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UHE3182 MALAYSIAN STUDIES

Chapter 2 THE FORMATION OF MALAYSIA 1963

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The Formation of Malaysia



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LEARNING OUTCOMES

- Know the process of nation state in Malaysia
- Discuss the formation of Malaysia
- Appreciate the value of cooperation in contributing a good nation.



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Introduction

- 16 september 1963 – Malaysia declared a new nation
- 27 May 1962, dinner gathering for South East Asian journalist, Tunku Abdul Rahman stated his desire to form Malaysia.
- Brunei, Sarawak and British North Borneo show interest to join Malaysia.



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Factors for the formation of Malaysia

- Independence through Unification
- Understanding for development
- Ethnic balance and unity
- Collective fight against communism
- Economic corporation
- United in international relation



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Reaction towards the idea

- Lew Kuan Yew was interested with the formation.
- Much problem within the internal parties which makes it hard for the idea for formation. However Anson bye-election July 1961 threaten the formation of Malaysia and Singapore.



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Brunei

- The people of Brunei did not agree with Brunei joining Malaysia.
- Sultan Omar Ali Saifuddin was so interested with the Malaysia's Concept
- The King wanted to form Sarawak and British North Borneo under the name North Kalimantan



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Sabah and Sarawak

- People welcome the idea of the formation with Malaysia
- This can be the reasons to be free from British rule
- However, there were uneasiness among the non-malays over Malayan political domination



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Malaya

- Mixed concept about the formation of Malaysia. But the idea was welcome.
- Before 1951, UMNO leaders stated the wordiness about the entry of Sarawak and Sabah into Malaya – they afraid that the Malay interest espacially in terms of population numbers diminished.
- The report by Senu Abdul Rahman, supported that indigenous people of North Borneo, also the Malay Stock had voice the support for the proposal to unite with Malaysia.



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Steps towards the Formation of Malaysia

- Proposal of Malaysia comes with mixed reaction due to the changes of political locally and changes happened in other countries.
- Question about the status and position Malaysia became a concern for all the countries – to solve this, Tunku Abdul Rahman formed a committee and made special visits to the countries that were doubtful
- Inter-Government Landsdowne Committee was established to draft the structure of Malaysian Constitution



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Brunei Withdrawal

- The sultan lost interest to join Malaysia.
- Failure of the formation due to differences in opinion and the reluctance to compromise on the part of Brunei and Kuala Lumpur
- Brunei's early condition with Kuala Lumpur before joining:
 1. the speeding up of independence
 2. the strengthening of the wall of defense against the communist threat
 3. the provision to help the less developed Parts

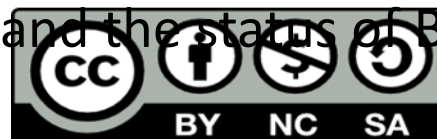


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- Slow implementation and unresolved issues to make this condition realized made Brunei to declined the offer of malaysia concept.

Brunei's claim:

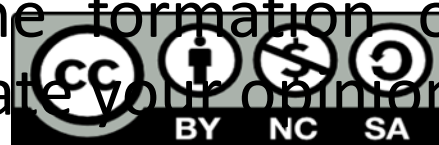
1. The number of seats in the legislature and in parliament
2. The control of oil and other mineral
3. Monetary autonomy
4. Brunei earlier investment
5. Methods of taxation
6. Authority in the area of education and welfare
7. Matters in religion
8. Citizenship
9. The security of Brunei
10. The Position of the Sultan and the status of Brunei



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GROUP DISCUSSION

- Tunku Abdul Rahman announcing to perform Malaysia 1963.
- Brunei explained why he don't want to joint Malaysia.
- Why Indonesia opposed the Formation of Malaysia 1963?
- Discuss what happened to Sabah, Sarawak after they joined Malaysia?
- Elaborate factors that lead to the prosperity of Singapore after the nation had withdrawn from Malaysia?
- What happened if the formation of Malaysia 1963 cannot be realized? State your opinion.



Malaysia 1963
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Chapter 4 THE MAIN PROVISIONS IN CONSTITUTION

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Learning Outcomes

- Know the main provisions in Malaysian Constitution
- Discuss issues related to each articles



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Introduction

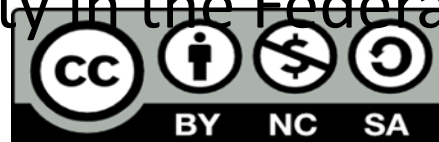
- Each country must have constitution as a symbol of sovereignty.
- Malaysian constitution also can be used as one of characteristics of Parliamentary Democracy.
- Malaysian Constitution have 183 Articles, but there are 5 Articles which is known as Main Provision/Traditional Elements.



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Article 152 (National Language)

- Article 152 refer to Bahasa Melayu as official language of the country.
- According to Malaysian Constitution, Article 152. (1)
The national language shall be the Malay language.
(a) no person shall be prohibited or prevented from using teaching or learning other language
(b) nothing in this Clause shall prejudice the right of the Federal Government or of any State Government to preserve and sustain the use and study of the language of any other community in the Federation.



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Article 3 (Religion of the Federation)

- Article 3. (1) stated that Islam is the religion of the Federation, but other religions may be practised in peace and harmony in any part of the Federation.
- In every State which is not having a Ruler the position of the Ruler as the Head of the religion of Islam in his state is The Yang Dipertuan Agong.



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Article 32 (Monarchy)

- In Article 32. (1) There shall be a Supreme Head of the Federation, to be called the Yang di-Pertuan Agong, who shall take precedence over all persons in the Federation and shall not be liable to any proceedings whatsoever in any court except in the Special Court established under Part XV.
- (2) The Consort of the Yang di-Pertuan Agong (to be called the Raja Permaisuri Agong) shall take precedence next after the Yang di-Pertuan Agong over all other persons in the Federation.
- (3) The Yang di-Pertuan Agong shall be elected by the Conference of Rulers for a term of five years, but may at any time resign his office by writing under his hand addressed to the Conference of Rulers or be removed from office by the Conference of Rulers, and shall cease to hold office on ceasing to be a Ruler. (Federal Constitution, p. 40)



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Article 153

- Article 153. (1) stated that it shall be the responsibility of the Yang di-Pertuan Agong to safeguard the special position of the Malays and natives of any of the States of Sabah and Sarawak in terms of public service and of scholarships, permit or licence. (Federal Constitution, p.146).



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Conclusion

- The main provisions in Malaysian Constitution is a symbol of Malaysia as a nation state with a sovereignty.
- Those articles also made Malaysia as a peaceful multiracial country.
- All races must appreciate the elements in Malaysian Constitution.



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Group Discussion

- Each group are assigned to explore three Articles together with any cases/issues related. Example:
- Article 3 – Islam as the official religions.
- Article 152 – Malay language as official language
- Explain the justification of Bahasa Melayu as a national language.



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References

- <http://itslaw.blogspot.com/2010/09/malaysian-constitution.html>
- Federal Constitution as at 1 November 2010.



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