak-lah memandang kapada tempat kedudukan-nya sa-bagai anggota polis. Tuan Pengerusi, anggota polis kita sekarang ini ada yang telah berkhidmat berbelas tahun, dan dalam masa yang lama itu mereka telah mempunyai keluarga yang kalau dahulu mereka hanya mempunyai dua orang dalam satu barek, tetapi sekarang ini mereka telah mempunyai anak yang banyak ini tidak senang dudok dalam sa-buah barek kecil yang tidak sa-padan

dengan kebudayaan kita orang Melayu. Benar, Kerajaan pada hari ini membuat bangunan atau berek polis yang lebih chantek dan lebih indah daripada masa yang lalu, tetapi itu hanya merupakan satu pandangan daripada jauh, dan kalau sa-kira-nya kita masuk ka-dalam berek polis itu kita dapati bahawa berek itu lebih kecil daripada berek yang dahulu. Sa-bagai satu contoh, Yang Berhormat Menteri Keselamatan Dalam Negeri akan dapat melihat berek polis yang baharu di-Jalan Tallala ia-itu satu jalan baharu dekat Birch Road. Bila saya membuat lawatan, saya dapati anggota polis itu tidak berapa senang dengan keadaan berek yang ada itu sebab terlalu kecil. Pada masa yang akan datang Kerajaan hendak-lah membuat berek itu luas sedikit supaya sa-suai dengan bertambah-nya jumlah keluarga mereka itu. Ini-lah dua perkara yang saya suka menarek perhatian Yang Berhormat Menteri ia-itu supaya menimbangkan gaji dan tempat kediaman orang² polis.

Tuan Pengerusi, sa-lain daripada itu Pasokan Polis di-Raja mustahak sa-kali di-tambah dan mustahak juga di-perkokohkan semangat dan keyakinan-nya. Maka pada hari sa-malam dan sampai pagi ini kita telah mendengar kechaman² dan tuduhan yang di-liparkan oleh Yang Berhormat dari Damansara. Pada keseluruhan ucapan-nya ada-lah merupakan sa-bagai satu perasaan yang tidak timbul daripada pemandangan yang jauh dan tidak timbul daripada keadaan yang nyata. Apa yang telah di-sebutkan oleh Yang Berhormat itu dalam Dewan ini bahawa tangkapan yang telah di-lakukan oleh Kerajaan itu ada-lah satu langkah yang tidak demokrasi, satu langkah yang tidak berdasarkan demokrasi. Kata-nya, ra'ayat negeri ini telah hilang keperchayaan kapada demokrasi. Saya tidak-lah dapat hendak mengulas pendapat Yang Berhormat dari Damansara itu. Apakah erti demokrasi yang sa-benar-nya? Apakah ta'arif demokrasi mengikut pendapat Yang Berhormat itu? Pada pendapat saya dalam sa-buah negara yang berdasarkan demokrasi ra'ayat boleh berchakap dan bertindak sa-suai dengan asas² demokrasi, tetapi bukan-lah erti-nya demokrasi dan kebebasan

ra'ayat yang melulu dan liar mengikut kehendak apa yang hendak di-sebutkan-nya. Walau pun negeri ini berdasarkan demokrasi, kita membuat undang² untuk menjaga sa-tiap nyawa, menjaga keselamatan harta benda dan keselamatan ra'ayat negeri ini pada 'am-nya. Maka undang² yang saperti itu patut dan perlu di-adakan. Dan sa-barang orang yang menchuba hendak meruntuh dan merobohkan serta melanggar undang² kerana kepentingan diri dan parti-nya, maka sa-buah Kerajaan yang bertanggung-jawab yang berdasarkan demokrasi berparlimen perlu-lah menahan dan menjaga bukan sahaja hendak mempertahankan asas demokrasi tetapi juga hendak menjaga demokrasi itu berjalan dengan baik supaya darah ra'ayat dan ra'ayat sendiri tidak akan teraniaya dengan tuduhan² dan semangat yang melulu sa-mata².

Tuan Pengerusi, ada-kah ra'ayat negeri ini hilang keperchayaan kapada Kerajaan yang memerintah sekarang ini? Ini tidak dapat di-sebutkan benar atau tidak-nya dalam Dewan yang mulia ini. Tetapi telah menjadi satu kenyataan bahawa ra'ayat negeri ini pada 5 tahun sa-kali mempunyai hak yang tertentu untuk menentukan dan menjadi hakim kapada pemerintah yang ada sekarang ini dan kapada pemerintah yang lalu. Ra'ayat negeri ini telah menjadi hakim menghukum sa-sabuah Kerajaan, sa-sabuah parti yang berkuasa atau yang hendak berkuasa dan memberi keperchayaan dengan suara yang banyak dengan suara yang bebas dengan tidak di-ugut dan tidak di-bawa senapang dari belakang mereka itu dengan tidak menegah sa-barang Parti Politik yang hendak bertanding dalam pilihan raya, di-mana ra'ayat di-beri kesempatan yang sa-luas²-nya berfikir menerima pandangan, menerima sharahan² mengikut lunas demokrasi dan kemudian ra'ayat memberi suara kapada mana² parti yang mereka perchaya. Dan telah menjadi satu kenyataan pada masa yang sudah bahawa ra'ayat negeri ini dengan jumlah yang terbanyak telah memberi keperchayaan-nya kapada Parti Perikatan. Ada pun tuduhan² yang mengatakan bahawa Kerajaan negeri ini telah mengancham demokrasi dan oleh

di-tahan itu. Saya rasa tentu-lah Ahli Yang Berhormat itu telah berchakap lambat daripada sa'at-nya. Sa-bagai wakil ra'ayat atau sa-bagai Ahli Yang Berhormat, saya rasa tentu-lah mesti menyampaikan juga tiap² apa yang ada dari tiap² party dalam negeri ini. Kita dengar segala rungutan² bahawa orang ramai yang 7 juta lebeh, mustahak dalam Tanah Melayu ini, patut kita jaga keselamatan mereka, di-tanggong-jawabkan kepada kita semua dan khas-nya Perikatan yang memerintah seka-rang. Pehak Yang Berhormat itu sa-patut-nya menasihatkan anak isteri dari dahulu supaya anak isteri mereka itu jangan jahat sangka, atau di-kachau oleh anasir² luar atau menasihatkan supaya mereka bekerja sunggoh² dalam chara mendapat kema'amoran dalam tanah ayer kita. Tetapi saya rasa dan saya tegaskan walau pun saya berchakap pada satu masa, ini-lah harapan orang ramai supaya menolong menjaga keselamatan ra'ayat seluroh-nya. Tentu-lah tindakan itu patut di-berikan tahniah dan saya suka-lah menyatakan kepada Ahli Yang Berhormat dari Damansara supaya kalau² kebanyakan Ahli² yang di-tahan itu daripada orang yang di-kenal, ini peluang yang sangat besar untuk ia memberi nasihat kepada mereka dan mengambil peluang itu supaya menjalankan kerja² pada masa yang akan datang mengikut kemahuan ra'ayat Persekutuan seluroh-nya.

Tuan Pengerusi, saya mahu mengalah chakap saya sedikit kepada Pasokan Polis di-Raja Persekutuan. Ada satu perkara yang kechil yang saya rasa patut juga saya katakan pada Menteri yang berkenaan ia-itu kita tahu bagi pehak saudara kita orang² Polis itu ia-lah satu chara bekerja dengan penoh disiplin dan tata-tertib, yang telah di-patohi oleh Anggota² Polis yang sedang menjalankan tugas-nya ka-arrah ini. Oleh sebab itu saya suka-lah menyata-kan dalam Dewan ini bahawa pehak² anggota Polis itu patut-lah di-beri satu kesempatan dan di-berikan satu badan kebajikan, saya rasa tidak patut di-churigai ketua²-nya. Saya pernah di-beritahu oleh sahabat kita yang sa-tengah²-nya menjadi Jawatan-Kuasa badan² itu, kadang² tugas mereka

dalam Jawatan-Kuasa ini mengeluarkan fikiran² yang menasabah atau fikiran yang pada masa itu harus barangkali di-letakkan pada atoran² disiplin. Saya rasa perkara ini tidak-lah menasabah di-jalankan dalam satu badan yang bagitu, supaya mereka dapat menge-luarkan dan menyatakan perkara² yang patut di-adakan atau di-buat sa-chara yang boleh di-sampaikan kepada pehak yang berkenaan, kalau saya rasa patut di-beri pandangan yang istimewa kepada mereka² yang telah mempunyai fikiran yang baik dalam mencari kebajikan dalam hal² polis itu. Jadi, saya rasa itu-lah sahaja yang saya hendak chakapkan, terima kaseh.

Tuan Haji Hasan Adli bin Haji Arshad (Kuala Trengganu Utara): Tuan Pengerusi, muka surat 203, sub-head 1, item (1)—Menteri Keselamatan Dalam Negeri. Parti Islam sa-Tanah Melayu ia-lah sa-bagai sa-buah parti pembangkang dan juga telah menyokong Undang² Keselamatan Dalam Negeri yang telah di-bentangkan sedikit masa dahulu dalam Dewan ini. Ada-lah menjadi tujuan parti ini tat kala menyokong Undang² Keselamatan Dalam Negeri ini dahulu bukan sahaja keselamatan perjalanan dalam negeri ini, tetapi juga supaya dengan Undang² ini dapat di-rentikan sa-barang kegiatan politik luar negeri yang mungkin di-jalankan dalam negeri ini.

Tuan Pengerusi, dalam surat khabar *Utusan Melayu* sa-malam ada satu berita yang menyebutkan tentang satu tuduhan yang telah di-buat oleh Perdana Menteri Indonesia yang mengata-kan bahawa Perdana Menteri Indonesia telah menyatakan, telah menudoh, Tunku Abdul Rahman membantu pemberontak² Indonesia. Kata-nya dalam masa pemberontakan Indonesia, Perdana Menteri Malaya telah membantu pemberontak² dengan memberi perlindungan² kepada mereka itu di-Malaya serta memberi visa demi kepentingan persahabatan, perhubungan dengan negara tetangga. Kami tidak mengembar-gemborkan perkara tersebut. Daripada saya, bukan-lah hendak men-fitnahkan Kerajaan negeri ini, tetapi saya berkehendakkan penjelasan. Daripada kenyataan ini, Tuan Pengerusi,

ada satu perkara yang saya fikir patut mendapat penjelasan, sa-kurang²-nya dari Yang Berhormat Menteri Keselamatan Dalam Negeri, bahawa Tanah Melayu ini tentu tidak patut membenarkan kegiatan politik untuk menguasai sa-sabuah parti politik di-Indonesia sendiri, apa-tah lagi dengan pengetahuan Perdana Menteri sendiri dan mema'alumkan kepada Menteri Keselamatan Dalam Negeri, sebab membenarkan keselamatan dalam negeri menjalankan anasir politik, menjalankan politik yang sah—politik Indonesia bukan sahaja itu, tetapi berlawanan dengan sa-suatu bangsa yang sudah merdeka. Nampak-nya daripada kesan berita yang kita bacha kelmarin, malang-nya Kerajaan Persekutuan Tanah Melayu ini lupa hari ini bahawa dengan sa-chara tidak tahu ra'ayat Tanah Melayu telah memberi bersembunyi, memberi kemudahan bagi menyokong anasir yang menderhaka, anasir ra'ayat itu di-negeri ini.

Enche' Too Joon Hing (Telok Anson): Mr Chairman, Sir, this is about foreign affairs. It is not internal security. I think we have very limited time, and if we are going to discuss foreign affairs. I do not think there will be enough time for others to talk.

Mr Chairman: Ya, saya fikir berkenaan dengan *external affairs* itu sudah kita bahathkan. Sekarang ini berkenaan dengan *internal security*. Sebab masa kita ada-lah suntok, jadi pukul 11.30 nanti, saya terpaksa memberi Menteri menjawab-nya.

kalau di-benarkan oleh Ahli Yang Berhormat itu untuk sa-patah penjelasan?

Tuan Haji Hasan Adli bin Haji Arshad: Saya benarkan.

Tuan Syed Ja'afar bin Hasan Albar: Berhubong dengan kenyataan Dr Subandrio, Kerajaan sa-bagaimana yang saya dapat faham, akan mengeluarkan kenyataan, tetapi daripada kenyataan Ahli Yang Berhormat dari Kuala Trengganu Utara itu nampak-nya sa-olah² yang perkara ini sudah betul dan benar, pada hal dia baharu dengar satu pehak sahaja dan dia belum dengar satu pehak lagi ia-itu Kerajaan. Tetapi, daripada gaya dia berchakap, nampak-nya dia benar² perchaya daripada yang di-sana!

Tuan Haji Hasan Adli bin Haji Arshad: Tuan Pengerusi, itu-lah yang saya tuntutan, apa-kah Menteri Keselamatan Dalam Negeri tidak tahu Dr Sumerto yang pada satu masa dahulu dia menjadi Menteri Kewangan Indonesia, kemudian menjadi salah sa-orang ketua pergerakan menderhaka di-Indonesia itu telah ada datang ka-negeri ini beberapa kali dan menjalankan kegiatan politik-nya sa-lain daripada dia bertemu dengan Perdana Menteri Persekutuan Tanah Melayu dan memberi beberapa kemudahan².

Enche' Too Joon Hing: Mr Chairman, Sir, I wish to bring to the notice of the Minister a report which appeared

Enche' Too Joon Hing: Well, Sir, I hope the Minister concerned will give this matter serious consideration and have a thorough investigation made into it. If the U.D.P. people are wrong, if we are wrong, we are prepared to accept any action; if the M.C.A. people are wrong, they should also accept whatever action they deserve. By doing so peace and order can be maintained in all areas.

Enche' Zulkiflee bin Muhammad (Bachok): Tuan Pengerusi, saya hendak berchakap berkenaan dengan Anti-Corruption Agency dan gaji anggota Polis. Pada masa meshuarat yang lalu saya telah menyatakan bahawa Anti-Corruption Agency dalam negeri

tidak nampak peruntukan kenaikan gaji anggota Polis. Oleh kerana tugas mereka menjaga keamanan dan oleh kerana menghindarkan makan suap dan sa-bagai-nya, saya harap kepada Yang Berhormat Menteri supaya tuntutan gaji anggota Polis itu hendaklah di-perhatikan.

Yang ketiga, saya hendak berchakap tentang Language Allowances. Language Allowance ini di-beri kepada orang bukan Melayu sebab mereka tahu Bahasa Kebangsaan. Saya fikir patutlah di-hapuskan pada masa ini, sebab Bahasa Kebangsaan ada-lah satu perkara yang telah menjadi satu kewajipan bagi mereka yang berkhidmat dengan Kerajaan negeri ini. Jadi tidak ada

akan di-tumpukan untuk membuat barrack polis bagi anggota polis yang berpangkat rendah.

Dan tegoran² yang lain datang-nya dari Ahli Yang Berhormat dari Melaka dan Ahli Yang Berhormat dari Bachok berkenaan dengan judi, ia-itu perkara ini bukan-lah tanggungan Anti-Corruption. Perkara ini ia-lah bagi tujuan membayangkan lagi ahli² polis ya'ani bila saya membentangkan estimates itu supaya hendak menekan jangan ada banyak lagi crime dalam negeri ini termasuk-lah judi.

Berkenaan dengan Language Allowance—bahasa kebangsaan, saya akan kaji shor Ahli Yang Berhormat dari Bachok itu.

As regards the Member for Telok Anson, I can assure you that I will look into the matter and he can be assured that so long as the Alliance is in power we will give justice to all and we will not discriminate. The Police will, no doubt, investigate into the matter and, as he knows, any offenders of the law will be brought into court.

Berkenaan dengan Ahli Yang Berhormat dari Trengganu Utara, berkenaan dengan soal yang dia telah membabitkan ia-lah soal Kementerian Luar Negeri, tanggungan saya ia-lah Menteri Keselamatan Dalam Negeri. Jadi, saya tidak-lah hendak menjawab apa² yang telah di-terbitkan itu kerana saya fikir perkara yang di-kemukakan itu tidak ada kena-mengena dengan Kementerian saya.

Now I come to the Honourable Member for Damansara. There is no better tribute that democracy in this country is functioning well than the fact that in spite of the fact that he has imposed on this House 1½ hours of his pathological concept of perverse democracy, we in this House, at least the Government Bench, we sat in silence to listen to his dissertation. I can go at great length trying to crush his argument in favour of his concept of perverse democracy, but that will not do much good because obviously his concept of democracy is entirely alien to what is ordinarily practised in those countries that truly believe in

democracy. The only thing I would like to do is to give him the assurance, if he needs any assurance, that this Government will always abide by democratic practice and that there will always be elections so long as the Alliance is in power (*Applause*).

But there are a few points which he brought forward which must be answered, distorted though his concept may be. For example, he tried to picture to this country the sufferings and the plight of the fathers, mothers and the children of those who have been arrested. Now, Sir, I share those sufferings of those wives and children, but, Sir, those sufferings need not be imposed on those wives and children by their husbands. According to his reasoning it means that every time a man is convicted in a court of law the judge must first of all think of what will happen to his wife and children if he is convicted. He chose to equate the Save Democracy Fund with the arrest of the 50 communists.

Enche' K. Karam Singh: On a point of order under Standing Order 36 (1). Mr Chairman, Sir, I never referred to people who are convicted in a court of law—I have never referred to that. It is something irrelevant that the Minister is trying to bring into this argument.

Dato' Dr Ismail: I was just giving an example to follow his argument to its logical conclusion. If you say that the man is breaking the law and he suffers from the consequences of the law, then surely you try to picture to this House, "Why don't you think of the plight and sufferings of the wives and children". That was the argument you put forward to this House and I say that I share those sufferings of those wives and children. But the sufferings need not happen if those husbands did not break the law of the country.

Then he goes on to say that the Government, and in particular myself, are trying to crush the Opposition Parties. I have said many times in this House that as a true believer in parliamentary democracy I believe in opposition. That is what I am trying to do:

I am trying to save the Socialist Front so that they can function as an Opposition in this country. I think if I were to die I would like to be written as my epitaph that I am the one who saved the Socialist Front in this country so that they can function as an Opposition (*Laughter*).

Now, Sir, I would like again to say that those people who have been arrested, they are arrested under the Internal Security Act either because they are communists or because they are furthering the aims of communism. Whether they come from political parties or from other organisations is not relevant. If that argument is relevant, then you are going to say that because some of the people arrested are members of the Socialist Front then they must not be arrested although they may further the aims of communism or they may be communists. And I say that if you will not try to protect your party, please let me do the protection for you to save your party (*Laughter*).

Sir, I come now to the Member for Ipoh. First of all I would like to reply to his observation about the apparent discrimination against the Punjabis in this country in that in regard to recruitment of Punjabis they require a height of 5' 9". Well, Sir, I will look into this matter. But, just for argument's sake, if we are going to put the height of the recruits at 5' 9" then it will disqualify quite a number of recruits; and then if we put it at 5' 2" then of course the Punjabis will have a disadvantage over. If, for example, we have a parade and we have two Punjabis 5' 9" and the others 5' 2" it may not be very slightly. However, I will look into this matter and see in what way we can amend this apparent discrimination. Of course, I cannot do anything with the Punjabis being big in all respects (*Laughter*).

Sir, the most important part of the Honourable Member for Ipoh's speech is that he was really very perturbed at the press statement issued in connection with the arrest of these 50 people; and that part of the newspaper from which he quoted reproduced very accurately the activities in support of the Com-

munist Party of Malaya by the people detained—and this is clear. Well, Sir, here I would like to explain that the persons were arrested under the powers provided in section 73 (1) of the Internal Security Act which states as follows:

"73. (1) Any police officer may without warrant arrest and detain pending inquiries any person in respect of whom he has reason to believe—

- (a) that there are grounds which would justify his detention under section 8; and
- (b) that he has acted or is about to act or is likely to act in any manner prejudicial to the security of Malaya or any part thereof."

In other words, Sir, what that press release means to convey is that unless the evidence is clear the Police would not have arrested these people. Of course, if we accept the Honourable member's argument, then we are prejudging the case every time we arrest a person under the Internal Security Act. I am not going to go into the *pros* and *cons* again of the Internal Security Act, which has been passed by this House. I respect the Opposition's views, but the fact remains that this Act is the law of the country at the moment and it is my duty, as Minister for Internal Security, to act in accordance with the powers granted to me by the laws of the country.

Now, he brought up the question that in cases where we say that documents of a subversive nature are found on those people arrested for subversion, they should be produced in courts of law. Well, Sir, they have been produced and they have been convicted in some cases, but these persons are guilty of two things—(1) in possession of the document, and (2) trying to subvert the country.

Now I am glad—and I am sure Members of my Party, too, are glad—to hear the tribute which the Honourable Member for Ipoh pays to us—that we will abide by constitutional means—and he also said that if we are going to be defeated, we must be defeated in elections. Of course, the Honourable Member for Ipoh acted very correctly when he handed to me letters of subversion which he received by post in this House. Sir, in regard to subversion, anybody, no matter

where he comes from—from Indonesia or from any other country—if he acts contrary to the Internal Security Act, he will have to suffer the consequences of that Act. I shall not discriminate that just because he is an Indonesian, he will be exempted to be tried for subversion of this country.

Sir, of course Honourable Members in this House, and the Press too, have urged that I should give instances or evidence of these people who were arrested. I am not obliged to do so under the Act, but in conformity with my concept of parliamentary democracy, I am going to give it this time, but this must not be treated as a precedent that I am obliged to give evidence every time an arrest is made in this country. I will now give some typical examples of the activities and affiliations of the persons, who were arrested on Sunday for alleged subversive activities. The first example concerns a man whose alleged communist activity dates back as far as May 1956, when he became a member of the New Democratic Youth Alliance, a forerunner of the Malayan Patriotic Democratic League—a communist satellite organisation. This man absconded at the time of the 1958 arrests but later appeared to play a leading part in the Labour Party of Malaya. Since his arrest, this man has admitted the following:

- (a) That he is a Central Committee member of the Malayan Peoples' Democratic League—a communist satellite organisation;
- (b) That he was responsible for bringing one communist terrorist from Singapore to North Malaya in 1959;
- (c) That he conducted four members of the Malayan Races Liberation League—another communist satellite organisation—from Johore to Selangor and then to Penang to enable them to escape arrest;
- (d) He admits that he was directing the activities of a communist satellite organisation—the Malayan Patriotic Democratic League in Penang;

- (e) He admits that he was responsible for directing, with the assistance of others, communist penetration of four Labour Party branches in Selangor, and in 1961 he was the Chairman of a certain Labour Party of Malaya Branch in Negeri Sembilan.

There you see, I am trying to save the Socialist Front, and in particular the Labour Party of Malaya, so that they can be free from communism, so that their parties will not be taken over by communism, so that they will function as a democratic party, and as a responsible Opposition in this House. Although I do not like their speeches but as a true democrat, I have to respect them, and I like them to be in the House. (*Applause*).

Enche' Liu Yoong Peng (Rawang):

Mr Chairman, Sir, the Honourable Minister has said that he is trying to help the Party to keep clear from the communists, but some of the methods employed by the Police in respect of the detention of these members are open to doubt. For instance, a copy of the speech of the Honourable Member for Dato Kramat was also taken away by the Police. Is the Minister trying to get evidence that the Honourable Member for Dato Kramat is actually a communist? If not, why should a copy of his speech have been taken away by the Police? So, I want the Minister to be very clear—especially when one of the back-benchers is saying that it is quite possible—whether the Government is taking action against our Party rather than communist activities. If the Government is trying to save us, to let our Party to run on democratic lines, then why is it that all documents which belong to the Party and concerning the Party as such are being seized by the Police?

Dato' Dr Ismail: Well, Sir, I am sorry that such inconvenience has been caused to the Socialist Front or the Labour Party. As regards the Honourable Member for Dato Kramat, the fact that he is still a Member of the House shows that he is not a communist or a pro-communist—but

I do not know later on; if later on he, or any members of his Party by constant association with these people are converted to communism, in spite of the fact that I am trying to help them, I cannot help it, and I have got to take them in. (*Laughter*). However, if they are as now really socialists I will not do that. As I said, I love the socialist opposition and I want the Labour Party to function as the Opposition party in this country. In respect of any inconvenience caused I will investigate, and as I love the Opposition I will try to minimise the inconvenience. I regret it very much.

Enche' Tan Phock Kin (Tanjong):

Mr Chairman, Sir, after hearing the Honourable Minister of Internal Security, I cannot help feeling that though he is anxious to put forward the impression that he is a true democrat, I am afraid his action and the policy of his Ministry in the past few years, and in the past few months, do not give proof of his utterances. What we in the Opposition are worried about—and I think the people of this country are worried about—is not so much the arrests as such but the reasons put forward for such arrests. The Minister is trying to tell us that all these people are being arrested because they are members of subversive organisations, or they are furthering the aims of the Communist Party. The Communist Party has been declared an illegal organisation, and, surely if he has ample proof that any of those people, who have been arrested or detained, are actually members of the Communist Party, he can get them convicted in a court of law. There is no necessity whatsoever of using arbitrary powers to detain them, as he has told this House that all these people are being detained and that his Ministry is investigating into the matter to see whether they are really furthering the aims of the Communist Party. So, it is quite true to say that not one of the people arrested is actually a member of the Communist Party; and it is also true to say that it is not possible for Government to convict them because they have committed no crime. On this question as to

whether they are furthering the aims of the Communist Party, it is a matter of conjecture on the part of Government. If you dislike any person, you can say that he is furthering the aims of the Communist Party—and our Government has on many occasions in this House accused Members of the Opposition for furthering the aims of the Communist Party. The Minister himself, if I am not mistaken, on one occasion even told a Member of the Opposition to go to the jungle. If that is the criterion of the Government to judge whether a person is furthering the aims of the Communist Party or otherwise, I am afraid that the Government is merely abusing the power given to them under the Internal Security Act to detain members of the opposition political parties for fear that they may have through effective organisation a political party to fight constitutionally against the Government in power.

Mr Chairman, Sir, we have noted, in the course of debate in this House, particularly on the Brunei issue, very emotional statements by the Government to the effect that, just because Members of the Opposition have the moral courage to take up the issue with regard to Brunei, and to oppose the Government with regard to the state in Brunei, it has also accused us of being subversive. It is very clear from the various statements made in this House that as far as the Government is concerned, it is not so much interested in preserving democracy as the Honourable Minister is trying to put across to us, but that it is more interested in preserving itself.

The Honourable Minister has given examples of other countries who believe in democracy, and he even went to the extent to say that he agreed with such countries who are actually preserving democracy; but very little does he realise that most of these countries, which he is talking about and which he has taken as shining examples of democracy, recognise the Communist Party and that the Communist Party is allowed to exist in those countries; whereas in this country the Communist Party is

declared illegal. Not content with declaring the Communist Party as illegal, he now goes further and tries to suppress other political parties, while paying lip service to them. I am sure that it is quite clear from the utterances made by him and other Members of the Government Bench that they are not genuinely sincere when they say that they believe in opposition, and they believe in preserving opposition political parties, when their very action is designed to undermine the organisation of opposition political parties.

Question put, and agreed.

The sum of \$2,399,380 for Head S. 39 and the sum of \$87,648,815 for Head S. 40 ordered to stand part of the Schedule.

Heads S. 41 to S. 44—

The Assistant Minister of Commerce and Industry (Tuan Haji Abdul Khalid bin Awang Osman): Mr Chairman, Sir, with your permission, I will take Heads 41 to 44 together.

Head 41 relates to the Headquarters of the Ministry of Justice. The Expenditure under this Head for 1963 will be less than that for 1962. There is no change in the establishment of the Ministry and under Other Charges Annually Recurrent there is only an insignificant increase. As regards Special Expenditure a sum of only \$25,000 is being sought, for re-equipping of Law Libraries. This is only half of what was given for 1962.

Turning to the next Head of expenditure—Judicial Head 42—Honourable Members will recall that when presenting the budget last year, I stated that although our staffing position was adequate then, it might be necessary in future years to increase the establishment. There has since been no marked change in the establishment of the department but it will be seen under Personal Emoluments that there is a slight decrease of \$16,249 over the 1962 provision. This is due to the retirement or transfer of several senior officers to the Legal Department and the filling of the resultant vacancies by young officers on lower salaries.

Under Other Charges Annually Recurrent in respect of the Judiciary, there is an increase of \$24,774 as compared to the 1962 provision. The increase is unavoidable as it is anticipated that more light and power will be consumed in 1963 and more daily-rated or part-time staff will have to be employed next year, to clean and upkeep the court houses and compounds, a responsibility which has hitherto been undertaken by Town Boards. The purchase of Printed Forms and Stationery has to be slightly increased, as the number of court cases has greatly increased with consequent increase in the use of Printed Forms and Stationery. In fact this year's stocks of Printed Forms and Stationery have been found to be grossly inadequate. There is also going to be a slight increase in the Transport and Travelling Vote as there are bound to be a greater number of court sittings held by Circuit Magistrates, to cope with the increase in the number of cases. Under Special Expenditure, the total provision required for 1963 is the same as that for 1962.

Turning to the Attorney-General's Chambers—Head 43, I would mention that there is a slight increase in the estimated expenditure in Personal Emoluments over the 1962 Estimates. This is necessitated by the creation of four new appointments, namely, the Principal Federal Counsel, the Commissioner of Law Revision, the Legal Adviser, Kelantan, and one Federal Counsel for Negeri Sembilan and Malacca. The creation of the post of Principal Federal Counsel is necessary as the increased volume of work in the Legal Department calls for the services of an additional Legal Officer with long experience. The Commissioner of Law Revision is appointed for the purpose of consolidating and codifying the laws in the Federation. The addition of one Senior Federal Counsel, Grade "B", is for the appointment of Legal Adviser, Kelantan, which was formerly served by the Legal Adviser, Trengganu. Considering the distance one has to travel from Kuala Trengganu and Kota Bharu and the volume of work for

the two States, it is felt that each State should have its own Legal Adviser. As regards the appointment of a Deputy Public Prosecutor for Negeri Sembilan and Malacca, it is felt that the Legal Adviser, Negeri Sembilan and Malacca, should be assisted by an assistant to deal with the prosecutions in both States. It is difficult for one person to devote sufficient time to legal and criminal work for both States.

Under Other Charges Annually Recurrent of this department, the increase in Transport and Travelling is unavoidable due to increase of travelling by Federal Counsel and Deputy Public Prosecutors to the lower courts in the districts to conduct preliminary inquiries and to conduct the prosecution of serious criminal cases. Under Special Expenditure, a vote is provided to meet the expenses of Colombo Plan Experts in the Drafting Section.

I will now turn to Head 44 which relates to the Department of Public Trustee and Custodian of Enemy Property.

Compared to the 1962 budget under Personal Emoluments, there is an overall increase of \$36,686 which cover an addition of seven new posts to the Establishment, and the annual increment of the existing staffs. This Department is responsible principally for the administration of trust properties belonging to minors and other incapacitated persons, particularly in those cases where the beneficiaries are too ignorant or poor to do so for themselves. The expansion of the activities of the Department has necessitated the setting up of the Real Estate, the Investment and the Internal Audit Sections at Headquarters and the consequent creation of these new posts.

Under Other Charges Annually Recurrent there is an increase of \$4,000 in the Transport and Travelling Vote and this is to enable more frequent inspection visits to Branch Offices throughout the Federation for the sake of efficient supervision. The Real Estate Manager and Internal Auditors will be required to travel

extensively in order to carry out their duties effectively.

Under Special Expenditure, an increase of \$2,550 is being sought in order to provide the Head Office and the Branch Offices with certain essential equipment and furniture.

Sir, I beg to move.

Enche' D. R. Seenivasagam: Mr Chairman, Sir, I speak under Head S. 41, Ministry of Justice. During the general debate I had occasion to comment on the policy involved in the appointment of judicial officers. I ask the Honourable Assistant Minister, who moved these estimates today, if he could kindly clarify to me in his reply later on the number of expatriate High Court judges whose terms of office have been extended beyond the original period; and having given that, I ask for clarification as to why their terms of office were extended. I am strongly in favour of the extension of their terms of office, but I would like to know why in the Government's view it was necessary to extend their terms of office, when the Honourable Prime Minister in reply to me has said that there are local judges efficient and sufficient to carry on the administration of justice in this country. To those questions I would be obliged if the Honourable Assistant Minister who moved these estimates can give us a reply.

Mr Chairman, Sir, it is a matter of regret that I have to speak on this subject again—on the appointment of judges and the policy under this Ministry. I say it is a matter of regret, because the Honourable Prime Minister thought it fit to say that I as a member of the Bar was making an unwarranted observation on the administration of justice, and he suggested that if my observation were warranted, then I would have complained about negligence, incompetence and, as the Honourable Prime Minister put it, a suggestion of improper practices. For the information of this House and the information of this country, I did complain in writing and if the Prime Minister is unaware of that, then I say the Prime Minister failed in his duty

as Head of the Government to investigate those complaints or even know of those complaints which I made in writing to the proper authority. Up to this day, I have not got a final reply to the complaints which I made, which were of a serious nature and substantiated to a very great deal. Therefore, I ask the Honourable Assistant Minister who moved these estimates kindly to tell us whether this Ministry is aware of those complaints which I made in writing, and if it is not aware, why it is not aware of them, and the Honourable Prime Minister was misled into saying that I made allegations without prior complaint to that department. I feel, Mr Chairman, Sir, that the policy of the Ministry of Justice should be not to say that "the Opposition is talking through its hat" but to look to your own Ministry and find out whether any complaints have been made. After that the Prime Minister would then be in a position to say that "you are making allegations without any foundation, or you have never made allegations". Therefore, it is a matter of regret that the Head of the Government thought it fit to cast an aspersion on an Opposition Member who never makes allegation which he is afraid of, or which he cannot substantiate. Not only was one accusation made but several were made, and to none of them have I got a final or satisfactory answer from the appropriate authority. Therefore, for the information of the Honourable Minister of Justice and the Honourable Prime Minister, such reports have been made in writing from time to time. It is a matter of regret that I have to bring this up again for the Minister of Justice to consider as a policy; it is a matter of regret that the Honourable Prime Minister read into my speech and imputed to me that I alleged that there was improper practice on the part of judges. Anybody reading my speech can certainly not impute that into what I said. They can impute incompetence and, lack of experience, but they certainly could not impute improper practices by judicial officers. But if the Prime Minister wants it straight from the shoulder, I will give it straight from the shoulder: one of the complaints I made was of possible corruption and

that was in writing, and I hope the Honourable Assistant Minister will be able to tell us something about that. Mr Chairman, Sir, I stand here to say it, and I think I am supported by the Honourable Minister of Internal Security, because in reply to observations made in the general debate the Honourable Minister of Internal Security admitted that expatriate police officers were still in this country because there were not enough experienced local police officers to take over their posts; and the Honourable Prime Minister in the same breath says, "Oh, we have enough people to take over from expatriates in the judiciary"; but I suggest we do not have and the Minister of Justice should use his influence to see that our expatriate judges are kept in this country for so long as is necessary, until our local judges learn, gain experience in the ethics of the profession itself. When I say judges I mean, of course, judicial officers ranging from judges to magistrates, particularly magistrates.

As a matter of policy, the Minister of Justice should, I think, intervene in a matter where Honourable Members of this House are concerned. We are members of the profession. Sometimes parliamentary dates are changed at the request of the Government side and they collide with our legal practice. As for myself, it does not bother me because I have other assistants to take over my duties. But there will be a time when more and more members of the profession will come into this House, and I think that the Minister of Justice must get into conference with the Chief Justice and the others concerned with the administration of justice to make it a policy of the courts that when Parliament is sitting priority should be given to Parliament above the courts, because the courts are subordinate to Parliament. I would ask that some sort of policy be formulated so that the courts will know what to do if somebody says "I am not going to come to court, I have to go to the Parliament". So far there has been no policy framed and I think it would be of interest. It does not matter what the policy is but some policy must be framed so that the people involved in

the administration of justice will know what they should do.

Commenting on again the Ministry of Justice and the policy adopted, one in this country is getting more and more perturbed at the conduct—and I do not use the word “conduct” in any bad sense—at the attitude taken, particularly by subordinate courts, with regard to persons charged in those courts. Here, again, it is a matter of the administration of justice and it becomes very important now-a-days—very important because in these days of political activity in this country, there will be occasions when political opponents of the Party in power may be charged in our courts. There is one such case now pending, and that is the case of the Party Negara leader who is charged with an offence of sedition. It is *sub judice* and I mention nothing of that case. But one strange fact emerges from that case. Sedition is an offence punishable by imprisonment—not by life and not by death—and therefore in the normal course of events a bailable offence, and yet the leader of a political party has been refused bail. It should be the policy of the Ministry to see that bail is the principle of the law, and its refusal is the exception and that this should be followed without bias, without prejudice in all cases. Here it is a judicial matter and I am not entitled to comment further, except to say that it is vital at this stage of Malayan legal history that the judiciary should be strong, powerful and independent; and this can only be so if the Ministry of Justice assists the judiciary to be powerful, strong and independent.

Referring to the question of terms of service, I can repeat what I said at the general debate. Here it will be of interest for this House to note that what I said about the judges and the necessity of expatriate judges being retained in this country for the training of and giving more experience to local judges has received almost a full backing of almost all members of the Bar who have been interviewed by the *Malay Mail* at the Federal capital in Kuala Lumpur. If somebody reads the

Malay Mail of a few days back, he will find that some of the leading lawyers in the Federal capital have gone so far as to say that what I said in this House is a correct statement of what is happening in the judiciary today and that they support and back my call for a revision of wage scales for judicial officers in this country so that the administration of justice will be maintained at the highest level without any indication that can be cast on the judiciary.

Mr Chairman, Sir, there is one more matter I wish to speak under this Ministry, and that is this question of the Criminal Procedure Code Amendment Bill which we passed in this House at this sitting. The Minister of Justice sits in the Senate and as a policy I would ask the Minister of Justice to ask the Senate to refer this Bill back for this one very good reason—that the Bar Council of the Federation of Malaya was not consulted. I am not a member of the Bar Council of the Federation of Malaya; therefore, I do not speak for them. I speak as a member of the Bar of this country and as a Member of Parliament and I say that it is an insult that the highest body, which controls to a large extent the administration of justice and legislation in this country, whose views will be of interest, and of importance to the legislative body, was not consulted on this most important amendment. Representations have been made through the Press, article after article had appeared in the Press saying, “This is an insult to the Bar Council. We should have been consulted. We have views to give you on this matter”. Therefore, I appeal to the Minister, when he goes to the Senate to take appropriate steps so that it will have an opportunity to refer the Bill to the Bar Council of the Federation of Malaya, a statutory body formed by the law of this country for the purposes of being consulted on legislations in this country. If you are not going to do that, then what is the use of a Bar Council? What is the use of the statutory powers which you gave to the Bar Council? I ask the Minister, as a matter of policy, to

consider that matter. Perhaps the Honourable Assistant Minister, who moved these estimates, will be unable to tell me whether the Minister will do it, but I hope he will at least convey my plea. It is a plea on an important matter—on a matter of principle. If you go on insulting the Bar Council of the Federation of Malaya, then finally you get a hostile Bar Council, a Bar Council which will be hostile to the Ministry of Justice, in which case there will be no co-operation and legislations will go through without the co-operation of the members of the Bar Council of the Federation of Malaya. I don't think any of us want that situation; we want a better situation than that.

Enche' Zulkiflee bin Muhammad: Tuan Pengerusi, satu perkara yang saya hendak chakapkan ia-lah berkenaan dengan item (1) Ministry of Justice. Tuan Pengerusi, saya hairan kenapa Yang Berhormat Menteri tidak ada hari ini.

Tuan Haji Abdul Khalid bin Awang Osman: Dia sakit.

Enche' Zulkiflee bin Muhammad: Sa-patut-nya sa-kurang² dia datang mendengar perbahathan di-sini. Tuan Pengerusi, satu daripada perkara yang saya telah bangkitkan di-dalam hal Kementerian Kehakiman tahun yang lalu saya sudah menuntut supaya dijalankan oleh Kementerian ini ia-itu supaya dapat di-Melayukan per-bicharaan dalam negeri ini. Berapa hari yang lalu Ahli² Yang Berhormat dari Ipoh telah berchakap di-dalam Dewan ini berkenaan dengan bahasa Melayu di-dalam mahkamah, dia telah menyebut apa yang di-katakan oleh sa-orang ahli undang² di-situ menyatakan bahawa tidak boleh di-paksa perkembangan undang² dan perjalanan mahkamah. Tuan Pengerusi, saya sama sa-kali tidak bersetuju di-jadikan soal kapada saya ia-lah bahawa Kerajaan Persekutuan ada mempunyai tanggung-jawab untok menghasilkan apa yang di-sebut bahawa bahasa kebangsaan hendak-lah di-jadikan bahasa pengantar yang penoh di-dalam tahun 1967. Lagi tiga empat tahun sampai-lah

pada tahun 1967 ini dan yang saya rayukan pada pihak lain yang telah dapat membahasa-Melayukan hal² Jabatan masing² maka Jabatan Kehakiman akan tinggal ka-belakang. Kita tahu kesulitan² yang melengkongi bersangkut dengan undang² di-dalam process membahasa-Melayukan undang² itu sendiri. Saya berpendapat bahawa oleh kerana perkara itu telah menjadi tanggung-jawab bagi Kerajaan atau telah tidak boleh di-jadikan daleh-nya oleh Kerajaan dapat membuktikan kesungguhan atau terchipta apa yang di-chitakan oleh Kerajaan itu sendiri. Sampai hari ini saya tidak tahu apakah yang di-ranchangkan oleh Kementerian Kehakiman itu bagi menjadikan benar² bahasa Melayu ini pada tahun 1967, bahasa Melayu itu bahasa Kehakiman dalam negeri ini, saya menuntut Menteri Yang Berhormat menggunakan Dewan ini, apa pandangan-nya yang dia hendak buat bagi menghasilkan itu semua. Saya tahu dia tidak berapa rajin, tiada berapa bersungguh di-dalam hal ini. Tetapi itu tidak menjadi soal, yang menjadi soal bahawa perkara itu telah menjadi dasar Kerajaan dan menjadi kewajipan-lah Kerajaan menghasilkan. Bahasa Kebangsaan itu, Tuan Pengerusi, tidak dapat di-agong²kan sa-mata² dengan statement, tetapi hendak-lah dengan process ranchangan² yang di-ator yang akan dapat mengatasi kesulitan² tanah ayer dalam negeri itu. Kita, Tuan Pengerusi, politician dan termasuk juga, Tuan Pengerusi. Orang Kehakiman dan politician ini jangan-lah meletakkan sa-suatu yang terlalu berat hingga akan membawa pada chelaru atau haru-biru dalam Pentadbiran Kehakiman. Tetapi itu fikiran orang Kehakiman, tetapi politician bertanggung-jawab bagi mewujudkan sa-suatu yang di-kehendaki yang menurut nilai politik itu sendiri, sama ada di-setujui oleh sa-siapa atau tidak itu tidak menjadi soal. Tetapi yang saya hendakkan Ahli Yang Berhormat mengemukakan ranchangan ini dengan satu demi satu, tidak chukup-lah di-katakan di-Pantai Timor sudah berchakap Melayu, tidak boleh-lah mengatakan di-Pantai Timor sudah berjalan apa di-gaduhkan lagi. Tuan Pengerusi, kalau dia tidak menjawab

boleh jadi saya boleh menanya lagi dalam sidang yang akan datang yang boleh jadi saya akan hentam.

Enche' S. P. Seenivasagam (Menglembu): Mr Chairman, Sir, on the question raised by the Honourable Member who spoke last in regard to the position of Malay becoming the language of the Courts by 1967, I think, anybody who knows anything about the administration of justice, anybody who has ever read legal textbooks, will not be so optimistic as to hope that we will get anywhere near the use of the national language in the Courts by 1967. If they are, then I say that they are suffering from an illusion that our Courts are going to be conducted in the national language in 1967; I am going to say that they are going to be severely disappointed, because with all the goodwill in the world it is impossible to use Malay in the Superior Courts of this country by 1967. It is not that we do not like to use Malay. Afterall, whether a person likes it or not, whether the Honourable Member for Ipoh likes it or not, it affects only two individuals. However, looking at it from a long range point of view, if you want to use the Malay language in the Courts, and if it is possible, then, perhaps, there will be no serious objection to it—but it is not practical. In the first place are there universities which teach students law in Malay—so far as I know there are no universities—even in Malaya—undertaking a course of instructions in law in Malay. I wonder why the P.M.I.P. does not bother to ask when doctors are going to speak in Malay, when all hospital doctors have to learn their medicine in Malay. It is the same position as for lawyers. You can have no doctors, if you say that universities are to teach medicine only in Malay. Let us look at it from the practical point of view. It is not a question of national pride, it is a question of everyday practicability—you use the national language in so far as it is practicable. Where it is not practicable, there is nothing to be ashamed of in saying that the language is not wide enough to deal with the subject and let us use English.

Mr Chairman, Sir, India is a proud nation, India is an independent nation; India has acknowledged quite openly that in Courts it is going to use English—it had been using English and it is going to use English for a long time to come. I would ask my Malay friends not to consider it as an insult when people say that it is not possible to use Malay in Courts by 1967.

Now, Sir, coming to the administration of justice in this country, I feel the time has come when the Ministry of Justice must undertake a general revision of the legal procedure in this country, because we, who are actively engaged in the practice of the profession, are fully aware of certain defects, defects which have the ultimate effect of denying justice to those who seek justice. The other day, the Honourable Minister of Justice said in this House, "If anything goes wrong in one of the Lower Courts, or even in the High Courts, you can always go to the Privy Council." Well, I am afraid, the Honourable Minister of Justice has probably been out of touch with the practice of law for a very long time, because otherwise he would know that the Privy Council is a body of very limited jurisdiction, and it is not a body which will concern itself with everyday irregularities in Courts.

Sir, one of the most urgent needs is a revision of the law insofar as it relates to the keeping of records of proceedings. It is no use giving a man the right to appeal to the High Court, if when the case gets to the High Court, the record of what happened in the Lower Court is not complete. Very often, in the newspapers—and Members of this House and others may have read of it, there is a quarrel between a magistrate and a lawyer: the lawyer says, "This is an important question, I want you to take it down" and the magistrate says, "Do not try to teach me what to take down; I know what to take down." Now, Sir, that situation should never arise, because if you give a man the right to appeal to the High Court, the High Court must know exactly what went on in the Lower Court; otherwise, it is a farce. In England the practice in the High

Courts, at least, is that there are stenographers present. Every word uttered by the judge is recorded. So, in the Lower Courts when we hear of a judge making nasty remarks, when the judge says something which he should not have said and which may prejudice an accused person, that record is there and you cannot get away from it. In the Court of Appeal you can say that the judge did not conduct himself properly, and the appeal is allowed. The case either goes back for a new trial, or the accused is discharged. But what happens in this country? We are completely at the mercy of the magistrate, or a Sessions Court judge, or even a High Court judge. The law does not require him to make an accurate record of what goes on in the Court; the law gives him the power to take down what he likes, what he considers to be important, to omit what he does not want to record, and we have no right, no accused person has the right to insist that what happens in the Court must be recorded. In those circumstances, it has often happened that when a case goes up on appeal, the lawyer who goes to argue the appeal looks at the record and finds that a great deal of substance of what went on in a Lower Court is missing. His arguments are shattered. He loses the appeal. Now, that is not justice. Justice can never be had when the procedure gives discretion to a judge to record what he likes. I would, therefore, ask for a Law Revision Committee to be appointed to review the procedure in Courts generally with particular reference to the preparation of records. Only in that way can we ensure that magistrates show a greater sense of responsibility to their duties.

There is another point on which, I think, it would be proper to speak under the Ministry of Justice, and that is the manner in which inquiries, *quasi* judicial inquiries, are held in the case of persons detained under the Prevention of Crimes Ordinance. We have a shocking state of affairs where a judicial officer is appointed to conduct an inquiry. The Police bring in the witnesses, and at that stage the accused person is not allowed to be present; he

does not know who the witnesses are; he is not allowed to hear what they say—and worse still the detained person's lawyer is not allowed to attend. Therefore, all that goes on at this ridiculous inquiry is that a judicial officer sits down, the Police bring in the witnesses, who say what they like and then disappear, nobody sees the colour of them, and the accused person cannot ask them questions, the lawyer cannot ask them questions, because he is not allowed to be there. Then somebody will telephone the lawyer and say, "All right the Police have left the building now; you can come in." What is the lawyer supposed to go there to do? Just say, "My client is a good man, he has done nothing wrong, the other people are liars."? It is a complete farce and insult to justice, and I would ask that that position also be reviewed.

Enche' Tan Phock Kin: Mr Chairman, Sir, I would like to speak on the Head pertaining to the Ministry of Justice and to say that on an occasion I wrote to the Honourable Minister of Justice asking for certain information pertaining to a very important matter, but up to date I have still received no reply. To allow the Assistant Minister to have an idea of what I am referring to, I would like to inform him that it is with regard to a certain statement made in this House to the effect that the Attorney-General had given an opinion that a certain loan made by the Employees' Provident Fund to the Hotel Merlin is in order but is contradictory to a certain section of the Trustee Ordinance. It appears to me odd that an opinion of this sort can be given—to say that a thing is in order and yet it is inconsistent with the Trustee Ordinance. So, in view of that, I wrote to the Minister concerned asking whether he could make available to me an excerpt of that legal opinion. Later on, not having received any reply, I rang him up and asked him about the matter, and he informed me that the matter is confidential. I told him to give me a reply in writing, but he appears hesitant to do so, because up to date I have still not received a reply. Therefore, Sir, I would like the Minister concerned to

look into this matter and inform this House, because this is a matter of great public interest. If it is the view of the Minister concerned that this legal opinion on a matter of public interest, of public importance, is confidential, then let him say so in this House, so that the people will know the policy of the Government with regard to such matters; and if the Minister is of opinion, or if the Minister of Justice is of opinion, that this particular legal opinion of the Attorney-General is a confidential opinion, then I must ask him to give reasons as to why he considers this confidential, in spite of the fact that it is also of such great public interest: I feel the public is entitled to know that, if the Attorney-General has expressed a certain opinion on a certain matter, particularly where public funds are involved; besides, I personally feel that this House and the public are entitled to know the text of the opinion, and I see no reason why there should be this veiled secrecy on this very important matter. Sir, I sincerely appeal to the Minister concerned to make a statement to this House on this matter.

Tuan Haji Abdul Khalid bin Awang Osman: Mr Chairman, Sir, in reply to the Honourable Members for Ipoh, Menglembu and Tanjong, I would like to say that I have taken note of their remarks and, if any of their remarks have some truth or sense, I am sure the Honourable Minister will take up the matter later. I am sorry I am not in a position to reply on his behalf. I am sure you will appreciate the fact that I am just acting in a very temporary capacity.

In reply to the Honourable Member for Bachok, I would like to emphasise this: Saya suka hendak menegaskan bahawa walau bagaimana pun bahasa Melayu tetap akan di-jadikan bahasa kebangsaan sa-lewat²-nya dalam tahun 1967 dan usaha² hendak menjadikan bahasa judicial sedang di-usahakan.

This also applies to the Honourable Member for Menglembu. Whether he likes it or not, Malay will be the official language in 1967 and attempts

are now being made to make Malay the judicial language. I do not know whether he is happy with that statement but that is a fact. That is all I have to say.

Enche' Zulkiflee bin Muhammad: Tuan Pengerusi, saya ingin hendak berchakap bagini: "Sedang", saya hendak tahu apa yang sedang itu sebenarnya, in fact apa yang "sedang" itu?

Enche' S. P. Seenivasagam: Mr Chairman, Sir, whether the Honourable the Assistant Minister likes it or not, let me assure him that Malay is not going to be the official language of the Supreme Courts in this country in 1967 and he had better get himself properly informed without making dogmatic statements in this House and without misleading Members of this House. Could he refer us to any scheme or any policy statement by the Federation Government to the effect that Malay is going to be the official language of the Supreme Courts in 1967? If he cannot, then I say he has been misleading this House and Members of the P.M.I.P.

Enche' Abdul Razak bin Hussin (Lipis): Tuan Pengerusi, on a point of order 36 (10) (c) mengatakan "perkataan² yang harus menaikkan perasaan bersakit² hati atau bermusoh²an di-antara satu kaum dengan satu kaum dalam Persekutuan Tanah Melayu."

Mr Chairman: Itu tidak ada kena-mengena. Dia menerangkan kedudukan Bahasa Kebangsaan itu.

Enche' Zulkiflee bin Muhammad: Tuan Pengerusi, nampak-nya Kementerian Kehakiman ini sakit benar pada hari ini, kerana bila kita minta apa benda dan macham mana hendak dibuat, ia tidak boleh terangkan. Mujor Yang Berhormat Menteri Kehakiman tidak ada, kalau beliau ada lebeh sakit lagi. Sekarang satu chabaran lagi keluar ia-itu Bahasa Kebangsaan tidak boleh jadi dalam tahun 1967. Jadi saya minta Yang Berhormat Menteri ini tolong sampaikan kepada Yang Berhormat Menteri Kehakiman penyakit yang ada dalam perkara

ini supaya beliau faham baik², dan kalau dia tidak boleh mengubati penyakit dia, dia boleh turun—jadi Menteri lain.

Tuan Haji Ahmad bin Saaid (Seberang Utara): Mr Chairman, Sir, on a point of order—S.O. 40 (1). I request your permission to move that the question be now put.

Mr Chairman: Perbahathan ini memang sudah habis, chuma dia minta "Clarification".

Enche' Tan Phock Kin: Mr Chairman, Sir, I am amazed to see that Members of the Government Bench are trying to suppress discussion in this House by even trying to move closure, when there is actually a time-limit set for the debate on this Head.

Coming now to the Assistant Minister, who is supposed to be deputising for the Minister of Justice, I am amazed to hear that he is in no position to answer to any points raised by us pertaining to this particular Head in the Estimates. We are asked to come to this House—and most of us have come from various parts of the country—to discuss various provisions and policies pertaining to the Ministries and also to discuss certain shortcomings, perhaps, of the Ministries themselves. We have stated very clearly our views on various matters with the expectation of getting a reply from the Minister concerned, and I think it is quite appalling for the Assistant Minister, who has taken up the responsibility to represent the Minister on this matter, to tell us that he is in no position to give us a reply. So, I would like to say that if he is unable to do so, then he should have refrained from deputising. If he is going to deputise, then he must be conversant with all the facts.

I would like to put on record my protest in respect of this very shabby treatment by the Ministry concerned, or by the person who has represented this Ministry, on the discussion of this matter. Having taken up the responsibility to represent the Minister, I feel that he should take greater pains to see to it that he is conversant with all the facts.

Enche' D. R. Seenivasagam: Mr Chairman, Sir, I rise to protest most strongly at the audacity of the Government to introduce such an important Ministry by an Assistant Minister, who is unable to answer any query raised by the Opposition. In fact, one of the simplest queries I asked was how many expatriate High Court judges have had their terms of office extended—even that is unanswerable by the Honourable Assistant Minister. It only shows with what contempt the Government treats not the Opposition but the people of this country.

Sir, the Honourable Assistant Minister made a most serious observation—and he said whether we like it or not it is a fact that Malay will be used in Courts by 1967. We challenge that statement. This is not a judicial matter. Surely, the Honourable Assistant Minister, a fanatic supporter of the National language, should know whether the National language is going to be used in Courts in 1967. It has nothing to do with the Ministry of Justice and it does not take the Minister of Justice alone to answer that. Here, the Honourable Assistant Minister, who is so violently propagating the National language, cannot even accept this challenge by the Opposition. Surely he must know about this, and I say we of the Opposition have a right to ask him, "Do not mislead the Members of the P.M.I.P. Do not mislead the Malays of this country. Tell them the truth what do you mean by saying that Malay will be used in Courts in 1967." We say that it is not going to be used in the superior Courts. You accept our statement, or you say we are not informed. If we are not informed, tell us the position. At least on that the Honourable Assistant Minister should be able to give an answer, and it must be an official statement from the Assistant Minister who has moved this Head and that will be on record in this House.

Tuan Haji Abdul Khalid bin Awang Osman: Sir, on this point of National language, I wish to state that time will tell.

Question put, and agreed to.

The sum of \$5,748,380 for Heads S. 41 to S. 44 inclusive ordered to stand part of the Schedule.

Heads S. 45-S. 48—

The Assistant Minister of Labour (Enche' V. Manickavasagam): Mr Chairman, Sir, with your permission, I would like to take Heads S. 45, S. 46, S. 47 and S. 48 relating to the Ministry of Labour and Social Welfare, simultaneously.

Honourable Members would note that there is only an overall increase of about \$276,000 from the provisions for 1962. Though the increase in the financial provisions for next year is relatively small, a variety of new services and expansion of the present services offered by my Ministry are planned for the coming year.

1962 has been a year of considerable activity in the field of labour, both at home and abroad. In June, a tripartite delegation attended the 46th Session of the International Labour Conference in Geneva. At this Conference discussion took place on such important matters as the procedures involved in the dismissal and termination of employment of workers, industrial safety and vocational training. Another tripartite delegation, headed by the Honourable the Minister of Labour and Social Welfare, attended the 5th Asian Regional Conference of the I.L.O. in Australia a few days ago.

An I.L.O. expert from its newly established rural development section visited this country to observe the work that this country is doing in this field, with particular reference to the promotion of rural employment. This expert's visit was, in fact, part of a general survey of rural development in Asian countries. Also this year, we received the Report of the International Labour Office Study on the Trade Union Situation in the Federation of Malaya. This Report, though not intended to pass judgment on the trade union situation in any country, expresses general satisfaction with the development of trade unions in Malaya and is appreciative of the special situation obtaining in this country which requires the exercise of a certain

amount of vigilance over the financial and administrative aspects of trade unions. During the year we had also received a considerable amount of I.L.O. assistance in the form of experts and advisers. I shall refer to them later in my remarks.

Coming to the local scene, the National Joint Labour Advisory Council continues to function effectively. This Council, as Honourable Members are aware, is composed of equal numbers of representatives of employers and workers drawn from various industries and services in the country. The representatives on this Council are nominated by the two sides of industry themselves and have always not hesitated to speak frankly on any matter raised at the various meetings. On the Government Side, the advice of the Council is considered valuable and their co-operation and consideration of the various issues affecting labour-management relationship accounts largely for the relative industrial peace that we are fortunate to enjoy in this country all these days.

A Sub-Committee of the National Joint Labour Advisory Council during the year was engaged in re-drafting the provisions of the law relating to the employment of children and young persons. At present, the Children and Young Persons Ordinance does not tie up with those sections relating to the employment of such persons in the Employment Ordinance. This Committee, besides removing this anomaly, has also suggested greater vigilance and control over the employment of these young persons. The draft of the new law has now been completed and will be introduced in this House soon. This draft proposes, among other things, to prohibit the employment of children below school-leaving age to keep in step with the progress made in education in this country and the position in other countries.

During 1962, my Ministry was engaged in a joint effort with the Statistics Department in conducting the first Survey of Employment/Unemployment and Underemployment in the country. The object of the

survey, as Members are aware, is to provide the necessary manpower information for economic and social planning. The survey itself had been completed and the results are being analysed. A continuing and up-to-date body of information about the manpower situation is vital for sound and purposeful economic planning and this survey would therefore be of untold value. My Ministry would, further, in future be conducting periodical surveys in the field of employment, so that more up-to-date information would be available to those engaged in planning the policies and development of the country. Accordingly provision has been made in the 1963 Estimates for the appointment of a Statistical Officer in my Ministry. This is the modest start for the establishment of a full-scale Planning and Research Division under my Ministry, as envisaged in the Second Five-Year Development Plan. Also during 1962, we received a Report of the International Labour Organisation expert on the Adequacy of Existing Manpower Information Sources, evaluating the present programmes and recommending appropriate additional ones where necessary. This Report has been received only recently and would be studied by the Government in full detail.

Honourable Members of the House are aware that the Government is at present studying an I.L.O. Report on the Feasibility of Introducing a Social Insurance Scheme in the Federation. A Committee, of which I am the Chairman, is studying this Report and has already held a number of meetings. This study should be completed soon and an announcement will be made by the Government on the steps to be taken. However, it might be pertinent to mention here some of the possibilities and problems in the field of social security. The House is aware that we already have in this country a number of schemes relating to social security such as the Employees Provident Fund, Workmen's Compensation and Maternity Allowance. The I.L.O. Report is concerned with the possibility of converting these schemes and introdu-

cing some new measures on the basis of insurance, that is, whereby the persons who would benefit from the schemes would be required to contribute a percentage of the cost of the scheme. Though there may not be much difficulty in converting the present social security schemes to an insurance scheme, we would have to advance with much caution as far as the introduction of some new schemes are concerned. An Unemployment Insurance Scheme, for instance, though indeed very desirable, is one which is fraught with many difficulties as far as the Federation is concerned. We cannot merely transfer to this country the practice in other more advanced countries. Whatever scheme is introduced here would have to be one suited to the local needs and one which is clearly practicable within the resources and facilities available. This would mean that some of the social insurance measures would have to be considered as a long-term project, to be introduced as and when the time is opportune. I do not want to go into greater detail into this subject because, as I said earlier, the Committee on which employers and workers are represented, is making an exhaustive study of the subject and any pronouncement at this stage would be premature.

Sir, the problems of port workers, especially Penang, have been rightly the concern of some Honourable Members of this House and of the Government. Consequently statutory inquiries had been made into the conditions of work at the Port of Penang but owing to the indefinite position of some of the persons working in the Port, a Wages Council Order has been considerably delayed. This has now, however, been cleared and I have already signed a Wages Council Order. Government is fully aware that a Wages Council is not going to solve *all* the problems of port workers. Therefore, the Government has requested the I.L.O. to make available an expert to be sent out to Malaya early next year to introduce and to administer a scheme of registration of port workers. This scheme

of registration will not only remove the anomalous position of lightermen, the difficulties of casual workers but also help to improve much of the poor employment conditions that obtain in the Port of Penang today. Moreover, officers of my Ministry have been making further and detailed studies of port workers schemes elsewhere in the world, so that a scheme suited for the needs of Malaya could be envisaged from the very beginning.

The first Wages Council established for shop assistants has now finalised the Wages Regulation proposals.

The draft of the proposals is being studied and I hope to receive them in the very near future and, if possible, issue them as Wages Regulation Orders as soon as possible.

Coming to the field of industrial relations, 1962 has been another year of considerable progress though recently there have been some ups and downs. During the year, industry-wide agreements on terms and conditions of employment were concluded through collective bargaining in the rubber, mining and banking industries, besides a large number of commercial firms and other places of employment.

At its meeting held in October this year, the National Joint Labour Advisory Council re-affirmed its acceptance of the principles and procedures of voluntary system of industrial relations.

Mr Chairman: Order! Order! The time is one o'clock. House resumes.

House resumed.

Mr (Deputy) Speaker: The sitting is suspended to 4.30 p.m. this afternoon.

Sitting suspended at 1.00 p.m.

Sitting resumed at 4.30 p.m.

(Mr Deputy Speaker in the Chair)

EXEMPTED BUSINESS

(Motion)

The Minister of Health (Enche' Abdul Rahman bin Haji Talib): Mr Speaker, Sir, I beg to move,

That the proceedings of the House this day in Committee of Supply on the Supply Bill, 1963, shall be exempted from the provisions of Standing Order 12 (1) until 11 p.m.

Mr Speaker, Sir, the Government considers that it is necessary for all the business set down for the present meeting of the House to be completed by Monday, the 24th December, at the very latest. To enable this to be done, the Government has therefore decided that for the remainder of this meeting, it will be necessary for the House to sit beyond the hours laid down for it to adjourn every day, and accordingly a motion for this purpose will be brought before the House each day.

The Minister of Commerce and Industry (Dr Lim Swee Aun): Sir, I beg to second the motion.

Mr (Deputy) Speaker: The question is that the motion standing in the name of the Minister of Health be agreed to. I would like to inform the House that I will suspend the sitting at 6.30 p.m. and resume it again at 8.30 p.m. this evening.

Enche' Tan Phock Kin: Mr Speaker, Sir, I would like to speak on the motion. The motion has not been put to the House yet.

Mr (Deputy) Speaker: The motion is not to be debated.

Enche' Tan Phock Kin: Surely I can speak on the motion, Sir, because the motion is to adjourn the House and I have some statement to make with regard to the motion which is being put before the House.

Mr (Deputy) Speaker: Yes, but the motion cannot be debated.

Enche' Tan Phock Kin: Can I seek clarification on this extension, Sir?

Mr (Deputy) Speaker: You can.

Enche' Tan Phock Kin: Members of this House will remember that when you, Sir, put forward a proposal to have time limits for various discussions, we in the Opposition had suggested it before, because we realised then that there is hardly any time to discuss fully the various items that appear before us.

However, Sir, Members of the Government Bench refused to agree to our suggestion originally, and at this very late stage they are coming forward with a proposal to extend the hours. Even with this extension, I feel that there is not ample time for discussion, because earlier on you have stopped quite a number of speakers, who wished to speak on various items, from speaking because of the time factor. And I say, Sir, that this is an example of the haphazardness of the Government in not planning ahead. In view of this, Sir, I would like the Government in future, before the Budget session, to plan carefully, and to allow ample time for discussion. In so doing, I hope that they will plan right from the beginning and not come to this House at this late stage asking for night sessions when they could easily have introduced night sessions from the beginning and give everybody an opportunity to speak. I hope that this very sorrowful display will not be repeated again in the future.

Dr Lim Swee Ann: Mr Speaker, Sir, on a point of order, Standing Order 66 (4). Under Standing Order 66 (4), it says: "There shall be allotted a maximum of 14 days for discussion of the Estimates and the Bill in the Committee of Supply. Mr Speaker may allot a maximum time . . ." It is Mr Speaker's right to allot the time and not the Government Bench to allot the time, so it is not the Government Bench who decided not to hold night sessions. In fact the Government Bench had already had several suspensions of Standing Orders. I do not see how the Honourable Member can debate this point any further.

Question put, and agreed to.

Resolved.

That the proceedings of the House this day in Committee of Supply on the Supply Bill, 1963, shall be exempted from the provisions of Standing Order 12 (1) until 11 p.m.

BILL

THE SUPPLY BILL, 1963

House immediately resolved itself into Committee of Supply.

(Mr Deputy Speaker *in the Chair*)

SCHEDULE

Heads S. 45-S. 48—

Debate resumed on Question.

That the sum of \$8,153,582 for Heads S. 45 to S. 48 inclusive stand part of the Schedule.

Enche' V. Manickavasagam: Mr Chairman, Sir, as I said this morning, at its meeting held in October this year, the National Joint Labour Advisory Council re-affirmed its acceptance of the principles and procedures of voluntary system of industrial relations. This system, where practised in the spirit it requires, has proved to be a success in promoting peace in industry. Both sides of industry are increasingly aware that strikes and lock-outs are damaging and wasteful. In many cases where negotiations between the parties appeared to be failing, the parties have not hesitated to invite the assistance of my Ministry in bringing about a conciliation. More and more joint councils, with agreed procedures for the discussion and settlement of disputes, have been set up in many industries and good use has been made of these councils. However, there have been unfortunately glaring instances, recently, where the parties to a dispute have been unwilling to adopt the procedures that they have agreed upon earlier and by relying more on their strength have hastily rushed to a deadlock. It must be realised that it is not sufficient to draw procedures and practices to be followed when disputes arise. The test for the sincerity in which these procedures were agreed to, would come when the dispute actually arises. Both parties have to show the willingness to abide by the procedures they have originally agreed upon. Otherwise there would be unending conflicts and the voluntary system of industrial relations itself would be strained to a great degree. If this is going to be the trend of affairs, I feel that we would have to give serious thought to the necessity for reinforcing the voluntary system with sufficient safeguards, if we are to avoid unrest and chaos. Perhaps there would be a need to put the whole policy back to the National Joint Labour Advisory Council, to see how this can be done.

On the trade union organisational side, the movement in both sides of

industry continued to gain momentum. The Malayan Trades Union Congress during the past year has been active in organising workers education courses and assisting its affiliates in many ways. Also in May this year, the Malayan Council of Employers' Organisations was formed as the counterpart of the Malayan Trades Union Congress, and already cordial and fruitful relations have been established between this Employers' Organisation and the M.T.U.C. This holds promise for a bright future for industrial relations in this country and, here, I must thank both employers and workers in the country for their sincere efforts in maintaining the sound relationships in the field of labour, while at the same time unflinchingly striving to improve the lot of workers in this country. However, as I said earlier, not everything is perfect in the field and there are still a few employers, and even a few trade unions, who do not understand the principles and procedures of our system of industrial relations and do not have the attitude of mind which goes to make this system a success. These fortunately are few in number, and I hope that the example of the more enlightened ones would be seen both as not only economical but also less painful.

The Central Apprenticeship Board continues to expand at a rapid pace. Its Industrial Training Institute is scheduled to be completed next year, and the expert teaching staff made available by the I.L.O. have already started arriving to train the teachers recruited locally. It is hoped that this Institute would be able, when firmly established, to expand the scope of the scheme beyond mere apprenticeship training to vocational training and adult re-training. Discussions are now taking place between my Ministry and the other Ministries concerned on the planning of such programmes.

Heads 45 and 46 in the 1963 Estimates, as I said earlier, do not show great increases in the financial positions, but the new and expanded services that I have just described would be provided by a more efficient use of the present resources of my

Ministry. Head 45, in fact, shows an increase of only over \$60,000 and that too mainly because the provisions under Items 28 to 39 of that Head are for the full year, whereas the 1962 provisions were only for six months. The increase in the provisions under Sub-head 1 of Head 46 is due to the normal increments of those currently employed, and the increase in the number of posts of Junior Assistant Commissioners and clerical staff and also the revision of salaries of 28 Junior Assistant Commissioners. The expansion of the activities of the Department of Labour, especially in the field of Employment Exchanges, has caused an increased provision of about \$12,000 to be made under Sub-head 7 of Head 46.

I turn now, Sir, to Head 47, the Machinery Department. The Machinery Department has been working under acute pressure owing to the increase in the number of industrial establishments. Greater difficulty has been experienced in obtaining suitable staff to fill in the vacancies among the senior officers. The students now undergoing practical training overseas would be returning from 1963 onwards, but it is not expected that the Department will for some time to come have its full complement. As a result, the Government has recently approved a scheme of reorganisation of the establishment of the Department. Under the reorganisation scheme, the posts of Factory Inspectors and Machinery Assistants, mentioned in Items 5 and 6 of Sub-head 1 of Head 47, are to be increased and a consequent reduction made in the establishment of Inspectors of Machinery. This would ensure that more staff, with a reasonable knowledge of installations and their functioning, would be available for inspection purposes, while the minimum of fully qualified professional men would be available for consultation and highly specialised work. We hope that under the scheme the standard of service provided to employers, the workers and the public in the maintenance of industrial safety would be greatly improved. My Ministry is also deeply concerned over the increasing rate of industrial

accidents. In 1962, up to the end of October, there were 365 fatal accidents and 11,493 accidents which led to temporary or permanent disablement of the workers. Over 2½ million dollars was spent by the employers as Workmen's compensation. This is an alarming rate of accidents and a tremendous wastage in terms of money and man-days lost as a result of accidents. Safety consciousness has to be built up among both employers and workers and, as a first step towards provision of a full-fledged Industrial Health and Safety Service, a Sub-Committee of the National Joint Labour Advisory Council has been established to advise on matters connected with industrial safety. In the estimates for 1963, increased provision has been made for the opening of new offices for the Machinery Department and more funds for transport and travelling of Inspectors of Machinery, to cope with the problem of industrial safety.

I come now, Sir, to Head 48, Social Welfare. When considering the subject of social welfare, Hon'ble Members should bear in mind that it is, under the Constitution, a subject on the concurrent list, that is a divided responsibility between the Federal and State Governments, to appreciate the extent of welfare services in the country. It is necessary to view them in terms of the services provided not only by the Federal Government but also the State Governments and the large number of voluntary organisations, many of which are subsidised by the Federal and State Governments.

The estimates for 1963 in respect of Social Welfare Department provide under Sub-head 1 for an increase of 33 new posts. These posts are for the new services planned and the institutions expected to be completed by the end of 1963. The Social Welfare Department covers a wide range of services which include the welfare of the blind, the deaf and dumb, the mentally deficient, the physically handicapped and the aged. They also include field and institutional services for needy children, the promotion of youth movements and the training of youth leaders, services for juvenile delin-

quents, the protection of women and girls and assistance to voluntary welfare organisations, among other things.

The year 1962 has been one of consolidation and expansion of the services provided by the Federal Department of Social Welfare. Hon'ble Members would recall that when the estimates for the Department were presented last year, plans were in hand for the development of services for the physically handicapped persons, including the survey to determine the nature and extent of such handicapped persons and the employment opportunities available to them. On the findings of this survey and in consultation with the United Nations expert at present assigned to the Department, a comprehensive scheme for the care, training and rehabilitation of the various categories of handicapped persons has been formulated. The scheme encompasses the manifold services needed for these persons and the establishment of two Rehabilitation Centres. Both the Centres, one at Cheras in Selangor and the other in Johore Bahru, will aim at developing the resources of the handicapped to enable them to be economically independent instead of being forced to be a burden on their families and the society.

I am also happy to report that plans for the control and rehabilitation of beggars and vagrants have been finalised and a Bill for this purpose will be introduced in Parliament shortly. In co-operation with the Malacca Government and the State Welfare Committee, a Vagrants' Ward has been established in Malacca and plans for the establishment of two other Centres in Penang and Negeri Sembilan are under way. A Centre already exists in Johore.

Consolidation and expansion of the services for children and juvenile delinquents which commenced this year will be continued next year. These services will give a wider coverage throughout the Federation, particularly in the rural areas. For this purpose, two new Children's Homes and one Remand Hostel for juvenile delinquents are planned for completion in 1963.

Increasing importance will be attached to services for youths. The encouragement and fostering of youth movements, professional advice and guidance, and financial assistance have provided an impetus to youth organisations, particularly in the rural areas. This has resulted in the formation of 911 youth clubs, an increase of 69 over 1961. About 729 of these are in the rural areas.

Youth leadership courses were also stepped up during the year and in all 367 youth leaders were trained during the year. All in all, about 5,261 leaders have been trained by the Department since the inception of the youth leadership training courses. A grant of \$118,997 was given during the year for the promotion and development of youth movements.

Contribution of youths in rural and community development projects has been encouraging. Members of youth clubs and youth organisations participated in a number of rural development projects, and their contributions to these projects have in no small measure contributed to the success of the schemes.

I now wish to refer to the voluntary welfare organisations, some of which have been engaged in the field of social welfare long before it became a recognised activity of the Government. Their work has been most impressive. They can in general terms be said to render services in certain special areas of human needs best done by the mobilisation of voluntary effort and at the same time provide outlets for the charitable inclinations and civic consciousness of citizens. As such, their work is appreciated by the Government and the community. However, the existence of numerous voluntary organisations, many of them providing overlapping and duplicating services and sometimes engaged in wasteful competition has been the concern of my Ministry since social welfare was brought under our portfolio. It appears imperative that there should be an effective co-ordinating and consultative body for voluntary organisations to ensure planned, orderly and efficient expansion of the services provided, so

that the most is made of and obtained from this large force of voluntary workers in the country. My Ministry is already giving serious consideration to this subject and will soon be entering into discussions with the people concerned. It must be mentioned, nevertheless, that the work of these organisations so far has been inspiring and heartening and I am sure that Hon'ble Members will join me in paying tribute to the work of the people in these organisations. This is a time when whole nations are coming out with voluntary service for their neighbours and it is indeed heartening to note that we in the Federation of Malaya are in no way lacking in the charitable spirit of voluntary work.

Enche' V. David (Bungsar): Mr Chairman, Sir, the Acting Minister of Labour has painted a very rosy picture of industrial relations. Well, I do not think it is so rosy as that he has stated in this House. While I appreciate that a certain amount of improvements has taken place towards industrial relations, I cannot accept adequately it has been done. The trend of industrial relations in the country needs observation and to be adjusted to prevent an industrial upheaval and to establish industrial stability.

Sir, now it is really amazing and surprising to note that certain Asian employers have become indifferent. Certain Asian employers have become hostile towards trade unions: in the sense that they have gone to the extent of making anti-union activities as a condition while recruiting workers for employment. Matters of this nature have been referred repeatedly to the Department of Labour at the various States. I am also well informed that the Ministry of Labour will not be in a position to deal with these employers, because there is no adequate powers in the hands of the Ministry. Asian employers, in certain cases, have constantly refused recognition of unions in spite of Government's appeal. I would like to quote an instance of a bus company in Kuala Lumpur where a strike was forced and in the strike the employer went to the extent of using his pistol to fire shots in the air with a

view of intimidating and threatening the workers saying that he could force the workers to go back to work if they went on strike. Sir, this may seem a bit surprising but it is time that the Government will have to think, if employers in the private sector are allowed to create precedents of this nature, i.e., refusing to recognise unions, that other employers will follow such action and in time to come you will not be able to solve problems in the industry which are mounting day to day.

Sir, as far as the Industrial Relations Department is concerned, I must congratulate certain officers, not all, for their active participation in industrial disputes. Some of the officers, who really know human relations, at times take personal interest in order to settle problems. In regard to the Enforcement Section, I regret to state that a large scale of untrained officers have been staffed in certain Labour Departments. When complaints of accidents are reported to these officers, they do not care to record reports and ask the person who has met the accident to produce a written report. We are aware that a large number of workers in this country are still illiterates and most of them live in rural areas. When these people come to the Labour Department, they come with the hope that their grievances will be dealt with sympathetically and that a solution will be found. But in certain Labour Departments most of the untrained—and I would also say certain officers who are juveniles—really take an attitude that they themselves are employers and disregard employees visiting the Department. This has been reported on several occasions to senior officers in charge in the various States. I, therefore, call upon the Ministry to issue directives to the Labour officers, who are on enforcement and who are dealing with workmen's compensation, to make them feel that they are no employers but they are civil servants and that they have a duty to perform towards the public and, particularly, towards the workers.

Sir, on the side of industrial relations, while efforts are made to

settle disputes whenever they arise there is no adequate provision in the law to compel the employer to recognise a union. In most of the disputes which had arisen in the last few months there have been strikes because of the employers' refusal to recognise unions. The employers who have mostly invested money from other countries, such as Hongkong and Formosa, have been used to forced labour and sweated labour, and they always maintain the attitude that "we would not recognise unions and what can the Government do?" As a result of this, workers have been forced to resort to industrial action. Most of these strikes could have been prevented if employers had been considerate and had recognised that workers will have to be accepted as equal partners in the modern industry. The Minister in his speech was commending on the voluntary system. While appreciating that voluntary system is good, at the same time I must state that voluntary system will not work until and unless the Ministry is armed with powers to make the employers realise that they must recognise unions and there is no other way to get out of it.

Regarding the National Joint Labour Advisory Council, I am sorry to say that during this year it has only met once. Meetings of this nature would not contribute to thrash out problems which may arise from time to time in the field of trade unions. More meetings should be encouraged on new issues arising while the trade unions are being led towards development; meetings should be held frequently to thrash out problems and to find solutions.

Sir, coming to social security, the Government has been answering to this House on several occasions that an expert is preparing a report on social security. To this date such a report has not been presented to this House for debate. Neither has the Government made any definite reply or assurance as to what extent the Government has accepted the report and what it is going to do in the future on the side of social security.

At the Port of Penang a commission of enquiry was set up to determine whether a wages council is necessary or not. The enquiry completed its findings and the findings were submitted to the Ministry. It is almost a couple of years after that and the Ministry has been unable to move with vigour on this matter. Now the Ministry says an expert has been invited from the I.L.O. to consider registration of workers in the Port of Penang. I can still remember that when I moved a resolution in this House I made it clear that a wages council would not solve the problem. At that time the Commissioner for Industrial Relations, who knew very little of the local problems, advised the Government to introduce a commission to determine the setting up of a wages council. A large amount of money was spent on that but it has turned out to be a failure and now only the Government has thought fit that an expert should come into Malaya to examine the question of workers registration in the Port of Penang. Merely registration would not solve the fundamental problems which dominates the Penang Port. I would add that in Penang there should be a complete elimination of the present contract system and it should be replaced by a national labour board, a labour board which will be supervised and directed by the Government where employees will be registered as employees and not as now when thousands of workers are employed only 50 names are on the register. When a worker dies while working in the steamer the employer easily evades from paying workmen's compensation and says he was not his employee. Many lives are lost in this manner. E.P.F. contribution has also been escaped by employers in the Port of Penang. All this can only be regularised by the setting up of a national labour board similar to that in Australia and other countries.

Sir, the Labour Ministry should not only at the tip of its tongue foster the growth of healthy trade unions, it should also bear in mind that healthy trade unions cannot grow until and unless favourable conditions are created for their growth. Such con-

ditions can only be provided by enacting appropriate legislations. The Trade Union Ordinance is a piece of legislation which curtails the activities of trade unions in this country. It is a piece of legislation which is most reactionary in character and which curtails the unions from indulging in any liberal activities. Sir, the Trade Union Ordinance should be revised. Even the Trade Union Ordinance which was introduced in 1948 gave a small percentage of freedom but the one introduced in 1959 has completely taken away even the small bit of freedom which was enjoyed by the Trade Union Enactment in 1948. We expected that after independence there would be a complete revision of this Trade Union Ordinance, but it has become a most reactionary piece of legislation where it curtails and ties up the activities of trade unions. Sir, it is time that the I.L.O. Convention on Freedom of Association is implemented in this country. Freedom of Association is paramount and Malaya being a member of the I.L.O. it is absolutely necessary that such a convention is introduced so that freedom of association will be guaranteed to the workers of Malaya. The Trade Union Ordinance needs complete revision. Most of the sections will have to be revised. Under this Ordinance there is no opportunity for any union to expand. Expansion has been limited. A union catering for a particular industry while it is growing is unable to amend its objectives in order to include other members from other industries. You are not giving opportunities to have general unions where industries do not permit to have bigger unions and workers are small in number, and on such occasions the workers go without a union and if they join any other union similar to their trade they are usually considered as illegal and the membership will have to be taken away from the register. Therefore, with all sincerity I call upon the Ministry to re-examine the Trade Union Ordinance of 1959. Towards this memorandums have been submitted to the Malayan Trades Union Congress. Very soon the M.T.U.C. would be preparing a memo to submit to the Government

for the revision of the Trade Union Ordinance. It will be wrong for the Government to always show the very lame excuse saying that we cannot amend the Ordinance because the threat of communism still prevails in this country. This bogey statement cannot be accepted any more by the workers of Malaya. We have heard this year after year; we have heard this every session. Let us now give real, sincere meaning to the words foster the growth of the trade unions of this country.

Sir, workers of this country, what do they aspire for? A decent and respectable living as human beings in the present day society. The workers have a share in the present society and their share should be given without any grudge. Mr Chairman, Sir, there are lot of loopholes in the Workmen's Compensation Ordinance whereby in certain cases the employees are not benefiting if a doubt arises. It goes to the employers usually. The employers have taken advantage of the Workmen's Compensation Ordinance. The Ordinance needs revision and suitable amendments should be proposed for this purpose, and I would ask the Ministry to consult the M.T.U.C. which is in the process of making suitable amendments to the Workmen's Compensation Ordinance.

Generally, Mr Chairman, Sir, the current proposed Railway strike and other strikes in the country pose a threat to the national economy. These strikes can only be avoided if Government sincerely comes out with an open heart to offer what they are entitled to in this country, and especially the Railway workers, who have made it clear, and even the Malayan Trade Union Congress has also made it clear, that their claims submitted to the Government are reasonable and that there is no way out except to accept those claims and settle the dispute. For the last few days, Sir, we find that hundreds and thousands of people are affected by the "go slow"—I would not call it "go slow" but "8-hour working". This has really affected the economy and the public. This can be overcome if

the Government views the case of the Railwaymen with an open mind. The Government has always adopted an arrogant attitude to force the workers into action and then grant them what they are entitled to. The workers are being tested—Government is testing their strength—to see whether they are united or not. But I can assure this House that the workers in the Railway are more united than ever, and they will continue to do so until they achieve their desired result.

Mr Chairman, Sir, on the transport workers side, I must say that exploitation predominates in the bus and taxi industries. Especially with regard to the taxis, Sir, we find that the employers who are employing the workers are operating on a *pajak* system which contravenes the Traffic Ordinance. Matters of this nature have been reported to the Ministry of Transport hundreds of times but the Minister has taken it very lightly. I will now call upon the Minister of Labour, because they are not contributing towards the Employees Provident Fund and Workmen's Compensation, to act in co-ordination with the Ministry of Transport, to regularise employment in the road transport industry.

Finally, Sir, once again I say that the industrial trend in this country is not so rosy as the Minister has stated. I would say it is very gloomy, and the approaching signs are more gloomy than ever. Until and unless Government takes stock of the approaching events and the growing consciousness among the workers, the awakening among the workers, I am afraid it will be too late, and the Government would not be able to settle problems as they should do. Industrial upheaval in this country can only be prevented by Government acting as early as possible. When I say "acting", Sir, I mean the Government must act in a manner where the aspirations of the workers can be realised and be offered their reasonable demands when and where it is necessary. Government should adopt a more vigorous policy towards the trade unions; it must be more vigorous than colonial days. Government's policy, as we see it, has been all

through weak-kneed, unable to act where it should. Therefore, I call upon the Minister to bear all this in mind and see that proper legislation is provided in this country for union recognition and other matters relevant to it.

Once again, Sir, I congratulate certain officers of the Industrial Relations Department who have been kind enough to assist at any time, sometimes outside their normal office hours.

Enche' K. Karam Singh: Mr Chairman, Sir, I will be speaking on the same subject as my Honourable friend from Bungsar, but before I come to that, there is another important matter to which I have to refer, and that is on page 234, Other Charges, Annually Recurrent, Burma/Siam Relief Scheme \$15,000. Mr Chairman, Sir, I refer to the case of those workers, who went or who were forced by the Japanese Government during the Occupation, who were taken by force to Siam and made to work on the Death Railway. Mr Chairman, Sir, there is now an ex-Forced Labourers' Association trying to get compensation for those workers who have gone there and who are still alive and for the families of those who succumbed to the harsh treatment that was meted out to them in Siam. Mr Chairman, Sir, this is a very widespread problem, involving about 200,000 people in Malaya; and there is no place, no town, no estate or no village in which we do not find people who have been forced to work on the Death Railway, or the relatives of these people.

Mr Chairman, Sir, the Peace Treaty that was signed in America did not make adequate provision for these unfortunate victims of the Japanese Fascist power. Not only that but the late British Government in Malaya totally ignored the claims of these ex-forced labourers for compensation, to the extent that no compensation had been paid to Malayan workers or the families of deceased forced workers. But, Mr Chairman, Sir, if the British Government was not responsive to the claims of the ex-forced labourers, it is understandable, because, after all, that

was a foreign government—a colonial government. But since having attained Independence for about 3½ years, the ex-forced labourers have formed an association, with its headquarters in Kelantan. They have asked the Government, they have asked the Prime Minister, to assist them to get compensation, but the response of the Government has not been heartening. There has not been enough interest shown by the Government in the problems of these people. That I would say is an injustice on these ex-forced labourers and their families, because these are the people who suffered most from the Japanese aggression in Malaya. They are the ones who were transported or transplanted from Malaya and forced to work in very harsh conditions to which they were not used to and many of them died like flies. Now, some of the people on the Government side and on the Opposition have been voted into this House by these ex-forced labourers and by their voting family members and it is our duty, it is incumbent upon us, to secure compensation for these people. Mr Chairman, Sir, I would urge the Government to take this matter up with the British High Commissioner, and if the British Government does not show an interest in this matter, I would urge that the Government take certain action against the British trade, so that the British will realise that they cannot ignore the just claims of Malayan citizens; or, we can tell them that a day will come when compensation will have to be paid to these ex-forced labourers out of British assets in this country?

Mr Chairman, Sir, along with the British, who have allowed this injustice to be perpetrated on these ex-forced labourers, are the persons responsible—that is the Japanese. Immediate representations should be made to the Japanese Ambassador here. In fact, I have been informed that important officials of the *Persatuan Bekas Buroh Paksa dan Keluarga* have been to see the Japanese Ambassador, but he too has been rather encouraged by the lack of interest of the Malayan Government, and equally also by the lack of interest on the part of the

British. Thus he feels safe in ignoring the claim of these people.

Now, Sir, as we know, Japan is expanding its trade relations with us, is trying to invest capital in Malaya, is trying to buy some of our goods; and we must make it clear to them that if they want to do good business with us, if they want to be good businessmen, they must do it on the goodwill of the ordinary Malayan people, and before they can go into further trade with Malaya, they must first pay for the injustice committed by the Japanese Government about 15 years ago upon people who are Malayan citizens now. Once that claim has been settled, then we can welcome them with open arms and fully co-operate with them. If the Japanese Government were to turn a deaf ear, we will tell it or them that the Malayan people will be resentful to them, and at some future date it will find that Japanese trading interests will not be welcomed in Malaya, because of the opposition of a large section of the population. I should urge that the Government, the British Government and the Japanese Government to close this painful chapter in the history of our country—and the sooner they settle the claim of the *Persatuan Bekas Buroh Paksa dan Keluarga* the sooner can we turn to a happy chapter not only in our Malayan national life but also a happy chapter in international relations.

Mr Chairman, Sir, I now come to the Ministry of Labour. I must express surprise at the statement of the Honourable Minister of Labour when he said that there was general satisfaction about the labour situation in Malaya. I think no responsible Minister, acting or assistant, would feel general satisfaction if he knows that four-fifths of the workers of Malaya are not organised into unions; they have been denied entry into the trade union movement by restrictive registration practices; and that they do not have any organisation to voice their demands and grievances and to assist them in their distress. So, Sir, I would say that the situation is far from

satisfactory. If the Government were to feel satisfied, it would mean that it thinks that its job is done and it will not advance further. Sir, it would be wise if the Government does not feel so complacent and satisfied, and that it should take steps to see that these four-fifths of workers of Malaya are no longer denied their trade union rights, which are rights of organisation and association.

Mr Chairman, Sir, I must now quote from certain quite authoritative source to show that the Malayan Government's behaviour has not been satisfactory at all towards the workers. Dr Charles Gamba, writing in the *India Quarterly*, July-September, 1958, had this to say:

“MALAYAN LABOUR—MERDEKA AND AFTER:

Militant trade unionism does not necessarily mean that it is Communist trade unionism. Yet it is unfortunate that one of the after-effects of the Emergency has been just this—to encourage the labelling of any union or of any trade union leader, who argues vigorously with the employers or the Government, as red if not communist inspired. This attitude is much more common on the peninsula, that is the Federation of Malaya, than it is in Singapore. Only docile unions and docile leaders find themselves not only accepted but placed on a pedestal.”

This is found on page 219. This, Sir, is precisely what the Government is doing—labelling as red if not communist inspired any union or union leader, who argues vigorously against the employers or the Government for the rights of the members.

Dr Charles Gamba, also in 1958, said, “There is much work to be done in Malaya towards building a sound democratic labour movement.” Since 1958, Sir, there has been no attempt by the Government to allow a trade union movement to be built which is democratic and independent even of the Government or employers' control and influence.

Mr Chairman, Sir, the Honourable Minister has referred to the report of the I.L.O. Mission, and I will quote from it to show how to a great extent the labour movement has been prejudiced in Malaya by the law and by the actions of the Government. On page 57, there is a subject, “Registration” and it is stated, “Any

trade union whether of employers or workers must be registered in order to be able to function legally." So, by not registering, automatically you are an illegal organisation, an illegal trade union. You must realise that the wedge of the present law of registration is against trade unionism in Malaya and it is a measure for the suppression of trade unions, and this excludes large bodies of workers from the trade union movement. In fact, Sir, we can say that the Government has not even got half-a-mark in respect of its labour policy's success. It has not succeeded at all. It has only got 20 marks out of 100 because only 20 per cent of the workers are allowed to form trade unions in Malaya. So, like a schoolboy who has not been doing his home-work, we hope the Government will wake up and try to pass the test in its labour policy.

On page 71, Mr Chairman, Sir, in regard to the views of certain Trade Unions, it is stated :

"The leaders, to whom the members of the mission spoke, felt that conditions have changed since the Emergency, that the danger of a subversive terrorist campaign had practically disappeared and that the Government should ratify the I.L.O. freedom of association and protection of the right to organise Convention, bringing the legislation into line with this international instrument."

The considered opinion of the International Labour Organisation is that the Government should ratify the I.L.O. freedom of association and protection of the right to organise convention. The Government has no argument against the findings of this international, non-party and impartial organisation, to which we find the Government making an annual contribution. I will tell the Minister either stop contributing to the I.L.O., or if you want to be a member of the I.L.O. and send Ministers there every time there is a meeting, then respect the I.L.O., respect its opinions and views which have been embodied in this document which will become an international document. Sir, this Report of the I.L.O. Mission would become an international Report, an international document. Would this Government, which claims to be democratic and wants to foster an independent, sound

and free trade union movement, reject the considered advice of the International Labour Office?

Further, Mr Chairman, Sir, it reads :

"They did not believe that this danger any longer existed. On the contrary they held that the restrictions imposed through the Trade Unions Ordinance, the possibility of Police intervention to provide information on the antecedents of trade union officials and the threats of sanction under the Internal Security Act, impeded the formation of a powerful labour movement. They also believed that these measures were a prime factor in keeping workers of Chinese origin outside the trade union movement."

When this Report was published some time ago, it only stated that the threat of sanctions under the Internal Security Act impeded the formation of a powerful labour movement. We know that in the past month and in the last two or three days, members of the Shoe Workers' Union have been arrested. So, the fears and the apprehensions of the I.L.O. Mission, which came to this country, have been confirmed by the action of the Government.

Enche' V. Manickavasagam: Mr Chairman, Sir, if the Honourable Member would give way, I will give some explanation.

Enche' K. Karam Singh: Yes.

Enche' V. Manickavasagam: Sir, I think the Honourable Member is misleading the House. I have also a copy of the Report. I would like to read it again, because he has been reading it as if it is the considered opinion of the Mission. Sir, I must make it clear that the Mission at no time had assessed or given an opinion. It has merely said what the trade unionists have said to the Mission, what employers have said to the Mission, what others have said to the Mission, and what Government officials have said to the Mission. To correct the misquotation of the Honourable Member, let me quote the paragraph in full, if he allows me.

Enche' K. Karam Singh: Yes.

Enche' V. Manickavasagam: I quote :

"In numerous conversations with the I.L.O. mission, trade unionists up to the highest level expressed views. The leaders, to whom the mission spoke, felt"—the leaders felt and not the mission—"conditions . . ."

Sir, at no time have, I must say, the experts said this way or that way except in the conclusion they have given their opinion, which the Honourable Member has conveniently forgotten about. (*Applause*).

Enche' K. Karam Singh: Mr Chairman, Sir, the very fact that this Report on page 71 says that in numerous conversations—not in one or two conversations but in numerous conversations (*Laughter*)—with the I.L.O. Mission, trade unionists up to the highest level had expressed the view that the time had come to do away with restrictions. I am sure this I.L.O. Mission here did not meet any members of the Communist Party of Malaya but that it met trade unionists, who were very close to the Minister, trade unionists whom only a few days ago the experts had the occasion of addressing in Plantation House. The members of the commission in numerous conversations have been told by the trade unionists that the time had come to do away with restrictions. I think that that is a very strong and almost binding view which the Government should respect. In fact, the answers of the Government on this point were very weak and there was not even a case made out against the removal of these restrictions because the Report says:

“Finally the Government would seem to believe that the vigilance which if at present exercises over the trade unions is necessary since the conditions that obtained when the Ordinance was adopted still exist and the danger of a return to subversive activities remains latent.”

The Government would seem to believe—not believe but seems to believe—and it is a very vague and untenable . . .

Enche' V. Manickavasagam: Sir, again, if the Honourable Member would be kind enough to give way . . .

Enche' K. Karam Singh: Yes.

Enche' V. Manickavasagam: To save the Honourable Member's time and the time of the House, I would ask the Honourable Member to refer to page 107 of the Report where the Mission does give its opinion. I think that sums the whole situation rather

than his confusing the minds of the Members of the House to this way and that way, because he has never read what has been expressed by leaders of various groups and what the employers have said on trade unions. The workers have had something to say about trade unions or restrictions of the Trade Unions Ordinance, which, of course, the Honourable Member has quoted. Sir, I quote:

“As for the restrictive provisions of the Trade Unions legislation, most of these have been explained as arising out of Government's desire to defend the democratic order and to avoid the recurrence of subversion. Some of them—again it is the opinion of the members—again have been justified on the ground that it is necessary to protect inexperienced members and young trade unionists until such time as the trade union movement has matured.”

Well, this is the opinion of the members, but what all has been said before is the opinion expressed by the M.T.U.C. officials. There are also other paragraphs where members of the industries have given their views. I think the Honourable Member will go through them.

Enche' K. Karam Singh: Mr Chairman, Sir, at no time has it been my intention to prevent the Honourable Minister from replying and putting forward the case for employers which I am sure he is always doing. But since workers are included, I feel it is my bounden duty to express their very considered opinions. Now, when the Acting Minister quoted from page 107 as to the restrictive provisions of the trade union legislation, most of these have been explained as arising out of the Government's desire to defend the democratic order and to avoid a recurrence of subversion. I would say that when the I.L.O. Mission holds the view that “most of these has been explained as arising out of Government's desire . . .” this means that the I.L.O. Mission had come to the opinion that the Government is the main stumbling block to the removal of these restrictive provisions of the trade union legislation. It is the Government which is the main stumbling block. When they say “Some of them again have been justified on the ground that it is necessary to protect

the inexperienced members of young trade unionists until such time as the trade union movement has matured." I don't know whether the trade unionists whom the Minister addressed a few days ago at Plantation House, if I am not mistaken, I don't think he would condescend to make a speech to them if he considered them inexperienced or young. I don't think he would take the trouble of going to speak to them in that case. It is the opinion of experienced trade unionists and trade unionists having very high standing that the time has come to remove these restrictive practices. Mr Chairman, Sir, I have shown that the apprehension that has been shown in this report that threats of sanctions under the Internal Security Act impeded the formation of a powerful labour movement have materialised in the last few days by the arrest of members of the Shoe Workers' Union.

Mr Chairman, Sir, on page 96, under Chapter V, General Aspects of the Trade Union Situation, we read—

"In previous chapters information has been given about particular aspects of freedom of association in Malaya. The present chapter will attempt to describe the situation from a more general point of view. Freedom of association implies both freedom for individuals to form trade unions and freedom by the trade unions to carry out their functions. It means on the one hand the possibility for workers to set up any unions they please, to determine what form of organisation and policy those unions shall have and to run them without interference"

Enche' Mohamed Yusof bin Mahmud (Temerloh): On a point of order, 36 (1). Saya fikir perkara ini tidak ada kena-mengena dengan apa yang di-chakapkan oleh Ahli Yang Berhormat itu.

Mr Chairman: Yes, you have been too long quoting from that book. We are debating the policy for which the money is allotted—just stick to that.

Enche' K. Karam Singh: Mr Chairman, Sir, this will be my last quotation from this book—

" and to run them without interference from outside. It means, on the one hand, the possibility for the unions to do effective work on behalf of their members. Freedom for the organisations to have a legal existence, therefore, is merely a minimum basis for their activity."

Sir, "freedom for the organisations . . ." is a minimum basis for their activity—not the maximum. The least that can be asked for free trade unions is that there should be freedom for their organisation. I would challenge the Acting Minister for Labour to state whether this quotation which I have just brought to the attention of the House is the view of the I.L.O. Mission or the view of any individual or organisation in Malaya. This is on page 96 and this is the view held by the I.L.O. Mission. I would like to ask the Minister to say whether he goes against the I.L.O. Mission's opinions, to which the Government is supposed to contribute money and send Ministers and do all sorts of lip-service. We want to know the genuineness of the Government.

Enche' V. Manickavasagam: Again on a point of explanation. The workers' representatives and employers' representatives also go to the I.L.O. Conferences. It is not only the Ministers.

Enche' K. Karam Singh: That does not explain anything. What is the stand which the Minister takes on this quotation—whether it is the opinion of the I.L.O. Mission or any individual or individual organisation?

Mr Chairman, Sir, I will now leave the I.L.O. Mission's report which has thrown great light on the undemocratic and restrictive practices of the Government and on its so-called protestations of building up a democratic, sound and independent trade union movement. It has been suppressing actually a free, democratic and independent trade union movement—it has been suppressing rather than advancing the cause of trade unionism in Malaya.

Mr Chairman, Sir, the Honourable Acting Minister in the course of his speech gave voice to certain well-intentioned feelings which he may have. But I would ask this House, and the workers to whom it is primarily directed, to view with grave suspicion these pious and well-intentioned statements from the Minister. It is only made to throw dust into the eyes of the workers, because the only thing this Ministry has done since this Government came to power is to say "We uphold the voluntary system of trade

and industrial relations." But what is it that you have offered to the workers? What have you done to the workers up to now? Have you offered them security from arbitrary dismissal? Have you offered them unemployment benefits, have you offered them old age pensions—have you done these for them? Have you done anything worthwhile since you came to power in this country? On all these vital points the Government's policy is blank. In fact the Government's policy is nothing except to say, "O.K., if the employers and employees have something, sit down and fight it out over the table." That is all. If the workers ask for something, they do not get it unless the employers agree. So, the employees spend their time trying to extract certain rights from employers who never give them; and because the employers never give them these rights, these fundamentals of a proper living, we find that the workers have not got anywhere. Now, the Minister has said that he is consulting the International Labour Organisation on the feasibility of introducing social insurance. Why consult the I.L.O.? Do you or do you not know the sufferings of the workers in this country? It is immediate action in this country itself that will solve the problems. It does not require you to go to Geneva or to other countries to know the sufferings of the workers in this country. I think this statement that the Government is considering the feasibility of introducing social insurance in consultation and negotiation with the I.L.O. is just a device to keep on evading the question. If this Ministry is responsible, if it is worth its salt, if it is worth all the money that is spent on it, it should, now and here, sit down to tackle the problems of the workers. But it lacks the will to satisfy them, because although the Ministry is a labour Ministry we know it is nothing but the arm and instrument of capitalism, not only local capitalism but an arm and instrument of the employers' associations in the mining and planting industries and it will not go against these masters whom it must serve.

Mr Chairman, Sir, on the question of introducing these schemes, the Minister

has warned the House that he must advance with much caution—advance with much caution is, in fact, no advance at all, because the caution is so much that we know nothing could be done. All these, Mr Chairman, Sir, as I have said, are only rosy phrases and promises which do not have within them the will to really give these things to the workers.

Mr Chairman, Sir, the Minister has said that an Unemployment Insurance Scheme suited to local needs will be introduced in this country as and when the time is opportune. Now, I must ask the Minister: Who is going to determine what policy is suited to local needs, and who is going to determine the time that is opportune? The Government must state categorically whether it intends to solve these problems, or that it does not intend to solve these problems. Mere vague statements of "when the time is opportune and according to local needs" are just evading the issue and merely holding the verbal promise before the people without giving them the real remedies that they require. And I ask: How are you going to determine whether Unemployment Insurance is suited to local needs? There are 50,000 people unemployed in this country. Isn't the time now opportune; isn't it suited to the hungry, suffering and homeless 50,000 workers and their dependants? Is the time now not ripe that an Unemployment Assistance Scheme should be introduced immediately, or do you want another 50,000, 100,000 or half a million workers to become unemployed before you really start thinking of introducing such a scheme?

Mr Chairman, Sir, I must now refer to another matter which—it is not publicly noticed—is a very grave problem in the Labour section. We know that there are certain very rich firms owned by Indian Muslims in Malaya. Mr Chairman, Sir, we also know that the indentured system of labour was ended in the 1930s, but there is a very oppressive system of recruiting labour for these Indian Muslim business houses in Malaya. When I visited India, Mr Chairman, Sir, I went by third class and came back by third class. In the

course of my journeys I met and stayed on board the ship with Muslim employees of these Indian Muslim business houses in Malaya. They are exploited to such an extent that they are paid only about \$50 a month, even grown-up adults are paid that meagre salary. They live and stay in the premises where they work, and are not allowed to go outside to find out what is happening outside their shops, to mingle with people, to tell other people what is happening or hear from them what is happening. Not only is there extreme exploitation regarding wages, but they are almost kept as if in a prison. Their hours of work go right up to eight or nine o'clock at night. After that, they just have enough time to have a wash and food and then they are put up for the night within the premises where they work. This, Mr Chairman, Sir, is a very serious thing. If these people want to get labour from India or any other country, they must pay them properly. What we find is that if some of these Muslim employees—due to the poverty of India they are forced to accept very low wages here—make any demands for better conditions and more freedom, these employers write to the parents of these boys in India and say: "Your son has become very bad. He has lost his moral value, this, that and the other", and the screw is applied in India to bring these young boys to submit. But these are very oppressive conditions and I would urge the Minister to investigate into these very genuine complaints, not only regarding low wages but also regarding the existence of an indentured system still operating in these Indian Muslim houses in Malaya. I would even go further and say that there is such a thing as unlawful restriction of freedom, and there is unlawful restriction of freedom of these people carried on by these employers. But the most significant thing for the Malayan economy and for the Malayan labour situation is that people are able to bring in very cheap labour from outside Malaya to the detriment of local workers. It is all right, if you give them work at competitive wages. But that is not done, and the Malayan workers suffer. The people in the rural areas are deprived of

employment by these very oppressive wages and this very oppressive system.

Mr Chairman, Sir, the Government has often paid lip service to the trade union movement. I would ask the Government what consideration it has given to resolutions adopted by the Malayan Trade Union Congress in the years past. How many of the resolutions has it really carried into effect? How many of the problems of the workers as manifested in the resolutions of the M.T.U.C. has it removed? Or, is the Government merely closing its ears to the resolutions which are brought in year in and year out? I would also ask the workers' organisations to see to it that once they bring in any resolutions that they must not be only for the purpose of resolution making, but that they must endeavour to achieve what they say in their resolutions. For instance, Mr Chairman, Sir, at the M.T.U.C. Delegates' Conference on the 14th November, 1959, one Mr S. P. S. Nathan, who was then the President, said among other things that, "in the economic field we must respectfully warn that the present is not the time for cheap labour and large profits; industry must now evolve from a purely capitalistic economy to a profit sharing pattern."

Now, Sir, a Malayan Trade Union Congress Conference is quite a serious and important matter, and for the President of the M.T.U.C. to say that industry must now evolve from a purely capitalistic economy to a profit sharing economy is a very important and vital statement. That, Sir, was in 1959. Now, Mr S. P. S. Nathan as the Chairman of the National Union of Plantation Workers, the biggest union in the industry, has made the statement, but has he himself seriously endeavoured to achieve a profit sharing pattern in the rubber industry in this country? As far as I know that has not been done. However, has the Government done anything to give effect to this feeling, to this desire for a profit sharing pattern in the economy of the country? We know that even a small union like the *Straits Times* Union is able to achieve the payment of a certain bonus every year. Why certain leaders of big

trade unions say that they want profit sharing and do not work for it, I do not know.

Enche' V. Manickavasagam: Mr Chairman, Sir, on a point of order—Standing Order 36 (1): I think the Honourable Member is going out of the debate. Nothing has been mentioned in the Estimates about Mr S. P. S. Nathan—no money is being asked for. I think that the right place for his question is out of this House and not in the House.

Mr Chairman: I think it is not necessary to mention about Mr Nathan here.

Enche' K. Karam Singh: Mr Chairman, Sir, I am not asking for any charity in this, but what I am saying is that a very important industrial relationship has been raised at the M.T.U.C. Conference in 1959—that there must be profit sharing in industrial concerns with workers in our country. What consideration has Government given to this view that has been expressed at the M.T.U.C. Conference in 1959? Mr Chairman, Sir, this much I have to say and that is in its work for the workers of this country, the Government is still at the bottom of the ladder, and despite a lot of speeches there has not been much forthcoming to the workers as yet. The workers are still looking forward to getting something concrete, but up to now they have not had any; their hopes have not yet been satisfied.

So, Mr Chairman, Sir, rather than feeling very happy and very satisfied, I would ask this Minister to remove the scales from the eyes of his Ministry and to see the situation as it is, and immediately start work after studying the situation objectively. Thank you.

Enche' Mohamed Asri bin Haji Muda (Pasir Puteh): Tuan Pengerusi, saya hendak berchakap pada Kepala 48 berkenaan dengan kebajikan masyarakat ia-itu kepala kechil 5—Penjagaan Perkhidmatan Pemuda peruntukan sa-banyak \$1,150 dan kepala kechil 10—Latehan Pemimpin Pemuda peruntukan sa-banyak \$65,000 dan kepala kechil 13—Bantuan kepada Pertubohan Pemuda Sukarela peruntukan sa-

banyak \$150,000 yang jika di-kumpulkan ketiga² kepala kechil ini, maka berjumlah wang itu sa-banyak \$216,150. Jumlah wang yang bagini besar adalah di-tujukan kepada membantu dan menolong gerakan² pemuda di-seluruh Persekutuan Tanah Melayu, sama ada bantuan itu saperti yang di-sebutkan di-kepala kechil tadi ia-itu bantuan untuk melateh pemimpin pemuda, atau yang besar sa-kali ia-lah bantuan kepada Pertubohan Pemuda Sukarela dalam negeri ini.

Dalam melaksanakan bantuan ini, saya telah membangkitkan dalam Rumah yang mulia ini baharu² ini bahawa sa-bahagian daripada gerakan kaum pemuda yang di-anjorkan oleh Kerajaan, sama ada sa-chara terus, atau tidak, boleh di-katakan sa-bahagian daripada-nya banyak men-champori soal politik di-dalam-nya, dan kadang² terbayang dengan jelas dan nyata bahawa pertubohan pemuda yang menggunakan nama pemuda-nya, tetapi dengan chara terus-terang membawa propaganda daayah parti politik yang tertentu bagi mempengaruhi masyarakat sa-tempat. Saperti yang telah saya sebutkan, ada pemuda di-sabelah negeri Perak yang tertera dalam surat khabar bagaimana kechaman telah di-beri oleh sa-buah pertubohan yang lain tatkala mengecham pertubohan pemuda ini dengan mengatakan bahawa Pertubohan Pemuda Desa telah berusaha dengan terang membawa politik Perikatan dengan gerakan-nya. Jadi ini ada-lah satu chontoh bahawa maseh, atau pun memang ada anasir² yang tidak sihat dalam gerakan pemuda kita, dalam tanah ayer kita sekarang ini—tidak semua anasir² yang tidak sihat chuba hendak menggunakan gerakan pemuda, atau pun nama pemuda itu untuk kepentingan diri sa-lain daripada kepentingan pemuda itu sendiri sa-hingga ada pada sa-tengah² tempat pemimpin² politik itu sendiri telah chuba dengan chara ta' langsung mempengaruhi pemuda sa-tempat supaya menubuhkan pertubohan pemuda yang tidak berpolitik ini dengan tujuan supaya apabila terdirlanya pertubohan ini, maka gerakan atau maksud politik ini berjalan di-sabalek-nya ia-itu berselindong

dengan nama pertubohan pemuda itu. Ada-lah di-harapkan supaya pehak Kementerian ini mengambil perhatian yang berat wang ra'ayat yang sa-banyak \$216,150 ada-lah satu jumlah yang bukan kechil yang kalau wang ini di-belanjakan kapada pertubohan pemuda dengan tidak di-siasat atau tidak di-awasi segala sa-suatu sa-hingga akhir-nya kelak wang ini akan menjadi wang siasah yang pada tujuan asal-nya ia-lah hendak membantu pergerakan pertubohan pemuda supaya timbul tenaga muda dalam negeri ini bagi membena satu masharakat yang baik dan tidak menghasilkan orang² atau anasir² yang tidak sihat yang di-masokkan soal pertentangan politik dalam gerakan pemuda, atau menggunakan pemuda itu sa-bagai alat untuk menguasai pertentangan politik di-dalam-nya. Saya harap Yang Berhormat Menteri supaya dapat di-adakan satu kaedah, atau pun peratoran pada masa akan datang ia-itu mana² badan pemuda yang mendapat bantuan daripada bahagian ini, jika sa-kira-nya di-dapati sah dan benar yang pertubohan itu ada menchampioni soal politik, atau badan yang menjadi alat politik, maka bantuan kewangan itu hendak-lah di-sekat daripada di-sampaikan kapada pertubohan ini, ma'ana-nya pertubohan pemuda ini jika sa-kira-nya ada di-dapati bukti yang nyata menjadi alat parti politik, maka hendak-lah dengan serta-merta bantuan badan pemuda ini di-berhentikan.

Sekarang saya hendak berchakap berkenaan dengan Grant to the Malayan Association for the Blind di-dalam muka 237 peruntokan-nya sa-banyak \$25,080. Saya rasa peruntokan yang sa-banyak ini sangat kechil memandangkan kapada perkhidmatan yang mustahak dan perlu di-luaskan lagi pada masa yang akan datang bagi melayani dan mengatasi kedudukan orang² buta dalam negeri ini. Sambil itu saya harap Kementerian ini mengadakan satu penyiasatan yang rapi ia-itu sa-jauh mana perkhidmatan suka-rela yang telah di-beri oleh Malayan Association for the Blind. Sa-lain daripada itu di-adakan penyiasatan yang meluas dalam masharakat

kita di-mana di-dapati ada orang² buta hendak-lah mereka itu di-ambil dan di-serahkan kapada persatuan itu serta di-beri layanan, rawatan dan pelajaran yang wajar sa-hingga dapat mereka hidup dalam masharakat negeri ini dan dapat nikmat saperti orang² yang tidak buta. Hal ini perlu di-adakan penyiasatan dan peruntokan wang pada masa yang akan datang tidak-lah terbatas sa-takat \$25,080 itu sahaja. Mudah²an perkhidmatan untuk orang² buta itu akan menjadi satu perkhidmatan yang utama dalam negeri ini, sebab saya perhatikan jumlah orang² buta dalam negeri ini boleh di-katakan jumlah-nya banyak.

Sa-lain daripada itu, berkenaan dengan Maintenance of Homes/Institutions sa-banyak \$1,075,595 telah di-untokkan saperti tersebut dalam sub-head 24 pada muka 235. Saya telah mendengar penerangan daripada Yang Berhormat Menteri Muda tadi tentang soal peruntokan ini sa-lain daripada peruntokan yang telah di-nyatakan dalam muka 236 di-pindahkan kapada sub-head 24. Maka telah di-nyatakan bahawa peruntokan ini akan di-gunakan untuk mengadakan tempat bagi melindungi wanita² dan pemudi². Saya perchaya yang di-maksudkan wanita² dan pemudi² itu ia-lah dalam soal yang menyentohi kedudukan akhlak.

Dalam ucapan saya beberapa hari yang lalu saya pernah berkata dalam Dewan yang mulia ini bahawa saya telah mendapat khabar yang Kerajaan Persekutuan akan mengadakan satu undang² yang meliputi seluroh Persekutuan Tanah Melayu bagi mengawal soal ma'siat. Dan tentu-lah apakala kita mengadakan satu peruntokan bagi menyediakan tempat bagi melindungi wanita² dan pemudi² berma'ana pehak Kerajaan tentu-lah telah bersedia atau pun memang telah bersedia untuk di-kemukakan satu undang² bagi mencheгах ma'siat dalam negeri ini. Saya telah menyatakan bahawa undang² itu hendak-lah meliputi seluroh Persekutuan Tanah Melayu dan meliputi semua warga-negara bukan sahaja kapada orang Melayu yang beragama Islam tetapi juga kapada semua bangsa, ia-itu undang² yang mengawal

soal akhlak, soal ma'siat dan sa-bagainya. Yang Berhormat dari Johor Tenggara tat kala mengulas ucapan saya ini mengatakan bahawa kita tidak dapat membuat undang² yang saperti itu dengan memberi chontoh negeri Masir tidak buat, bahkan diadakan undang² lain bagi orang bukan Islam. Beliau juga menyatakan bahawa kita tidak dapat membuat satu undang² mencheegah ma'siat sa-lagi kita tidak dapat memberi fahaman dan pelajaran kapada masharakat supaya masharakat itu mengerti dan mengetahui sa-jauh mana had ma'siat atau kejahatan itu. Tuan Pengerusi, kalau kita mengikuti lojik dan chara berfikir Yang Berhormat dari Johor Tenggara itu, maka dapat-lah kita katakan bagini: Oleh kerana memerlukan pelajaran dan pendidekan serta faham tentang soal akhlak dan ma'siat yang di-tafsirkan sendiri oleh Yang Berhormat dari Johor Tenggara, yang mana soal ma'siat itu bukan sahaja soal khalwat tetapi meliputi soal judi, churi dan sa-barang benda² yang merupakan kejahatan, maka sa-belum Kerajaan dapat memberi pelajaran dan fahaman kapada seluroh masharakat tentang soal 'ilmu akhlak, budi pekerti dan sabagai-nya, maka tidak ada guna pehak Kerajaan negeri ini mengadakan polis, mahkamah, penjara, sebab tidak guna kita mengadakan undang² untuk menangkap mereka itu sa-lagi tidak dapat pelajaran akhlak. Itu-lah lojik atau chara berfikir Yang Berhormat dari Johor Tenggara itu. Beliau itu suroh saya belajar lagi. Alhamdulillah, saya sudah belajar. Sa-sudah saya belajar saya dapati Yang Berhormat itu pun nampak-nya tidak begitu mendalam fahaman-nya, barangkali teori yang di-keluarkan itu ia-lah teori yang dia dapat sa-masa dia duduk dalam hospital dahulu, bukan-lah teori sa-masa dia bersekolah dahulu. Saya harap Yang Berhormat dari Johor Tenggara itu sa-belum mengeluarkan sa-suatu teori dalam Dewan yang mulia ini, maka terpaksa-lah mendalam betul² dahulu supaya teori-nya tidak memukul kepala dia sendiri.

Tuan Pengerusi, di-dalam mana² masharakat sa-kali pun, pendidekan

dan pengajaran belum dapat menjamin sa-saorang itu dapat mengawal diri-nya daripada melakukan kejahatan, melainkan apakala ada satu undang² yang sentiasa memerhatikan gerak-geri-nya, maka baharu orang itu sentiasa berhati² pada melangkahkan kaki-nya menuju kapada kejahatan. Jadi soal pelajaran sa-mata² tidak chukup, melainkan ada satu kawalan undang². Itu-lah yang kita maksudkan. Saya perchaya pehak Kerajaan Persekutuan, terutama Yang Amat Berhormat Perdana Menteri kita dapat memikirkan perkara ini supaya dapat di-kemukakan satu undang² bagi mencheegah ma'siat, maka baharu-lah sa-suai dengan peruntokan \$1,075,595 itu sa-embang dengan tindakan-nya.

Kalau di-adakan rumah bagi melindongi wanita² dan pemudi² yang rosak akhlak umpama-nya, maka wanita² dan pemudi² mana yang hendak di-simpan itu, siapa di-antara wanita² dan pemudi² yang rosak akhlak mahu pergi mengaku kapada Jabatan Kebajikan Masharakat dengan mengatakan: saya sudah rosak akhlak, sila-lah ambil saya. Perkara ini tentu tidak timbul. Semua-nya akan melarikan diri dan menyembunyikan diri daripada mengaku yang mereka telah rosak akhlak. Akan tetapi, apakala ada satu undang² pengawalan yang saperti itu, maka barang siapa yang melanggar undang², mereka akan ditangkap dan di-hukum, dan di-antara hukuman-nya tentu-lah termasuk soal meletakkan mereka ka-dalam rumah itu. Mereka itu akan di-didedik sahingga mereka menjadi sa-benar² manusia dan menjadi anggota masharakat yang berguna dalam negeri kita pada masa yang akan datang. Itu-lah sahaja satu chara atau satu ikhtiar kalau benar² Kerajaan negeri ini mahu menjadikan diri-nya sa-bagai Kerajaan yang dapat memberi faedah kapada seluroh masharakat yang dapat mengawal kejahatan dalam Persekutuan Tanah Melayu ini.

Ahli Yang Berhormat dari Johor Tenggara menyatakan bahawa berchakap bohong itu pun satu daripada ma'siat, saya pun aku². Minum arak pun ma'siat, bahkan pekerjaan yang di-tegah oleh ugama dan di-tegah oleh

masyarakat ada-lah ma'siat semuanya. Kalau-lah soal kejahatan ini serta-merta dapat di-kawal dengan baik dan kalau sa-kira-nya pelajaran itu dapat menchegeh sa-sorang itu daripada melakukan pekerjaan ma'siat maka neschaya banyak-lah daripada anggota masyarakat kita ini yang terselamat daripada pekerjaan ma'siat, kerana dalam anggota masyarakat kita terutama-nya daripada kalangan² atas se-bilangan besar dari mereka ada ber-pelajaran tetapi sebahagian dari mereka ini-lah sentiasa terchebor di-dalam perkara ma'siat. Sebab apa, tidak ada benda² yang boleh menakutkan di-belakang-nya. Dan mudahan² dapat-lah pehak Kerajaan menimbangkan perkara ini pada masa yang akan datang.

Enche' Zulkiflee bin Muhammad:

Tuan Pengerusi, di-dalam Kementerian Buroh ini saya ingin memperkatakan soal² yang pada masa ini ada-lah mengancham kedudokan negeri ini. Walau pun telah di-perkatakan oleh Yang Berhormat Menteri bahawa usaha² telah di-jalankan-nya dalam mententeramkan berhubung dengan perusahaan² di-dalam negeri ini di-antara buroh dan majikan, sama ada majikan itu majikan bersendirian atau pun majikan yang ramai atau pun majikan yang berupa Kerajaan. Tetapi tidak-lah dapat di-engkarkan bahawa kegala² ada-lah nyata kapada kita menunjukkan bahawa kedudokan Industry dan perhubungan-nya di-dalam negeri ini ada-lah terancham. Kita tahu dalam bulan Disember ini pemogokan yang berlaku di-factory simen, di-ladang² getah di-ancham oleh pemogok² ini dan kita telah nampak pula Jabatan Keretapi melainkan suatu ikhtiar di-jalankan baharu-lah dapat di-chapai penyelesaian di-masa yang singkat. Kerani² telah menyatakan kehendak mereka dan tujuan mereka untuk melakukan pemogokan, pekerja² Taligrap telah membuat anchaman dan banyak lagi jabatan² Kerajaan yang menunjukkan mereka itu nampak bahawa pemogokan ini-lah satu jalan bagi menyelesaikan masalah kedudokan mereka.

Tuan Pengerusi, pehak Industry dan pehak Kerajaan tentu-lah memandang berat hal ini. Dan kalau kita membuat perhubungan yang sehat di-antara

anasir² yang terlengkong di-dalam-nya berhubung dengan Industry ini hendak-lah di-wujudkan. Sebab tidak-lah dapat di-selesaikan masaalah ini sa-mata² dengan mengadakan satu jabatan menjadi orang tengah di-antara majikan dan pekerja²-nya tetapi hendak-lah usaha anisiatif yang tegas dan bukan sahaja merupakan suka rela tetapi merupakan mempunyai tekanan yang tegas bagi menchegeh berlaku-nya kelakuan² yang tidak bertanggung-jawab walau di-pehak majikan mahu pun di-pehak pekerja hendak-lah di-wujudkan oleh Kerajaan.

Tuan Pengerusi, kita telah mendengar banyak rungutan² daripada pehak² yang tertentu. Saya nampak satu daripada kesulitan yang ada pada masa ini ia-lah peranan yang di-lakukan oleh Kementerian Buroh ini hanya-lah menjadi orang tengah tidak sedikit pun dapat memberikan sedikit kuasa saperti dirinya sendiri bagi membolehkan dia di-hormati di-dalam langkah menyelesaikan pemogokan dan sa-bagai-nya itu. Tuan Pengerusi, apabila saya katakan di-hormati maka ada-lah timbul perkara ini beberapa tanda² bahawa apa yang di-lakukan oleh Kementerian ini di-pandang sepi sahaja oleh sa-tengah² pehak. Kadang² majikan memandang sepi dan kadang² pehak buroh memandang sepi. Buroh² bagi pehak majikan memandang sepi dan banyak di-perkatakan oleh Ahli² Yang Berhormat yang berchakap terdahulu daripada saya tadi. Tetapi pada masa ini saya juga ingin menghemborkan bahawa rungutan bukan hanya datang dari pehak itu sahaja bahkan juga daripada pehak majikan yang mengatakan bahawa dalam gerakan² buroh di-dalam negeri ini telah tegas ada anasir² yang sengaja memuncholkan diri mereka itu bagi mewujudkan suasana ketegangan di-dalam hubungan industry dan labour di-dalam negeri ini. Kalau ini benar nyata-lah kapada kita bahawa perkara ini tidak lagi dapat di-selesaikan dengan dudok sa-bagai orang tengah memberi peranan menepok belakang bagi kedua² pehak sahaja. Sa-suatu yang patut di-tegaskan bahawa kerja² yang mungkin memecahkan kepentingan ra'ayat negeri ini hendak-lah di-hindarkan.

Saya tahu, Tuan Pengerusi, bahawa di-dalam beberapa perkara pemecahan Undang² buroh dan Undang² yang meliputi hubungan di-antara buroh dan majikan sengaja di-lakukan oleh beberapa pihak kadang² yang majikan tidak menghormati Undang² memaksa dia membuat sa-suatu. Kadang² pihak buroh juga berbuat demikian. Yang menghairankan saya apabila telah nyata berlaku demikian maseh juga Kementerian, ini sengaja menjadi penepok belakang bagi kedua² pihak ini. Apakah akan terjadi kepada negeri ini apabila negeri ini di-hinggapi oleh penyakit keadaan yang tidak tetap di-dalam kedudukan Industry. Saya berharap bagi mengubahkannya untuk kepentingan ra'ayat negeri ini hendaklah di-berikan sedikit sa-banyak kuasa kepada Kerajaan bagi menentukan apa yang patut di-lakukan kepada kedua² pihak ini di-dalam masaalah yang mengenai kehidupan ra'ayat. Apabila satu hubungan yang menimbulkan kachau umpama-nya dengan ugutan dan sa-bagai-nya terjadi di-dalam negeri ini maka siapa yang akan susah, ada-

lah ra'ayat. Amat-lah salah-nya, Tuan Pengerusi

Mr Chairman: Order! Order! The time is 6.30. The meeting is adjourned till 8.30 p.m. tonight.

Sitting suspended at 6.30 p.m.

Sitting resumed at 8.30 p.m.

(Mr Deputy Speaker in the Chair)

Mr Chairman: Ahli² Yang Berhormat saya suka menyatakan ia-itu adalah masa yang di-untukkan kerana belanjawan ini akan sampai pada pukul 10.15 malam ini. Terlebeh dahulu daripada itu, saya akan beri peluang kepada Menteri yang berkenaan untuk menjawab segala hujah² yang telah dibangkitkan oleh Ahli² Yang Berhormat.

Enche' Zulkiflee bin Muhammad: Saya terpaksa menarek pandangan, Tuan Pengerusi, berkenaan dengan koram meshuarat ini.

(Division bell rung, there being no quorum, the House accordingly adjourned).

Adjourned at 8.40 p.m.