

MALAYSIA : NATION, STATE, POLITICS AND ELECTIONS - A BRIEF SURVEY

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Any attempt to provide a brief survey of a multi-faceted subject as that of the growth of a nation-state, with all its attending paraphernalia, is a frightening one. The words of caution found in Lucian Pye's presidential address on 2 September 1989 at the 85th annual meeting of the American Political Science Association in Atlanta come to mind¹ "As a part of our confusion over scientific and humanistic knowledge we tend regularly to vacillate between favouring the one over the other. Indeed, the subfields are usually at different phases in what seem to be steady pendulum swings between the universal and the particular, theory and description, parsimony and" thick description." 1b

INTRODUCTION

Malaysia is one of the few states from the developing world that has succeeded in adhering to most of the essential values which are associated with democracy. The achievements of Malaysia as a surviving democracy become more fascinating and at times intriguing when one realises that it was only about 50 years ago that the basic foundation for nationhood began to be laid. What were those elements that came together to build a nation-state out of a myriad of political, religious, economic and social beliefs?

Malaysians have succeeded in conducting nine elections since 1952; an achievement less than five States in Asia can boast of. Democratic elections are held to decide on the government which should rule the state. Freely, regularly and openly held elections perform several functions vital to the existence of a democratic state. They allow citizens to formally decide who will govern. Elections encourage citizens' involvement in governmental policy-making process. They encourage flowering of ideas. Free, open and regular elections are the nerves of a democratic society. Elections in a democracy require universal franchise. Key, one of the distinguished authorities on elections wrote³ :

The wishes and probable actions of a vast number of people at the polls must be taken into consideration in the exercise of public order." It is only when elections are free and regular that democracy can function with its full vigour.

Throughout history, men have struggled to formulate devices which will ensure just government. Politics had, about a century ago, generally been the birthright vocation of the privileged few. It was the Hobbesian, Lockian and Rousseauvian notions of social contract which formed the foundation for the emergence of modern democracy in Europe and North America.⁴

Still, elections based on the concept of universal franchise and less than 100 years old. Race, literacy test, property rights, religion, citizenship and sex were some of the qualifications used by groups in power to deny others the right to vote.

The mother of parliamentary democracy, the United Kingdom, established voting equality for men and women only in 1928, through the Representation of the People Act of 1928. Prior to that date women were not allowed to vote in elections for the House of Commons.^{4b}

THE DEMOCRATIC STATE

The ideal democratic state will provide provisions in its constitution and laws to guarantee liberty⁵, personal freedom⁶, property rights⁷, equality before the law⁸, equality of opportunity⁹ and an open society built upon justice.¹⁰

The means to accomplish the democratic goals are through a written or unwritten constitution which provides for constitutionalism, representative processes, free and frequent elections, majority rules, minority rights, checks and balances, Bills of Rights, federalism, separation of powers, rule of law, due process of law and judicial review.¹¹

The constitution of the state consists of the practical aspirations and ideals of the whole society. It reflects the wishes and needs of the whole society. It is for these reasons that the constitution should not be at the mercy of any particular section of the government and administration to inflict changes on the constitution, to fulfil the vagaries of the few. Access to power to make constitutional amendments must be in the hands of more than one institution so that a general consensus representing the many and varied spectra of the society is strictly observed. The constitution must establish a balance between tangible and symbolic elements essential to safeguard the democratic character of the state.

Democracy requires constant vigilance. When informed of the Shay's Rebellion by Abigail Adams (the wife of the American Minister in the United Kingdom then and the second President of the United States, John Adams) from London, Thomas Jefferson from Paris (where he was residing as the American Minister) replied: "I like a little rebellion now and then. The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its manure."¹²

Democracy is dependent on elections for its survival and advancement. The failure of democracy in the nation-states of the Third World, and recent collapse of communist governments in Eastern Europe and the Soviet Union are vivid examples of the need to conduct the capacity to have regular, free and open elections to ensure the existence of government with majority support of the people. The quintessence of political development need not rely "on a little rebellion now and then."

The nadir of democratic values is the ability to tame power and administer it without resorting to violence and use of force : the quintessence of political development need not rely on a little rebellion to keep liberty alive. It is the regular universal elections which act as the guide when establishing a just, democratic society. Elections are the beacon for democracy. Elections also pave ways for government to march towards achieving man's noble ideals and dreams.

MALAYSIA AND DEMOCRACY

What were factors which have helped Malaysia to emerge as a democracy when most of the other states in the Third World which possessed more of the essential elements necessary to establish a freer and more democratic society have failed?¹³

The states which existed in the Malay world¹⁴ before the coming of the Europeans were more of nations than the legal institution which is called state in international law or international relations today. The Malay world of yester-years was more of world of Malay nations than states because the elements required of a state were the child of European political thought and civilization. European political philosophy, influenced by Renaissance and Reformation, defined "state" as a people occupying a fixed territory bound together by common law, habits and customs into body politic exercising, through the medium of an organised government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe.

The Malay nations which existed before the coming of European colonialism, with some exceptions, did possess all the requirements of a state. But the nature of the relationship which existed among the Malay states during the pre-colonial era did follow the rigid characteristics attached statehood of the European world. On the other hand for reasons of colonizations and absolute usurpation of territories belonging to others, the Christian states of Europe generally did not confer statehood status to non-Christian nations.

The denial of statehood to the nations in Asia and Africa was essentially a move to facilitate to turning them into colonial lands or "protected states" (from whom one wonders) called protectorates. The European states generally viewed the non-European nations as lacking the requirements of a state for political to put it bluntly for opportunistic reasons. Denial of statehood automatically removed the need to allow the voices of the occupied people to be heard in the policy making process.

A leading scholar on the emergence of Western nation-states wrote: "The unrest and the spirit of activity of Western Europe and North America have conquered the world. This Europeanization of mankind, a spiritual victory of the dynamic civilization of the West over the static civilization of the East, turns politically and economically against the West and its hegemony which was based on the exclusive mastership of its civilization."¹⁵

THE EARLY MALAY STATE AND REPRESENTATIVE GOVERNMENT

Historians familiar with the Malay world historiography never fail to write that the social contract theory which was propounded by Western philosophers was already in existence in the covenant agreed upon between Demang Lebar Daun (a penghulu of a Malay tribe in Palembang) and Sang Sapurba (the first Malay king).

The social contract that was made between Demang Lebar Daun and Sang Purba contained most of the elements which were later theorised by Hobbes, Locke and Rousseau and others. Sang Purba bound himself to serve as king by fulfilling all the duties expected of a noble king and his subjects led by Demang Lebar Daun, agreed to be loyal forever to their king. The transgressors of the contract faced punishments of utmost cruelty.¹⁶

The Malacca Sultanate, from which all the present Malay royal dynasties in Malaysia derive their authority and traditions paved ways for the structure of states and governments in the Malay Peninsula. The Sultan possessed the "daulat", a kind of power and authority which placed him in an extraordinarily exalted position. He was the shadow and representative of God on earth.¹⁷ The ways of the sultan were the ways of his subjects.

The Sultan was an absolute ruler. The ruling families and influential groups with access to the Sultan and his high officers exercised power. The subjects had little or no role in the decision-making process of the state.¹⁸

The governmental structure of the Sultanate was that of a pyramid. The Sultan was ensconced at the apex of the pyramid, with absolute control over land and appointment of the officials. He exercised complete power over the law making process. There were strict codes for court manners and decorum. Punishments for the violation of these rules were immediate, stern and severe. Courts officers and officials were generally members of the royal house or of aristocratic birth. The common persons had no say in the decision making process of the country.

The Portuguese and Dutch rule in Malacca dislocated the principal Malay ruling house in the Malay peninsula but the Malay states in other parts of the peninsula were ruled by Malay royal families, claiming blood relationship with the rulers of the Malacca Sultanate. The royal traditions practised and the structure of the government which prevailed in these states were of the Malacca Malay Sultanate's.

The Portuguese conquered Malacca in 1511. Malacca fell into the Dutch hands in 1641. Both the imperial trading powers used Malacca as a centre for trade. Malacca was governed as a military post, established to control the trade plied in the Straits of Malacca. Like in the days of the Malacca Sultanate, the Portuguese and the Dutch ruled the trading post and the surrounding areas through the leaders of the various ethnic trading communities and local rulers.¹⁹

The military leader in Portuguese Malacca was the appointee of the king. He was assisted by a few hundred men. The total strength of the Portuguese very rarely extended beyond five hundreds. As noted earlier, the Portuguese adopted the same manner (as the sultans before them) in controlling the various trading communities by dealing with the heads of the communities. The military leader, who carried the title of Captain of the Fortress was responsible to the Viceroy in Goa. A council consisting

entirely of Portuguese officials supervised the civil administration. The Portuguese appointed a Malay leader, called the Bendahara to administer the affairs of the Malays. Malacca was run as a small fiefdom for the glory of the king in Portugal.

When the Dutch took over Malacca from the Portuguese, it had already lost its preeminence as a trading centre controlling the trade in the Malacca Straits. Malacca was ruled by a Dutch governor through a council composed of Dutch officials. The Dutch too relied on the ethnic leaders to deal with the various trading communities.

The British began planting themselves in the Malay Peninsula with the occupation of Penang Island in 1786, Singapore in 1819 and Malacca in 1824. The three occupied territories which came to be known as the Straits Settlements were ruled by British officials accountable to the politicians in London. If there was any representation in the government of the Straits Settlements in the initial stages, it was mainly carried out through the appointment of official and unofficial representatives. About two decades later an indirect form of representation was introduced in the local governments of the Straits Settlements. Perhaps, the first stage in the introduction representative government in Malaya.

It is interesting to note the way the committee (Penang local government) was constituted. It was not strictly appointed by the Government, nor was it elected by people as a whole. The principal Asian and British inhabitants of the town met and elected the members of the committee. But the Chairman of the Committee was not to be elected. He was an official appointed by the Lieutenant Governor. The committee was aided by the Government which gave money and land so as to help the committee in its work of improving the town.^{19a}

When Penang, Singapore and Malacca were united as the Straits Settlements, moves were made to allow representation from the ratepayers to the municipalities. The (India) Act XXVII of 1856, for instance, provided for a council (municipal) to have five appointed members, of whom three were to be elected by the rate payers.

“The important thing to note is that firstly the principle of election was accepted and, secondly, the necessity for an elected majority in the Municipal Council was also recognised more than one hundred years ago.”^{19b}

Municipal elections were held in Singapore, Penang and Malacca in 1887. The S.S. Municipal Ordinance No. 9 of 1887 made provisions for the election of three Commissions for each municipality. Another three were to be nominated by the Governor.^{19c}

However, the Municipal Ordinance 1913 brought about a significant departure in the principle of elective representation. Elected representation came to an abrupt end.

The major British intervention in Malaya (beside the occupation of the three areas of the Straits Settlements) began with the signing of the Pangkor Treaty (1874). The Treaty allowed the British to place an high civil servant to advise the Sultan in Perak to govern the state. The British officer, who was known as the “Resident” was empowered to advise the Sultan on all matters except those touching on Malay customs and Islam. In many ways, it was the Resident who ruled the state with a panoply of British officers. The Resident as agreed never interfered in matters related to Islam and Malay traditions and culture.²⁰

THE MAKING OF THE MALAYSIAN NATION-STATE

The evolution of most of the modern nation-states in Asia, Africa, South America and in the Indian and Pacific oceans is essentially the result of European colonialism and imperialism which began with the European "Age of Discovery". European colonialism ruled a major portion of the world for over 300 years, beginning with the sixteenth century.

The world has witnessed the rise of no less than 100 nation-states since the end of the Second World War. Most of these nation-states had been under the yoke of European imperialism and were generally the creations of statesmen and diplomats who sat around conference tables in European capitals and drew their boundaries with rulers. This would explain why some states' boundary lines run straight, especially in Africa. Imperialism in the shape of colonialism weakened traditional societies, disintegrated ethnic groups, transformed the composition of the ethnic groups and created artificial national boundaries with strong centralised authority.

Imperialists favoured the nation-building process by providing prerequisites for economic development, transportation and territorial and political integration. However there was a catch in their nation-building process. The many-faceted development was carried out solely for the purpose of strengthening and perpetuating the imperial hold on the subjugated people. The Dutch Governor-General in Indonesia declared a few years before the Japanese invasion of the Islands: "We have been here for three hundred years and we are determined to stay here for another three hundred years."

Before 1840 there were less than five per cent non Malays in the country in territories later to be termed as Federated and Unfederated Malays. However, even before the British intervention in the Malay States, Non-Malays had already begun to move in to mine for tin in Perak and Selangor.

Internecine wars among the Malays over thrones and territories and wars between Chinese clans and secret societies mainly to control tin mining areas gave ample opportunities to the empire and trade-minded British to intervene in the affairs of the Malay States to ensure "political stability".

The Pangkor Treaty of 1874 signed between the British and the Malay chieftains allowed the British to govern the state. The sultan agreed to receive a British officer to advise him in the running of the government. The British entered into the same kind of arrangements with Selangor at the end of 1874, Negeri Sembilan in 1885 and Pahang in 1888.

The adviser, known as the Resident was to advise the Sultan on all matters except those touching the affairs of Islam and Malay culture and traditions. Though the Resident was called adviser, he was for all intentions and purposes ruled the state.

The British introduced an early and perhaps cruder form of representative government into the Malay states. In 1877 the British established a State Council in Perak. The members of the Council were the Resident, the Sultan, Malay aristocrats and Chinese community leaders. The Council discussed matters affecting the running of the state, including the budget. The same system was adopted in Selangor, Negeri Sembilan and Pahang. In 1895 these four states were brought together to form the Federated Malay States.

The formation of the Federated Malay States allowed for the creation of the office of the Resident General who acted as a superior officer, advising the sultans. The sultans, headed by the Sultan of Perak disagreed with the concentration of power in the hands of the Resident General in Kuala Lumpur.

In 1909, a Federal Council was created to allow greater representation in the decision-making process. The Council consisted of the following members: the High Commissioner (President), the Resident General, the four Sultans, the four Residents and four unofficial members nominated by the High Commissioners. Of the four unofficial members, three were Europeans and one Chinese. The other Malay States, Johor, Terengganu, Kelantan, Kedah and Perlis which were called the Unfederated Malay States did receive British advisers but they managed to keep the administration in the hands of Malays.

THE SECOND WORLD WAR AND ITS EFFECTS ON MALAYSIA

Imperialism came to a standstill during the Second World War. The War had sapped the stamina and the strength of the European powers to continue their rule over the colonised lands. They left their colonial possessions, some very reluctantly. Others stood their ground for some time and fought costly bleeding wars only to bid farewell before the whole world collapsed before them. When the Europeans left, they took with them the armies, in most cases the only available disciplined institution, the wealth, administrators and technicians.

When independence was achieved in haste, with the basic infrastructure sorely lacking, the handful of Western-educated leaders, or at least leaders inspired by the glory of western democratic values, hurriedly assembled facade institutions to prop up sovereign, democratic nation-states for which there was, in most cases, no foundation at all. Most of these democracies collapsed within a decade and turned themselves into military, sometimes cruel, dictatorships.

Malaysia was fortunate. It is one of the few states, that could be counted with the fingers of both hands, which has succeeded in establishing an economically thriving society and at the same time achieved some significant progress in building a united society out of a myriad of ethnic communities, languages, cultures and values. Malaysia has emerged as a successful laboratory for integrating different races, religions and cultures into a united social force. The concept of unity in diversity could not have found a healthier land for its growth.

Future historians delving into the past of Malaysia to identify the most influential and decisive institution which propelled the nation-state as a successful entity are likely to focus on the Malayan constitution of 1957. A constitution is the soul and the life of a nation. If the ingredients in the constitution are in dissonance, the forces for the disintegration of a state are likely to raise their heads immediately. Justice Felix Frankfurter once remarked that the constitution is "a stream of history". An effective constitution mirrors the past and present lives of its men and women. It represents the quintessence of the political philosophy of the nation.

The quintessence of the political philosophy is the ideal which sets the standard for perfection. Realities sprout and grow out of the ideals. What were the forces which brought about the splendour and the glory found in the Malayan constitution of 1957?

The early multi-ethnic Malayan politics which began to unfold in the thirties, had often revolved around conflicting ideas about how to build a united nation. There were many societies during the nineteenth century and first part of the twentieth century in Malaya. The population was both indigenous and non-indigenous. Within the indigenous society, the people identified themselves by their loyalty to their Sultans and the states to which they belonged. The territorial integrity of the states was intact. A Malay generally considered another Malay from a different state as an alien, despite the fact that they shared the same religion, language, culture and likes and dislikes.

The immigrant communities, mainly Chinese and Indian, were transient in nature. Until the outbreak of the Second World War, very few in the immigrant communities entertained the notion of making Malaya their home. The beliefs and values which the immigrants brought into Malaya, the social institutions they established here contradicted to some degree, with those of the native people.

The British determined the demography and occupations of the various ethnic societies. The Malays were generally confined to the rural areas and did not come into contact with the economic activities designed by the British to enhance their mercantile economy.

The Chinese concentrated around tin mining areas and also served in their supporting services, mainly in the urban areas of the West coast of the Malay Peninsula. The Indians were settled in rubber plantations and in urban areas to work in the public services. The immigrant societies were splintered into factions based on dialects and regional loyalties brought into Malaya from their mother lands.

The political developments in China, India and in other parts of Asia exerted notable impact on the political activities of the various ethnic communities in Malaya. The rise of the Kuomintang in China led by Sun Yat Sen, and the Indian Congress Party in India directly influenced the political movements of the Chinese and the Indian communities in Malaya. The enthusiasm for politics shown by the immigrant communities caused uneasiness and alarm among the local Malay population.

The outbreak of the Second World War added more complexities to the texture of the political activities in the country. During the Japanese occupation in Malaya, the Japanese played a role that was very reminiscent of imperial rule. Most of the Chinese were slotted for cruel treatment in the early part of the Japanese rule. The Malays, at least in the early stages of the invaders' rule were treated patronizingly. Some were allowed to occupy high posts in the administration which had been the prerogatives of the British in the pre-war days. The treatment meted out to the Indians was governed by the fluctuating relationship between the Japanese government and Bose's Indian National Army.

The Japanese occupation, despite its attempt to create animosity among the various races, had offered a lesson in loyalty for the Malays and non-Malays. The Chinese and Indians for the first time began to subscribe to the belief that Malaya was their adopted land. The Malays, on the other hand, had been jolted out of their slumber by the events of the preceding five years. The Japanese, though they initially appeared to favour the Malays most, as noted above, soon came to be viewed by the Malays as full-bred imperialists. The slogan, "Asia for Asians" propagated by the Japanese soon lost its earlier attraction.

The sudden surrender of the Japanese in August 1945 plunged Malaya into one of the darkest episodes in its modern political history. The British could not return to Malaya in time to take over the administration from the Japanese. This allowed The Malayan Peoples Anti-Japanese Army (MPAJA) which was essentially under the control of the Malayan Communist Party to terrorise people with their "reign of terror" for several weeks. The communists wanted to settle scores with those who were suspected to have collaborated with the Japanese. Though the majority of the victims of the "the reign of terror" were Chinese, the assault on suspected Malay collaborators led to communal clashes in several parts of the country. The MPAJA was Chinese dominated.²¹

This tragic episode created a state of affairs which in turn led to tension-filled relationships between Malays and Chinese. Malays saw the MCP's "reign of terror" as an attempt to establish a communist republic absolutely dominated by Chinese.

In January 1946, the British government in London published a White Paper which intended to create a unified Malayan state, composed of the Federated and the Unfederated Malay States and the two territories of the Straits Settlements, Penang and Malacca. The White Paper called the new political structure, the Malayan Union.

The Malays reacted with absolute fury to the contents of the Malayan Union. They viewed the Malayan Union as a plan to deprive them of their mother land and hand it over to the immigrant communities or the least share their land and its wealth on equal terms with them. There were justifiable reasons for the reaction of the Malays. The Malayan Union Constitution united all the Federated and the Unfederated Malay States and the two territories of the Straits Settlements, Malacca and Penang into one unit under the British Governor. Singapore would be a separate colony with its own governor. There would be a Governor-General with power over the Malayan Union, Singapore and the Borneo territories.

The Malay rulers would remain the heads of Islam and Malay culture and tradition. However, power over decision-making process was greatly reduced. This meant that there was a shift of sovereign power from the Malay rulers to the British monarch. Malaya had become a colony. The Malay states and the Straits Settlements would retain the legislative assemblies which came under the direct control of the central government at Kuala Lumpur.

The Governor of the Malayan Union would be aided by an Advisory Council, whose official and unofficial members were to be appointed by the Governor. The Malayan Union constitution provided for provisions governing citizenship which treated Malays and non-Malays equally. There were to be no differences between indigenous and non-indigenous people.

The British had sent Sir Harold MacMichael to seek the consent of the Rulers to the formation of the Malayan Union. MacMichael had used the threat of removal from thrones by accusing them of collaboration with the Japanese if the Rulers showed reluctance in giving their consent to the Malayan Union.

On March 1, 1946 38 Malay organisations gathered at the Sulaiman Club in Kuala Lumpur to protest against the formation of the Malayan Union. Malays opposed the manner in which MacMichael received the consent of the Rulers. They condemned the formation of the Malayan Union as unconstitutional. The native people of the country were not consulted and the Malayan Union was formed against their will

The Malayan Union reduced Malaya into a colonial land. This was seen as an anachronism, when the just-born United Nations Organisation had called for the liberation of all colonised lands. The citizenship provisions of the Malayan Union governing non-Malays were seen as too liberal to threaten the status of the Malays in their own land. The fear was that soon politics in the land would be dominated by the immigrant communities threatening the very survival of the Malays in their own country.²²

Despite the strong and emotion-filled opposition from the Malays, the British government went ahead with its plan and the Malayan Union was inaugurated with Sir Edward Gent as the first Governor. The Rulers and majority of the Malays boycotted the ceremony.

For the first time most of the Malay political parties and cultural organisations functioning in the Malay Peninsula, which had till then been inspired by the feelings of regional patriotism, formed a national political party, the United Malays National Organization (UMNO) to fight against the Malayan Union. Dato Onn, a member of a Johor aristocratic family with close relationship with the state's Royal House was elected the first President of the party. It is essential to note that the Malayan Union was opposed not only by the Malays but also by many senior retired officials in Britain who had served in Malaya.

The severity of the opposition to the Malayan Union forced the British government to abandon it in January 1948 and to replace it with the Federation of Malaya. The Federation of Malaya Agreement of 1948 softened the stand of the Malays. It brought all the Malay states, both the Federated and the Unfederated and the Straits Settlements of Penang and Malacca together. Many of the demands of the Malays were met. Now the non-Malays objected to the way the British gave in to the demands of the Malays. They accused the British of betraying them.

The new federal structure retained the institution of Rulers and their dignity and status with all the ceremonial splendour. It also preserved and protected the special position of the Malays. The Federation greatly tightened the rules governing qualifications for citizenship. It provided for a non-elective federal legislature, to offer a training ground for the future leaders of the country.

In July 1948 the Federal Government declared a state of emergency against the communists who had openly called for the overthrow of the government through armed rebellion. The communists began undermining the government by attacking rubber plantation and tin mines. The assumption was : if the British were attacked at the roots of their economic strength in Malaya till it became too expensive for them to continue governing, they were likely to leave the country. So began the assault on rubber plantations and tin mines, railway lines and coaches and other government economic institutions. Assassinations were carried out on rubber planters and tin miners.

The Emergency in Malaya was a traumatic period for the majority of the Malays and non-Malays. It was a period filled with suspicions and fear among the communities. The tension and fear were worsened by the fact that the majority of the members in the Malayan Communist Party (MCP) were Chinese. But in reality this never meant that the majority of the Chinese population in Malaya supported the communists. At the height of its strength the MCP had about 10, 000 armed members in the jungle.

There were other groups with different sets of political agendas. An influential section of people, mostly Chinese, in the Straits Settlements of Malacca and Penang wanted to remain loyal subjects of the British King. All they wanted was some autonomy to run the local affairs of the government. Then there were left-leaning Malay political leaders who struggled to group Malaya with Indonesia under the banner of Indonesia Raya or Melayu Raya.

In the meantime, events were unfolding fast in the development of relationship among the political parties that had been set up by the various communal groups. The UMNO was the biggest party representing the interest of the Malays. The Malayan Chinese Association (MCA) which was formed in 1949, headed by Tan Cheng Lock represented the interests of the majority of the Chinese. The Malayan Indian Congress (MIC) was formed in 1946 to safeguard the interest of the Indians. Its first President was John Thivy.

The flowering of the political minds of the many communities began in the last two years of the 40's and the first five years of the fifth decade. It was beginning to emerge as a reality that the British were unlikely to move towards giving independence if there were no indications that the three major races were capable of working together as a political unit. Taking hint of this need, Dato Onn Jaafar took a stand that was to cost him UMNO presidency and later to push him into political oblivion; a fall of a great statesman for taking a stand that was far ahead of his time.

Dato Onn believed that the most effective and clearest way to achieve independence was to deemphasise the existence of political parties on communal lines and to eventually remove them from the Malayan political scene. He declared that the time had come for UMNO to open its doors to other communities. The leading members of the UMNO rejected the idea and Dato Onn resigned from the party. Immediately upon leaving UMNO, he established the Independence of Malaya Party (1951), confident of receiving the support of both the Malay and non-Malay leaders.

Dato Onn evidently had misread the mind of his close political associates and followers. Malcolm MacDonald, the British Governor-General in Southeast Asia and a dear friend of Dato Onn Jaafar was to remark later : "He was going too fast too far".

Tunku Abdul Rahman became the President of UMNO on August 26, 1951. The Tunku argued that Malays were not in a position to open the doors of UMNO until they had reached a stage which was equal to that of the non-Malays in the field of economy and education. The Malays, the Tunku added, needed to keep UMNO in their hands to concentrate on improving themselves in the fields of economy and education. A just and equal society could not be created, argued the Tunku, if a section of the society was left far behind in economy and education.

Dato Onn became the leader of the Independence of Malaya Party (IMP) which was formed in September 1952. Its declared objectives were:

- a. Self-government within ten years.
- b. Democratic elections to local government by 1953 and to the central legislature, based on adult suffrage, by 1955.

- c. Malayanization of the Civil Service and the creation of a Malayan Service as opposed to a Colonial Service.
- d. Free and compulsory elementary education for all children between the ages of six and twelve by 1955.
- e. Improved social services, especially in the rural areas.
- f. Subsidies and guaranteed prices for cultivators.
- g. Full fruits of their industry to workers.
- h. Reform of the feudal system in the Malay States.^{22a}

The IMP was the successor of the Communities Liason Committees (CLC) which was created to establish common political bonds between the Malays and Chinese. As early as September 1949, the CLC had called for

- a. A through reconsideration of the citizenship provisions of the Federal Constitution.
- b. Legislative changes to introduce elections for states and municipalities that were ready for them.
- c. The introduction of elections for states and municipalities that were ready for them.
- d. The preparation of an election roll.
- e. The establishment of the franchise based on Federal citizenship.
- f. The compulsory teaching of the Malay and English languages in all government-aided schools^{22b}

The objectives of the CLC and IMP were the clearest enunciation of their intention to establish a free, independent nation with universal franchise. For many reasons, the CLC and the IMP failed to get the support of the people.

In between the period 1948 and 1955 another group of political leaders drawn from left wing Chinese intellectuals, left wing Malay nationalists and Indian trade unionists worked together for an independent Malaya which would be free of exploitation and communal politics. But the ensuing events showed that the majority of the population chose to carry out political activities along communal lines.

Still another group, mainly the Chinese from Penang and Malacca showed little faith in the Federation of Malaya. They declared that "The best solution would be for all nine States and two Settlements to enjoy political autonomy and form a United States of Malaya....Failing this, we have no alternative but to agitate for a dominion status for Penang, Malacca and Singapore - in other words, we will return to our former status (as

Straits Settlements)".^{22c}

On October 17, 1951 the High Commissioner, Sir Henry Gurney was ambushed and killed on the way to Fraser's Hill. The assassination stunned the nation. The leaders of the political parties began to realise the great obstacle they faced in gaining independence. Political leaders of the leading communal parties began to march, hand in hand, towards the common goal of providing the British the support of the people in the fight against communists and to speak with one voice to gain independence.

On Feb 8, 1952 General Gerald Templer assumed the post of High Commissioner with unlimited power as the civil and military administrator. Templer openly claimed that he was in Malaya to pave way for independence. He asked for the cooperation of the Malayan population to fight against the communists.²³

PARTY POLITICS AND ELECTIONS

As noted above, elections in the Straits Settlements were solely confined to local governments. Even these partial elections came to an end in 1913. The State legislative councils which existed during the periods of Straits Settlements, Federated and Unfederated Malay States did not provide for elected representatives.

The Central Executive and Legislative Councils under the Malayan Union brought state governments under their control. The members who sat in the Central Legislative Council were appointed members.

The Federation of Malaya Agreement of 1948 created a federal government which was led by the High Commissioner. The High Commissioner was to be advised by the Federal Executive Council. The Federal Executive Council consisted of seven official and seven unofficial members who were not elected but nominated by the government. The Federal Legislative Council composed of the High Commissioner, three ex-officio, 11 official members and 63 unofficial members. There was no elected representation.

The road to national election was paved once again by means of local government. The Local Authorities Election Ordinance 1950, called for elections at the various categories of local authorities then in existence.

- i. The Municipalities of George Town, Malacca and Kuala Lumpur...
- ii. The Town Boards
- iii. Rural Boards...^{23a}

Elections at local government levels offered ample opportunity for the various political parties to gain training in an important aspect of democracy. Templer witnessed elections at all three local government levels: municipal boards, local councils and village councils. Templer argued that participation in the decision-making process would commit the people to have faith in democracy and fight against communism.

In April 1954 Templer declared an early election for the Federal Council in 1955. The Tunku was anxious to show that it was possible for the different communal political parties to work together before and after the independence, The Tunku had engineered the cooperation between UMNO and MCA to contest in the Kuala Lumpur Municipal

election in 1952. The support for the temporary partnership had been overwhelming. This friendship led to a permanent bond among UMNO, MCA and MIC for the first federal election in 1955. The coalition was named Alliance. In the first election, Alliance put its candidates for all the available seats. The Alliance won 51 out of 52 seats. There were reasons for the British to be impressed by the performance of the Alliance.

One hundred and twenty-nine candidates took part in the 1955 federal elections. The voter turn out was the highest in the nation's election history: 80.8%. The size of the electorate was 1,280,000.^{23b}

The remarkable feature of the election was that the non-Malay candidates on the Alliance tickets were returned by handsome majorities from constituencies with predominant Malay voters.

The 1955 election was remarkable for more than one reason. The election proved that man has the capacity to seek political accommodation for the benefits of all. There were 1,600,000 eligible voters. Malays formed 84 per cent of the total voters. 11 per cent of the voters were Chinese. Indians formed about 5 per cent. The Alliance put forward 35 Malay candidates, 15 Chinese and two Indians.

The total of registered Chinese voters was 143,000 out of an estimated 600,000 eligible Chinese voters. UMNO was the greatest vote-getter for all the Alliance candidates. No Chinese or Indian candidates would have won without the support of the UMNO voters.

Though the Alliance victory was a remarkable achievement, it had to face the most formidable obstacle in the shape of the communist insurgency. The Tunku after consulting with his colleagues decided to meet the leaders of the MCP to seek a compromise in the interest of the people.

High Commissioner Sir Donald MacGillivray and the Director of the Operation Council Lt. Gen Geoffrey Bourne were reluctant to allow Tunku to meet Chin Peng, the Secretary-General of the MCP. They feared that the Tunku being a novice politician may come out the loser. The Tunku insisted on meeting the communist leaders.

Tunku explained why he wanted to meet Chin Peng. "I recall very vividly what happened in Palestine. There the Jews fought the British and the Arabs remained neutral, but when the British were hard-pressed they made terms with the Jews, giving the whole of Palestine to the Israelis. This might easily happen in the Malayan Emergency, if the fortunes of the war were to go against the British. No colonial power would bother to take into account the feelings of the "natives" if the results were against their interests or likely to endanger the lives of their people. The offer from Chin Peng to meet us, therefore, came as a gift from heaven, and immediately I seized my opportunity."²⁴

The Malayan delegation included the Tunku, Tan Cheng Lock and David Marshall, the Chief Minister of Singapore. The delegation met Chin Peng and two other communist leaders, Chin Tian and Abdul Rashid Mydin. The Tunku told the communist leaders. "I did not come here as the spokesman for the British government, neither am I the stooge or running dog of colonialism. I am the servant of the people and I represent the people who elected me to power, and I do genuinely seek peace for this country."

The Tunku set out his terms: the MCP must lay down arms; members who surrendered would be held in detention while investigation was carried out. MCP would

not be recognised as a political party. Chin Peng made counter proposals: the MCP must be recognised as a legal political party and be allowed to take part in the political life of the nation. The Tunku rejected the proposals. Chin Peng promised to fight to the last man and returned to the jungle with his comrades.²⁵

On January 18, 1956 the Tunku led the Malaya Independent Mission to London. The delegation comprised Dato Abdul Razak Hussein, Dr. Ismail Abdul Rahman, Col H.S. Lee, T.H. Tan and Bahaman Shamsuddin, representing the Alliance. The Rulers too sent their representatives: Dato Panglima Bukit Gantang, Dato Nik Kamil, Encik Abdul Aziz Majid and Dato Mohd Seth. The Tunku had wanted both the delegations to speak with one voice when they met officers from the Colonial Office at Lancaster House.

It was agreed by the Malayan delegation and the British government that Malaya will receive independence on August 31, 1957, within the commonwealth. The Tunku immediately made moves towards establishing government based on democratic values. He observed. "The present constitution (Federation of Malaya Agreement of 1948) is not suitable for an elected Federal Council, but they could make it work until they could find something to replace it; and the Alliance would set up a commission to recommend changes."

The Tunku outlined the basic premises upon which the future constitution of Malaya would be framed. He was greatly influenced by the constitutional monarchic government of Britain. The Tunku, a Cambridge -educated lawyer was fascinated by the pomp, parade and debate of the British Parliament. He believed the status and dignity of the Malay Rulers were to be very important for the political stability of Malaya. The Rulers were the symbol of all races and the protectors of Islam. The states were to have elected legislatures with the Rulers acting as constitutional monarchs. The independent government of Malaya was to give top priority to agriculture, labour and education.

The Tunku took his job as the Chief Minister of Malaya with a total sense of dedication. His cabinet mainly comprised of his senior colleagues who had worked with him for the past five years to gain independence at the earliest possible date. But the Tunku felt dejected with the reception he received from some of the British officers. He complained that he was not provided with facilities he was entitled to as the Chief Minister. The house he was occupying after taking the office of Chief Minister was badly leaking when there was a heavy rain one evening. The Tunku was to write later: "I decided I must get independence for the country as soon as possible."

However not all supported the Tunku and the other Alliance leaders in their pursuit for quick independence. For example, the Persatuan Kebangsaan Melayu Johor, the State Council of Negeri Nanning and the Kelantan Malay United Front objected to Malaya receiving independence in the manner laid down in the Alliance Party's programme.

On November 28, 1955, the Kelantan Malay United Front "objected to having Indians and Chinese as Ministers". Nik Mohamad bin Abdul Majid, the leader of the Front called for the creation of a government where "the Supremacy of the Islamic religion, the Malay Language and Malay Culture are guaranteed. Malays have been degraded into accepting as Ministers, Chinese and Indians."²⁶

Despite the voices of disagreement and disapproval, the Tunku who had a near absolute victory in the 1955 Federal Election sought consensus and compromises in his dealings with all his political colleagues and opponents. The Tunku and his senior colleagues exercised tremendous restraint when pursuing their political goals during the early stages in the making of the Malayan constitution.

The Tunku warned his colleagues and followers of the inherent dangers found in coalition government. Each party's leaders had to fight for their supporters or at least seen to be fighting for the interests of the followers. The ordinary members saw compromise by leaders as weakness. In a multi-ethnic society where selected and filtered information tends to be circulated within the communities for self-preservation, there was a tendency for followers to form opinions on the limited and often biased information made available. This state of affairs prevailed in the embryonic stages during the fifties and sixties. Leaders were often accused by followers of selling the interests and rights of the communities for personal gains.

The Tunku also faced confrontation from some of the Rulers who were worried that they too might share the unfortunate fate of their counterparts in India and Indonesia. In order to establish cordial relationships between the Rulers and the Alliance Party, on December 21, 1955 the Rulers were assured that their role as constitutional rulers would be enshrined in the Federal constitution.

A balanced and workable constitution was seen by the Tunku and his colleagues as the most important instrument for the life and progress of the nation. Regarding the nature of the new constitution of the independent nation, the Tunku informed the Federal Legislative Assembly that an Independent Commission consisting of "persons with expert knowledge of constitutional law and knowledge of modern politics acquired through long experience" would be established.

The British government, the Conference of Rulers and the Alliance Party agreed on the composition of the Commission to be appointed to make recommendations for the constitution of the independent Federation of Malaya. The Commission was headed by Lord Reid. The other members of the Commission were Sir Ivor Jennings, Sir William McKell, Mr. Justice B. Malik and Mr. Justice Hamid.

The Commission was provided with the following terms of reference:

- a) the position and dignity of the British Queen and the Malay Rulers were to be respected,
- b) the government to be created was to be a federation within the Commonwealth, based on Parliamentary democracy,
- c) the establishment of a strong central government,
- d) the safeguarding of their Highnesses as constitutional Rulers,
- e) the appointment of a constitutional Yang di-Pertuan Agong by the Rulers' Conference,
- f) the creation of a common nationality for the whole Federation,
- g) the safeguarding of the special position of the Malays and the legitimate interests of other communities.

The members of the Commission visited Malaya and invited memoranda and personal appearances before it for consideration when formulating the recommendations. One hundred and thirty one memoranda were received. Representations were made by the representatives of the Rulers, political parties, religious bodies, cultural organisations and minority groups.

The issue of citizenship became the most important issue. The non-Malay communities wanted *jus soli* to be enshrined into the constitution. UMNO and other Malay political parties disagreed and consented to citizenship based on *jus soli* for those who were born in Malaya after independence. The majority of the members of the Commission recognised the importance of enshrining fundamental rights in the constitution.

The recommendations of the Commission, which were greatly influenced by the constitution of India, were tabled as Legislative Council Paper No. 42 of 1957 at the Legislative Council on July 10-11, 1957. Since the recommendations basically followed the guidelines drawn by the Alliance and the British government, there were no fundamental objections to the contents of the recommendations. A reading of the Legislative debate on the recommendations of the Commission throw plenty of light on the concern of the legislators of the day to safeguard the fundamental rights of the citizens. The Federal Constitution Bill was passed on August 14, 1957.

The Malayan Constitution of 1957 was a document with exceptional enduring qualities. It reflected the nation's principal political, economic and social institutions. It was the source of legitimate state authority because it represented the aspirations of the many sections of the Malayan society. It was the capsule that transformed the earlier confrontations among the many groups representing diverse interests and loyalties into a united nation built on compromises. Undoubtedly, the compromises which were effected were delicate in nature.

The constitution called for tight-rope walking at least for a generation or two till a more united nation built on stronger concrete elements could solidify its foundation. Nations are created with elements which are essentially emotion-charged: language, religion, love for land, culture, political beliefs and common historical experience. Malaya was not endowed with most of these requirements.

In the speech at the proclamation of independence at Merdeka Stadium on August 31, 1957, the Tunku said: "we fully realise that difficulties and problems lie ahead. "But he found strength in God and believed that "these difficulties will be overcome and that" today's events, down the avenues of history, will be our inspiration and our guide."

The constitution was a finely-crafted document of the time. It was embedded on universally-exalted concepts in clear and eloquent terms in a manner that accommodated the aspirations of the different ethnic, linguistic, religious and political groups. It possessed the capacity for longevity because it guaranteed the fundamental rights which are essential for human dignity. It was able to harness the political strength and vision of the people, so that the provisions of the major part of the constitution would remain for a long time.

The essential elements of the constitution were built on features governed by the need to observe historical continuity and to accommodate the demands of modern historical development. The Federation was built on the basis of constitutional

monarchy, and parliamentary democracy. The Head of the new State, the Yang di-Pertuan Agong was to be elected quinquennially by the nine Rulers. Islam was placed as the official religion of the state with the freedom to worship other religions. Malay was made the official language of the country with the provision to study and use other languages. Malays were to enjoy special rights in areas which were viewed to be important to uplift them to be on the levels of the other ethnic groups in the country. As a trade-off the non-Malays enjoyed the right to citizenship and the protection for their legitimate rights.

The rights of the states were enshrined in a federal set-up, which however, had a heavy central bias. The safeguards of the Constitution were protected by judicial review and by special procedures for amendments. The Constitution also contained strong provisions for combating subversion and emergency. Man instituted state because it provided for the greatest scope to ensure individual liberties and rights.

These protection of liberties and rights were not achieved over night. Independence of Malaya was declared on August 31, 1957.

In 1959 Malaya faced its first federal election after independence. It was also the first election to be held simultaneously for parliamentary and state seats. There were 104 parliamentary constituencies. The total constituencies for state legislatures were 282. Two hundred and fifty nine candidates contested for the parliamentary seats. Eight hundred and six candidates fought for the state seats.²⁷

There were significant structural changes in the strength and roles of the political parties in the country by 1959. The Alliance faced internal conflicts between the two major parties, the UMNO and the MCA. The MCA wanted 40 out of a total of one 104 parliamentary seats. The UMNO disagreed. MCA president Dr. Lim Chong Eu left the MCA. The MCA was weakened by the withdrawal of Dr Lim Chong Eu, who took his ardent followers with him. The MCA was given 31 constituencies to contest. The Alliance won 74 out of 104 seats.

The greater damage on the Alliance during the 1959 election was inflicted by the Pan Malayan Islamic Party (PAS). PAS took outright control of the states of Kelantan and Terengganu. Though a year later, with some defections from PAS members, the Alliance returned to power in Terengganu.²⁸

The nature of negotiations and compromises made by the ethnic component political parties within the Alliance before the 1959 election and the triumph of the pro-Malay Islamic PAS in the 1959 elections clearly indicated that politics in Malaya was not going to be a honeymoon for the Alliance. Ethnic political parties and organizations which had been less vocal before the independence to give an impression of solidarity among the people had become more vociferous. The leaders in the Alliance had to walk a tight rope.

THE FORMATION OF MALAYSIA

On May 27 1961, while addressing the Foreign Correspondents of Southeast Asia, the Tunku proposed the idea of Malaysia. "Sooner or later Malaya should have an understanding with Britain and the peoples of Singapore, North Borneo and Sarawak. It is premature for me to say now how this closer understanding can be brought about, but it is inevitable that we should look ahead to this objective and think

of a plan whereby these territories can be brought closer together in political and economic cooperation.”²⁹

On September 16, 1963 Malaysia was formed with the Federation of Malaya, Singapore, Sarawak and Sabah (North Borneo) as member states. The initial years were filled with turbulences and tensions. In 1965 Singapore withdrew from Malaysia.³⁰

The formation of Malaysia in 1963 which led to the declaration of ‘Konfrontasi’ by Sukarno's Indonesia had profound effect on the election of 1964. The government of Malaysia used Konfrontasi as one of the reasons for the postponement of elections at the local government level.

The election for the parliamentary and state constituencies in West Malaysia were held in 1964. The People's Action party (PAP), the ruling party of Singapore took part for the first and last time in the election in Malaysia. Since Sabah and Sarawak had already elected their representatives to the parliament of Malaysia a year ago through appointments made by political parties in the respective states, there was no election in these two states. There were contests for 104 parliamentary seats by 279 candidates. Two hundred eighty two state seats were contested by 769 candidates. The Alliance made full use of Konfrontasi to unite the people. The percentage of total votes received by the Alliance was 57, more than it received in 1959. It won 89 seats.

The PAS, the Socialist Front, PAP and other opposition parties performed disappointingly. The defeated PAP began to galvanise the support of non-Malay dominated political parties from West Malaysia, Sabah and Sarawak under the banner of the Malaysian Solidarity Consultative Convention and began to propagate the concept of Malaysian Malaysia. The subsequent events led to the eviction of Singapore from Malaysia. The Tunku explained: “you can't have two prime ministers in one country.”

The period between 1964 and 1969 was a trying period for the young nation. Political parties resorted to taking the shortest routes to acquiring support, which would generally cause lasting structural disorders to the well being of nation.

The fourth national election was held in May 1969. The 1969 election was the first direct election for Sabah and Sarawak. Political parties contested for 144 parliamentary seats. There were 362 seats for state legislatures, an increase from the previous 282. Only Sabah did not take part in the contest for state seats. The election for the Sabah legislative assembly was to be held in 1972.

The Federal election of 1969 was fought on the highly emotional issues of education and language, which masked a deeper concern regarding the role of each ethnic group in the Malaysian nation. Ever since independence the nation had been confronted with either internal or external threats which had served to moderate ethnic demands for the sake of national unity. In 1969, however, no such factor existed.”³¹

The Alliance managed to secure only 74 parliamentary seats. The popular vote was 48.8 percent. In 1964 it had received 58.4 percent. The Alliance was denied the two-thirds majority in the Parliament. The opposition made handsome gains. The non-Malay dominated political parties, the Gerakan, DAP and PPP won a total of 25 seats. PAS won 12 seats. Penang was captured by an opposition party. Kelantan remained in the hands of PAS.

Newly-gained power corrupted some. Loss of power corrupted some others. The result was May 13. The bloody event, which fortunately was mainly restricted to

Kuala Lumpur and other few other urban areas (with relatively minor incidents) forced the political leadership of the nation to seek great structural changes to ensure everlasting basis for stable and just society.

Democracy was suspended temporarily. A new national ideology to safeguard the future of the state was summarised into Rukun Negara:

Belief in God
Loyalty to Kind and Country
Upholding the Constitution
Rule of Law
Good Behaviour and Morality

The two conspicuous results of the 1969 election and May 13 was the loss of will and standing on the part of the Tunku and the formation of Barisan Nasional. Barisan Nasional replaced the Alliance by inviting more opposition political parties into the government.

Most politicians, writers and academics argued that the root cause of the May 13 disturbance was the absence of economic and social justice to a large section of the people in the society. A new national programme was created to restructure the society: the New Economic Policy.

The inter-ethnic clashes forced many politicians to realise that Malaysia could hardly afford another May 13. Tun Razak, who had taken over from the Tunku as the Prime Minister, widened the government coalition by extending invitations to other opposition parties to form Barisan Nasional, a change in name from Alliance. The two main political parties, Gerakan Malaysia (which had captured Penang) and PAS (which had retained its hold over Kelantan) joined the Barisan.

The 1974 election strengthened the position of the federal government. The parliamentary seats were increased from 144 to 154. State constituencies were brought to 304 seats in West Malaysia and 31 to 40 seats in Sabah and Sarawak. It was a massive victory for the Prime Minister, Tun Abdul Razak.

In January 1976 Tun Razak passed away in London while receiving medical care. Dato Hussein Onn, who was the Deputy Prime Minister, succeed him as the Prime Minister.

In October 1977 the expulsion of the Menteri Besar of Kelantan by the ruling party PAS, led to violence in the streets. The Prime Minister declared Emergency and installed federal rule. PAS was evicted from the Barisan Nasional.

In the 1978 general election the Barisan Nasional won 130 seats out of 154. Barisan Nasional lost ground slightly from the height it had occupied in 1974. Barisan Nasional captured Kelantan from PAS. Kelantan had been in the hands of PAS since 1959. DAP won 16 parliamentary seats. PAS captured five parliamentary seats. The 1978 election showed that MCA's electoral base had eroded. Its total seats were reduced from 20 to 17. The DAP had succeeded in appearing as the champion of Chinese interests. PAS claimed to protect the Malay race and Islam.

In July 1981 Datuk Hussein Onn retired from politics. Hussein's deputy, Dr. Mahathir Mohamad replaced him as prime minister. Dr. Mahathir called for an election to get a fresh mandate for the programmes he had drawn for the nation's progress in

April 1982. The 1982 election strengthened Barisan Nasional's position when it won 132 seats. In West Malaysia the Barisan won a massive victory by capturing 103 seats out of one 114.

In 1983 the government was rocked by a financial scandal involving over two billion dollars. In May 1984, Dr. Mahathir was reelected president of UMNO unopposed. April 1985 witnessed the emergence of the Parti Bersatu Sabah and capturing the state government from Berjaya, which had been ruling since 1975.

For the 1986 election the number of parliamentary seats was increased to 177. Just prior to the election, the Deputy Prime Minister, Dato Musa Hitam, resigned from the government owing to "irreconcilable differences" with the Prime Minister, Dr. Mahathir Mohamad. Musa Hitam, however remained as the Vice-President of UMNO.

The general election was held nine months before it was due. The Barisan Nasional won 148 seats out of the recently increased 177 parliamentary seats. UMNO succeeded in securing more support from the Malay voters. MCA won 17 seats, weakened by the DAP's championing of Chinese rights again. The DAP managed to secure 24 seats.

The Barisan Nasional captured all the state governments. Several months after the elections Dr. Mahathir dropped few ministers who were the supporters of Musa Hitam. In 1987 Tengku Razaleigh Hamzah challenged Dr. Mahathir for the UMNO Presidency with Musa Hitam as his number two challenging Ghafar Baba. Tengku Razaleigh and Musa Hitam lost narrowly.

In April 1987, Dr. Mahathir announced the resignation of Tengku Razaleigh and Datuk Rais Yatim as ministers and the dismissal of several ministers who had supported Tengku Razaleigh and Musa Hitam. Tengku Razaleigh founded a new opposition party, Semangat '46, which formed an electoral pact with major opposition parties: DAP, PAS and All-Malaysia Indian Democratic Progressive Front (AMIDPF) and PBS from Sabah.

The Barisan government opted to have the general election in 1990. The Barisan had luck, among other factors, on its side. The economy was beginning to show upward movement. There were clear indications that the economy was bound for greater prosperity. The voters were generally reluctant to change horses in the mid-stream.

The 1990 general election saw the Barisan Nasional retaining its two thirds majority in the parliament. It lost Kelantan to the opposition: a coalition of two parties, Semangat 46 and PAS. Once again Malaysia had succeeded in electing a government through democracy.

CONCLUSION

Democracy, justice, liberties and rights and nation-states are built on the tenets of love for fellow men and women and faith. Constitution and law by themselves cannot guarantee a just and equal society.

The late Tun Abdul Razak talked about the responsible leader in a democracy to University of Malaya graduates on Sept. 1 1965. He was explaining how irresponsible politicians trap their followers with destructive, attractive and appealing offers and words: "Let me explain what I mean. Really, to understand what I am trying to say, I should like you all, if you have not already been there, to go and see our National Zoo;

because in that Zoo is the finest education, not entirely an education of wild life, but also an education on 'political wild life' as practised by opportunists. These poor animals which previously roamed the jungle, with freedom of will, freedom of action, and freedom of voice, lost their freedom because they were trapped by sweet words, sweet food and tit-bits from the animal menu". Then having been lured by these nice things, the door of the trap is closed, and for the rest of their lives they live in complete captivity."³²

What should leaders in a democracies do to build a just society? Judge Learned Hand had an answer: "I often wonder whether we do not rest our hope too much upon constitutions, upon laws, and courts... Liberty lies in the hearts of men and women: when it dies there, no constitution, no law, no court can even do much to help it. While it lies there it needs no constitution, no law, no court to save it."

One of the most thoughtful advice which could bring all the Malaysians together were the words of Dato' Mohd. Yusoff Hj. Ahmad found in his work, *Decades of Change*: "I began to look at humanity as a family, inspired no less by Coleridge whose sagacious lines I could never forget:

"He prayeth best who loveth best
All things both great and small
For the dear God who maketh us
He maketh and loveth all"

All things alive are God's creation and religion should be a means to a better understanding of one another. It should not be the cause of friction between people of different cultures and beliefs." Therein lies the answer for the success and survival of the emerging nation-state of Malaysia. Elections alone do not fulfil the requirements of a democratic society. It is valuable to recall the words Tun Razak when elections are held.

REFERENCES

- 1 Lucian Pye, "Political Science and the Crisis of Authoritarianism," *American Political Science Review*, 84:2.
- 1b The most influential innovation which affected the field of inquiry in social sciences in the last three decades has been the publication of *The Structure of Scientific Revolution in 1962* by Thomas Kuhn. (Chicago : The University of Chicago Press, 1970). The social scientists of the post-Kuhn era have been tremendously influenced by the use of paradigms in studying and developing areas of social sciences. Political scientists, at least those trained in the Western philosophical tradition, started to adopt the concept of a succession of paradigms as a tool for the investigation of the affairs of the state. To study the nature of forces which influence the results of elections in Malaysia, for instance, calls for the marshalling of data, information and at times intimate knowledge of so many variables : urban and rural voters, Malay and Non-Malay voters' predilections, the role of many religions in elections, the conflicts and consensus between state and federal governments, East Malaysians' and West Malaysians' attitudes towards the role of the federal government, the nature of conflicts among the predominantly Muslim political parties and differences which exist among the non-Malay political parties.
- 2 Most of the writers writing on elections in Malaysia tend to consider the elections held in 1959 as the first general elections for the federal and state legislatures. I take the view that the elections held in 1955 for the federal legislature is the first elections in Malaysia for many reasons. The 1955 elections had all the necessary ingredients for free, open and multi-party elections. The most essential feature of the 1955 elections was the fact that those who were elected remained as representatives in the parliament and there was little change in the composition of the cabinet when Malaya achieved independence in 1957 and became a sovereign nation.
- 3 V.O. Key, *Politics, Parties and Pressure Group*, New York : Thomas Y. Crowell, 1964. p.62
- 4 There are of course differences in the ways Thomas Hobbes, John Locke and Jean Jacques Rousseau viewed the masses. Hobbes viewed man rather negatively and Hobbes should be viewed as a poor democrat in the sense it is used today. On the other hand Locke served as the dominant political philosopher for the framers of the American constitution.
- 4b Barrington Moore Jr's *Social Origins of Dictatorship and Democracy* (Penguin Books, 1977) gives insightful interpretations of those forces which brought about democratic rules in many states of the world. The book deals with the struggles waged by people to install democracy.

- 5 *Federal Constitution of Malaysia*, article 5.
- 6 Ibid., articles 5 and 6
- 7 Ibid., article 13
- 8 Ibid., article 8
- 9 Ibid
- 10 Ibid., articles 7, 8, 9, 10, 11, 12 and 13
11. The pillars of democracy are: a) sovereignty of the people, b) government based upon the consent of the governed, c) majority rule, d) minority rights, e) guarantee by basic human rights, f) free and fair elections, g) equality before the law, h) due process of law, i) constitutional limits on government, j) social, economic and political pluralism and k) values of tolerance, pragmatism, cooperation and compromise.
Basic human rights contain: a) freedom of speech, expression and of the press, b) freedom of religion, c) freedom of assembly and association, d) right to equal protection of the law and e) right to due process and fair trial.
- 12 Burns, op. cit., p. 1.
- 13 A nation was described “as people, or an aggregation of men, existing in form of an organised jural society, usually inhabiting a distinct portion of the earth, speaking the same language, using the same customs, possessing historic continuity, and distinguished from other like groups by their racial origin and characteristics, and generally, but not necessarily, living under the same government and sovereignty” in *Montoya v. U.S.*, 180 261, 21 S. Ct. 358, 45 L. Ed. 521. The strength and stability of a State, in general terms, will be dependent on the strength of the nation.
- 14 The term is used to include present day Indonesia, the Philippines and Malaysia.
- 15 Hans Kohn, *Orient and Occident*, New York : The John Day Company, 1934, quoted in Franklin Darling, *The Westernization of Asia : A Comparative Analysis*, Boston, Massachusetts : G.K. Hall & Co., 1979. p. 37.
- 16 Dato’ Dr. Afifudin Haji Omar, “Institusi Kerajaan yang jadi penggerak dan penyara hidup adalah perogatif rakyat”, *Utusan Malaysia*, Isnin, 3 Disember, 1990. p. 5. But also read what Leonard Y. Andaya has to say in.” The Structure of Power in Seventh Century Johor”, in *Pre-Colonial State Systems in Southeast Asia*, edited by A. Reid and L. Castle, MBRS Monograph, No. 6 1975. pp 1-11.

“The ruler’s exalted and indispensable role in the society is reinforced by the attitude expressed in *Sejarah Melayu* that a ruler is responsible solely to Almighty God. No matter how unjust and cruel a ruler may be, the loyal subject is admonished to be loyal since only the hand of God would be able to render appropriate justice to the ruler. This is the ideal expounded in court literature, which, if not followed totally in practice, continued the relationship between ruler and subjects”. p. 3

See also Munshi Abdullah bin Abdul Kadir, *The Hikayat Abdullah*, Kuala Lumpur : Oxford University Press, 1970.

John Gullick, *Sistem Politik Bumiputera Tanah Melayu Barat*, Kuala Lumpur : Dewan Bahasa dan Pustaka, 1970.

- 17 *Malaysia Kita*, Kuala Lumpur : Institut Tadbiran Awam Negara Malaysia, 1991. Bab 4.
- “...pada segala hukum bahawa raja-raja yang adil itu dengan Nabi s.w.w. umpama dua buah permata pada sebetuk cincin : lagi pula raja itu zillu’Llah fil’alam....” (*Sejarah Melayu*) quoted in *Malaysia Kita*. p. 118.
- 18 *Sejarah Melayu*, diusahakan oleh W.G. Shellabar, Petaling Jaya : Penerbit Fajar Bakti Sdn. Bhd., 1984.
- 19 One of the most interesting writings on the Portuguese and the Dutch in the East is the work of F.J. Moorhead *A History of Malaya and Her Neighbours*, published by Longmans. Vol I (1959) and Vol II (1963).
- 19a *The Report of Royal the Commission of Inquiry to Investigate into the Workings of Local Authorities in West Malaysia*, Kuala Lumpur, Jabatan Cetakan Kerajaan, 1968. p. 12 Cited as The Report henceforth.
- 19b The Report, p. 13
- 19c The Report, p. 14 S.S.
- 20 The cornerstone of the Residential system was the concept of indirect rule, vigorously enunciated by Frank Swettenham in 1876 : “To preserve the accepted customs and traditions of the country, to enlist the sympathies and interests of the people in our assistance, and to teach them the advantages of good government and enlightened policy” Barbara Watson Andaya and Leonard Y. Andaya, *A History of Malaysia*, Macmillan Asian Histories Series, 1982. p. 172
- 21 John Gullick, *Malaysia : Economic Expansion and National Unity*, Lon-

don : Ernest Benn, 1981. Especially chapter 6. The Advance to Independence 1941-1961.

22 An interesting account of the Malays' reaction to the Malayan Union is found in *Sejarah Perjuangan Bangsa Melayu* by Ibrahim Mahmood. Penerbitan Pustaka Antara, Kuala Lumpur, 1981. See Zakiah Hanum, *Tercabarnya Maruah Bangsa*, Kuala Lumpur : Penerbitan Lajmeidah Sdn., 1987.

22a Khong Kim Hoong, "The early Political Developments Before Independence," in *Government Politics of Malaysia* edited by Zakaria Haji Ahmad, Singapore: Oxford University Press, 1987. p. 33.

22b *Ibid.*, p.30.

22c B.H. Shafruddin, *The Federal Factor in the Government and Politics of Peninsular Malaysia*, Singapore: Oxford University Press. 1987. p.3.

23 "Directive given to HE the High Commissioner, Federation of Malaysia, General Sir Gerald Templer by His Majesty's Government.

1. The policy of His Majesty's Government in Great Britain is that Malaya should in due course become a fully self-governing nation.
2. In assessing the peoples of Malaya to achieve this object you will at all times be guided by the declaration of policy expressed in the preamble to all Federation of Malaya Agreement....
3. To achieve a United Malayan nation there must be a common form of citizenship for all who regard the Federation or any part of it as their real home and the object of their loyalty.
4. It will be your duty to guide the people of Malaya towards the attainment of this objective....
5. The ideal of a United Malayan Nation does not involve sacrifice by any community of its traditions and culture and customs but before it can be fully realised the Malays must be encouraged and assisted to play a full part in the economic life of the country so that present uneven economic balance may be redressed.
6. ...the British have a mission to fulfill in the achievement of these objectives.....
7. Communist terrorism is retarding the political advancement and economic development..."

John Cloake, Templer: *Tiger of Malaya. The Life of Field Marshall Sir Gerald Templer*, London: Harrap, 1985. pp. 457-458

23a The Report, p.15

- 23b *Elections in Malaysia: A Handbook of Facts and figures on the Elections 1955-1986*, Balai Berita, 1990. p.32.
- 24 Tunku Abdul Rahman Putra, *Looking Back*, Kuala Lumpur: Pustaka Antara, 1977. p.12.
- 25 Ibid, pp. 5-16
- 26 B.H. Shafruddin, p.4
- 27 Elections in Malaysia
- 28 John Gullick, pp. 116-117
- 29 Tunku Abdul Rahman Putra, p. 81.
- 30 See Mohamed Noordin Sopiee, *From Malayan Union to Singapore Separation*, Kuala Lumpur: University of Malaya Press, 1974.
- 31 Barbara Watson Andaya and Leonard Y. Andaya, p.280
- 32 J. Victor Morais, Strategy for Action: *The Selected Speeches of Tun Haji Abdul Razak bin Dato' Hussein Al Haj*, Kuala Lumpur: Malaysian Centre for Development Studies, 1969.

RESULTS OF PARLIAMENTARY ELECTIONS 1955 - 1990

Year	55*	59	64	69	74	78	82	86	90
Alliance	51	74	89	74					
BN **					135	130	132	148	127
PAS ***	1	13	9	12		5	5	1	7
DAP				13	9	16	9	24	20
Socialist Front		8	2						
PPP		4	2	4					
Parti Negara		1							
Malayan Party		1							
UDP			1						
PAP			1						
Gerakan ***				8					
Usno				13					
SCA				3		1			
SNAP				9	9				
SUPP				5					
Pesaka				2					
Semangat 46									8
Pekemas					1				
PBS									14
Independent		3		1		2	8	4	4
TOTAL	52	104	104	144	154	154	154	177	180

* Pre-Merdeka Federal Legislative Council
 ** BN replaced Alliance as enlarged coalition
 *** Pas was in BN in 1974 general election
 **** Gerakan joined BN in 1974 general election

Source: *New Straits Times*, Thursday, April 6, 1995