The Transformation of Ethnic Relations in Malaysia

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Abstract

Ethnic relations in Malaysia have undergone a long history. It all began when the Melaka Malay Government was founded until today. Today, communities of various backgrounds, cultures and religions are the main characteristics of world countries. These pluralistic communities are perceived to have been burdened with all-too-common ethnic competitions and conflicts. In Malaysia, the concept of race is not used in understanding the relationship between people of various cultures. The concept adopted instead is the one characterising upon the culture, language, and religion. The Malay World had successfully constructed a pluralistic society through inter-group bonding that there was a cross-cultural relationship based on the permeable and umbrella ethnicity concepts. However, through the Divide and Rule Policy by the British colonials, it had changed the form of ethnic relations in the Malay World to the point that there was a distributed occupational form according to different ethnic groups. The structure of ethnic relations in Malaysia post-NEP was influenced by a very thin line of ethnic boundaries and their relationships based on non-ethnic considerations. Meanwhile, the analysis of the Post-14th General Election finds that there has a positive and negative scenario and situations created in terms of the ethnic relations in Malaysia. Thus, this article will analyse the transformation of ethnic relations in Malaysia since the Malay Sultanate Era in Melaka, the Era of Colonisation, the Post-New Economic Policy Era and the Post-14th General Election Era.

Keywords: constitution, ethnicity, Islam, Malay, transformation

1. Introduction

Ethnic relations in Malaysia have walked through a long historical journey. The existence began at the onset of the Malay Government in Melaka up until today. Today, communities of various ethnicity, cultures and faiths or religions make up the main characteristics of world countries. Only few out of more than 180 countries under the United Nations are mono-ethnic (Mansor, 2005). These pluralistic communities are perceived to have been weighted with all-too-common ethnic competitions and conflicts. In Malaysia, there are more than 200 ethnic groups. With people of various cultures, close ethnic relations or otherwise, this has always become an agenda in the societal management and the ruling of this country. This is because ethnic relations can produce a harmonious or conflicting society such as cooperating, adapting, competing, and conflicting. In many countries that consist of various ethnic groups, the social inequality will lead to the existence of a dominant ethnic group with power and privileges from the government. This majority of people will use varied methods either directly or indirectly to defend their position, wealth, and power. Meanwhile, the minority will be at a lower social position and continue to be marginalised. Nevertheless, the minority ethnic will plan and take action to improve their social conditions. The transformation of ethnic relations in Malaysia can be divided into four main phases namely the Malay Sultanate Era in Melaka, the Era of Colonisation, the Post-New Economic Policy Era, and the Post-14th General Election Era.

2. Literature Review

Ethnic often refers to one's sociocultural characteristics. Among the characteristics of the ethnic concept are culture, language, religion, homeland or original country and others. Thus, ethnic group is a group whose members have its own sociocultural characteristics. The ethnic concept is more related to the cultural norm that is almost similar to be practised by a group of people. These people are brought together by historical experience, values, attitude, and behaviour (Mansor, Abdul Aziz & Lee, 2006).

According to Schaefer (2002), an ethnic refers to the differences of culture such as language, marriage, parenting, and diet. The same definition has been given by Ting (1987) where its interpretation is more on the social scope or cultural basis like custom, family pattern, sexual behaviour, clothing, beauty, political orientation, economic activities and entertainment pattern or trend.

The concept of race refers to the physical characteristics of an individual like the skin colour, hair style, face type and others. According to Ting (1987), race is a group of people who share similarities in terms of physical characteristics such as the shape of the head, nose, ears, eyes, lips and skin colour. Skin colour is the most significant sign which is often used to distinguish groups of people. For example, in the United States, the citizens are divided into White, Black, and so on. For Giddens (1993), race is differences in human physical stock regarded as categorizing large numbers of individuals together.

The practice of associating the concept of race with physical and ethnic characteristics with

the culture of an individual has long been applied extensively. However, the boundaries of ethnic group and race are vague and still debatable by many people. Both concepts tend to overlap as the meanings of the two remain ambiguous. Individuals from different racial groups and ethnic groups can also get married and produce racial blend. This inter-racial identity makes physical characteristics like skin colour and a few others change.

In Malaysia, the concept of race is not used in understanding the relationship between people of various cultures. The concept used is the one leaning on culture, language, and religion (Idris, 2008). The concept has been used in the Malay World before the Western colonials came to Malaya. It has clearly shown that Malays were defined based on the concept of ethnicity and not race. The use of the concept of race will complicate the categorisation of Malay groups caused by the mixture of race and three phenotype categories. The first one is, the Caucasian phenotype such as British, Dutch, Turkish, Arab, Indians and others. The second phenotype is Chinese, people of Malay descent, Indigenous people and others. The third one is of African phenotype (Syam, 2007). The mixture of these three phenotypes has led to the lack of clarity of Malays' physical characteristics.

In general, the concept of ethnic relations in Malaysia can be categorised into four. The first category is the ethnic supremacy of the pre-independent discourse comprising of the Great Malay supremacy, Islamic Malay Supremacy and the Malay descendancy. The second one is the melting pot, and it is more of a utopia. The third one is the pluralistic society which hegemonous from an ethnic group in a society of various cultures and religions. Meanwhile, the multiethnic community is the pluralistic one, where every group is always given opportunities or positions which are equal among the ethnic groups (Mansor, 2005).

3. Research Methodology

At this stage, the overall discussion related to the transformation of ethnic relations in Malaysia were thematically analysed based on varied information gathered from relevant literature. Google and Google Scholar databases were used with specific search terms including 'Ethnic Relations in Malaysia', 'Malacca Malay Sultanate', 'Colonisation of Malaya', 'Post-Malaysia New Economic Policy', 'Post-14th Malaysia General Election'. Other relevant terms were also searched to analyse the transformation of ethnic relations in Malaysia. The findings were reviewed, discussed, and argued thematically.

4. Discussion

In this study, the findings related to the transformation of ethnic relations in Malaysia are discussed and presented in four themes, namely, the transformation of ethnic relations in the era of the Melaka Malay Sultanate; the transformation of ethnic relations in the British Colonization Era; the transformation of ethnic relations Post New Economic Policy; and the transformation of ethnic relations Post-14th General Election.

4.1 The Transformation of Ethnic Relations in the Era of The Melaka Malay Sultanate

The transformation of ethnic relations in Malaysia began in the era of the Malay Sultanate in Melaka. In this era, ethnics like Malays, Javanese, Minangkabau, Banjar, Bajau,

Kadazan-Dusun, Murut, Iban, Bidayuh, Melanau, Bugis and other local groups are found to lack any closed ethnic boundaries. Their boundaries are always changing because there is a cross-relation of groups that leads to cultural and social integration among ethnic groups. It is the same case with the Arab communities, Chinese, Portuguese, and Indians who have migrated to this side of the world. Consequently, the immigrants also go through the cultural and social process with the locals until a new generation emerges, such as the Peranakan, Baba Nyonya and Chetti in the society (Coppel, 1997).
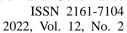
Before the arrival of the western colonials, the Malays had successfully created a pluralistic society through an inter-group bonding to the point that there was a cross-cultural relation based on permeable and umbrella ethnicity concepts. The cross-cultural model was already created in the Malay World before the colonist came. It was different from the understanding of the concept of race from the West. The latter's understanding of the concept of race that was naturally closed with ethnocentrism that has instilled a sense of segregation among the people of various cultures in this country. To this day, until the arrival of the British colonials, ethnic relations have been umbrella-like to citizens. This means that although they come from different ethnic groups, they are protected under the umbrella of Malay ethnic in terms of the language, culture, and religion (Mansor, 2006).

There are elements of assimilation in the pluralistic society in this era. They willingly got married to the local people. For example, the Baba and Nyonya from the Chinese descendancy who have got married to someone from the local society. Moreover, they also practise the daily lifestyle of the Malays. Other than that, the practise and custom that they bring into the society are also accepted and used by the locals. The customs of bersanding, bunga manggar and bunga telur in their weddings are the assimilation of local people with immigrants from India.

4.2 Transformation of Ethnic Relations in the British Colonization Era

A transformation of ethnic relations was evident after British colonial in the Straits Settlements and started to broaden their influence by intervening in the Malay states. This was exacerbated by the Industrial Revolution in the West, so the tin mining activity in Perak and Selangor had become more and more active. The profit-making British, always aiming to exploit Malaya's rich resources, had forced them to establish the intervention policy. This led British to bring in Chinese immigrants who finally formed a multi-ethnic group and further created more issues like clan disputes (Khoo, 1972). Notwithstanding, there was the opening of rubber estates causing British to decide to bring in Indian immigrants at such a great scale.

The arrival of the Chinese had brought about competition among the Malay princes with the dignitaries to dominate the right of administration in each area for their extra income through the granting of concessions to Chinese traders (Khoo, 1987). Several alliances had been agreed between the Malay group and the Chinese group. This issue led to arguments and fights, affecting the tin trading (Khoo, 1979). Then, British had intervened especially in Perak as it was the main tin producer in Malaya. Thus, in the Pangkor Agreement (1874), a provision was made by appointing a British Resident whose advice must be obtained and enforced on all matters, except for any matters related to religion and Malay customs. The

residential system was next introduced in Selangor, Pahang and Negeri Sembilan.

With this British intervention, it had created three forms of administration in Malaya. The first one is the Straits Settlement administered directly by British. Second, the Unfederated Malay States was formed with administration under Malay kings and sultans. However, in reality, it was administered by British who was prioritising the importance of British capitalists. Next, the Unfederated Malay States administered directly by British officials. According to Lian (2006), this was the reason for racial sentiment in Malaysia to happen during the ruling of British administration in late 19th century, which led to a different pluralistic society during the Melaka Malay Sultanate.

In this issue, there is a pluralistic society existing in the Malay Sultanate Era in Melaka compared to the British colonisation era. This is important because it gives a great impact to the ethnic relations in Malaysia today. According to Cheah (2004), most of the British policies in the past had influenced what happens today and also the structure of the society. The pattern of the pluralistic society before the British came to rule was formed through a natural process. They came to trade willingly to seek for a new life and wealth. Their arrival was welcomed with their family members. If they made the decision to stay in the Malay World, of course the decision was one based on a consensus with their family members. This life decision was based on their own consent to ensure their own peace of mind.

As a result, they have successfully created a good interaction with the local people. There are elements of accommodation in the lives of the pluralistic society during the era. They are willing to marry the locals, for instance the Chinese Baba is from the Chinese descendants who have married the locals. Also, they practise the lifestyle of the Malays.

However, the pattern of the pluralistic society after the arrival of British was different from the time before they arrived. For example, the influx of the Chinese and Indians to Malaya was encouraged by the British to help materialise their own political and economic agenda. The days before the British colonial was different nowadays. The Chinese were encouraged to open tin and gold mines (Leong, 2003). For example, due to the intervention policy and the capitalist economy, the British colonisers had brought in Chinese immigrants to work in tin mines. In 1870, there were 10,000 Chinese in Selangor, whereas in Larut, Perak, there were 40,000 Chinese and this number increased following the incentive given by the British and the hardship that they experienced in their homeland. In 1931, the number of Chinese immigrants had reached a total of 663,518 in the Straits Settlements, 711,540 in the Federated Malay States and 330,857 in the Unfederated Malay States (INTAN, 1992).

The influx of the Indian immigrants took place in 1840 where they worked in the sugarcane and coffee fields in Seberang Prai. British also brought in Indian immigrants to work as clerks, hospital assistants and train staff. The immigrants increased in number especially as it came to the 20th century. This is because, during this time, there were a lot of farms and rubber estates opened by European farmers. They preferred to take labourers from India because the wages were cheaper and there was the British administration in India that helped ease the labourers' intake. The development of Indian immigrants was exponential and until 1931, there were 132,277 Indians in Straits Settlements, 379,996 in Federated Malay States

and 110,951 in Unfederated Malay States (INTAN, 1992).

This had caused the interactions and the influence of culture between the Chinese and Malays further segregated by a large gap. It was also the reason for separate settlements where the Chinese were mostly concentrated in towns and cities, especially in the mining areas like Kuala Lumpur di where the Chinese covered 79% from the total number of populations which was 43,786 in 1891. The British administration policy also segregated the areas of residence of these two groups through the divide and rule policy. Other than that, the Chinese areas were self-contained where the residents did not have to interact with outsiders to sustain (Musa, 2005). Thus, in terms of the cultural influence between Chinese and Malays, this was not obvious. Nonetheless, in terms of the language, there are several influences of the Chinse into the Malay language and vice versa, although it is very limited. According to Emerson (1979), the colonisers had taken such a long time to process the inter-racial social and political consolidation as long as the colonial administration continued to stay in Malaya. The political domination of the Malays was controlled by the British although they were protected and lived nominally in the Malay's monarchy system.

In the British occupation, they have categorised these ethnic groups based on the understanding of the concept of race and racism brought upon by their own historical experience (Cheah, 2009). They have practised the concept of race that has been interpreted in a closed way based on blood bonding and the implication of the superiority of race and racism (Banton, 1983). They also introduced the divide and rule philosophy that has been practised not only in Malaysia but also before their arrival here in Africa and India. The policy of the British colonial had changed the form of ethnic relations in the Malay World before the British came until there was a clear distribution of occupation by ethnic groups (Mansor, 2006).

The ruling and development implemented by the British colonials were only to bring profit to solely the British elite group and their own country. Thus, the issues of poverty, under-development, and marginalisation of the Malays from the surge of development. The worry that they might lose their identity and political power in their own country had influenced the Malay nationalism movement agenda in Malaya. Issues of the Malay Language, education, the King's position, and the right of land became agenda that had triggered the Malays as they went against the Malayan Union after World War Two.

For Chinese and Indians who resided in the Straits Settlement before the independence, they were divided into three groups. The first one felt that they were British. The second one stayed true to their mother lands and only aimed to free their countries from being colonised by the West and Japan. The third group wanted to stay and became the people of this country, but they wished to retain their integrity, language and culture of their ethnicity (Mansor, 2006).

In such a historical scenario, the ethnic groups of Chinese and Indians were not active in playing their role with the Malays in discussing to demand for independence from British. The Chinese would only get involved in the local nationalism movements like the Malaya Communist Party and the left-wing Malay movements. According to Adam (1998), this

involvement was a strategy of the Malaya Communist Party arranged by the international communist to communise this country by means of forming some kind of contact with members of Angkatan Pemuda Insaf.

Furthermore, after the independence talk with the British met with certainty in the 1950s, the Chinese pressure group had fought to retain Mandarin, the Chinese culture, Chinese-streamed schools and citizenship based on the residents here (Hek, 1998). The Malays compressed by the Chinese ethnic economic position, felt that their interests encompassing the land, the occupation, education, and development aid were eroded so they pressurised for their interests to be included in the Malaya Constitution at the time.

The situation above demonstrates that the umbrella ethnic concept had taken a backseat in the journey of our history which was heading towards Independence. At the expense of their own interests, every ethnic group had urged that citizenship is granted to them. However, at the same time, they wanted to live separately in isolation in terms of the language, culture, religion, leadership, education and economic activity although they are bound by the same administration (Mansor, 2006).

However, British did not want to liberate this country and hand it over to socialist movements such as Malaya Malay Association, communist-based Malaya Communist Party or Islamic-oriented groups such as Malaya Islamic Party (PAS). Malay nationalist groups like UMNO who advocated the national system built upon by the colonisers, the monarchy system and the capitalist economic system had negotiated with British. Nevertheless, it opened some room for cooperation with the Chinese and Indians through the Malaya Chinese Association (MCA) and Malaya Indian Congress (MIC). This is proven by the collaboration during the election with the formation of the Alliance Party and this is followed by The National Front.

However, after ten years of independence, the national development done through the free economic system philosophy continued to strengthen the interests of foreign economic investors, especially from the West. The development of public infrastructure like the schools and health clinics were developed but it was not balanced because it concentrated more on urban areas in the western part of the Peninsula. In the 60s, from several Bumiputera Economic Congress, the Malays claimed that independence did not give them any meaning and led to increased living status (Wariya, 2007). The Malays wanted this country to be fabricated by their language, culture and religion and their lives not marginalised by the economic domination by the Chinese and Indians.

The Chinese and Indian ethnic groups were granted citizenship easily, but the development of the country continued to be an advantage to them in cities and towns especially in the field of the economy. The Indians and especially Chinese not only continued to do better in business and retailing but they also urged that the schools continued to be taught in their mother tongue. At the end of the 60s, tension persisted in the ethnic relations leading to a conflict in 1969 due to the problem of inequality, backwardness, poverty, low productivity, and the lack of public facilities. The debate on the ideology and the national integrity different among the ethnic groups, continued to drive them apart and widened the social gap even more, at the

time.

4.3 The Transformation of Ethnic Relations Post New Economic Policy

The transformation of ethnic relations had shown another pattern after the New Economic Policy (DEB) where the gap of income among ethnic groups had been reduced, poverty nearly abolished and the culture of the middle class had become a reality and the structure of the society had changed (Faaland, Parkinson & Saniman, 2005). This social transformation had thinned the ethnic boundaries among the people and their behaviour shaped by material rewards, social status and social attachment compared to ethnic interests (Embong, 2001). This means that ethnic boundaries exist but they are secondary. In daily life, ethnic considerations are no longer prioritised. However, personal considerations are prioritised and the ethnic relations scenario could be observed better in the Western Peninsula. In the north and east of the Peninsula, religious considerations become more important, whereas in Sabah and Sarawak, the issue of territory is more influential as the basic consideration for group action. This situation is consistent with the Rational Choice Theory as discussed by Schelling (1978), Banton (1983) and Mansor (2006).

Behind all the misunderstanding, the political stability achieved as the outcome of the sharing of political power between the political parties based on ethnicity and religion has successfully attracted foreign investment that has opened up job opportunities. Through NEP, the eradication of poverty manages to be reduced and this creates a lot of people in middle class. Consequentially, it brings out a commercial lifestyle among the people of various cultures. Their aspirations and outlook are shared together, and this has spawned the dependency on one another and created a cross-cultural relationship that transcends ethnic boundaries (Saravanamuttu, 2009). Studies have shown that in the 1990s, the ethnic boundaries among the people of various cultures were very thin and the relationship of two individuals of different ethnicity still prioritised non-ethnic considerations (Mansor, 1999).

Behind the inter-racial conflict, the country has generally been stable, prosperous and harmonious. Even so, behind the stark imbalance, the country has been able to retain a very good economic growth rate. In the world of economy, the smart-sharing practice among the elites of the economy from various races at corporate level has successfully generated growth in the private sector (Mohamad, 2009). This economic elite not only works actively in this country, but also plays much the same role globally. The national political scenario today is stable, and people of various races have shared the power in forming the government of this country. In effect, there is an open culture in the society today that can accept, admit, respect and is proud of the pluralistic nature of the society. Although their backgrounds are different culturally, linguistically, and religion-wise, they can share values and public opinions to the point that there is a cross-cultural relationship among them.

The ethnic relations structure in Malaysia post-NEP are more influenced by thin ethnic boundaries and their relationships are based on ethnic considerations. The causes for the formation of the issues surrounding ethnic relations like ethnic manipulation are backwardness, unemployment, poverty, marginalisation and inequality in the lives of the people. The riot that took place in Kampung Rawa, Penang in 1998 and Kampung Medan,

Selangor in 2001 between the Malays and Indians show that the management of the poor and the marginalised in urban areas should be prioritised. If this is the crux of the ethnic issue in Malaysia, the solution lies not in the ethnic assimilation but in the efficacious administration of this country (Mansor, 2006).

The ethnic relations experience in Malaysia has proven that ethnic differences are not the cause of conflict among ethnic groups. Nonetheless, backwardness, inequality, poverty, and marginalisation that plague the people and the failure in overcoming these issues are the reasons as to why the people act in manipulating ethnicity to resolve the issues that have triggered the conflict among them (Mansor, Abdul Aziz and Lee, 2006; Ali 2004).

4.4 Transformation of Ethnic Relations Post-14th General Election

The transformation of ethnic relations in this country continues to prosper more actively after the 14th General Election (PRU-14) which is after 9th May 2018. The analysis on the PRU-14 created both mixed positive and negative scenarios in terms of ethnic relations in Malaysia. A lot of people thought that post GE14 that should bring a new political discourse that has changed to a polemic field and debates on religious, ethnicity and language issues. Various baseless claims or half-truths emerge in the cyber space and religious and racial sentiments were provoked. This can lead to the risk of segregation among the people in the society.

The success of Pakatan Harapan (PH) in steering Putrajaya is thought to be extraordinary in the context of our politics. In the context of PH, they try to bring in something different from the past government. Interestingly, the issues of Islam and Malays have resurfaced as Democratic Action Party (DAP) was included in the PH alliance. Malay ethnic in particular had become suspicious of DAP which all this while, was said to be very loud about the position of Islam. DAP has a consistent view that Malaysia is a secular country and not a Muslim country. This polemic can clearly show a relationship that appears to be contributing to ethnic tension in the Malaysian society.

Issues about the royal institution, the position of Islam, the position of the Malays and the role of Malay Language as the national language are still seen as sensitive to be discussed openly as they have permeated for so long in the society. The same goes with Malay-based agencies like Majlis Amanah Rakyat (MARA), Matriculation College, Universiti Teknologi MARA (UiTM), Federal Land Development Authority (FELDA), Tabung Haji and others will always get urgent response if they are criticised or slammed by certain parties.

The result of the Election on 9 May 2018 had changed the political landscape in Malaysia. The success of Pakatan Harapan (PH) in steering Putrajaya was thought of extraordinary in the context of Malaysian politics. This is followed by the commitment of Pakatan Harapan in fulfilling their promises in the Manifesto that have been presented to the people. In the context of PH, they tried to bring in something different from the previous government. Interestingly, the issues of Islam and Malays resurfaced as DAP party was included in the PH alliance. Malay ethnic in particular had become suspicious of DAP which all this while, was said to be very vocal about the position of Islam. DAP has a consistent view that Malaysia is
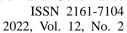
a secular country and not a Muslim country.

Regarding the debate whether this country is Islamic or not, this can be answered by looking at the religion's position in a country. If the religion is not given a role or place at all by the government, the country can be deemed secular in its truest meaning of the word. For example, in Malaysia, the celebrations of Aidilfitri, Aidiladha, New Year and Deepavali are declared as Public Holidays. Some of the states also give public holiday to other celebrations like Israk and Mikraj or Nuzul Quran. Although this question is trivial, in terms of the constitution, its existence stresses on how this country is not fully secular. This is because academically, what is said as a secular country is a country that does not give a place or acknowledgment to any country in whatever form (Muslim and Umar, 2017).

Malaysia cannot be regarded as an Islamic country, in the truest sense of the word, this does not mean that Malaysia becomes a secular country. If we refer to Article 3(1) stating that Islam is the federal religion, this has reduced the secular characteristics. This is added with Article 11(4) that restricts the spread of other religions to Islamic followers, which causes the secular characteristics to become increasingly eroded. However, the position of Islam in the constitution cannot be restricted to polemic, whether as a way of life or merely as a form of ritual or secular, and vice versa.

The debate about whether Malaysia is an Islamic country or secular state, will depend one's interpretation. If one argues for the use of secular definitions, it is clear that Malaysia is an Islamic country and instead, if it uses the definition of an Islamic state, it is clear that Malaysia is not an Islamic country. Both arguments are correct based on the interpretation used in debating whether Malaysia is an Islamic country or otherwise.

If we look closely, the perception on issues involving Islam often emerges before the election and after the election. Islam is a sensitive issue to be debated the way it is with the special position of the Malays and Malay Language as the national language. The discussion on Islam in the Federal Constitution often becomes a controversy especially in the 90s and the millennium, where these issues thought to threaten the Islamic position in Malaysia began to be raised through the legislative channel. This can be shown through several cases that become the topic of debate of the community like Azlina Jailani, Kamariah Ali, Muhammad Abdullah@Moorthy, the urge to amend or abolish Article 121(1A) of the Federal Constitution, the proposed establishment of Interfaith Commission of Malaysia (IFC), the establishment of pressure groups fighting for the freedom of faith known as Article 11 and others (Muslim, Musa & Buang, 2011).

From the discussion above, it shows that there are attempts from time to time to challenge the Islamic allocations. Will the worry about the chain of events put Islam at stake? Thus, this issue will be referred to in the context of the Federal Constitution. We must understand that there is a difference between the constitutional amendment and the act amendment. For the latter, it only requires a simple majority which is 112 out of the 222 seats in the House of Commons. Clearly, for every government established, it is easy for them to amend the acts such as the Sedition Act, False News Act, Universities, University Colleges Acts, and others. Different from the constitutional amendment, the process is more difficult through the ways

below:

Article 159 (4) explains that some of the matters can be amended, and they only require the support of more than 2/3 from Parliament for example the oath and sworn-in, the selection and pensioning of the members of the Dewan Negara.

Article 161 (E) explains that some of the things need to get the support of 2/3 every Parliament and endorsed by the Yang di Pertua Negeri Sabah and Sarawak to involve the interests of both states such as the jurisdiction of the state and the special position of the bumiputera.

Article 159 (5) explains that it needs the 2/3 support of Parliament and endorsement of the Royal Council involving matters such as royal sovereignty, special position of the Malays, Sabah and Sarawak Bumiputera, national language and federal religion.

Clearly what is dictated in the constitution, the amendment process is difficult. It needs two third of the majority of the votes from 222 seats which is more than 148 seats. Based on the 2008 election until PRU 14, the government does not have the majority of two third of the votes. Thus, it is clear that the constitutional amendment cannot be done. The amendments on Islam, Malay, Sabah and Sarawak Bumiputera, National language, the position of the kings, citizenship added with other conditions whereby other than the majority of votes, the amendment must be accepted by the Royal Council. Thus, it is evident that regardless of which party is ruling, whether National or Pakatan Harapan or even DAP. Although the government has more than two third of the seats, as long as it is not approved by the Royal Council, the amendments on Islam, Malay, Sabah and Sarawak Bumiputera, the position of the kings, and citizenship cannot be amended.

For Article 3(1), the selection of the word Islam as the Federal religion is different from the term in Article 152 where the national language is Malay Language. Islam is the federal religion meaning that the country has a religion which becomes the mainstay to the national philosophy and ideology. As this allocation refers to Islam, the entire provision is seen in the context of Islam. This is in line with the history and practice that we have in this country whereby Islam has a position and influence that is already powerful even before the independence. Article 3(1) also states that other religions in reference to the context of history, are assured to diminish the concern among the non-Muslims.

Although Article 8(2) forbids any differences due to religion, race and so on, there was an exception such as the state constitution which made compulsory the fact that only Malay and Muslim individuals are qualified to be the Chief Minister in states that have a King. The same applies to the appointment of the State Secretary, also the officers in the Shari'a' Court, Malaysian Islamic Development Office and religious offices, states also the Islamic Council. At the federal level, the positions of the Prime Minister, ministers or officials of the federation do not allocate the same terms and conditions in the constitution. The constitution has also given the power and responsibility to the Yang di-Pertuan Agong to preserve the special positions of the Malays and the Sabah and Sarawak Bumiputera and other valid interests of other races.

The same with Article 11, the income tax and other taxes are imposed to everyone in Malaysia but the zakat and fitrah are collected only from the Muslims. Through Article 11, there are several states that have enacted the law to restrict the development of other religions to Muslims such as in Kelantan in 1987, Kedah, Melaka and Selangor in 1988. For example, the law in Selangor allocated that it is an offence for one to encourage, influence or evoke the feelings of a Muslim to change to another religion, cause a Muslim child to be influenced by non-Islamic elements, approach a Muslim to lecture or show him anything about religions other than Islam, send any written materials on other religions and distribute them in public places. This clearly shows that the followers of other religions are not given the protection like the Islam followers.

Obviously, the perception formed in the thinking of Malaysians that Islam will be at stake and the position of Malay kings will be under threat is quite inaccurate and it is perception-oriented and not a fact. However, the perception but Islam will also be destroyed because it is impossible to abolish Islamic allocations in the Constitution, but Islam can be affected in terms of its implementation or operation as happening on the National Language. Although National Language must be used for official purposes, the implementation does not reflect the position of the National Language as seen in the private sector, the court, and various other situations, even in the national education system. We shall further look into the debate on Malay being under threat post 14th General Election.

The folds of history have proven that the Malay issues such as Islam, are always raised right before the election and after the election. The position and implementation of the special privilege of the Malays in the Federal Constitution are never free from criticisms and issues because the non-Malay ethnics felt that these special privileges made the existing system undemocratic. The issue and polemic related to it often emerge and are often raised together with the discussion which nature is always changing. The concept of equality pioneered under the slogan Malaysian Malaysia was directed to the abolishment of what was regarded as discrimination and unfair treatment from the use of Article 153, but the Malays were comfortable with the idea. They felt threatened and saw this slogan as an attempt to question and reduce their importance which later led to the separation of Singapore from Malaysia in 1965. The smooth process lies in the citizenship process through the jus soli principle, whereas the conditions of the Malay Language as the National Language and the position of the Malays were still challenged and threatened from time to time, even though this was agreed by the non-Malays and instilled into the constitution that has become the main law for all Malaysians. (Muslim, 2019).

The criticism and opposition about this re-emerged during the 1969 General Election where the position of the Malay Kings, Islam, the language, and the special position of the Malays were challenged by the non-Malays. Such an opposition during the General Election in 1969 had brought about a racial dispute called the 13th of May 1969 Riot. In effect, the state of Emergency was declared, the Parliament was suspended for two years, and the constitution that restricted the freedom of speech and 1948 Sedition Act were amended.

Next, the argument about the special position of the Malays was raised when the Deputy

Chairman of the Second National Economic Negotiation Council proposed that the government eliminated the special rights of the Malays under the rearrangement policy of the society if they were to be seen as progressive and able to be independent. This proposal clearly shows that the special that the special privilege of the Malays continued to be raised. This appeared again when the Malaysian Chinese Associations General Election Pledging Committee or SUQUI demanded that these elements of tradition were abolished and this provoked some anger among the Malay associations who felt that Malays' special rights assured in the national constitution, should not be tampered with by SUQUI (Muslim, 2012).

Will the chains of events discussed above cause the Malay position to be affected as concerned by the Malay ethnic? In the Federal Constitution, Article 159 (5) explains that the constitutional amendment needs to get the 2/3 support of every Assembly and Royal Council endorsement involving matters like royal sovereignty, Malay special privilege, Sabah and Sarawak Bumiputera, national language, and federal religion.

Thus, the amendment was difficult on Islam, Malay, Sabah and Sarawak Bumiputera, National Language, Malay royalty and citizenship, added with other terms like the requirement for two third votes, majority, the amendment has to be endorsed by the Malay Royal Council. Therefore, regardless of any ruling party, Barisan Nasional or Pakatan Harapan even DAP, it is difficult to amend the constitution with the position of the Malays. Although the government obtains more than two third of the seats, as long as it is not endorsed by the kings, the rules on Islam, Malay, Sabah dan Sarawak Bumiputera, the position of the Malay kings and citizenship cannot be amended (Muslim, 2020).

The political stability in Malaysia really depends on how it is balanced with the special position of the Malays and the valid interests of other ethnic groups. If this is threatened, the stability will be affected and threatening the racial harmony. The worry and concern of Malaysians that Malay position will be robbed off and threatened is inaccurate and it is only a mere perception. This is because it is impossible to abolish the allocations of the Malays in the constitution through the two thirds of votes in the Parliament, considering that the current government does not get the majority of seats. It is assumed that if the government also has the same number of votes, it would be hard to amend or abolish the Malay provision because it needs the endorsement of the Royal Council.

It was once reasonable for the Malays to be worried because although it is impossible to amend and eliminate their provisions in the constitution, in terms of the implementation and operation. It can still happen. Even though it is clear that in Article 153 Malays have their privilege in terms of their entry into the public higher learning institutes, such a privilege was replaced by the meritocracy system. The matriculation college and the MARA Junior Science College were also given the quota of 10% allocated to the non-Malays. The same case applies to the open tender based on the merit, also violating the philosophy of the Article under the economic allocation. Evidently, one side of the argument suggests that the rights of the Malays were unharmed, is true when related to the amendment and abolishment of matters related to the Malays in the constitution. To the worried party, the argument about the affected position of the Malays is also true considering the aspect of implementation and operation

(Muslim, Wan Hassan, Alias, Mat, and Ibrahim, 2019).

5. Conclusion

The discussion shows that there was a fluctuating transformation in the ethnic relations in Malaysia. Ethnic relations during the Malay Sultanate era in Melaka were at a very good level, whereas the ethnic relations in the British occupation era, were slightly lenient due to the Divide and Rule Policy. However, after the New Economic Policy era, the ethnic boundaries had thinned following the exponential economic development that requires a dependency on the ethnic groups in Malaysia. This era shows a change in the racial attitude heading towards the shared values and similarities. However, this situation changed again during the Post-14th General Election portraying that the Malay ethnic was threatened by the political power. Clearly, the transformation of ethnic relations in Malaysia is always changing and it depends on how the questions about the position of Malays and Islam are managed.

References

Adam, R. (1998). *Kemelut Politik Semenanjung Tanah Melayu*. Kuala Lumpur: Universiti Malaya Publisher.

Ali, S. H. (2004). *Merdeka, Rakyat dan Keadilan*. Kuala Lumpur: Strategic Information Research Development (SIRD).

Banton, M. (1983). *Racial and Ethnic Competition. Cambridge*: Cambridge University Press.

Cheah, B. K. (2004). The Challenge of Ethnicity: Building a Nation in Malaysia. Singapore: Marshall Cavendish Academic.

Cheah, B. K. (2009). Race and ethnic relations in Colonial Malaya during the 1920s and 1930s. Petaling Jaya: Strategic Information and Research Development Centre.

Coppel, C. A. (1997). Revisiting Furnivall's 'plural; society': Colonial Java as a mestivo society. *Ethnic and Racial Studies*, *20*(3), 563-579. https://doi.org/10.1080/01419870.1997.9993975

Embong, A. R. (2001). *Southeast Asian Middle Classes: Prospect for Social Change and Democratization*. Bangi: UKM Publisher.

Emerson, R. (1979). *Malaysia: A Study in Direct and Indirect Rule*. Kuala Lumpur: University of Malaya Press.

Faaland, J., Parkinson, J., & Saniman, R. (2005). *Dasar Ekonomi Baru: Pertumbuhan Negara dan Pencapaian Ekonomi Orang Melayu.* Kuala Lumpur: Utusan Publications.

Giddens, A. (1993). *Sociology*. Cambridge: Polity Press.

Hek, P. H. (1998). *Chinese responses to Malay hegemony in Peninsular Malaysia (1957-1996)*. London: Asean Academic Press.

Idris, F. (2008). *The influence of individual attributes on inter-ethnic tolerance among early youth in Selangor*. PhD Thesis, University Putra Malaysia.

INTAN (1992). *Malaysia Kita*. Kuala Lumpur: INTAN.

Khoo, K. K. (1972). *The Western Malay States, 1850-1873: The Effects of Commercial Development on Malay Politics*. Singapore: Oxford University Press.

Khoo, K. K. (1979). *Semenanjung Tanah Melayu: Suatu kajian politik 1900-1941*. Kuala Lumpur: Dewan Bahasa dan Pustaka.

Khoo, K. K. (1987). Kenegaraan 30 Tahun: Satu Perspektif Sejarah. In. Z. A. Abdul Wahid (Ed.), *Sejarah Malaysia Sepintas Lalu*. Kuala Lumpur: Malaysian Museum Association

Leong, H. L. (2003). Ethnicity and class in Malaysia. In Mackerras, C., *Ethnicity in Asia*. London: Routledge Curzon.

Lian, K. F. (2006). Race and racialization in Malaysia and Singapore. In K. F. Lian (Ed.), *Race, Ethnicity and The State in Malaysia and Singapore*. Leiden: Brill. https://doi.org/10.1163/9789047409465

Mansor, M. N. (2005). *Integrasi Etnik di IPTA*. Pulau Pinang: Institut Penyelidikan Pendidikan Tinggi Negara.

Mansor, M. N. (2006). Transformasi perhubungan etnik di Malaysia. In Z. Hassan, A. L. Samian and A. D. Silong (Eds.), *Readings on Ethnic Relations in a Multicultural Society*. Serdang: UPM Publisher.

Mansor, M. N., Abdul Aziz, A. R., & Lee, M. A. I. (2006). *Hubungan etnik di Malaysia*. Petaling Jaya: Prentice Hall.

Mohamad, M. (2009). Politics of the NEP and ethnic relations in Malaysia. In T. G. Lim, A. Gomes and A. Rahman (Eds.), *Multiethnic Malaysia: Past, Present and Future*. Petaling Jaya: Strategic Information and Research Development Centre.

Musa, H. (2005). *Pemerkasaan Tamadun Melayu Malaysia*. Kuala Lumpur: Universiti Malaya Publisher.

Muslim, N. (2012) Implikasi Peruntukan Islam dan Orang Melayu Dalam Perlembagaan Persekutuan Terhadap Hubungan etnik di Malaysia. Kemanusiaan: *The Asian Journal of Humanities*, *19*(2), 19-62.

Muslim, N. (2019). Socializing the constitution: Malaysian national agenda. *Asian Social Sciences*, *15*(11), 35-41. https://doi.org/10.5539/ass.v15n11p35

Muslim, N. (2020). *Islam Dan Melayu Dalam Perlembagaan: Tiang Seri Hubungan etnik Di Malaysia*. Edisi Kedua. Bangi: UKM Publisher.

Muslim, N., & Umar. A. (2017). Malay Royal Institution According to the Federal Constitution Within the Context of Ethnic Relations in Malaysia. *Akademika*, *87*(1), 35-48. https://doi.org/10.17576/akad-2017-8701-03

Muslim, N., Musa, N. Y., & Buang, A. H. (2011). Hubungan etnik Di Malaysia Dari Perspektif Islam. *Malaysian Studies*, *29*(1), 1-28.

Muslim, N., Wan Hassan, W. Z., Alias, J., Mat, N., & Ibrahim, A. (2019). Malaysia Federal Constitution from Constitutional Sociology Contexts. *Journal of Engineering and Applied Sciences*, *14*(11), 3761-3770. https://doi.org/10.36478/jeasci.2019.3761.3770

Saravanamuttu, J. (2009). *The great middle class debate: Ethnicity, politics or lifestyle?*. Petaling Jaya: Strategic Information and Research Development Centre.

Schelling, T. (1978). *Micro motives and Macro Behavior*. New York: W. W. Norton.

Syam, N. (2007). Agama dan kemanusiaan: Mengamalkan agama sambil meraikan perbezaan. *Humanity Journal,* 4, 121-138.

Ting, C. P. (1987). *Hubungan Ras dan Ethnic: Suatu Pengantar*. Kuala Lumpur: Pustaka Dimensi.

Wariya, C. (2007). *Malaysia: 50 Basic Facts and Statehood*. Kuala Lumpur: Media Global Matrix Pte. Ltd.