

**Volume I
No. 15**



**Wednesday
9th December, 1959**

PARLIAMENTARY DEBATES

**DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)**

OFFICIAL REPORT

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MOTION—

**First Report of the Standing Orders Committee (First
Session) [Col. 1423]**

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FEDERATION OF MALAYA
DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

First Session of the First Dewan Ra'ayat

Wednesday, 9th December, 1959

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

PRESENT:

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

the Deputy Prime Minister and Minister of Defence, TUN
ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).

the Minister of Finance, MR. TAN SIEW SIN, J.P. (Malacca
Tengah).

the Minister of Works, Posts and Telecommunications,
DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).

the Minister of the Interior, DATO' SULEIMAN BIN DATO'
ABDUL RAHMAN, P.M.N. (Muar Selatan).

the Minister of Transport, ENCHE' SARDON BIN HAJI JUBIR
(Pontian Utara).

the Minister of Health and Social Welfare, DATO' ONG YOKE
LIN, P.M.N. (Ulu Selangor).

the Minister of Education and Minister of Commerce and
Industry, ENCHE' MOHAMED KHIR BIN JOHARI (Kedah
Tengah).

the Minister of Labour, ENCHE' BAHAMAN BIN SAMSUDIN
(Kuala Pilah).

TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N., Assistant
Minister (Johore Tenggara).

ENCHE' ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN,
J.M.N., J.P., Assistant Minister (Batang Padang).

TUAN HAJI ABDUL KHALID BIN AWANG OSMAN, Assistant
Minister (Kota Star Utara).

ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Malacca Utara).

ENCHE' ABDUL RAUF BIN A. RAHMAN (Krian Laut).

ENCHE' ABDUL SAMAD BIN OSMAN (Sungei Patani).

TUAN HAJI ABDULLAH BIN HAJI ABDUL RAOF (Kuala
Kangsar).

TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., P.I.S.
(Segamat Utara).

TUAN HAJI AHMAD BIN ABDULLAH (Kota Bharu Hilir).

ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).

The Honourable ENCHE' AHMAD BOESTAMAM (Setapak).

- .. ENCHE' AHMAD BIN MOHAMED SHAH (Johore Bahru Barat).
- .. TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- .. ENCHE' AHMAD BIN HAJI YUSOF (Krian Darat).
- .. TUAN HAJI AZAHARI BIN HAJI IBRAHIM (Kubang Pasu Barat).
- .. ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- .. DR. BURHANUDDIN BIN MOHD. NOOR (Besut).
- .. MR. CHAN CHONG WEN (Kluang Selatan).
- .. MR. CHAN SIANG SUN (Bentong).
- .. MR. CHAN SWEE HO (Ulu Kinta).
- .. MR. CHIN SEB YIN (Seremban Timor).
- .. MR. V. DAVID (Bungsar).
- .. DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- .. MR. GEH CHONG KEAT (Penang Utara).
- .. ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- .. ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- .. ENCHE' HARUN BIN ABDULLAH (Baling).
- .. ENCHE' HARUN BIN PILUS (Trengganu Tengah).
- .. TUAN HAJI HASAN ADLI BIN HAJI ARSHAD (Kuala Trengganu Utara).
- .. TUAN HAJI HASSAN BIN HAJI AHMAD (Tumpat).
- .. ENCHE' HASSAN BIN MANSOR (Malacca Selatan).
- .. ENCHE' HUSSEIN BIN TO' MUDA HASSAN (Raub).
- .. ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- .. TUAN HAJI HUSSIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- .. ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- .. MR. KANG KOCK SENG (Batu Pahat).
- .. MR. K. KARAM SINGH (Damansara).
- .. CHE' KHADIJAH BINTI MOHD. SIDIK (Dungun).
- .. MR. KHONG KOK YAT (Batu Gajah).
- .. MR. LEE SAN CHOON (Kluang Utara).
- .. MR. LEE SECK FUN (Tanjong Malim).
- .. MR. LEE SIOK YEW (Sepang).
- .. MR. LIM JOO KONG (Alor Star).
- .. MR. LIM KEAN SIEW (Dato Kramat).
- .. DR. LIM SWEE AUN, J.P. (Larut Selatan).
- .. MR. LIU YOONG PENG (Rawang).
- .. MR. T. MAHIMA SINGH (Port Dickson).
- .. ENCHE' MOHAMED BIN UJANG (Jejebu-Jempol).
- .. ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).
- .. ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- .. ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI (Kuala Selangor).
- .. ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).

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

- .. ENCHE' MOHAMED SULONG BIN MOHD. ALI, J.M.N. (Lipis).
- .. ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- .. TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- .. NIK MAN BIN NIK MOHAMED (Pasir Mas Hilir).
- .. MR. NG ANN TECK (Batu).
- .. DATO' ONN BIN JAAFAR, D.K., D.P.M.J. (Kuala Trengganu Selatan).
- .. ENCHE' OTHMAN BIN ABDULLAH (Tanah Merah).
- .. ENCHE' OTHMAN BIN ABDULLAH (Perlis Utara).
- .. TUAN HAJI REDZA BIN HAJI MOHD. SAID (Rembau-Tampin).
- .. MR. SEAH TENG NGIAB (Muar Pantai).
- .. MR. D. R. SEENIVASAGAM (Ipoh).
- .. MR. S. P. SEENIVASAGAM (Menglembu).
- .. TUAN SYED ESA BIN ALWEE, S.M.J., P.I.S. (Batu Pahat Dalam).
- .. TUAN SYED HASHIM BIN SYED AJAM, A.M.N., P.J.K. (Sabak Bernam).
- .. ENCHE' TAJUDIN BIN ALI (Larut Utara).
- .. MR. TAN CHENG BEE, J.P. (Bagan).
- .. MR. TAN KEE GAK (Bandar Malacca).
- .. MR. TAN PHOCK KIN (Tanjong).
- .. MR. TAN TYE CHEK (Kulim-Bandar Bahru).
- .. TENGKU INDRA PETRA IBNI SULTAN IBRAHIM, J.M.N. (Ulu Kelantan).
- .. DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).
- .. MR. V. VEERAPPEN (Seberang Selatan).
- .. WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).
- .. WAN SULAIMAN BIN WAN TAM (Kota Star Selatan).
- .. WAN YAHYA BIN HAJI WAN MOHAMED (Kemaman).
- .. MR. WOO SAIK HONG (Telok Anson).
- .. ENCHE' YAHYA BIN HAJI AHMAD (Bagan Datoh).
- .. MR. YEOH TAT BENG (Bruas).
- .. MR. YONG WOO MING (Sitiawan).
- .. HAJJAH ZAIN BINTI SULAIMAN (Pontian Selatan).
- .. TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).
- .. ENCHE' ZULKIFLEE BIN MUHAMMAD (Bachok).

ABSENT:

The Honourable the Prime Minister, Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M. (Kuala Kedah).

.. the Minister of External Affairs, DATO' DR. ISMAIL BIN DATO' ABDUL RAHMAN, P.M.N. (Johore Timor).

.. the Minister of Agriculture and Co-operatives, ENCHE' ABDUL AZIZ BIN ISHAK (Kuala Langat).

The Honourable ENCHE' ABDUL RAHMAN BIN HAJI TALIB, Minister without Portfolio (Kuantan).

.. MR. CHEAH THEAM SWEE (Bukit Bintang).

.. ENCHE' ISMAIL BIN IDRIS (Penang' Selatan).

.. MR. LEONG KEE NYEAN (Kampar).

.. MR. V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).

.. ENCHE' MOHAMED ISMAIL BIN MOHAMED YUSOF (Jerai).

.. MR. QUEK KAI DONG (Seremban Barat).

IN ATTENDANCE:

The Honourable the Minister of Justice, TUN LEONG YEW KOH, S.M.N.

PRAYERS

(Mr. Speaker in the Chair)

ADJOURNMENT TO A LATER DAY

(Motion)

The Deputy Prime Minister (Tun Abdul Razak): Mr. Speaker, Sir, I beg to move,

That, notwithstanding the provisions of Standing Order 12, at its rising this day, this House do stand adjourned to Monday, 14th December, 1959, at 10 a.m.

The Minister of the Interior (Dato' Suleiman): Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That, notwithstanding the provisions of Standing Order 12, at its rising this day, this House do stand adjourned to Monday, 14th December, 1959, at 10 a.m.

MOTIONS

FIRST REPORT OF THE STANDING ORDERS COMMITTEE (FIRST SESSION)

Dato' Suleiman: Dato' Speaker, saya mengemukakan usul yang ada di-kertas ini dengan nama saya ia-itu Dewan ini menerima report yang pertama daripada Jawatan-Kuasa Përatoran² Tëtap. Report yang pertama daripada Jawatan-Kuasa Përatoran² Tëtap Dewan ini dikemukakan sa-bagai Kërtas DR. 2 1959 dan bërjalan kuat-kuasa-nya daripada hari pënghabisan mëshuarat Dewan ini.

Dato' Speaker, Ahli² Yang Bërghormat ingat usul yang di-bawa oleh Yang Bërghormat Timbalan Përdana Mëntëri dalam Dewan ini pada mëshuarat yang lëpas minta mënerima Përatoran përbahathan dalam Dewan ini sa-bagai sëmëntara, sa-bagai Përatoran² përbahathan di-gunakan sëmëntara dan tëläh juga mënëtapkan Përatoran yang ada ini sa-mata²-lah sa-bagai sëmëntara sa-masa Përatoran itu di-ulangkaji oleh Jawatan-Kuasa yang di-lantek oleh Dewan ini; pada masa itu juga tëläh di-bëri pëngakuan oleh Yang Bërghormat Timbalan Përdana Mëntëri ia-itu Jawatan-Kuasa Tëtap Përatoran² itu tëntu-lah mënghabiskan kërja-nya dëngan sa-bërapa chëpat dan mungkin. Saya sa-orang daripada ahli Jawatan-Kuasa itu, Jawatan-Kuasa itu sudah pun mëngulangkaji Përatoran² itu dëngan sa-halus²-nya, Tuan Speaker ia-lah Pëngërusi-nya dan report yang ada di-hadapan Ahli² Yang Bërghormat pada pagi ini itu-lah yang tëläh dapat di-kaji oleh Jawatan-Kuasa itu.

Përatoran² përbahathan sa-macham juga Rang Undang² atau pun Undang² Këwangan, sëmua-nya orang tidak suka, ada banyak Ahli² Mëshuarat Yang Bërghormat Dewan ini yang faham bënär selok-belok dalam Përatoran përbahathan dan chukup faham dalam ilmu përbahathan sa-hingga dapat bër-ikhtiar mënchari jalan masa²-nya hëndak mënanggohkan sa-suatu usul yang di-bawa dalam mëshuarat ini sa-tahun lama-nya. Tëtap sama ada sa-orang Ahli Yang Bërghormat mahir dalam selok-belok Përatoran përbahathan atau pun kurang faham dalam ilmu itu, përkara Undang² përbahathan mësti-lah ada sapërti juga dalam

permainan, sama ada bermain bola atau pun hockey hendak-lah ada përatoran² bermain dan sa-orang referee yang mëmputuskan sama ada mënyalahi përtatoran itu dan mënëtapkan kalah mënang-nya. Bagaimana pun saya përchaya Ahli² Yang Bërhormat dalam Dewan ini bërsetuju dan sudah pun kita bërsetuju dahulu mëmilih sa-orang daripada ahli yang di-pilih sa-bagai Speaker dalam Dewan ini, sa-kian, Dato' Speaker, tërpulang-lah kapada Dato' Speaker mëlíchinkan përbahathan dalam Dewan ini. Dan ada masa-nya Ahli² Yang Bërhormat nampak-nya sëlalu juga baharu² ini mënërima dengan kërass-nya tëgoran daripada Dato' Speaker dan saya përchaya bagi Ahli² Yang Bërhormat dan saya sëndiri sëntiasa mënërima tëgoran itu dalam masa Jawatan-Kuasa Përtatoran itu mënghulangkaji Përtatoran sëmëntara ini tëläh pun di-timbang dan di-fikirkan sangat patut-lah Përtatoran² Dewan Ra'ayat ini sa-bërapa boleh-nya di-samakan dengan Përtatoran² Dewan Nëgara. Tëtapi dalam pada itu pun tidak-lah pula Jawatan-Kuasa itu mënghadkan kuasa²-nya pada masa mëmikirkan dan mëmbuat, mëmberi shor bërkenaan dengan undang² yang di-fikirkan bërpatutan di-adakan didalam Dewan ini dan ahli² Jawatan-Kuasa itu tidak pula mënghadkan sunggoh pun tadi saya katakan tujuan-nya hendak mënchuba mënayakan sa-bërapa yang boleh Përtatoran Dewan ini dengan Dewan Nëgara. Ahli² Jawatan-Kuasa itu tëläh mëmberikan fikiran-nya dengan tënang, saksama dengan tidak mënghadkan yang mërëka itu mësti sëntiasa mënchuba hendak mënurut Përtatoran yang sudah dalam masa kita bërmëshuarat Përtatoran² Dewan Nëgara sudah pun habis dan tëtäp. Sa-bënar-nya Jawatan-Kuasa ini tidak ada mënghëshorkan përubahan² yang mëmberikan tërpëranjat dalam Përtatoran² sëmëntara yang tëläh di-tërima oleh Dewan ini pada 12 September yang lëpas. Yang Bërhormat Timbalan Përdana Mëntëri pada masa mëm bawa usul mënghëmukakan Përtatoran sëmëntara ini tëläh juga mëminta dan mënghëshorkan jika ada apa² shor atau pindaan daripada Ahli² Yang Bërhormat di-minta hantarkan kapada Jawatan-Kuasa yang tërsëbut

supaya dapat di-timbangkan dengan halus-nya shor atau pindaan yang di-këhëndaki itu, Jawatan-Kuasa itu tidak ada mënërima apa² pun shor atau pindaan yang di-këhëndaki sa-masa Jawatan-Kuasa itu bërmëshuarat mënghulangkaji Përtatoran² sëmëntara ini.

Dëngan dëmikian, saya përchaya boleh-lah saya mënghambil këtëtapan daripada tidak ada-nya shor atau pindaan yang di-këhëndaki itu di-hantar kapada Jawatan-Kuasa, Ahli² Yang Bërhormat sédia mëlëtakkan tanggong-jawab-nya bagi mënghulangkaji Përtatoran² sëmëntara ini kapada Jawatan-Kuasa itu atau pun Ahli² Yang Bërhormat tidak ada apa² shor dalam Përtatoran sëmëntara itu yang patut di-këmukakan kapada Jawatan-Kuasa itu. Dalam pada itu pun sa-lëpas Përtatoran yang di-këmukakan ini di-tërima dan jika këmudian-nya ada apa² shor atau pindaan yang di-këhëndaki pada mëm-përbaiki përlalanan përbahathan sa-lëpas mëndapat pëngalaman atau expërience këmudian hari këlak, Jawatan-Kuasa itu sëntiasa boleh mënërima dan mënghalusi shor² dan pindaan yang di-këhëndaki itu, kërana Jawatan-Kuasa yang tërsëbut itu tëläh pun di-lantek dan di-angkat oleh Dewan ini sa-masa satu session. Pindaan² yang ada dalam report di-hadapan Ahli² Yang Bërhormat pada pagi ini sudah pun di-sëbutkan sëbab²-nya di-këhëndaki pindaan itu juga dalam report itu kalau Ahli² Yang Bërhormat lihat dalam Appendix A. Dalam report yang ada di-hadapan Ahli² Yang Bërhormat, ada bëbërapa përkara yang patut saya rasa di-tërangkan sadikit di-sini dan mënarek përhatian Ahli² Yang Bërhormat. Përtama-nya, bërkenaan dengan përbahathan di-atas Rang Undang² Këwangan atau Budget Përtatoran 66 (2) yang mënghadkan përbahathan 1 hari. Jawatan-Kuasa tëläh mënghëshorkan supaya di-lanjutkan sa-tinggi²-nya 3 hari, dalam përbahathan Committee stage dulu 5 hari Jawatan-Kuasa itu mënghëshorkan sa-tinggi²-nya 14 hari lama-nya.

Saya harap masa përbahathan tidak di-hadkan dengan kërass kërana tujuan Kërajaan Përikatan ia-lah hendak mëmberi sa-pënoh pëluang kapada Ahli² Yang Bërhormat yang mënëntang

kita supaya dapat banyak masa dan sa-penoh² peluang menyelideki, membacha, mengkritik serta memberi fikiran dan shor² yang mendatangkan fa'edah kapada ra'ayat dalam negeri ini. Dan juga di-bawah Përatōran 67 Përatōran përbahathan bèrkënaan dëngan Rang Undang² tambahan këwangan atau supplementary estimate, itu juga di-samakan përbahathan dëngan Rang Undang² këwangan tiap² tahun ia-itu Supply Bill. Ahli² Jawatan-Kuasa juga mêngshorkan pindaan di-bawah Përatōran 36 ia-itu përkataan² mëndërhaka atau bèrma'ana sama dër-haka atau përkataan ia-itu treasonable words atau përkataan² yang akan mêngapi atau mënaiikkan sëmangat yang mënëbabkan përasaan tidak baik atau pun mëmusohti di-antara kaum² dalam Përsëkutuan Tanah Mëlayu ini tidak di-bënar di-gunakan di-dalam Dewan ini. Saya faham dasar sapërti ini tëntu-lah sëmua Ahli² Yang Bër-hormat bèrsëtuju dan ahli Jawatan-Kuasa yang mëmbuat recommendation ini yang di-pileh oleh ra'ayat jëlata di-minta supaya di-masokkan dan di-tërima Përatōran ini dëngan tujuan mënjauhkan bahasa yang mënaiikkan sëmangat përkauaman. Ahli² Yang Bër-hormat sëmua sa-bagaimana saya kata-kan tadi ia-lah ahli² yang di-pileh yang bèrtanggong-jawab kapada sakalian nëgëri ini dan bukan-lah bèrtanggong-jawab kapada sa-pehak atau satu kaum dalam nëgëri Përsëkutuan Tanah Mëlayu ini.

Lain pula bèrkënaan dëngan "breach of privileges" atau pun mëlanggar privilege sudah juga di-shorkan di-dalam Përatōran 80 ia-itu Ahli² Yang Bër-hormat boleh-lah mëmbawa përkara² itu sëmasa Dewan ini bèrmëshuarat. Jikalau ada pëlanggaran² përatōran, Dato' Speaker jika puas hati ada tëlrlanggar privilege itu, ia ada kuasa mënghantarkan përkara itu kapada Jawatan-Kuasa Privileges. Bèrkënaan dëngan ini Dato' Speaker, saya sëbutkan di-sini ada Undang² privileges ini ia-itu Law on these matters of privileges House of Parliament Ordinance, 1952—Undang² bèrkënaan dëngan privilege, kuasa dan privileges yang tëläh di-luluskan dalam tahun 1952.

Di-dalam Undang² itu ada mënëtakan apa dia kuasa dan privileges di-dalamnya boleh di-dapati oleh Ahli² Yang Bër-hormat këdua² Dewan Ra'ayat dan Dewan Nëgara. Dan saya akan mën-chari jalan supaya Undang² ini di-jilid dan di-chap sëmula dan dapat-lah di-bërikan kapada tiap² Ahli dan yang lain² juga.

Di-dalam Përatōran 99 ada sadikit salah taip ia-itu hurup "any" atau "tiap²" tëläh tërtinggal sa-bëlum di-dalam përrënggan kata "effective privileges" ia-itu përkara përlalanan biasa. Ini ada-lah sëmata² tërtinggal pada masa mënaiip report itu. Pada akhirnya, Dato' Speaker, dalam Përatōran 100 Jawatan-Kuasa mêngshorkan ia-itu Përatōran Sëmëntara yang tëläh mëngatakan jika tiada apa² Përatōran di-dalamnya yang boleh di-tujukan kapada satu² përkara yang di-bawa di-dalam Dewan ini, Dato' Speaker ada bèrkuasa mënurut përlalanan atau practice Dewan di-United Kingdom. Practice of House of Commons, Parliament of the United Kingdom itu tëläh di-shorkan supaya Dato' Speaker ada kuasa boleh mëngatorkan sëmua përkara² mëliputi kënëdand² dan mëngadakan ruling atau këputusan yang patut yang di-gunakan dalam Dewan² nëgëri Commonwealth. Ahli² Jawatan-Kuasa faham mëmbëri kuasa kapada Dato' Speaker mëngulangkaji përlalanan biasa bukan-nya sahaja mëngulangkaji Jawatan-Kuasa dan dapat mënggunakan practice dalam United Kingdom atau përlalanan Përatōran di-dalam Dewan United Kingdom tëtapi sëmua Dewan² di-dalam nëgëri Commonwealth. Ini ia-lah dalam përkara² yang tidak ada Përatōran-nya di-dalam Përatōran² kita yang saya bawa pada pagi ini dan harap di-tërima oleh Ahli² Yang Bër-hormat dalam Dewan ini, dan juga ada-lah dëngan yang dëmikian, kuasa sa-bagai Dato' Pëngërusi mëngambil fahaman dan mënggunakan jika boleh di-gunakan daripada nëgëri² lain juga yang di-fikirkan Dato' Speaker, patut di-gunakan dalam Dewan ini.

Tuan Speaker, përkara yang pënghabisan saya hëndak mënëtakan

di-sini ia-itu shor² atau recommendation daripada Jawatan-Kuasa ini diminta Ahli² Yang Bèrhormat dalam Dewan ini mēnērima mēnjalkan kuat-kuasa-nya sa-bagaimana saya katakan tadi daripada hari pēnghabisan sa-lēpas habis mēshuarat Dewan yang ada ini. Dēngan yang dēmikian tidaklah kita sēmuā pēning kēpala mana satu Pēratoran hēndak di-pakai, sama ada Pēratoran sēmēntara yang ada pada hari ini atau pun Pēratoran yang saya minta luluskan pada pagi ini.

Tuan Speaker, saya shorkan usul dan report ini di-tērima oleh Dewan ini (*Tēpok*).

The Minister of Transport (Enche' Sardon): Saya mēnyokong usul ini.

Dato' Onn bin Jaafar (Kuala Trēngganu Sēlatan): Tuan Speaker, sa-bagai tēgoran saya bērkēnaan dēngan chadangan ini ada pērkara yang bērkaitan dēngan Tuan Speaker sēndiri ia-itu yang mēnjadi Pēngērusi bagi Jawatan-Kuasa ini ada-lah Tuan Speaker, maka sēkarang Pēnyata daripada Jawatan-Kuasa itu hēndak di-bahathkan di-sini; maka Tuan Speaker mēnjadi Pēngērusi-nya bagaimana bagitu?

Mr. Speaker: Ahli² Yang Bèrhormat saya bērbanyak² tērima kaseh pada Ahli Yang Bèrhormat Dato' Onn kērana pada dasar-nya biasa-nya tēntulah tiap² Pēngērusi di-dalam sa-buah Jawatan-Kuasa dia-lah yang mēmbawa rundingan itu dalam Majlis ini. Malang-nya pada kali ini saya tēlah di-pileh oleh Dewan ini tērmāsok juga ahli pēmbangkang yang saya jadi Speaker-nya mēnēgah saya mēmbawa rundingan ini di-dalam Majlis ini. Saya hēndak pulangkan (I leave it) kapada Dewan ini, jika sa-kira-nya Dewan ini fikir patut sa-orang lain daripada saya, kērana pada dasar bagaimana yang di-tērangkan tadi bētul, patut sa-orang ahli yang ada pada hari ini mēnjadi Pēngērusi atau mēnjadi Speaker sēmēntara bagaimana yang ada dalam Pēratoran ini, saya sanggup-lah mēmbēri tēmpat ini kapada sa-orang yang di-fikir yang di-pileh oleh ahli² Dewan ini. Maka saya pulangkan-lah.

I leave it to the wish of the House whether they want me to continue as Speaker for the debate on this motion, or whether they want someone else to take my place temporarily—for the debate on this motion only.

Dato' Onn bin Jaafar: Tuan Speaker, saya mēmbawa pērhatian kapada Standing Orders No. 6 ada pun mēnurut Fasal 57 di-dalam Undang² Pērlembagaan,

"The House of Representatives shall from time to time choose one of its members to be Yang di-Pertua Dewan Ra'ayat (Speaker) and one to be Deputy Speaker,"

Dalam Standing Orders No. 6 tērsēbut,

"At the first convenient sitting of a newly-elected House, or at the commencement of Public Business at the first meeting of the House after a vacancy in the office of Deputy Speaker has occurred, the House shall proceed to the election of a Deputy Speaker,"

Why has this not been done so far?

Dato' Suleiman: Dato' Speaker, pērtama sa-kali biar-lah saya mēnjawab kapada Ahli Yang Bèrhormat dari Kuala Trēngganu Sēlatan ia-itu tujuan kita hēndak mēlantek Deputy Speaker dēngan sa-bērapa sēgēra, malang-nya kērja tērlampau banyak pada masa ini; ini-lah baharu mēshuarat pērjumpaan yang pērtama dan kita akan pileh dēngan sa-bērapa sēgēra-nya. Dan yang kēdua, Dato' Speaker, saya shorkan kapada Ahli² Yang Bèrhormat ia-itu Dato' Speaker sēndiri pēngērusi-kan mēshuarat ini, kērana bagaimana kata Ahli Yang Bèrhormat dari Kuala Trēngganu Sēlatan tadi tidak ada Timbalan-nya, saya shorkan Dato' Speaker juga dudok sa-bagai Pēngērusi dalam mēshuarat ini (*Tēpok*).

Mr. Speaker: I still leave it to the wish of this House—whether they want me to preside over this debate.

Enche' Zulkiflee bin Muhammad (Bachok): Tuan Yang di-Pertua, saya mēnyokong (*Tēpok*).

Mr. Speaker: I take it that it is the wish of this House that I should preside over this debate.

Dato' Onn: Sir, on a point of explanation, I have nothing against you personally. (*Laughter*). The question

raised by me is a question of principle based on the constitutional law. The Constitution says that a Deputy Speaker must be appointed. I ask why has a Deputy Speaker not been appointed?

Dato' Suleiman: Saya chakap chukup-lah terang dengan bahasa Melayu, kalau tidak terang bagitu—ta' tahu-lah, kita hendak sa-bberapa lëkas. Kita harap Dato' Speaker jalankan mëshuarat ini kerana Dato' Speaker tahu banyak perkara dan Dato' Speaker chukup-lah chëkap dalam sërba-sërbi-nya. Kita akan angkat dengan sa-bberapa sëgëra, ini saya fikir chukup-lah terang-nya.

Dato' Onn bin Jaafar: Tuan Speaker, Yang Bërhormat Mëntëri tidak mën-jawab përtanyaan saya. Saya tanya kenapa tidak di-angkat Deputy Speaker sa-bagaimana yang di-këhendaki dalam Undang² Përlëmbagaan dan juga Përtoratan ini?

Mr. Speaker: Sa-bënar-nya saya sën-diri tëläh minta bëbërapa kali supaya Deputy Speaker di-angkat.

Tun Abdul Razak: Tuan Speaker, saya suka mënëgaskan bahawa lan-tekan Deputy Speaker itu akan di-jalankan pada mëshuarat sa-kali lagi ia-itu 14 haribulan ini.

Mr. Speaker: I take it that it is the wish of the House that I should preside over this debate.

HONOURABLE MEMBERS: Yes!

Mr. D. R. Seenivasagam (Ipoh): Mr. Speaker, Sir, I have heard the introduction by the Honourable the Minister of the Interior when moving that these amendments to the Standing Orders be accepted by this House. I am sad to note that the Honourable Minister did not in his usual way have a humorous vein. Perhaps there is a reason for that. I would suggest that the Honourable Minister himself knows that he is asking this House to accept something which should be condemned from the very outset—and that is why that humour is absent to-day.

Sir, this Parliament comes into being under the Constitution of this country, and the Constitution of this country, like the constitution of any other democratic country, contains a provision which protects and safeguards Members of this House. And it is my submission to-day to all the Members of this House, from whichever side they may come, that this proposed amendment to Standing Order 36 should be a proposal to be condemned by this House and not to be approved by it with claps and cheers. I would refer to Article 63. To start with, sub-clause (2) says:

"No person shall be liable to any proceedings in any court in respect of anything said or any vote given by him when taking part in any proceedings of either House of Parliament or any committee thereof."

Further, sub-clause (3) says:

"No person shall be liable to any proceedings in any court in respect of anything published by or under the authority of either House of Parliament."

Sir, I refer to Article 63 to show how careful the framers of the Constitution of this democratic country have been to safeguard not only the Members of Parliament but also those who publish what is spoken in this House of Parliament—that is the basis of democracy. What does this amendment to Standing Order 36 amount to? Let us consider it. Before we go to consider it in detail, let us examine our own position in this House. We have Members who come to this House on different platforms, who have preached different political theories and who have different political beliefs with definite fundamental differences on either side of this House.

Mr. Speaker, Sir, when we come here, we intend to keep up those promises and to speak what we said we would speak for when we were elected by the people, whether we are from the Peoples' Progressive Party of Malaya, the Alliance or any other political organisation in this country.

The proposed amendment to Standing Order 36 is suggested by a Committee which did not consist of any Peoples' Progressive Party's representative but of representatives from

other political organisations which are represented in this House. The amendment to the Standing Order reads:

"Insert the following new paragraph at the end thereof:

"(10) It shall be out of order to use—

(a) treasonable words;

(b) seditious words;

(c) words which are likely to promote feelings of ill-will or hostility between different communities in the Federation."

Mr. Speaker, Sir, what are treasonable words, what are seditious words? It has taken time, great length of time, for people with high judicial knowledge sitting as judges in courts—in courts in England, in courts in India, in courts in democratic countries—to find out whether a man has said something seditious or whether a man has said something treasonable. Sir, I do not for one moment underestimate the brilliance of any Speaker who may occupy the office of the Speaker of Parliament—and when I say "Speaker", I refer to the office and not the individual who sits in the Chair of Mr. Speaker. However brilliant a man may be, he cannot reasonably be expected to say what is treason, what is sedition, in a split second. I say that it is unfair, it is improper, to place that burden on the Speaker of this House whoever he may be from time to time.

Mr. Speaker, Sir, what are words which are likely to promote feelings of ill-will or hostility between the different communities in the Federation? If I stand up here and say, "I want Chinese to be the official language", I have no doubt that it will cause some illfeeling amongst our Malay brethren in this land. So is the case when our friends from the other side of the House were to stand up and say, "We want a Malay reservation"—I have no doubt there will be some illfeeling amongst the other races in this country. Are we going to be stopped from asking them in this House? Are we going to say, "You cannot say this, because somebody will be very angry"? Sir, in this sense, is it responsibility to say, "You cannot say this in this House"? What are we here for? We are here

to preach certain political beliefs. We believe in the principle of equality. We must have a right to say it in this House, otherwise why are we allowed to come to this House. On the public political platforms of this country from the year 1955, political organisations in this country have been saying things which are of a communal nature. If they are things which raise illfeeling, why has not the Government of this country taken action against politicians who have said them? Because, I say, they are not matters which are prohibited in any democratic country: and that is why the Deputy Public Prosecutor cannot and will not take action. Why should we be deprived of that in this Parliament? Is this not the House where reason and commonsense and good nature prevail? Is this not the place where the views of the people who sent us here as representatives must be expressed and listened to—and if you like disagree with them? If this is not the place, where is the proper place? Is it the public padang? Do you prefer that to this? Do you want to drive the politicians to express their views, which may be sometimes explosive, on the public political platforms in the country rather than in this House for people who have been elected, listen to them and decide one way or another? Sir, this provision deprives, as I say, every Member of this right to speak, his right to speak within the laws of this country—and, in fact, when a Member speaks in this House he is above the law. Even the law respects a Member of Parliament, because Article 63 says that no action can be taken against a Member of Parliament when he speaks in this House. Why is the law so careful? The law is careful to see that a Member of Parliament is not muzzled—he should not be muzzled in any way. His good sense, his commonsense, his good reasons, must guide his conduct within this House. Standing Orders are made for one purpose and one purpose only; and that one purpose is to regulate the procedure, to regulate the conduct of Members in this House by the Speaker elected by this House.

They should never be used as an instrument to lay down what a Member can say and what a Member cannot say.

Now, what is the motive? Why does this Committee suggest this amendment to Standing Order 36? It is suggested, in my opinion, and I am sorry to say, that it was a unanimous suggestion of this Committee, with a view to muzzle the Opposition. It is a measure which has been brought in by the Alliance Government in an attempt to fetter or to muzzle Opposition Members in this House.

Dato' Onn bin Jaafar: Hear, hear!

Mr. D. R. Seenivasagam: Mr. Speaker, Sir, we oppose it. We are not going to be muzzled.

Dato' Onn bin Jaafar: Hear, hear!

Mr. D. R. Seenivasagam: We are going to say what we are entitled to by the Constitution of this country and say it in this Parliament. We will at all times be subject to the order of Mr. Speaker who sits in the Chair, but I would ask every Member of this House, every Member of the Alliance, to realise to-day you sit on that side, may be one day you will sit on this side. Remember that this Standing Order will still be in existence. When that day comes, do not blame anybody who may be sitting on that side for what may happen when that time comes.

Mr. Speaker, Sir, this is not a political matter. This is not a matter of party difference. It is a matter which each Member of Parliament must decide for himself. We, who have been sent here, have a duty to perform. In this country the people have had their liberties curtailed one by one. It is not necessary to go into detail—suffice to mention the Emergency Regulations, Prevention of Crimes Ordinance, Registration, they say, of bad hats, gangsters and thugs, but we know innocent people are also lugged into that net.

Now, Sir, an attempt has been made to muzzle Members of Parliament. What kind of democracy is this? When I mentioned "guided democracy" the other day, it was the Honourable the Prime Minister, I think, who said that

"guided democracy means that you cannot attack the Government, or criticise the Government", or words to that effect. True! If this is not guided democracy, what is it? Is this not an attempt to say, "Do not criticise the Government. Do not try to tell us you want equality. Do not try to tell us you want, perhaps, a reservation for our Malay brethren, something for our Chinese brethren. You must not say that; say something good of the Government. We give you freedom of speech, but that is all you are entitled to say." This is what it amounts to.

In the course of this meeting itself, I have said many things which no doubt have raised a communal issue, and which I acknowledge raised a communal issue, but I say I am entitled to do that. I am entitled to say what I have been sent here to be said—and I say it. So have all the other Honourable Members of this House the right to raise matters which are clearly of a communal nature. But I say that any Member, wherever he may come from, is entitled to raise such matters within the walls of this House, and he is entitled to the protection of this House. That is all I ask for.

Mr. Speaker, Sir, I want to give an assurance that we of the Peoples' Progressive Party, who sit here, at all times bow to the orders of the Chair, but in doing so we will also try to maintain the privileges given us by the Constitution. We will try to discharge our duty to the electorate, and in doing that no amount of threats, no amount of intimidation, no amount of muzzling will stop us, either in this House or outside of this House. I say to the Government, "If you want to muzzle us, there is only one way—and that is to lock us up in the jails of this country." That is the only way you can do it and no other way.

Mr. Speaker, Sir, I move that the amendment proposed to Standing Order 36 be deleted from the proposed amendment to the Standing Order.

Mr. Speaker: Have you the amendment in writing?

Mr. D. R. Seenivasagam: I move that the whole amendment be deleted.

Mr. Speaker: The motion before the House is a motion,

That the First Report of the Standing Orders Committee, tabled as Paper No. DR. 2 of 1959, be adopted, with effect from the end of this meeting, subject to deletion of the proposed amendment to Standing Order 36.

Mr. D. R. Seenivasagam: Correct, Sir.

Dato' Onn bin Jaafar: Sir, on a point of clarification, does the House go into Committee to discuss this?

Mr. Speaker: No. But I would like to warn Honourable Members that I may have to exercise Standing Order 78 (2), that is to say when there are new amendments—that is, when they are not amendments to amendments proposed by the Committee, which can be dealt with in this House—they shall stand referred to the Standing Orders Committee.

Mr. Khong Kok Yat (Batu Gajah): Sir, I beg to second the motion.

Mr. Speaker: This is an amendment to an amendment by the Committee. Therefore it can be debated in this House.

Tuan Haji Ahmad bin Saaid (Sébérang Utara): Tuan Yang di-Pertua, saya telah mendengar ia-itu wakil dari Ipoh hendak mendatangkan satu pin-daan, daripada laporan yang di-kemukakan dengan alasan mengikut Pèrlëmbagaan Pèrsëkutuan Tanah Mëlayu No. 63 "No person shall be liable to any proceeding in any court." Jadi barangkali wakil Ipoh terkëliru sadikit dia anggap Dewan Ra'ayat yang kita bersidang ini sa-bagai court, di-sini saya dapati wakil Ipoh itu terkëliru. Yang këdua, kata-nya, "Tiap² orang kita di-sini dan ra'ayat dalam Pèrsëkutuan ini mesti-lah di-bëri kë-bebasan yang pënoh untuk apa juga yang dia hendak chakap . . ."

Mr. D. R. Seenivasagam: Mr. Speaker, Sir, on a point of clarification, I think the Honourable Member clearly did not understand the language in which I spoke. I said why I read Article 63—to show how careful the Constitution is to protect Members of Parliament—and I never said the public must have full power.

Mr. Speaker: Article 63 is quite clear. There is no need to interpret it in any way.

Tuan Haji Ahmad bin Saaid: . . . jadi, Tuan Yang di-Pertua, wakil Ipoh itu mënatakan sa-orang itu bebas boleh bërchakap di-dalam flatform Pilehan Raya dëngan tidak ada gang-guan bërkenaan dëngan Pèrlëmbagaan atau apa². Jadi saya suka mënarek përhatian wakil Ipoh sa-bagai sa-orang loyar yang biasa bichara dalam court yang biasa tërjadi satu përkara përgadohan atau pun yang mënysakiti hati sa-saorang sa-hingga mëndatangkan përbunohan, dëngan chara satu section, saya pun tidak tahu—provocation; sa-orang boleh bërchakap apa juga tëtëpi manakala jadi sa-olah² provocation, dia tëtëp sa-kali di-da'awa kërana dia mængëluarkan chakap itu, jadi dua pehak bërgadoh—dia akan di-da'awa. Jadi tidak ada apa² përgadohan, ini bërma'ana dia boleh bebas bërchakap, begitu juga boleh bërchakap dalam flatform mëmberi pënëranan Pilehan Raya atau mëmberi pënëranan apa² juga. Tëtëpi jikalau dëngan përchakapan orang² yang mëmberi pënëranan dalam flatform itu mëm-bangkitkan huru-hara dan përgadohan dalam nëgëri ini, baharu-lah orang itu akan di-da'awa, akan di-tangkap. Mëngikut 149 dalam Pèrlëmbagaan ini, "If an Act of Parliament recites that action has been taken or threatened by any substantial body of persons, whether inside or outside the Federation, to cause, or to cause a substantial number of citizens to fear, organised violence against persons or property, any provision of that law designed to stop or prevent that action is valid notwithstanding that it is inconsistent with any of the provisions of Articles 5, "Article 5 kata kita bëri liberty".

Dato' Onn bin Jaafar: Mr. Speaker, Sir, on a point of clarification, I submit that 'Article 149 has got nothing to do with this debate.

Tuan Haji Ahmad bin Saaid: Tuan Yang di-Pertua, wakil Kuala Trëng-ganu Sëlatan mënatakan tidak bër-sangkutan dëngan ini tëtëpi saya mënarek përhatian No. 10 dalam Pèrlëmbagaan, "Subject to Clause (2) (a) every citizen has the right to

freedom of speech and expression;" dia boleh berchakap dan dia boleh mengeluarkan fikiran, 149, 5, 9, atau 10 jadi berma'ana kalau dia boleh mengeluarkan fikiran dia boleh berchakap dengan bersharat tidak membangkitkan pergadohan dan tidak membangkitkan perkelahian. Dari puncha orang yang mengeluarkan chakap atau pun asas mengeluarkan chakap provocation itu, orang itu akan di-da'awa, ini berma'ana dalam Perlembagaan memelihara supaya tiap² kebebasan berchakap atau kebebasan apa pun mesti ada perenggan dan sempadan, sa-kian-lah Tuan Speaker.

Enche' Mohamed Yusof bin Mahmud (Tëmërloh): Tuan Speaker, saya tidak bersetuju atas amendment yang dibawa oleh wakil Ipoh tadi, dia berdasarkan ia-itu dengan ada-nya Bab 36 ini akan menutup mulut² daripada barisan pembangkang. Saya suka menarek perhatian beliau ada-lah amendment ini yang telah di-persetujukan oleh tiga perempat daripada pehak pembangkang, jadi pehak pembangkang mana-kah yang di-katakan bagi menutup mulut² daripada barisan pembangkang? Tuan Speaker, yang lagi satu sebab saya tidak bersetuju kata dia, kita tidak dapat membedzakan mana-kah satu perkataan yang di-katakan seditious, perkataan yang tidak boleh menyebarkan, tidak bersetuju bagi Tuan Speaker. Tuan Yang di-Pertua, saya rasa Tuan Yang di-Pertua cukup berpengalaman dan mahir dalam hal berkenaan huruf² dan bahasa², saya perchaya-lah Tuan Yang di-Pertua boleh membedzakan² penggunaan huruf² yang di-keluarkan oleh Ahli² Yang Berhormat supaya sesuai dengan tempat-nya.

Kami di-sini perchaya, saya rasa rumah ini perchaya penuh kepada Tuan Yang di-Pertua yang akan menggunakan dengan sa-halus²-nya bagi menimbangkan atas perkataan² yang di-keluarkan oleh tiap² Ahli Yang Berhormat. Itu-lah saya rasa, jikalau-lah umpama-nya sa-orang Ahli Yang Berhormat mengeluarkan satu perkataan yang boleh membangkitkan pergadohan di-dalam negeri ini, saya rasa, bahkan, Tuan Yang di-Pertua

tentu sendiri tidak bersetuju, umpama-nya saya katakan, saya menuntut hak² bagi orang China, kalau tidak dapat yang di-kehendaki, kita membe'runtak. 'Ah, ini-lah barangkali bahasa yang akan di-tahan oleh Tuan Yang di-Pertua, tetapi kalau di-katakan kami orang China menuntut kepada Kerajaan, yang mana rumah ini akan menimbang-nya, maka saya rasa ini bukan-lah membangkitkan perasaan yang boleh perkataan itu di-sekat oleh Tuan Yang di-Pertua. Jadi, saya rasa . . .

Mr. D. R. Seenivasagam: Mr. Speaker, on a point of clarification, if I say "the Chinese demand . . ."—is that treason?

Enche' Mohamed Yusof bin Mahmud: Saya kata mithalan. Harap dengar dan fahamkan apa yang saya katakan.

Dato' Onn bin Jaafar: Saya suka hendak mengatakan kepada Ahli Yang Berhormat itu, pehak ini pehak pembangkang, bukan-nya pehak pengampu.

Dato' Suleiman: Mr. Speaker, Sir, will the Honourable Members of the Opposition allow the Member to speak?

Mr. Speaker: Yes, Members will have their turn to talk.

Please proceed.

Enche' Mohamed Yusof bin Mahmud: Saya dukachita sedikit, saya tidak dapat memanjangkan ucapan saya tadi. Saya rasa faham-lah dalam ucapan saya tadi ia-itu dalam hal segi huruf atau bahasa yang saya katakan boleh menjadi pergadohan atau menjadi emergency dalam negeri ini, ini-lah huruf yang kita tidak mahu. Tetapi bagaimana yang telah di-katakan "demand" dalam bahasa Melayu—"minta", jadi ma'ana "demand"—"minta" tadi bukan-lah perkataan yang akan di-sekat, tetapi perkataan "jika tidak dapat kita membe'runtak," ini-lah huruf saya fikir patut Tuan Speaker memaham-nya. Saya rasa tidak ada alasan lansong dengan ada Standing Orders ini yang mana tiap² sa-orang Ahli Yang Berhormat akan memikirkan dia itu di-sekat mulut-nya.

Itu-lah saya rasa, Tuan Speaker, dalam hal seperti ini saya membangkang dengan keras atas pindaan berkenaan dengan Standing Orders ini.

Tuan Haji Azahari bin Haji Ibrahim (Kubang Pasu Barat): Mr. Speaker, Sir, from what I have heard from one of the Members of the opposite side, that by inserting the proposed new clause to Standing Order 36, he said that this House is deprived of freedom of speech, that we have no power in this House to exercise democracy. In fact, he has given only one reason or ground to that effect: that it is because the Committee has decided not to allow "treasonable words, seditious words, and words that are likely to promote feelings of ill-will" as defined in sub-sections (a) (b) and (c).

Mr. Speaker, Sir, I think, if any man with legal experience is unable to define which word is "treasonable, seditious, or words which are likely to promote feelings of ill-will", I wonder how these words come into the English language. So, I think, Members of Parliament, whether on the opposite side or on the Government side, if they cannot decide which word is treasonable, or seditious, then it is right that we should give some power to a middleman like the Chairman himself to decide, so that there will be no ill-feeling or something likely to promote ill-feeling among ourselves. Therefore, I think if the Committee on Standing Orders recommend that we should insert these words, it is reasonable that we should give power to a middleman.

Another thing—I consider that if he says that when a Chinese, as a Member of this House, fights on behalf of his own community, or a Malay Member himself fights on behalf of his own community, I think it is right for him to say something for the benefit of his own race; but we are not considering that when he fights for his own race that he should use words that are seditious or likely to promote ill-feeling. What we want to know is how he uses the language, how he makes use of the words, in order to

carry out his duty as the representative of the electorate, and that is the thing which we have the intention of taking care of by this thing. That is, we are not considering, when he speaks on behalf of his own community, whether he is seditious, but we are more concerned with the way in which he speaks in this Parliament. That is why I think we should accept, as Members on the Government side, this proposed amendment.

Dr. Burhanuddin bin Mohd. Noor (Béut): Tuan Yang di-Pertua, Tuan, persidangan² kita telah berjalan dengan Undang² Standing Orders yang sementara ini dan memandangkan kapada keadaan itu kita berasa kurang dan kita berkehendakkan tambahan, maka telah di-adakan Jawatan-Kuasa yang memikirkan bagi keperluan pehak kita Dewan ini menggubalkan rang tambahan-nya, maka Jawatan-Kuasa itu telah menyampaikan kapada kita hari ini chadangan² bakal tambahan itu. Maka mana yang baik telah di-terima, sekarang telah mula kita bahathkan perkara yang bertentang telah pun di-bayangkan dua chara fikiran yang bertentangan, saya suka menarek perhatian dalam perkara ini ia-lah tentangan dari pehak pembangkang tidak berkehendakkan tambahan ia-itu supaya delete atau buang chadangan Undang² 63 bahagian 10 itu, saya suka tidak kita masokkan

Mr. Speaker: 36 cheraian 10.

Dr. Burhanuddin bin Mohd. Noor: yang di-chadangkan tadi, saya suka menarek perhatian di-sini supaya kita memandang balek kapada semangat undang² itu di-buat. Semangat undang² itu di-buat ada-lah untuk menjaga keselamatan dan kemajuan kita dan kita tahu bahawa undang² itu di-buat daripada dua segi: undang² penjajah dan undang² merdeka. Semangat undang² masa kita ini ia-lah maseh lagi berbau penjajah dan kita baharu merdeka dan undang² kita boleh di-katakan salinan bulat² daripada undang² penjajah; itu-lah yang kita pakai, sa-hinggakan bahasa-nya pun kita tidak dapat menggunakan

bahasa kita, terpaksa memakai undang² bahasa Inggeris lagi. Jadi, semangat kita sekarang telah beralah semangat merdeka, maka undang² pun mesti-lah mempunyai undang² semangat merdeka, dan kita ketahui benar² bahwa penderitaan ra'ayat dan penganjor² kemerdekaan sa-lama di-bawah tanah jajahan ia-lah di-jalankan dengan kuat kuasa undang² sedition, treason dan sa-bagai-nya undang² yang di-sebutkan tadi.

Jadi saya fikir dalam perkara ini kita harus-lah balek berfikir chara baharu, berfikir chara berseh, benar² dapat di-rasakan dengan rasa kebangsaan, kita dapat rasa bahawa kita ini telah mengaku Islam itu agama rasmi negeri ini, dan saya maseh lagi berasa chara yang kita jalankan dalam meshuarat² yang telah sudah ini maseh berbau chara penjajah atau bukan tulin keaslian kita. Jadi kerana itu-lah bahawa undang² untuk mengelakkan daripada cheraian ka-10 tadi, dengan sebab kita semua sa-kali ada-lah menjadi wakil ra'ayat negeri ini dan kita semua telah bersumpah melakkan ta'at setia kita yang tidak berbelah bagi lagi dengan sumpah masing² kita telah berikrar dalam Parlimen ini. Maka semangat undang² yang ditambah sedikit dalam bahagian 10 daripada 36 itu tadi ia-lah semangat undang² lama tidak perlu wujud lagi; itu ada-lah sa-bagai duri, bahawa kita sekarang ada-lah sedang berjuang lagi mengisi kemerdekaan kebangsaan kita dan mengisi chita² agama Islam sa-bagai agama rasmi negeri ini. Jadi undang² ini nanti boleh menjadi satu duri atau satu halangan yang menyebabkan tertekan atau terhalang dalam chara² kita memberikan erti kebebasan berkata, dan saya perchaya dengan adanya undang² berbau penjajah yang seperti ini kita maseh tertekan dengan chara undang² treason, di-dalam undang² treason dan sedition yang termashhor zaman penjajah itu membela, membina, mendirikan dan merosakkan beberapa penganjor² Asia dan Africa. Jadi kalau kita bawa jiwa itu, kalau kita tidak mempunyai jiwa sendiri, apa erti-nya sumpah setia kita dan tidak kita amalkan erti

ta'at setia kita kepada negeri ini, maka undang² itu-lah nanti menghalang kita. Dan saya perchaya dengan tidak ada undang² itu, bagaimana pengalaman persidangan² kita yang belum lagi di-tambah undang² Standing Orders itu, bahawa perjalanan meshuarat ada-lah berjalan dengan lichen; ini ada-lah atas kebijaksanaan Tuan Yang di-Pertua kita. Dan saya perchaya bahawa kita datang di-sini tiap² sa-orang bertanggung-jawab dan hendak memelihara sa-benar²-nya perasaan dalam hati (conscience) kita supaya lahir rasa yang sa-benar²-nya mahu di-tumbuhkan untuk kebangsaan negeri ini dan mahu membela untuk mengembalikan erti agama Islam itu agama rasmi. Dan saya perchaya kalau kita dengan ada-nya chara seperti semangat kebebasan, semangat membena bangsa, semangat mengaku moral, mengaku agama Islam sa-bagai agama rasmi yang tentu tinggi moral-nya, maka kita perchaya bahawa kalau undang² cheraian 10 itu tidak kita masukkan tidak-lah membuat gendala. Saya rasa dengan kebijaksanaan dan kuasa yang sudah ada dalam undang² sedia itu cukup memberi beberapa kebebasan dan dengan chara itu cukup-lah dan boleh-lah di-jalankan dengan lebih lichen dan lebih bebas dan lebih bijaksana, tidak bimbang itu dan ini. Dengan ada-nya kuasa pada Tuan Yang di-Pertua mentadbirkan persidangan dengan kebijaksanaan dan pimpinan-nya bagaimana yang sudah² berjalan dan kita berharap dengan pengalaman-nya lagi sa-makin bertambah-lah lichen, lancar dan semangat kita tidak di-rintang² maka sa-makin terasa kebebasan untuk melahirkan rasa hasrat yang benar² kita mewakili ra'ayat yang telah melantek kita sa-kian (Tepok).

Sitting suspended at 11.15 a.m.

Sitting resumed at 11.45 a.m.

Mr. Lim Kean Siew (Dato Kramat): Mr. Speaker, Sir, I rise against the amendment (*Applause*). Mr. Speaker, Sir, I was a member of the Standing Orders Committee, and I believe one representative of the P.M.I.P. was also in the Standing Committee.

Wan Mustapha bin Haji Ali (Kelantan Hilir): Mr. Speaker, Sir, for your information, I was not present at this particular meeting.

Mr. Speaker: (To Wan Mustapha). He said that you were one of the members of the Committee.

Mr. Lim Kean Siew: That is correct, Sir, and he signed this Report; whether he was present or not, Sir, he signed this Report, and it was emphasised, and it was clearly agreed, that there should be no minority Report on this, the reason being that Standing Orders are for the good of this House and ought to have unanimity. And, Sir, before I talk about the conduct of this House, I wish to emphasise paragraph 2 of this Report, which I think some people have deliberately overlooked in order to turn this into a propaganda issue. This is not a propaganda issue, it is not a Party issue, it is the Standing Orders for the House—for our own good conduct, for our own good, and, perhaps, for our own bad. It says in paragraph 2:

"It was emphasized throughout all the discussions of the Committee that the first Standing Orders of the House must of necessity be of an experimental nature."

It is an experiment. We agreed that it is experimental.

"It is necessary to see how they work, and to make amendments to them as and when these are thought necessary."

It was hoped that this House would adopt it and make amendments later on if necessary.

Sir, in the first place, we must not confuse these Standing Orders with a violation of freedom of the right to speak under Article 66 of the Constitution. Article 66 of the Constitution prevents us from being charged and dealt with in the court. No person shall be charged in court or tried in court for what he speaks in Parliament. Therefore, Sir, it is necessary that we ourselves here submit ourselves voluntarily to discipline (*Applause*). In every club

Dato' Onn bin Jaafar: Mr. Speaker, Sir, on a point of clarification—is he referring to Article 63 or to Article 66?

Mr. Speaker: 66!

Dato' Onn bin Jaafar: Well, Sir, the two are entirely different Articles!

Mr. Lim Kean Siew: In every club, in every political party, in every association, there is a committee and a chairman who has conduct of all meetings, and it is to this chairman and to this committee that we submit ourselves voluntarily, freely, and with our own free will to discipline. This is the light in which we should approach the Standing Orders. Of course, there is the question of arbitrary arrest and arbitrary detention, but let us not confuse the Standing Orders with the law of the land. These orders, I repeat, are not laws affecting the general public.

Standing Order 36, Sir, has three issues. First of all, treason; next, sedition, and the third is prevention of discussion on communal issues. I wish to make it clear that our Party's stand, as has been mentioned in the Standing Orders, is against communalism. Communalism has caused racial riots, has caused colonialism, has caused deaths. We remember quite clearly the trouble in Penang. We remember quite clearly the trouble in Pangkor Island, and we remember only too well, Sir, the speeches made by certain political parties during elections: we remember statements such as that those who vote for (what they call) "unbelievers will go to Hell," and "those who are non-believers will be kicked to China;" we remember speeches which say that we of the Socialist Front are trying to crush culture, or crush civilization, or crush racial rights. Such statements and inclinations ought to be held in check in Parliament during our debates. Sir, let us look at paragraph (3) of this Standing Order, which says:

"words which are likely to promote feelings of ill-will or hostility between different communities"

What can be clearer than that? We do not resent community expressions but words which are likely to promote feelings of ill-will or hostility. We may, as you have so rightly pointed out, deal with issues which are communal, but we should not make use of those things to create destructive motives (*Applause*), which may lead to the shedding of blood. Sir, we are in the first stage of our Merdeka, that is quite true, and,

therefore, our first stage is to build one nation with one people (*Applause*). Do we stand for one nation and one people so that all will in time be equal under the law, standing together shoulder to shoulder? Or are we going to exploit, and exploit, and exploit communalism in the fond hope that we might come into the Government to become representatives of the people at the cost of hostility and ill-will and bloodshed of our people, whom we are supposed to represent? (*Applause*). Do we have to come into Parliament over our peoples' headless bodies and with our noses flowing red with blood? For any person who is here to fight on national issues—he does not need to fear sub-paragraph (3) of this Order, because he will himself realise that he is not here to create hostility or ill-will. He is not here to fight on emotionalism, but for a logic and for mass interest.

Sir, "freedom" is a very difficult word. What is freedom? Do we want freedom—as our Party Chairman, the Honourable Member from Setapak has said—do we want the freedom of the jungle—do we want freedom of the beasts—or do we want freedom of an ordered society? Because, Sir, control that is compelled on people is quite different from control which we accept, control which we accept is voluntary discipline. When we agree to discipline ourselves, and submit ourselves voluntarily to control, then that control is a control due to our own free will and comes from our own free will. Absolute freedom to do whatever we like without consideration of society is no freedom at all. There cannot be freedom if we have to fight all the time to prevent the destruction of lives; because, Sir, when we talk of freedom, we must know that it is with lives that we deal with, and unless we can be sure and secure and safe in our freedom, unless we are sure that nobody in this House can turn round and threaten our lives, we cannot really have freedom though we might declare it loudly enough—the freedom of the jungle is the freedom in fear.

Well, Sir, I hope that I can say this without causing annoyance to anybody—I think that perhaps the party that is most non-communalist are the

Party Ra'ayat and the Party Buroh (*Laughter*).

Sir, there are certain people who are expert in sensational issues. They talk of liberty, they talk of lavatories, they talk about bathrooms, they talk of blood, they talk of insanity, Australianisation and Indianisation—any "ation" or any "ism" so long as it is sensational

Mr. D. R. Seenivasagam: On a point of order, Sir, can the Member impute improper motives to another Member of this House?

Mr. Speaker: He is not imputing improper motives.

Mr. Lim Kean Siew: Sir, I was not referring to any Member of this House. I was speaking in general, but if the cap fits, he can wear it. (*Laughter*).

Sir, I know that there are many people both inside and outside this House who are confusing the difference between freedom and a freedom to be insane (*Laughter*). Sir, in every country stretching right across the world, be it, as we would like to say, Communist, Capitalist, Socialist, or Fascist, there is or there ought to be such a thing as freedom in the supreme ruling body of the Government. And the supreme ruling body of the Government is—us. And if we dare not give up communalism when the need here is to build up a nation, how can we hope that other people will forget communal issues. And, Sir, one last word of warning to people who think that this is in fact an oppressive measure. Suppose we have communal issues, who will suffer? Where, in a section of a nation, a certain community is less in number than another community, the members of that smaller community will suffer; and in the reverse, if in another section there are more in numbers of that community, then the other community will suffer. We have seen, Sir, our Honourable friend from Ipoh condemning or attempting to condemn the Indonesian measures against what he calls the Chinese business people in the Indonesian rural-areas. Sir, though that is a move actually between aliens and non-aliens, but if he wants to look at it as a

communal issue, if he wishes to exploit it as a communal issue, then I ask him to remember that the pain and suffering has been caused because of racialism.

We must not forget that we in Malaya are in a different context with other people. Malaya is perhaps the only place in the world where all the races of the country are able to sit together in Parliament (*Applause*) and bring forward issues for the purpose of building our nation in peace. Do we want this to cease? Do we want to stare at each other across the floor with hostility, or do we want to look at each other across the floor with one purpose—and that is to build up one people in Malaya?

Many people, including the Honourable Member from Ipoh, have talked of communalism and the suffering of various peoples. If that is true, then we should destroy it. We should stop it, and the sooner we stop it, destroy it, the better; the sooner that we forget all our different ethnic origins, the better it is; the sooner we can say we are the Malayan people, that we are all equal under the law, that we are all free under the law, the better it would be. That, Sir, I believe is the only logic we need worry about. The other things are words—words: "This is against freedom, this is against that". And, Sir, I remember the Honourable Member from Ipoh has in fact been accused of being a dictator in his Party. No doubt he realises the need for discipline, even in his Party. (*Laughter*).

Mr. D. R. Seenivasagam: I rise on a point of clarification, Mr. Speaker. I would like to clarify to this House that the Honourable Member from Dato Kramat has not only been accused of being a dictator in his own party, but also kicked out of his party—almost.

Mr. Lim Kean Siew: I don't think I need answer that inaccuracy, because I am still a member of the National Executive of the Labour Party.

Sir, the fundamental point is the basic idea of democracy, and any hostility that may lead to any racial persecution must be stopped—not outside this House, Sir—but in this House,

which is the fountain of all our laws (*Applause*).

Dato' Onn bin Jaafar: Tuan Speaker, pertama-nya, saya hendak minta supaya di-fikirkan perkara ini dari segi perkara yang berkaitan dengan Përatoran Dewan Ra'ayat ini. Dan bukan-nya satu perkara yang terbit daripada pehak Kërajaan atau pun daripada pehak pembangkang, saya mënnyebutkan dëmikian ini oleh kërana nampak-nya ada Ahli² Yang Bërhormat di-sabëläh itu yang sëntiasa bangun mënngatakan Kërajaan hendak bagitu-bagini. Përkarä Standing Order ini bukan përkara Kërajaan, yang sabënar-nya ia-lah përkara Dewan Ra'ayat 'am-nya. Saya bangun mënnyokong kapada usul yang di-chadangkan oleh Ahli Yang Bërhormat dari Ipoh supaya di-hapuskan sëgala përchakapan di-dalam Përatoran baharu 36.

Here, I would like to make an observation with regard to the Honourable Member for Dato Kramat. For many days we have been sitting in this House and we know what a great talker he is. He talks in this House and he talks much more outside, (*Laughter*) and here I would like to inform this House that only this morning when discussing this very particular Standing Order he said to me, "Well, you know, I do not agree with it."

Mr. Lim Kean Siew: Sir, on a point of clarification, I said that I wanted to write a minority report, but it was agreed, for the sake of order in the House, that we should all write one report, because it had to go beyond party likes and dislikes. It was meant for our own good conduct, and that is why paragraph (2) was put in as it was agreed that it was of an experimental nature.

Dato' Onn bin Jaafar: I am very glad that the Honourable Member has confirmed what I said—he did disagree with this.

Mr. Lim Kean Siew: Not the whole part. I stated that (c) was put in by me when the others insisted on (a) and (b).

Dato' Onn bin Jaafar: As a matter of fact, he said having accepted (a), and

(b) too was accepted by other members of the Committee, then he injected (c) into the new Standing Order.

Mengulang balek usul yang di-chadangkan oleh Ahli Yang Bèrhormat dari Ipoh itu, maka saya membantah di-atas chadangan Jawatan-Kuasa ini supaya di-masokkan Pèratoran Baharu 36 itu, atas alasan yang telah di-bèri oleh Ahli Yang Bèrhormat dari Ipoh sendiri ia-itu bèrkaitan dengan Undang² Pèrlèmbagaan Fasal 63. Fasal 63 ini mèmberi satu kèbebasan yang istèmewa kapada Ahli² Dewan Ra'ayat ini pada sègala pèrchakapan-nya di-dalam Dewan ini yang tidak boleh di-tarek-masok atau di-da'awa dalam Mahkamah. Maka di-sini pehak yang mèmbuat undang² ini nyata-lah bèrtujuan hëndak mèmberi sa-pènoh² kèbebasan kapada tiap² sa-orang Ahli Mèshuarat ini supaya bèrtutor kata dan bèrfikir bagaimana kèhëndak hati-nya sendiri. Syarat di-dalam Undang² Pèrlèmbagaan ini, saya minta kapada Dewan ini jangan pèrmudahkan², oleh kèrana ini-lah satu syarat yang mèm-pertahankan hak tiap² sa-orang Ahli dalam Dewan Ra'ayat ini bebas bèrtutor kata dan bèrfikir, sa-bagai wakil ra'ayat sendiri. Tambahan pula, siapa-kah daripada sa-orang Ahli Dewan ini yang sanggup hëndak mènsekatkan diri-nya sa-bagai sa-orang yang boleh mèmberi hukum di-atas apa pèrkataan yang di-katakan seditious atau apa-kah yang di-katakan treasonable. Kira-nya hëndak di-tègah Ahli² Dewan Ra'ayat ini daripada bèrtutor kata dengan chukup bebas-nya, apa-kah ada halangan sa-orang Ahli Dewan Ra'ayat ini kèluar daripada Dewan ini mènge-luarkan pèrkataan² yang seditious dan treasonable, sama ada di-dalam mèshuarat parti-nya sendiri atau pun di-mana² tèmpat yang lain—tidak ada halangan satu pun. Maka kira-nya tidak ada halangan itu, buat apa hëndak di-halag dalam Dewan Ra'ayat ini kèbebasan itu? Kèbebasan ini bagaimana saya sèlalu bèrkata ia-lah satu pèrkara yang lèbeh utama, lèbeh bèsar daripada sègala pèrkara yang lain; kèmerdekaan sendiri bèr-ma'ana kèbebasan dan dari itu kèbebasan kita sa-bagai Ahli² wakil ra'ayat dalam Dewan Ra'ayat ini, jangan-lah hëndak di-sèkat dèngan

chara yang sa-macham ini, bèri kèbebasan tiap² sa-orang boleh bèrtutor kata dan bèrfikir. Kita ini konon-nya bèrjalan atau mènjalankan satu chara pèmèrentah yang di-katakan mènurut Parliamentary Democracy, maka biar-lah kita jalankan Parliamentary Democracy itu, pèrtama sa-kali mèm-bèri kèbebasan kapada tiap² sa-orang Dewan Ra'ayat ini, bukan-nya hëndak mènsekat kèbebasan itu bagaimana yang di-chadangkan di-dalam shor Jawatan-Kuasa ini.

Sa-bagai pènutup, sa-kali lagi saya suka mèningatkan ia-itu shor² ini bukan datang-nya daripada pehak Kèrajaan tètapi ia-lah datang-nya daripada pehak sa-buah Jawatan-Kuasa yang di-pileh oleh sa-buah Jawatan-Kuasa yang lain yang Jawatan-Kuasa yang kèdua itu sendiri telah di-pileh oleh Ahli² Dewan Ra'ayat ini. Dari itu apabila kita hëndak mènimbangan pèrkara ini, fikir-lah daripada sègi itu, bukan-nya daripada sègi, saya pehak Kèrajaan atau saya pehak pèmbangkang. Malang-nya dèngan sèbab pèrdirian Ahli Yang Bèrhormat dari Dato Kramat itu, pehak pèmbangkang sendiri mèmbangkang antara sama bèr-dua (Kètawa) tètapi hal itu saya tidak hairankan, oleh kèrana bètapa hal pèrdirian Ahli Yang Bèrhormat dari Dato Kramat kalau tidak mèmbeja diri-nya dia sendiri yang sudah tèrsalah dalam pèrkara ini.

Ènche' Hamzah bin Alang (Kapar): Tuan Yang di-Pèrtua, dalam pèrkara mèmbinchangkan pindaan Pèratoran ini, maka telah banyak-lah bèrbangkit kapada pèrkataan² tiap² Ahli Yang Bèrhormat dalam rumah Yang Bèrhormat ini. Saya suka mènarek pèrhatian pada ucapan yang di-buat oleh Yang Bèrhormat wakil dari Bèsut, yang pada mula²-nya tadi saya bèrpèndapat, Tuan Yang di-Pèrtua, dalam ucapan-nya itu tidak tènentu, sa-kèjap² dia mènsekat atas pindaan itu, sa-kèjap² tidak mènsekat atas pindaan itu, pada hal saya bèrpèndapat, Tuan Yang di-Pèrtua, di-dalam pindaan undang² ini ia-itu pada muka 17 wakil daripada Pèrsatuan itu telah pun mèn-dudoki dalam Jawatan-Kuasa itu, telah sama² mèm-pèrsètujui bagi pin-daan 36 itu. Jadi saya tidak tahu

bagaimana pendirian Ahli Yang Berhormat itu terhadap kapada partinya sendiri, hanya yang kita dengar dia kata; dalam beberapa hari bersidang ini rumah ini ada lagi berbau penjajah dan perkataan bau penjajah itu, Tuan Yang di-Pertua, telah berkali² benar di-sebut oleh wakil itu mengatakan rumah ini berbau penjajah—lagi ada berbau penjajah; macham mana bau-nya itu? Apa-kah bau-nya? Jadi kita sa-bagai negeri yang muda, yang baharu Merdeka ini tentu-lah membuat Peratoran kita dari satu masa ka-satu masa untuk mempersesuaian dengan keadaan orang² dalam Perskutuan Tanah Melayu ini sendiri. Saya berpendapat, Tuan Yang di-Pertua, dalam pindaan 36 ini dia tidak pula menyebarkan daripada mengatakan menahan Ahli² Parlimen berchakap mengeluarkan perkataan kotor, chuma dia mengatakan perkataan² (words) yang sesuai dengan keadaan orang Tanah Melayu.

Saya berpendapat, sudah-lah sayak-nya undang² itu bagi menyelamatkan dan bagi memelihara nama baik rumah Yang Berhormat ini pada peringkat yang akan datang, kerana sesuai benar-lah dengan orang² yang dalam Perskutuan Tanah Melayu ini memakai undang² yang kita sebutkan dalam pindaan 36 ini. Sebab, saya berpendapat kita di-Perskutuan Tanah Melayu ini ada-lah orang yang chukup terkénal, orang-nya lemah-lémbut mempunyai tutor kata bahasa yang chukup bijak dan chukup halus. Maka itu-lah sebab kita masukkan perkara itu supaya jangan mengeluarkan perkataan² yang tidak sesuai dengan keadaan orang Tanah Melayu, kita orang yang mempunyai kebudayaan yang luas; jadi tentu-lah saya berpendapat, Tuan Yang di-Pertua, perkataan ini memang boleh di-pakai juga. Saya suka menguchapkan tahniah ka-atas pendirian sa-orang wakil Socialist dalam Jawatan-Kuasa itu telah menegaskan bahawa dia ada-lah berdiri kapada pihak yang benar, walau pun dia pihak parti pembangkang tetapi dia tégak berdiri di-atas apa yang benar dalam perkara undang² ini. Tuan Yang di-Pertua, wakil dari Ipoh mengatakan, jangan-lah kita memikirkan membuat undang² ini memikirkan

parti yang memrentah hari ini duduk di-sabélah itu, kita pun tahu; hari ini kita memrentah—Perikatan memrentah—lain tahun belum tahu. Tetapi membuat undang² ini ada-lah, sa-kali lagi saya katakan, untuk mempersuaikan keadaan orang Tanah Melayu. Dalam Parlimen ini kita tidak mahu perkataan² dalam kempen Pilihan Raya yang kotor ia-itu di-keluarkan dalam rumah ini, malahan hendak-lah dipadankan untuk di-bawa ka-rumah Yang Berhormat ini, maka dengan begitu sahaja kita nampak Ahli² Yang Berhormat dalam Perskutuan Tanah Melayu ini ada-lah orang² yang bijak dan pandai; saya fikir, chukup-lah buat sementara.

The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan): Mr. Speaker, Sir, I must say I was not unduly surprised when I heard the suggestion from the Honourable Member for Ipoh that these words should be deleted. But then, when one looks at the political pattern in this country, the existence of various races and the stress to which the people are subjected—emotional stress and political stress—it appears more obvious than ever, that we within this House have got to see that we do not exacerbate these feelings. Yet, what does this clause say? It merely says that "words which are likely to promote feelings of ill-will or hostility between different communities in the Federation" should not be used. Does it mean conversely that it is desirable for us to use these words which are likely to promote ill-will among the various races? That I believe is the moot question. Are we prepared in this House to utilise the freedom that is given by this House to arouse ill-will or hatred? The answer is very clear.

When we look at the history of Asian nations in the recent past, we would find a pattern, what I would call a pattern of political behaviour, in various countries. We would find that after the imperialists left these countries, local politicians found it very useful to divide and rule. They found it very easy to divide and to utilise that division for the purpose of bringing them power based on the fact that they could go

to the people and enlarge the differences among the people—racial, communal and sectarian. They could, by enlarging these differences, go up the political ladder. Mr. Speaker, Sir, I feel that this is riding, what I would like to call, on the waves of communalism. It is very easy to be a communal chauvinist. It is extremely easy, particularly in the context where many races exist, where no one race can claim superiority in numbers over any other. Therefore, it would be easy to go to any one race and say, "Look, the danger of submerision is facing you." For instance, the Chinese and Indians can join together to throw out the Malays; or, the Chinese and Malays can join together to throw out the Indians; or, the Malays and Indians can join together to throw out the Chinese. These are factors, which we have got to recognise.

The Honourable Member for Kuala Trengganu Selatan spoke on parliamentary democracy and freedom, but I am afraid that he is permitting himself to be carried away by words. Do we mean that we are prepared to utilise, having known the recent history of Asian countries, this right of parliamentary democracy and freedom to throw this country into turmoil? Have we not history to look back on as to what happened recently in Ceylon? Do we not know that systematically, day after day, month after month, the House in Ceylon was utilised by various communal parties to inject systematically, communal passion? Do we not know that they ignited by words week after week, month after month, till the whole country went up in flames? Do we not know that liberty to speak in that House was a complete licence? Who suffered? They were the women and children, the innocent, who suffered. They were burnt, there was pillage, they were raped, they were murdered—not the Members of the House.

Dato' Onn bin Jaafar: Mr. Speaker, on a point of clarification, would the Honourable Minister say why Article 63 (2) should be entrenched in this Constitution?

Dato' V. T. Sambanthan: I am concerned with the Standing Orders and with the suggestions now made by the Committee.

Dato' Onn bin Jaafar: Will the Honourable Minister answer my question?

Dato' Suleiman: I will answer it later on.

Dato' V. T. Sambanthan: However, let me proceed. I said that if, for instance, in Ceylon where many races exist, you have the platform provided by the House, if I may reiterate what I have said, whereby certain Members within the House felt that politically it would be useful to inject political passion

Mr. D. R. Seenivasagam: Mr. Speaker, on a point of order, is the Honourable Minister allowed to comment on the conduct of Members of Parliament of a friendly nation and to suggest that the democracy in Ceylon is not what it should be?

Dato' V. T. Sambanthan: I am making no such suggestion. I am merely saying what has happened. There are official records to prove this. I do not say it of Ceylon only. I am referring to words, words used before the division of India, within the Parliament in India itself

Mr. Speaker: Do not mention any country by name.

Dato' V. T. Sambanthan: I must say that in all nations is it not the pattern, wherever many races exist, for the House to have been used by some Members within that House to utilise the liberty given by that House, the safety given by that House, to go on systematically injecting doses of communalism and doses of passion which the ordinary man cannot resist? Every time those words were said in the House they were repeated in the Press, and some sections of the Press obviously repeated them a great number of times more than others. And as readers go on reading systematically—so you see—the country would get burnt up bit by bit. The question, therefore is, having known the recent histories in these countries, are we prepared to follow the same path? Are we within this House going to say that we have the right to use

"words which are likely to promote feelings of ill-will or hostility between different communities in the Federation"? That in fact is the moot question. Do we want it or not? I feel that right should never be given because it is absolute licence to create ill-will and hatred among the various races in this country. I shall not proceed further. I think that is enough. (Applause).

Sitting suspended at 12.20 p.m. o'clock.

Sitting resumed at 2.30 p.m.

(Mr. Speaker in the Chair)

EXEMPTED BUSINESS

(Motion)

Tun Abdul Razak: Mr. Speaker, Sir, I beg to move,

That, notwithstanding the provisions of Standing Order 12, this House shall not adjourn this day until after the conclusion of the proceedings on the Report of the Standing Orders Committee.

Dato' Suleiman: Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That, notwithstanding the provisions of Standing Order 12, this House shall not adjourn this day until after the conclusion of the proceedings on the Report of the Standing Orders Committee.

FIRST REPORT OF THE STANDING ORDERS COMMITTEE (FIRST SESSION)

Debate resumed on Amendment. That the words "subject to the deletion of the proposed amendment to Standing Order 36" be added at the end of the Question.

"That the First Report of the Standing Orders Committee, tabled as Paper No. DR. 2 of 1959, be adopted with effect from the end of this meeting".

Amendment again proposed.

Mr. Tan Phock Kin (Tanjong): Mr. Speaker, Sir, I propose to move an amendment under Standing Order 33 (d) of the Standing Orders. For

your guidance, Sir, the amendment moved by the Honourable Member from Ipoh reads as follows:

"That the draft amendments to the Standing Orders be adopted subject to the deletion of the proposed amendment to Standing Order 36".

My proposed amendment will read as follows:

"That the words 'paragraphs (a) and (b)' be added after the word 'to' and before the words 'the proposed amendment'".

So, Sir, my amended amendment will read as follows:

"That the draft amendments to the Standing Orders be adopted subject to the deletion of paragraphs (a) and (b) of the proposed amendment to Standing Order 36".

In doing so, Sir, I like to clarify our stand. In our proposed amendment, we have deleted (a) and (b), namely "treasonable words" and "seditious words" leaving (c) "words which are likely to promote feelings of ill-will, hostility between the different communities in the Federation."

It is our considered opinion, including the considered opinion of the Honourable Member for Dato' Kramat, that our opposition is mainly confined to (a) and (b). In this regard, I wish to associate myself with the remarks of the Honourable Members of the Opposition. I shall confine myself to explaining our stand on paragraph (c), as to why we believe that paragraph (c) should be incorporated in the Standing Orders. It has been pointed out by Honourable Members, particularly the Honourable Member for Ipoh, that in accordance with the Constitution, Article 63 (2), this is one of the privileges of Parliament—we must point out that as far as Standing Orders are concerned, the incorporation of paragraph (c) in the Standing Orders by no means removes such privileges. The incorporation of paragraph (c) merely means that we in this House are in agreement of not using words which are likely to arouse hostility. I believe that the Alliance is in full agreement with this sentiment. I feel that the P.P.P., as a non-communal organisation, too should be

in full agreement with this; while the P.M.I.P., believing in the Islamic religion, which makes no discrimination between people of various racial groups, should also believe in this. It seems to me that this should be a matter of common agreement. We are here asking the consent of this House—to agree on a matter which we should all be agreed upon.

Tuan Haji Abdul Khalid bin Awang Osman (Kota Star Utara): Sir, on a point of clarification—is the Honourable Member speaking on behalf of the P.I.M.P. and the P.P.P.?

Mr. Tan Phock Kin: Mr. Speaker, I am expressing my own opinion—I believe that that is quite clear. The Alliance claimed to be non-communal, according to its own statements—whether it is or is not, I don't know—but I am saying that they profess to be non-communal. Here we have the sort of amendment to which we should all be in agreement. So, I see no reason why anyone of us should object. If we are objecting to this particular Clause, we must have a very strong reason for doing so, and it is for any particular party or any particular person to bring forward his view-point as to why he does not subscribe to this.

Looking at the history of political parties in this country, how they climbed the ladder of success, we realise, and I say it is a well-known fact that most political parties in the past have resorted to communalism to gain power. It is an open fact that some political parties have achieved the pinnacle of success by climbing the communal ladder. It is not for me to mention names, but the prelude to this is very important. If we are all in agreement with this particular clause, then we have the basis of creating a united nation, which I think, everyone of us cherishes, which will remove this great spectre—the spectre of communalism—once and for all by common agreement, by common consent. Once we have achieved this, it will follow that as far as this country is concerned, it will then become the responsibility of the Government in power to legislate against communal organisations. The

basis of communal ill-feelings in the political arena are given rise to by communal political organisations, and the logical conclusion that any Government will come to after acceptance of this Standing Order will be to legislate to provide for the banning of all communal political organisations. By doing so, you remove the trouble right from the roots: if there are no communal organisations, there will be no communal sentiments. Nobody will appeal for political support by communal means. This, I submit, Sir, is a very important point. That is why we in this House support this particular amendment because starting as it does from the highest council of the land this idea of non-communalism will spread, and we urge particularly the Government to give their support to this move of ours. Let us forget about the past. If we have made blunders in the past, if we have appealed to communal sentiments in the past as a means of achieving power, now that we have realised the futility, now that we have realised the ultimate outcome of such a role and the disaster that it will bring this country to, let us admit the blunder and let us proceed along a new path. This is my appeal to the Alliance Government. To other Members of the Opposition, I would also like to appeal to them to agree not to disagree against making violent communal appeals. As far as (a) and (b) is concerned, we can say that the Opposition is united in this direction. We can say that the sentiments expressed earlier by Honourable Members of the Opposition are shared by all of us. It is on para (c) that I would like to appeal to Honourable Members of the Opposition to agree on this. There is no question of liberty or freedom being infringed because the fundamental principle here is to agree to agree on what we believe to be really good for this country and for the conduct of this House. And after agreeing on that, let us agree to give up that little liberty of expression on issues that are likely to arouse communal hatred. If we view this in the correct perspective, if this whole House can agree to my amended motion, then I feel that we will be really paving the way towards the establishment of a genuine Malayan

nation, and with this I would like to appeal to Honourable Members to support the amendment.

Mr. Liu Yoong Peng (Rawang): Mr. Speaker, Sir, I second the amendment. My reason being that the structure of this House is such that the Opposition, by its very nature, is an institution paid—I emphasise the word “paid”—to subvert the *status quo*, and I want to know who it is for us to judge whether a speech made in this House is treasonable or seditious in its nature. Let me give an example. Suppose I am to say at this moment that all those Honourable Members on the other side who agree with the idea of Socialism are to walk over now immediately, and that by this very stroke a new Government is formed—is this treason? Is this seditious? So, for this reason, I think that we cannot limit the extent of words that are to be used by Members in this House.

Amendment proposed.

Mr. K. Karam Singh (Damansara): Mr. Speaker, Sir, this motion by the Government regarding the addition of the words “treasonable words”

Dato’ Suleiman: Sir, on a point of information, I must say that this is not a motion by the Government. I am a member of a Committee of this House.

Mr. Speaker: It is a motion to adopt the Committee’s Report.

Mr. V. David (Bungsar): Normally the Government introduces any decision of the Committee to the House.

Mr. Speaker: This is a Report of the Committee on Standing Orders.

Mr. K. Karam Singh: Mr. Speaker, Sir, this amendment to the Standing Orders as recommended by the Committee is an attack on the privileges that our Constitution guarantees us. In view of that attack—I must say it has come from the Alliance Members—we rally to repel that attack on the Constitution of the Federation of Malaya.

Mr. Speaker: Sir, we do not want laws of a nature akin to the Emergency Regulations to be installed into the Chair of this House and to

strangle the freedom of expression in this House. It is regrettable that although the Honourable the Minister of Works referred to the third clause, that is, “words which are likely to promote feelings of ill-will or hostility between different communities in the Federation”, he did not in a single word defend clauses (a) and (b) and he could not defend them, because the right is against him in the case of inserting these two clauses into the Standing Orders of this House. Sir, there is enough of dictatorship in Malaya already (*Laughter*). Those who laugh show that they are trying to hide the facts, and we do not want this supreme body of our nation to be polluted by the spirit, by the undercurrent of dictatorship, which is a remnant of the Colonial era and which the Alliance is perpetuating in our country.

Mr. Speaker: I must remind you that this is a report of the Committee and not of the Government. The proposal was made by the Committee.

Mr. K. Karam Singh: Sir, we are against communalism. I endorse what the Honourable Member for Tanjong said. I endorse his very reasonable expression of our stand on communalism. We do not want to attack other organisations, but we want to make it clear that we do not want our country to be torn by communal strifes. We have previous examples—in Pakistan and India, where a country was torn on a communal issue. Sir, I do not think that anyone in this House would want to promote feelings of ill-will or hostility between different communities in the Federation. They can speak for what they represent, but there should not be a promotion of ill-will or hostility between the different communities. So we hope that all Parties would agree that (a) and (b) be rejected and (c) be retained—not that we cannot voice expressions but that we should not do it to excite ill-will or hostility between different communities in our country.

Mr. D. R. Seenivasagam: Mr. Speaker, Sir, the proposed amendment by the Honourable Member for Tanjong is an amendment to my amendment.

and there are a few words I would like to say. I oppose the proposed amendment by the Honourable Member for Tanjong for a number of good reasons, I think. Now the Honourable Member says with regard to paragraph (c) of the proposed original amendment to the Standing Orders that he is sure when we come to this House nobody would like communal issues to be debated thoroughly. Sir, we do not come here to have a State show, we do not come here to laugh and go home. If I raise a matter, even though it is communal, I want it to be debated bitterly and thoroughly, and a decision arrived at. And I know that any respectable political organisation, when it brings a matter here, wants the matter to be debated seriously, thoroughly and bitterly, if necessary. That is the purpose of Parliament, otherwise there is no purpose.

Mr. Speaker, Sir, the Honourable Member for Tanjong when suggesting this further amendment says "we take the stand". I am puzzled, for the first time I am puzzled, and I do not understand what stand the Socialist Front has. The Honourable Member for Dato Kramat says that he fully supports the proposed amendment as it stands, and he gets the cheers from the Alliance Bench.

Mr. Lim Kean Siew: Sir, on a point of clarification, I said that I opposed his amendment and I want to make it quite clear that I do not stand on the same stand as he does.

Mr. D. R. Seenivasagam: The Honourable Member for Dato Kramat has said that he opposed my amendment. Any reasonable and sensible Honourable Member who understands English would have come to the conclusion that he would have to support the proposed amendments to the Standing Orders, as he was a Committee member. Sir, there is a shocking exposure made by the Honourable Member for Kuala Trengganu Selatan, who said that the Honourable Member for Dato' Kramat said that he disagreed with this outside the Chamber—and he should have come here and should have the courage to say that he disagreed with it.

Mr. Speaker, Sir, therefore, the Honourable Member for Tanjong's statement that he speaks for his Party—I am a bit puzzled—is not understood by me, as I do not know what stand they take.

Mr. Speaker, Sir, with regard to the Honourable the Minister of Works, I have this to say, because it is relevant in considering this amendment: it is the usual practice of the Alliance side always to hold up the bogey of riot, bloodshed and communal disturbances, but I ask the Honourable Minister to think back as to what party he comes from—a communal organisation. Let those who masquerade think from what party they come first before they talk.

Sir, on the remarks made by the Honourable Member for Dato' Kramat, I have this to say: any amendment suggested by his organisation cannot be accepted by us for this good reason—that we believe that at this stage of the democratic life of this country there are a number of communal issues which have to be solved. You cannot solve them by closing your eyes to them. You solve a problem by speaking about it in this Legislature and by getting a decision on it in this House. This is the place where you solve communal differences. Whatever you may wish—I wish there is no communal issue in this House—the fact is there, staring you right in the face: communal issues are present and will have to be solved. You cannot get away from that fact. If we face facts, we will have to raise communal issues in this House, and it is the intention of the Peoples Progressive Party of Malaya to do so.

With regard to the statement of Australianisation, Malayanisation, insanity and so on, I have this to say: it is quite irrelevant to the amendment proposed to Standing Order 36 and I do not think people should be jealous if somebody were to strike the headlines in the papers.

Mr. V. David: Mr. Speaker, Sir, we are proud to say that this Party which I represent has been a non-communal one all through, and we are proud that the Socialist Front has not lost

its identity as a non-communal organisation.

Sir, the Honourable the Member for Kuala Trengganu Selatan once claimed to be non-communal and walked out of U.M.N.O. I can remember the day—11th October, 1951—at the Hotel Majestic when he spoke at length on non-communalism. I am surprised and shocked to see that a man of his calibre to-day opposing a motion which is going to prevent communalism in this House. I, for one, all though as a Socialist Member have been preaching non-communalism; not only through the papers but also at the polls. We in the Socialist Front believe in our outlook and association in non-communalism. Sir, I do not agree for one moment to having organisations like the U.M.N.O., M.C.A. and M.I.C. which are communal—nobody can deny this fact. As far as non-communal matters are concerned the Socialist Front has more say than the Alliance, because they represent communal organisations. Mr. Speaker, Sir, I must remind the House that the Workers' Movement in this country is the vanguard of the Socialist Movement.

Mr. Speaker: Is that relevant to the amendment to the amendment? (*Laughter*). Do not make irrelevant remarks. Will you confine yourself to the amendment?

Mr. V. David: The capitalists in any part of the world would encourage and support communal organisations for the very reason that they could exploit the workers by dividing them on communal issues. I have seen in America the division between the whites and the negroes, and in Ceylon the division between the Singhalese and the Tamils. This state of affairs cannot be allowed to arise in Malaya. The workers in Malaya should unite as one body. Therefore, Sir, I believe that the Socialist Front is justified in supporting section or clause (c) and opposing clauses (a) and (b). As far as (a) and (b) are concerned, with due respect to the Chair, we are afraid of the way they may be interpreted. If

the Chair thinks that an issue which is brought up here regarding the Emergency Regulations is racial, treasonable or seditious and rule out of order, then we would be deprived from the privilege of ventilating our views for which we have been sent to this House.

Mr. Speaker, Sir, I must remind this House that the Socialist Front is not bound to associate with the feelings of other Opposition Members, or even the Alliance. If we think that the stand which we are taking on any issue raised here is in line with our policy, then we will keep up to it. As far as this matter is concerned, we have taken a stand to oppose clauses (a) and (b) and to support (c). As such we will go to any extent to defend clause (c), and we are prepared to debate it.

Wan Mustapha bin Haji Ali: Mr. Speaker, Sir, on a point of clarification. The present speaker when referring to "we", I take it that he means the Socialist Front, as he is a representative of the Socialist Front. If my memory is right, I remember a Member of the Socialist Front saying that the Socialist Front did not object to (a) and (b)—he agreed that these should be added, but the latest speaker said that these should be deleted.

Dato' Suleiman: Mr. Speaker, Sir, on a point of information dealing with the Honourable Member for Kelantan Hilir, I am wondering what his stand is too.

Mr. V. David: Mr. Speaker, Sir, I think the Honourable Members are confused over this. We have clearly stated that we are against (c) and not (a) and (b) (*Laughter*).

Our previous speakers have emphasised that we are against "(a) treasonable words" and "(b) seditious words", but we support "(c) words which are likely to promote feelings of ill-will or hostility between different communities in the Federation". We do not want issues to be debated in this House which will create communal hostility.

Mr. Speaker, Sir, according to the Speech of His Highness which was debated recently, it has been stated that we are here to create a united Malayan nation. I think that even the Alliance cannot claim to create a united Malayan nation, because they are still living and playing on communalism. Some Alliance Members, during the elections, go out to the Chinese areas and say . . . that a Chinese should vote a Chinese . . .

Mr. Speaker: Is that relevant?

Mr. V. David: Mr. Speaker, Sir, I was forced to say this because the Honourable Minister of Works, Posts and Telecommunications spoke at length on non-communalism. I say that he has no right to speak on non-communalism as he represents, or he is present here as a representative of a communal body. (*Interruption*).

Mr. Speaker, Sir, I will not be deterred by booing. I have come across thousands of booing (*Laughter*) and I will continue vigorously (*Laughter*).

Mr. Speaker: Order, order!

Mr. V. David: Mr. Speaker, Sir, I will not be deterred by booing from the Government Bench. It is nothing new to me.

Mr. Speaker: You can continue, but confine yourself to the amendment to the amendment only. Do not go beyond that!

Mr. V. David: Mr. Speaker, Sir, if the workers' organisations and the workers themselves are going to be united as one, then I think non-communal issues should not be allowed to be discussed in this House. We are here as representatives of certain constituencies and we may be from different races, but we do not claim that we represent a particular race in this House. We represent certain constituencies and as such we will do our best to safeguard our electorates irrespective of race, colour or creed.

Dato' Suleiman: That was what I said just now.

Mr. V. David: Thank you. The Honourable Minister has no right to say that, because he is a representative

of U.M.N.O., a communal organisation in this country. (*Interruption*).

Mr. Speaker: Order, order!

Dato' Suleiman: I do not think that the Honourable Member has got a right to speak like that, because I did say that when I introduced the speech in Malay.

Mr. V. David: I challenge the Alliance Government to deny the fact that they represent communal organisations.

Mr. Speaker: Confine yourself to the amendment. This is not relevant. (*Laughter*).

Mr. V. David: Yes, Sir. I can say that the Socialist Front is a non-communal organisation.

Mr. Speaker: That is not relevant too.

Mr. V. David: I am forced to reply because the Honourable Minister interrupted me.

Mr. Speaker: Will you confine yourself to the amendment to the amendment?

Mr. V. David: Yes, Sir. Sir, when we come into this House we respect the Chair, but while respecting the Chair we are not prepared to give arbitrary powers to the Chair which adversely affect Members of this House who are in the Opposition. We will at least have to preserve and protect ourselves in respect of the liberty of speaking. If that is deprived in this House, I do not think then it will be possible for us to ventilate our views. The freedom of expression has been curbed in this country, as the Emergency Regulations do not allow freedom of expression and thought. We do not want this House to limit speeches.

Dato' Suleiman: On a point of information, how can you bring up the Emergency Regulations on this matter of amendments to the Standing Orders?

Mr. V. David: Mr. Speaker, Sir, if the Honourable Minister of Works could refer to India why cannot I refer to the Emergency Regulations in Malaya?

Mr. Speaker: I must warn you that we are now debating on the amendment to the amendment proposed by

the Honourable Mr. Seenivasagam. Will you confine yourself to that only?

Mr. V. David: Sir, the Parliament here, in this country, is the highest Legislature of the State and as such, if in this House we are not going to be given freedom and if we are not going to be protected, then I do not think that we will be protected anywhere else. Mr. Speaker, Sir, this is the only place where we can debate and argue on issues concerning thousands of people of Malaya. We are not on the Government Bench to-day; we are in the Opposition; and we do not want our views to be sabotaged.

Dato' Suleiman: Mr. Speaker, Sir, on a point of information—we sit here as Ministers but we have got no special privileges at all. Can the Honourable Member point out anywhere in the Standing Orders where Ministers are accorded special privileges?

Mr. Speaker: We are not considering that point here.

Mr. V. David: I think the Honourable Minister will realise it when he comes over here and we go over there.

Mr. Speaker: Order, order!

Mr. V. David: I must remind Honourable Members on the Government Bench that they are not there permanently. One day they will have to cross over here. Sir, as regards treasonable words and seditious words, there are laws in this country, outside this Chamber, which punish any action of a treasonable nature or words which are seditious—such offences are punishable according to the law. However, at the same time in this House there are many things which we will have to criticise when necessary. Any Party has a right to overthrow the Government through constitutional means. We will strive to overthrow the Government through constitutional means which this sacred document (*the Constitution of the Federation of Malaya*) has provided for.

Dato' Suleiman: Sir, on a point of information, I believe that we are debating the amendment to the amendment to the Report on the Standing Orders made by a Committee appointed by this House. I do not see how can

the Government, or the Alliance, come into this. It just happens that I am the unfortunate victim who has to introduce this motion. (*Laughter*).

Mr. Speaker: Honourable Members, we are now

Mr. V. David: Sir, the Government Bench, the majority in this House . . .

Mr. Speaker: I must warn you that when I speak you must sit down. You must not go beyond the subject matter before the House. The subject matter before the House is an amendment proposed by one of the Honourable Members to the amendment proposed by the Honourable Mr. D. R. Seenivasagam—that is to say, delete (a) and (b) and retain (c)—and you are only allowed to speak to that extent. Do not go beyond that.

Mr. V. David: Thank you, Sir. I did not have any original intention to speak on certain matters which I have done now, but I was forced to speak by the remarks of certain Honourable Members of this House.

Mr. Speaker: You better stop that.

Mr. V. David: Yes, Sir. In view of what I have said, I believe the majority party in this House will at least offer the freedom of speech to us and not curtail or deprive us of that fundamental right. Thank you.

Enche' Ibrahim bin Abdul Rahman (Sëbërang Tëngah): Tuan Yang di-Përtua, saya mënëntang di-atas sëgala chadangan² untok pindaan² di-atas pindaan. Nampak-nya, Tuan Yang di-Përtua, bëbërapa hari kita tëläh bërmëshuarat di-sini, puak² pëmbangkang mënënggag Dewan ini sa-bagai arena di-dalam State, jadi kami ini matadors. Sëlalu yang saya ingat pehak pëmbangkang itu tandok. Jadi biar-lah kita bangkang di-atas bangkangan² yang sësuaï dan mënëpati. Tuan Yang di-Përtua, saya rasa puak pëmbangkang itu—Ahli² Yang Bërhormat di-sabëläh sana hanya hëndak jadi Press Publicity sahaja kërana, Tuan Yang di-Përtua, . .

Mr. Speaker: Kita ini di-bawah përkara mëminda atas pindaan, jangan-lah këluar daripada përkara itu.

Enche' Ibrahim bin Abdul Rahman: Standing Orders nombor 36, Tuan Yang di-Pertua, saya bersetuju kalau tidak ada Press Man di-dalam Dewan ini. Standing Orders 36 ini patut ditolak sa-mula. Tuan Yang di-Pertua, kita mesti ingat ia-itu Press Man berada, di-sini tentu-lah segala chakap² daripada satu² patah perchakapan dalam Dewan ini akan di-hebohkan dalam surat khabar besok.

Dato' Onn bin Jaafar: Tuan Pengerusi, saya bantah perchakapan-nya itu.

Mr. Speaker: I must rule you out.

Enche' Ibrahim bin Abdul Rahman: Tuan Yang di-Pertua, saya terbaca dalam buku² mengatakan—Napoleon sendiri pun kata "I fear three newspapers more than a thousand bayonets". Jadi, sebab itu untuk menjaga kebebasan Ahli² Yang Berhormat Dewan Ra'ayat ini dan untuk menjagakan orang² yang di-luar Dewan ini maka dengan sebab itu-lah A. dan B. itu dimasukkan di-dalam-nya. Kita perchaya kalau sa-kira-nya Ahli² Yang Berhormat daripada Legal profession itu ta' tahu ma'ana "Treasonable words dan Seditious words" saya ingat, ini melupakan.

Mr. V. David: Mr. Speaker, Sir, the Honourable Member is imputing improper motives to other Members of the House.

Mr. Speaker: Awak tidak boleh kata begitu; dia di-sini mempunyai fikiran. Ta'kan sa-orang Lawyer itu ta' tahukan ma'ana-nya.

Wan Mustapha bin Haji Ali: I am prepared to give a definition on that, Sir.

Mr. Speaker: That is all right. Awak (to Enche' Ibrahim) jaga sadikit chakap! (Ketawa).

Enche' Ibrahim bin Abdul Rahman: Tuan Yang di-Pertua, saya rasa hairan juga berkenaan dengan puak² pembangkang umum-nya kalau-lah Treasonable words dan Seditious words ini konon-nya tidak ada freedom dan tidak ada democracy. Tetapi, perkataan freedom dan democracy ini saya ingat, "It means so many things, so many people." Saya ingat, Ahli Yang

Berhormat dari Trengganu Selatan freedom itu berlainan dengan freedom Ahli Yang Berhormat dari Ipoh. Jadi, saya bangkang, Tuan Yang di-Pertua, di-atas segala pindaan di-atas chadangan ini.

Wan Mustapha bin Haji Ali: Mr. Speaker, Sir, we have been sitting here for quite a number of hours and I must admit that I have got sick of it. During the debate, Sir, I was attacked that as I was a member of this Committee, I should not take any objection to the Standing Orders. But the fact that the Report on these Standing Orders was signed—I was made to sign it during the first Parliamentary session—does not mean that everybody in the Committee

Dato' Suleiman: Sir, can an Honourable Member who has signed the Report, now come here and say something else? Has he signed something which he does not know? (Interruptions.)

Wan Mustapha bin Haji Ali: Sir, if you refer to page 14, you will see the Note regarding Standing Order 7. It says—

"Enche' Wan Mustapha requested that it be recorded that while he agreed to such a motion being made without notice, he considered that the motion should be debated."

I was the only one who opposed that.

Mr. Speaker: We are now dealing with Standing Order 36, and we have an amendment to the amendment.

Wan Mustapha bin Haji Ali: With due respect to the Honourable Minister, the mere fact that I was one of the members of the Committee does not mean that I have agreed to everything. If you refer to page 14, Sir, you would see that I did not agree to everything.

Dato' Suleiman: What I said just now was that we were debating on the amendment to an amendment to the Standing Orders. At the moment, the debate is on Standing Order 36 (10). Can the Honourable Member now say that he is objecting to it and he has not signed it? That is what I am objecting to.

Mr. Speaker: It is quite clear. I think everybody knows that he has signed it.

Wan Mustapha bin Haji Ali: But I was absent.

Mr. Speaker: It does not matter.

Wan Mustapha bin Haji Ali: Well,
.....

Mr. Speaker: Now, what do you want to say about this amendment to the amendment? That is what I am concerned with. (*Laughter*).

Wan Mustapha bin Haji Ali: First, I will confine to the amendment to that amendment. I would say that it is dangerous to have (c) added, because it says "words which are likely to promote feelings of ill-will or hostility between different communities in the Federation". Now, who is going to say what sort of words are in this category—who is going to judge that? In other words, you are muzzling the mouths of Honourable Members of Parliament.

Dato' Suleiman: Mr. Speaker, Sir, the Honourable Member says "you are muzzling". May I know to whom does the Honourable Member refer by "you"?

Mr. Speaker: It is understood that when this provision is adopted—the House.

Wan Mustapha bin Haji Ali: If this amendment is accepted, a Member will have a certain amount of fear in speaking. I have gone through the Constitutional Law of England and nothing was stated

Dato' Suleiman: I will have something to say on that afterwards.

Wan Mustapha bin Haji Ali: Actually, Sir, there is no restriction in Parliament to speak. For instance, here it says—

"In the House of Commons strict rules are laid down for the maintenance of order in debate and it is open to any Member to call attention to one of these rules and it is the duty of the Chair to enforce these regulations."

What I am afraid is that if this section is to be added, we will be giving discretionary power to the Speaker—with due respect, Sir, I do not mean you personally . . .

Mr. Speaker: Never mind. I may not be long here. (*Laughter*.)

Wan Mustapha bin Haji Ali: I mean, it is so very difficult to define the words laid down here under this section. I have gone into this matter four or five times and I can find nothing to stop a person speaking under (c)—in fact, Sir, you cannot speak only against the Sovereign or the King.

Mr. Speaker: That means you are opposing the amendment to the amendment.

Wan Mustapha bin Haji Ali: I am opposing all the amendments. (*Laughter*.)

Mr. Speaker: I must warn you that the House is only dealing with the amendment to the amendment.

Wan Mustapha bin Haji Ali: Even that one I am opposing it. It is a privilege to speak openly in Parliament. If we introduce all these snags, then it is no use having a Parliament and we might as well close the door. I quote again, Sir, from page 104—

"Words spoken in Parliament by a Member of Parliament cannot be the subject of an indictment"

By including this (c) then you are curtailing

Dato' Suleiman: Sir,

Mr. Speaker: You will have every chance to talk afterwards. (*Laughter*).

Dato' Suleiman: But he keeps on addressing me, Sir, (*Laughter*) and he says I am curtailing.

Wan Mustapha bin Haji Ali: When I say "you", I mean the whole House. (*Laughter*).

Mr. Speaker: Order, order!

Dato' Onn: On a point of order, Sir. It did seem that it was an argument between the Honourable Minister and the Honourable Member on this side.

Mr. Speaker: I have warned Honourable Members not to interrupt any other Member speaking except on two points—on a point of order or on a point of clarification or information. On points of clarification or information, these should not be repeated too many times, because everybody will have a chance to speak. Please allow

a Member to speak, do not interrupt until he has finished his speech.

Dato' Suleiman: May I say just one word in explanation—I am trying to find out what the Honourable Member for Kelantan Hilir wants me to do. I do not want him to address me or to argue with me.

Mr. Speaker: He is not arguing with you.

Wan Mustapha bin Haji Ali: What worries me, Mr. Speaker, Sir, is this (c). It is better to delete it altogether and have the original one. When you are elected, you are an Honourable Member and you must speak your mind. Probably if I may be allowed to speak again in support of the Honourable Member for Ipoh, I will do so.

Mr. S. P. Seenivasagam (Menglembu): Mr. Speaker, Sir, I wish to speak on this amendment. Mr. Speaker, Sir, I rise to oppose the proposed amendment to the amendment because I feel that all the three should go out. Mr. Speaker, Sir, I feel it is the duty of everybody, who has Parliamentary democracy at heart, to condemn this measure as a perpetration of an outrage on Parliamentary democracy—and “outrage” is a mild word to use. What is the purpose of the Standing Rules and Orders? The purpose of the Standing Rules and Orders is to regulate the procedure of the House, to maintain the dignity of the House, and to give to Mr. Speaker such powers as are desirable. To state so expressly is not an addition to the Standing Rules and Orders. The Speaker has an inherent power to maintain the order in the House and to see that Members do not abuse their privilege even without this provision against treason, sedition and so on. If Mr. Speaker thinks that a Member has gone too far—say, if I stand here and call upon Honourable Members to march to a certain place to stage a demonstration—he has the inherent power to stop me immediately. Those are matters which Mr. Speaker can control in his discretion.

But what will happen if the proposed draft amendments to the Standing Orders are accepted? It will be nothing short of a complete muzzling of the Opposition in respect of certain issues. Nobody attempts to deny it; in fact, the tenor of the speeches from the Government Benches and from one or two Members sitting right opposite me shows that their desire is to put a complete halt to any talk about communal issues. Is that desirable? What is the position in this country? It has been admitted and it has been emphasised more than once from the Government Benches that this country is a multi-racial country: there are Malays, there are Chinese, there are Indians . . .

Mr. Lim Kean Siew: On a point of order, Sir. I hate to interrupt my friends, especially from the Bar, who are usually supposed to know what they are talking about—but if he wishes to rise to oppose a motion, he must understand the terms of the motion. The terms of the motion are not that no communal issues shall be discussed but that no communal issues shall be allowed that will promote or give rise to ill-will and hatred. Our amendment is to prevent hostile situations, not to prevent any discussion at all.

Mr. S. P. Seenivasagam: Mr. Speaker, Sir, I suggest before the Honourable Member from Dato Kramat advises others, he should advise himself by reading paragraph (c):

“words which are likely to promote feelings of ill-will or hostility between different communities in the Federation.”

That is the wording of (c), and not what the Honourable Member just stood up and told the House. We are now concerned with the amendment to the amendment, which suggests that we exclude (a) and (b) but retain (c). I oppose the amendment because it is my firm belief that (c) must be expunged, must never find its way into the Standing Orders of any democratic Parliament.

Mr. Speaker, the first thing to remember is that there is no ban on communal political parties in this country. There is no ban on communal

political parties being registered as such. There is no ban on communal political parties putting up candidates for election. Obviously, when a communal party puts up candidates, it fights on communal issues. It wins the votes of hundreds of thousands of people on certain communal issues. Its representatives come into Parliament, and what do the Members on the opposite side say: "You have been elected because you promised to fight for certain things, but now you have stepped into this House, we pass Standing Orders, thereby your mouth is shut!" Is that the parliamentary democracy established by our Constitution?

Mr. Speaker, we all none of us like communal issues, but it has been admitted all round that there are communal issues. Why then is it necessary for anybody to say to us: "Bury your head in the sand and pretend there is no communal issue to face." Are we to behave like ostriches, burying our heads in the sand, pretending that we can see nothing wrong with Malaya, that there is no communal issue to be faced? And so long as there are communal issues to be faced, where is it best to face them but in Parliament—in the place where representatives of the people meet? Surely that is the most suitable place, and not on street corners and on soap boxes? (AN HONOURABLE MEMBER: Hear, hear).

The effect of the inclusion of paragraph (c) would be that to a very large extent this Parliament will cease to reflect the views of the people. Is that the democracy we want? Is that the reputation we are trying to get overseas for this Parliament of ours? Will it be possible for our Minister to stand up in an overseas country or the United Nations and say: "We have parliamentary democracy in Malaya" when you pass a law to seal the mouths of Members of Parliament.

Mr. Speaker, Sir, it is for that reason that I am opposing the amendment to the amendment. I am not saying anything further at this stage, because I have a good deal more to say on this subject regarding (a) and (b), but I believe we will have another opportunity to speak.

Dato' Suleiman: Mr. Speaker, Sir, since we the Alliance oppose deletion of all three—we want all to be included—I believe I better wait and answer all the Members when I come to speak later. In this case we cannot accept the amendment to delete (a) and (b) because we want all of them.

Dr. Lim Swee Aun (Larut Selatan): Mr. Speaker, I am happy to note that the mild stimulation that I injected into the Members of the Opposition yesterday has brought about the desired effects. I am particularly glad to hear from the Honourable Member from Bungsar that he has practically admitted that there are Members in the Opposition who have mental defects...

Mr. V. David: Mr. Speaker, Sir, we know when to seek his advice. When we do a service, we will do it without any money.

Dr. Lim Swee Aun: Mr. Speaker, Sir, I must thank the Honourable Member from Bungsar for the great compliment that he has paid to my professional skill, and I can assure him and all the other Members who have mental defects—and probably mental deficiencies—that they are most welcome.

Mr. Speaker: I must rule that out. I think that is understood.

Dr. Lim Swee Aun: The point was raised yesterday that there should be nationalisation of doctors, but I can also assure Members of the Opposition that they need not wait for the nationalisation of doctors before they get free treatment.

Mr. K. Karam Singh: Mr. Speaker, Sir, what has that got to do with this motion?

Mr. Speaker: Will you confine yourself to the subject matter before the House, that is, the amendment to the amendment?

Dr. Lim Swee Aun: Mr. Speaker, that is just the point—I want you to overrule me. That is why we want Standing Orders; that is why we want these amendments; that is just the point, and I have proved my point.

There has been a lot of talk this morning that by these amendments this House will be robbed of freedom of speech, and I am very glad to hear from the Honourable Member from Dato' Kramat on the different aspects of freedom which he has touched on. I would like to add one more aspect, and that is that all Members of this House must have remembered a story about the frogs and the little boy. Now, that little boy had the freedom to throw stones. He had the freedom to throw stones at any time, but he chose to throw stones at the little frogs. Some little stones missed the frogs, some of the stones hit the frogs, some of the stones killed the frogs. The moral behind that is that whilst he had that freedom of action, there was death on the other side. Similarly, anyone has the freedom to own a car. He can own a 1920 Baby Austin, or he can own a 1959 Cadillac. He also has the freedom of choice. He can choose the colour of blue, the colour of chocolate or even red . . .

Mr. V. David: Mr. Speaker, Sir, we are only confined to the amendment to the amendment. When I spoke here previously, I was ruled out several times when I referred to other matters.

Mr. Speaker: Your introduction is too long.

Dr Lim Swee Ann: Mr. Speaker, Sir, I am demonstrating to this House that there must be order from the Chair, and these objections all support our side of it: that there must be amendment to Standing Order 36, which controls what a speaker should say during debate. This is the demonstration (Applause).

Mr. K. Karam Singh: Mr. Speaker, on a point of clarification—if the Honourable speaker wants to really prove his point, let him utter some treasonable or seditious words.

Dr. Lim Swee Ann: Mr. Speaker, Sir, while there has been a lot of talk of freedom of speech, does the Honourable Member from Ipoh give me the freedom of speech to call him "traitor", to call him "subversive", to call him "provocateur" of communal issues. Certainly not.

Mr. D. R. Seenivasagam: Mr. Speaker, Sir, I have been asked a question. I give him that right provided he gives me the privilege of saying that he is the man who has sold the Chinese in this country.

Dr. Lim Swee Ann: These are rules of debate. That is why we are not allowed to say such things. That is why we must have these rules, these amendments, of not being allowed to use words that are treasonable, words that are seditious, words that are likely to promote feelings of ill-will or hostility between the different communities of the Federation.

I am very glad that the Opposition has popped up on several occasions, they have objected to what I have said, though we all said that there should be freedom of speech. But the point is: let us be honest with ourselves. Whilst we have freedom, there must be a limitation to the intention. I have the freedom to use a car. Everybody has the freedom to use a car. He has the freedom to go anywhere he likes, any time he likes, and he even has the freedom to commit suicide and kill himself, but has he the freedom . . .

Mr. V. David: Mr. Speaker, Sir, we don't have that freedom: the law doesn't allow a man to commit suicide.

Dr. Lim Swee Ann: My point is this: has he the freedom to use his car as a weapon of destruction, to intentionally run over his opponent? Surely not. I am sure the learned Members across the floor must agree that there must be some limitation somewhere. Again, as I said, Members of the Opposition have objected to this because they say that by introducing these amendments there will be no freedom of speech, and we cannot bring up communal issues. I am indebted to the Honourable Member from Dato Kramat, who has just pointed that amendment (c) does not prevent this House from bringing up communal issues. What it does prevent is the use of words which are likely to promote feelings of ill-will or hostility between the different communities. I think that is the most important point, and if you will look up the next page, the explanation says that

the essence of this amendment is to prevent words calculated to arouse communal feelings from being used. That is the point, that is, the intention behind the use of words, not the prevention of discussion on communal issues. Now, if the Honourable Member from Ipoh is at all sincere that he is fighting for the rights of the Chinese—which I doubt—I can assure him that we on this side of the floor can assure him, can assure Malaya and can assure the whole world that we will fight for the rights of all the citizens of Malaya (*Applause*), whether they be Malays, Chinese, Indians or minorities. . .

Mr. D. R. Seenivasagam: By selling them out!

Dr. Lim Swee Ann: You have sold them out, I am afraid! (*Interruption*).

But Malaya is a new country. We have gained our independence; and the beautiful part of Malaya is that though we are multi-racial, we are one nationality. And the biggest compliment ever paid to us was done last night at the State Banquet given to the Right Honourable Prime Minister Menzies of Australia, who said that Malaya should be taken as the model to the rest of the world, where plural society can live together and work together (*Applause*).

It would therefore be a tragedy, a great tragedy, if this House is permitted to be used for the destruction of this unity and this harmony amongst the races. What we do not want in this House is the use of words calculated to arouse antagonism among the different races, to arouse the Malays to fight the Chinese, or the Chinese to fight the Indians, or what have you. That should not be our intention, and any reasonable person should not object to leaving those words out.

Now, going back to the story of the little frog and the boy: if that boy had somebody to tell him: "Do not throw that stone at that frog", that frog would not have died. Similarly in this House, Honourable Members have freedom of speech, they can say anything they like, but if the Speaker has not the power to stop us from

going beyond the limit, then we consciously or unconsciously may create communal strife within this country, and ruin the freedom which we have fought so hard to get. So, on that issue, I object strongly to both the amendments (*Applause*).

Enche' Ahmad Boestamam (Sétapak):

Tuan Yang di-Pertua, apa yang baharu berlaku sebentar tadi dengan sendirinya membuktikan kepada kita bahawa (c) dalam bahagian 36 ini patut kita pakai. Tuan Yang di-Pertua, di-dalam Parlimen ini, kita datang mewakili ra'ayat untuk menyuarakan hasrat dan kemahuan ra'ayat itu. Kita tidak duduk di-dalam Parlimen ini untuk mengeluarkan kata² yang boleh menimbulkan rasa marah bukan sahaja antara satu kaum dengan satu kaum yang lain, tetapi juga antara satu orang dengan satu orang. Tuan Yang di-Pertua, sa-benarnya bukan sahaja soal² yang boleh menimbulkan marah di-antara satu kaum dengan satu kaum, tetapi kita harus memberi kuasa itu sedikit kepada Tuan Yang di-Pertua untuk menahan kata² yang boleh menimbulkan marah di-antara satu kaum dengan satu kaum, di-antara satu orang dengan satu orang, di-antara satu parti dengan satu parti umpamanya. Tuan Yang di-Pertua, soal² communal, soal² perkauman, dengan soal² perkauman yang boleh membawa perasaan marah ada-lah berbeza. Umpamanya, kehidupan keselamatan orang Melayu menderita dan saya berdiri mengatakan bela-lah nasib orang Melayu yang menderita ini. Saya membawa satu soal atau satu kenyataan tentang kehidupan orang Melayu, tetapi kalau saya katakan, orang Melayu yang terlampau susah itu, "mari kita hantam orang Tiongwa—orang China, orang India umpamanya", ini boleh menimbulkan perasaan marah dan menimbulkan kachau bilau dalam tanah ayer kita ini.

Tuan Yang di-Pertua, kerana sebab² itu saya memikirkan juga bahawa dalam tanah ayer kita sekarang ini belum ada satu Undang²—satu Legislation melarang parti² perkauman, melarang soal² perkauman, telatah perkauman. Jadi, Tuan di-Pertua, kerana Undang² itu tidak ada dan kerana orang boleh melakukan perkara ini di-luar maka,

Tuan Yang di-Pertua, sa-bagai badan yang tertinggi yang akan di-ikuti oleh Ra'ayat, mari kita tunjokan bahawa di-sini kita tidak akan menggunakan rasa marah di-antara satu kaum dengan satu kaum. Dan apa sebab-nya maka kami memandang bahawa "A" dan "B" itu tidak patut ada di-sini ia-itu "Treasonable words dan Seditious words". Tuan Yang di-Pertua, di-dalam tanah ayer kita ini sekarang, ada Undang² yang tertentu berkenaan dengan "Treasonable words dan Seditious words". Tuan Yang di-Pertua, kalau kita Anggota Parlimen bagitu berani dan bagitu gagah mahu memperkatakan "Treasonable words dan Seditious words" dalam Dewan ini, mari kita chabar dia di-luar. Mudah sekali kalau dia chakap bagitu, kita lepaskan tangan, Tuan Yang di-Pertua, dan ada orang yang mengambil-nya. (*Ketawa*). Sebab itu, maka kita memikirkan bahawa yang dua ini boleh kita tolak. Kedua, Tuan Yang di-Pertua, soal apa-kah itu Treasonable, dan apa-kah itu Seditious, barangkali satu orang sukar menentukan-nya bahkan, Tuan Yang di-Pertua, di-Mahkamah, kita harus di-bicarakan dahulu, di-hakimkan, baharu-lah di-ambil keputusan untuk menentukan apa-kah benar Treasonable dan apa-kah benar Seditious. Jadi, kerana ini, Tuan Yang di-Pertua, Undang² yang boleh menyekat perkara Treasonable words dan Seditious words ini saya rasa superfluous, mengada² sahaja kalau kita mengadakan dalam Dewan ini. Kedua, dengan mengadakan dua clauses ini sa-olah² ini ada-lah satu charaban tempelak kapada kita Anggota Dewan Parlimen ini. Kita semua menjadi Anggota yang sah dalam Parlimen ini dan kita telah mengangkat sumpah setia kapada Tanah Ayer, setia kapada Undang² Perlembagaan dan setia kapada Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong.

Kalau kita telah betul² ikhlas mengeluarkan sumpah setia itu, maka ini ada-lah satu penghinaan kapada kita. Jikalau kita mahu menjadi *Traitor*, kalau kita mahu menjadi sa-orang yang melawan Pemerintah, melawan Kerajaan, menjatuhkan Kerajaan umpamanya, tetapi kita tidak guna berkata di-sini, kita boleh organise di-luar,

organise underground umpama-nya untuk menghancurkan Pemerintah ini, sebab kata² yang di-keluarkan dalam Dewan ini tidak menjadi bekas apa². Jadi, kami menganggap bahawa (a) dan (b) itu *superfluous* ia-ini tidak perlu ada di-sana, tetapi kami tetap mempertahankan bahawa (c) ini bukan *communal issue*—soal perkauman yang boleh menimbulkan pergaduhan di-antara kaum. Itu-lah sebab-nya saya mempertahankan soal ini.

Amendment to original Amendment put, and negatived.

Debate resumed on original Amendment.

Enche' Zulkiflee bin Muhammad:

Tuan Yang di-Pertua, saya bangun di-sini menerangkan apa yang sa-tengah² orang menyangka tidak terang berkenaan dengan perdirian pehak Party PAS di-Majlis ini. Kami ada-lah menyokong bahawa semua insertion yang bertulis di-sini di-hapuskan.

Tuan Yang di-Pertua, sudah banyak dapat di-pertahankan di-sini berkenaan dengan apa yang hendak di-lakukan berhubung dengan Peratoran² yang di-kemukakan di-Majlis ini. Ramai mengatakan bahawa Peratoran ini bukan-lah mengikat, dan berbagai² pentafsiran yang berlainan, tetapi saya tahu bahawa tiap² orang yang berchakap di-sini tujuan besar-nya ia-lah supaya Parlimen ini menjadi sa-buah Parlimen yang benar² berguna. Menurut sa-tengah² pehak pula hendakkan kapada keelokkan Parlimen ini, maka di-adakan syarat² dan menurut sa-tengah² pehak pula untuk sempurnanya hidup Parlimen negeri ini, maka jangan-lah ada sekatan² yang sa-rupa itu.

Saya merasa, Tuan Yang di-Pertua, bahawa syarat² ini tidak mustahak, sebab kita telah berjalan dengan Undang² Standing Order Dewan Ra'ayat yang ada ini dengan tidak ada perkataan² atau syarat² yang tersebut, dan alhamdulillah hingga ka-hari ini apa yang di-maksudkan, apa yang hendak di-kawal oleh Peratoran² ini tidak juga timbul. Dua perkara yang telah di-sebutkan tadi telah di-bahathkan dengan banyak-nya ia-itu syarat

(a) dan (b), maka sekarang ini saya hendak mengulas berkenaan dengan syarat (c) itu. Nampak-nya telah menjadi satu nikmat kepada Ahli² Yang Berhormat di-Dewan ini memperkatakan apa yang hendak di-katakan-nya berkenaan dengan pertubuhan² orang lain. Maka pada hari ini terdengar-lah pada kita bahawa perkataan² yang menghala ka-mari sa-olah² orang² di-sini memang suka supaya perkauman itu marak dan membakar di-negeri ini. Kami berharap-lah supaya mereka itu jangan-lah berbuat begitu.

Tuan Yang di-Pertua, memang susah hendak memberi satu pentafsiran dalam politik. Kalau Party PAS memperjuangkan hak bangsa Melayu di-negeri ini dan berkehendakkan supaya Melayu itu menjadi Kebangsaan negeri ini, maka kepada PAS ini-lah perjuangan yang di-namakan National party ini, bukan communal, tetapi malang-nya sa-tengah² pihak itu-lah pula yang communal. Saya katakan syarat (c) ini, Tuan Yang di-Pertua, terpaksa-lah kita buangkan, kerana pada amalan-nya perkara ini akan melumpuhkan perjuangan party² politik yang ada bertujuan hendak membetulkan kedudukan² yang mereka di-lantek oleh ra'ayat.

Berchakap-lah, Tuan Yang di-Pertua, orang yang hendakkan bahawa dia datang di-sini ia-lah kerana itu dan kerana ini, tetapi saya datang di-sini kerana bangsa Melayu. Apabila saya berbuat demikian, saya berasa bahawa itu ada-lah National, hak negeri ini. Maka orang² lain hendak berkata kata-lah apa yang hendak di-katakan-nya. Sekarang, apabila kita adakan Peratoran ini, sedang orang² yang menjadi Ahli Parlimen mempunyai kepercayaan masing² dan dengan kepercayaan di-sampaikan-nya di-sini, maka dengan Peratoran ini tertutup-nya pintu untuk membela, sebab dalam pentafsiran-nya kita ada-lah berlainan.

Kata sa-orang Ahli Yang Berhormat tadi bahawa kita tidak mahu bergaduh berkenaan dengan hendak memperbaik satu² puak dan bangsa. Itu bagus, tetapi jangan sampai membawakan bertumbok, bergaduh di-antara bangsa²

yang ada di-sini. Itu yang tak boleh, tetapi ini bukan perkara mudah, bukan mudah hendak menentukan bagi menahan sa-suatu itu. Ya, senang sahaja, serahkan kepada kebijaksanaan kepada Tuan Yang di-Pertua—memang benar, tetapi ini ada satu mithal concrete yang hendak saya bawaikan di-sini, ia-itu dalam Titah Uchapan Duli Yang Maha Mulia Timbalan Yang di-Pertuan Agong Baginda men-chadangkan supaya membena, membentok satu bangsa di-negeri ini dengan tak kira nama atau bangsa. Bagi mengulas-nya saya berkata bahawa dalam membena satu bangsa itu terpaksa-lah di-buat dengan chara kebudayaan dan elok-lah kalau dari sekarang kita ambil Kebudayaan Melayu sa-bagai teras bagi Kebudayaan Kebangsaan di-negeri ini. Yang Berhormat Timbalan Perdana Menteri pun menerima pada dasar-nya apa yang saya chakapkan itu, tetapi, Tuan Yang di-Pertua, (c) "words which are likely to promote feelings of ill-will or hostility between different communities in the Federation"; perkataan ini telah menahan saya daripada membawakan perkara ini di-jadikan usul. Saya telah meminta supaya ini di-jadikan usul, tetapi telah terpaksa di-tahan, kerana takut berchakap sa-macam ini, pada hal apabila sa-telah ada dalam ucapan maka di-sambut baik oleh Kerajaan sendiri yang mana benda yang satu itu di-tafsirkan berlainan oleh orang² di-sini.

Oleh yang demikian, saya rasa besok bahawa dalam atoran kita ini Party PAS yang mana sa-orang daripada Ahli-nya meminta supaya di-terima-lah orang² yang telah lulus Darjah VI Sekolah Kebangsaan menjadi Jururawat, chuba kita fikirkan apa yang akan terjadi. Perkara ini akan membangkit-lah bagi orang² yang memper-tahankan hal kita ini mengatakan bahawa mustahak sangat orang² yang lulus Sekolah² Kebangsaan—orang² Melayu menjadi Jururawat itu di-terima. Dan sa-orang daripada Ahli Yang Berhormat dari Kuala Trengganu Selatan men-chadangkan supaya tulisan ini di-jadikan tulisan Jawi. Itu juga meninggikan "to promote feelings of

ill-will or hostility", sebab dalam expansion atau pun dalam mēmpēr-kētatkan maka pēntafsiran kita bēr-bedza².

Saya mēnghormatkan Tuan Yang di-Pertua, dan saya pērchaya dēngan kēbijaksanaan Tuan Yang di-Pertua, tētapi Pēratoran ini tidak akan mē-nolong dalam mēmbuat apa yang patut di-jalankan. Jadi, saya rasa oleh kē-rana sampai sēkarang ini bēlum tim-bul kēadaan yang mēnyēbakkan bahawa kita hēndak mēnunjukkan kapada dunia yang kita memang datang di-sini tak hēndak bērgaduh, kērana "ill-will or hostility" itu samemang ada dalam otak kita, chuma tak dapat di-kēluarkan sahaja. Oleh yang dēmikian, saya rasa, Tuan Yang di-Pertua, kita hapuskan Standing Order 36 ini.

Mr. S. P. Seenivasagam: Mr. Speaker, Sir, I would like to supplement what I said earlier. Sir, it is possible, highly possible, that with the voting power in this House, the Honourable Members opposite will push through the proposed Report. But, I would urge those who have the power in their hands now to think carefully what they are doing to-day. The people of Malaya are just beginning to believe in parliamentary democracy; they are just beginning to respect Parliament; they are just becoming interested in elections; and I would urge those Honourable Members to consider what is going to be the reaction to this. Thousands of people in the East Coast, thousands of people in the main towns of the Malay Peninsula—what are they going to say? "We send our representatives to fight for certain things and they cannot do it. So, what is the use of Parliament to us? Is there any room in Parliament for us?" That will be the question that will be borne in the minds of people who voted for the candidates of certain Parties.

It may be that the time will come when a Member of Parliament on my right may wish to introduce a motion concerning the Malays. The discussion of that motion in this House may create a certain amount of feeling of ill-will or displeasure among reasonable or unreasonable persons in the other

community. Is that motion going to be ruled out of order? We on the other hand may introduce a motion which may create a certain amount of feeling of ill-will or displeasure to the other side. Is our motion going to be ruled out of order? We on our part say that anybody has a right to introduce any motion in this House if it is a problem which faces the people of this country. That is what we are here for—whether it displeases the Chinese or whether it displeases the Malays, it is immaterial. We, who believe in democracy, want that right for every Party, not only for our Party. (AN HONOURABLE MEMBER: Hear, hear.)

One Honourable Member has said that it depends on the way how you speak in Parliament. Let me assure that Honourable Member that we have not come here to make begging speeches. If we think we have a right to demand for something, we shall demand it. If anybody thinks that because we are in the Opposition, we have got to beg and will have to be humble in our approach, he is making the biggest mistake of his life. (AN HONOURABLE MEMBER: Hear, hear.)

Let us consider carefully the terms of the recommendations of the Committee:

"It shall be out of order to use—

(a) treasonable words;

(b) seditious words;"

On that enough has been said, but I would like to remind Honourable Members that it is not so simple as that—to find out what is treasonable and what is seditious. Cases have gone from the lowest courts in India right up to the Privy Council in London to find out the meaning of sedition and yet Mr. Speaker is expected in a fraction of a minute to say, "That is sedition, that is treason—withdraw those words."

Then, let us come to (c)—"words which are likely to promote feelings of ill-will or hostility between different communities in the Federation." Sir, some Honourable Members are under the impression that "words" mean single words, but in the context of this "words" mean a speech and that is all it can mean: a speech which is likely

to promote feelings of ill-will—that is what it can mean and only mean, and it means nothing else. It does not mean single words picked at random from here and there. It means the tenor of the speech. In other words, if in the course of a speech you are uttering words which together incite feelings of ill-will or hostility, you will be ruled out of order. But is that as far as it goes? Are we quite clear as to what power is conferred on Mr. Speaker? Would anybody be able to clarify? If we submit a motion to-morrow claiming certain things for a certain community, does that enable the Speaker to rule it out of order, even before it comes before the House, even before anybody knows that such a motion is in existence? What is the interpretation Mr. Speaker is going to put on it, nobody knows.

Mr. Speaker, Sir, even the Constitution provides that the Constitution may be amended—that is the right given to Parliament—with a two-third majority. May be Honourable Members on the other side may want to introduce certain amendments which are not pleasing to us, and may be we want to introduce amendments which are not pleasant to them. Are we, both of us, going to be told to keep our mouths shut in this Parliament?

Sir, a red herring has been drawn across the debate alluding to communalism, bloodshed and rioting in other countries and how fortunate we are in Malaya. It is true. That is the very thing—that the people of Malaya are sensible people. In spite of the elections campaign, where has there been communal rioting, bloodshed—except for one incident in Penang for which I submit no document has been furnished up to this day to say that it originated as a result of any political party's agitation? That happened because some school children had been dissatisfied and they staged demonstrations. What has that got to do with political parties, freedom of speech, communalism and all that sort of things?

Mr. Speaker, Sir, I listened with very great regret and with a great deal of shock to what the Honourable Member for Dato Kramat said. I do not wish to dwell at length on his speech.

Mr. Lim Kean Siew: Better not! You cannot understand the logic.

Mr. S. P. Seenivasagam: Block your ears! (*Laughter*). Mr. Speaker, Sir, all I wish to say is that the Honourable Member reminded me of a person who had affixed his signature to a document which doomed his political career and he was clutching at straws in this House. In the course of his speech he considered it relevant, and he was permitted to say—presumably it must be relevant—that certain parties are in the habit of talking about insanity, about lavatories, about Australianisation, . . .

Mr. Lim Kean Siew: Mr. Speaker, Sir, on a point of information, I did not say Members. I said that certain persons, and if the Honourable Member who stood up thought it meant him, that was not my fault.

Mr. S. P. Seenivasagam: He said certain persons were talking of unpleasant things, and it was obvious to everybody in this House who had their ears open as to whom he was referring, and let us leave it at that. However, let me assure everybody that we shall dig up all the dirt we can if it is in the national interest to do so. We will not spare our efforts. We do not advocate any course which we do not believe in. The shocking revelation, made in this House by the Honourable Member for Kuala Trengganu Selatan, reveals to us the position in this House that there are Members who are willing to advocate a course which they do not believe in.

Mr. Speaker, Sir, whether the proposed draft Standing Orders are accepted or not, we shall continue to speak in this House on every issue which we think is relevant, and we shall continue to do so until we are ruled out of order by the Chair. Nor will we accept this thing that has been called the spirit of the proposed amendment, because we believe there is no spirit in this. The only intention is to muzzle the Opposition. We are not going to support any part of this just to earn a few cheers from the Alliance Bench.

Dato' Onn bin Jaafar: Hear, hear.

Tun Abdul Razak: Mr. Speaker, Sir, I do not wish to take much of the time of the House on this debate. I am not a Member of the Select Committee of the Standing Orders, but I should like on behalf of the Government, and the Leader of the Government in this House, to say a few words on the practice and procedure of Select Committees.

Now, Sir, under the Standing Orders various Select Committees are appointed and, in accordance with Standing Order 82 (1), Members of the Opposition have been appointed to sit on these various Select Committees—and it is the intention of this Government as far as possible to uphold Standing Order 82 (1). But it is very important to bear in mind that, if a Member of the Select Committee has agreed to a report and has signed the report, he should—to be fair to this House—uphold what he has agreed to in writing in the report. I must say that it is very difficult for us to carry out the work of this House if, in the various Select Committees that have been appointed, members of the Select Committees having agreed to the report and having signed the report were to come to this House and deny what they have signed. I must, on behalf of the Leader of the Government, impress upon Members of this House that they are being nominated or elected to the various Standing Committees to represent the various political parties and as far as possible to reflect the views of their political parties: therefore, before they agreed to any issue in the Select Committee they should ensure that they carry their respective parties with them. It is only by doing that, that we will be able to carry out the work of this Parliament expeditiously and efficiently. *(Applause)*.

Dato' Suleiman: Mr. Speaker, Sir, I have been feeling hot and cold—feeling the hot air and inhaling the effect of the air conditioning in this room. I am trying. . .

Wan Mustapha bin Haji Ali: Mr. Speaker, Sir, is the Honourable Minister replying?

Mr. Speaker: He has just spoken on the amendment. Now he is in order to speak on the amendment proposed by Mr. Seenivasagam.

Dato' Suleiman: If the Honourable Member feels that he wants to cite all those law books, which he missed doing just now, I am willing to give him the floor. *(Laughter)*.

Mr. Speaker: Please proceed.

Dato' Suleiman: I do not know whom to thank. There are four Parties representing the Opposition and the Independents. I thank the P.M.I.P., the Socialist Front, the P.P.P. and Party Negara and the Independents. I . . .

Mr. D. R. Seenivasagam: On a point of information, Sir—and the Malayan Party. *(Laughter)*.

Dato' Suleiman: Thank you very much—and the Malayan Party. Sir, when listening to the debate, a proverb which I have forgotten for a long time has come back to my mind, and that is—I hope I quote the proverb right—“Necessity makes strange bed-fellows”: and I could think of no stranger bed-fellows than what I have had to contend with.

Now, I would like to give a recapitulation in regard to the Standing Orders Committee of which I was a member. Sir, let me explain and remind this House that that Committee, undoubtedly, was appointed by the Committee of Selection which was appointed by this House, but I can assure this House that among the members of the Committee of Selection—and here I would like to give their names, as it is on record, were the Honourable Member for Besut and the Honourable Member for Setapak. The members of the Committee of Selection appointed the members to this Standing Orders Committee, and the Member for Besut named the Honourable Member for Kelantan Hilir as representing the Islamic Party and the Member for Setapak named the Honourable Member for Dato Kramat to serve on the Committee; we were told that these two Members represented the various Parties. Now, during our deliberations when a suggestion was made that there might be a minority report, I did say—and you Sir, the Chairman, I hope you will be fair to everybody here

and correct me if I am wrong, because I do not want to mislead the House. . .

Mr. Speaker: You better forget about me now. (*Laughter*). Please proceed.

Dato' Suleiman: You have put me off my strides now, Sir. I did say then that they were at liberty to make a minority report.

Mr. Lim Kean Siew: Mr. Speaker, Sir, I do not wish to interrupt, but since the Honourable Minister of the Interior has decided to talk about the minority report, I am sure that all those in the Committee could remember that I wanted a minority report; however, to avoid that, we compromised, and paragraph 2 was written in stating that this is a matter of an experimental nature: we did this because we wanted to present a unified view to the House.

Dato' Suleiman: If the Honourable Member will just wait until I have finished and then get up, I will sit down. I said that there was a Member who suggested that there might be a minority report—and if the Honourable Member for Dato Kramat would like that bouquet I would give it to him for making that suggestion—but what we did say was that we may have a minority report, but it would be better if we were to come to an agreement instead of presenting a minority report. Does this satisfy the Honourable Member for Dato Kramat?

Mr. Speaker: Please proceed.

Dato' Suleiman: Now, Sir, the Member for Kelantan Hilir did tell me that he was not going to be present at a few meetings, because he had some cases in Kelantan, but that he would agree to everything if the report was sent to him. Then, Sir, I also did not attend some meetings. . .

Wan Mustapha bin Haji Ali: On a point of information, Mr. Speaker, Sir. That was on a different occasion. When the Committee was in session I was in Trengganu in connection with a High Court case—and that was an election case against the Alliance.

Dato' Suleiman: I was practising also when I was a Member of the Federal Legislative Council, Member of the State Council of Johore and a Member of the Johore Executive Council, and when I had a case—a very important one—and if in the middle of that case I had to attend a meeting, I made an application to the Judge who generally granted me permission.

Mr. Tan Phock Kin: On a point of order, Sir. Is this relevant to the discussion?

Mr. Speaker: Yes, because one member of the Committee who has signed the Report stated that he did not agree with that Report, and the Minister is replying to him.

Dato' Suleiman: Sir, I feel much cooler now and I advise my friends not to interrupt me, so that I will keep cool. The thing, Sir, is this. He did not attend, and I also did not attend, the last meeting when the Report was drawn up, and then here we were given a Report. We had the opportunity to say that we did not agree—in fact, the Member for Kelantan Hilir himself did point out that there was one Member and he did ask to be recorded; and we agreed and it was recorded. But he did not, on this point which we are discussing, have any objection and he signed it.

Now, Sir, the Honourable Members have come back to this House, because members of their Parties did not agree to what they had agreed to: they have come back and turned against us, against me in fact, and they keep on saying, "the Government, the Alliance and everything else". Sir, I ask Honourable Members of this House, is this fair? Some Honourable Members have made speeches with great importance, some Honourable Members have allowed themselves to be carried away by their emotions, and some have allowed themselves to be carried away with the heat. But I come back once again to the principle—the principle of having Members of the Opposition Parties in the Committee which, I say, is at this moment being jeopardised. I do not understand it. What is the use of doing so if we are going to have in Government Committee representatives

from each Party, who will come and give their personal opinion, and then come back here and repudiate what they had agreed to.

Mr. D. R. Seenivasagam: Mr. Speaker, Sir, on this point I am sorry to interrupt, but I would ask for a clear clarification that the Honourable Minister is not referring to the People's Progressive Party of Malaya.

Dato' Suleiman: Sir, of course not. I do not under-estimate my Honourable friend's intelligence: whether he is in sympathy with the other Parties' sentiments, I do not know.

Mr. D. R. Seenivasagam: Mr. Speaker, Sir, I rose because the Honourable Minister said what is the use of having Honourable Members from the Opposition.

Dato' Suleiman: Surely the Honourable Member will agree with me that this is a matter of principle which we are discussing now and he can attack those people who did that, but surely not us.

Now, may I go on to dispose of, first of all, the point raised regarding Article 63 (2) of the Constitution which has been made use of very many times in this debate. It says—

"No person shall be liable to any proceedings in any court in respect of anything said or any vote given by him when taking part in any proceedings of either House of Parliament or any committee thereof."

But, Sir, that says "no person shall be liable to any proceedings", but what we are here debating is this: that this House has got, I think, the power under Article 62 (1), Sir, to regulate its own procedure—

"Subject to the provisions of this Constitution and of federal law, each House of Parliament shall regulate its own procedure."

What we are doing now, Sir, with this amendment to the temporary Standing Orders is for this House to accept to regulate its own procedure.

Sir, I would like to cite here a passage from Robert's Rules of Order (Revised) in which he says—

"While it is important that an Assembly has good rules, it is more important that it is not without some rules to govern its proceedings. It is much more important, for

instance, that an Assembly has a rule determining the rank of the motion to postpone indefinitely than that to give this motion the highest rank of all subsidiary motions except to lay on the Table as in the United States Senate or give lowest rank as in the United States House of Representatives" and so on, Sir, until the last sentence—"This has been well established by one of the greatest of English writers on Parliamentary law. Whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by than what that rule is; that there may be a uniformity of proceedings in business not subject to the caprice of the chairman or the captiousness of its members. It is very material that order, decency, and regularity be preserved in a dignified public body."

Sir, I need not expand on that because I am sure the Honourable Members who are practising law will understand this and if they want to read it, I will let them have it.

Sir, I now come to the words "treasonable words and seditious words". Sir, the word "democracy" has been put to much abuse as an excuse for misleading this House. It has been said that it is not democratic to have these provisions put, Sir. There is in the House of Commons Manual of Procedure in the Public Business, 1951—and I believe that that Parliament has already been called the "Mother of Parliaments"—on page 107, Rule 162 (x), which says that a Member while speaking on a question must not—

"utter treasonable or seditious words or use the King's name irreverently;"

and there is a footnote saying "See May 430. Considerable latitude and discretion are necessarily allowed to the Speaker and chairman in interpreting or applying these rules."

Sir, let us go now to this Erskine May's Parliamentary Practice, on page 435. What does this book say?

"Disloyal or disrespectful reference to King—Treasonable or seditious language or disrespectful use of His Majesty's name would be rebuked by any subject out of Parliament; and it is only consistent with decency, that a member of the legislature should not be permitted openly to use such language in his place in Parliament. Members have not only been called to order for such offences, but have been reprimanded, committed to the custody of the Serjeant or even sent to the Tower."

Sir, it has also been put forward: "Who are you, Sir, to define 'seditious and treasonable words'?" But if we just refer to Malayan Union and Federal Ordinances and State and Settlement Enactments on Sedition, in Section 3 we find it is stated: "A seditious tendency is a tendency to promote feelings of ill-will and hostility between different races and classes of the population of the Federation". You have there at least a guide. These also apply to the provisions with regard to (c), words which are likely to promote feelings of ill-will and hostility between the communities in the Federation. There is here also now, as I read just now, provision against the use of words likely promote feelings of ill-will and hostility between the different races of the Federation. This is not a new provision of law, Sir. But what we are saying here, while we have been elected to sit here in this Honourable House to voice the freedom of speech, shall we make use of that freedom and privilege, Sir, to utter sedition and encourage it to flourish under the protection of the Constitution? Surely, Sir, these are the very crimes which would destroy the Constitution.

Now, Sir, may I come back to individual Honourable Members, as I am sure they would like me to reply.

The Honourable Member from Ipoh is a very successful legal practitioner. He owns a big car, Sir, I am sure he is successful, and if he is successful, he must be a very good legal man. I cannot believe, and I refuse to believe that he means what he actually says (*Laughter*). I have too much respect in his intelligence because, looking at the display of the income that he gets, he cannot get that income if he has not got the intelligence for which I respect him. Sir, the only regret I have got is this: that while I try to be friendly with the Honourable Member from Ipoh, he keeps on giving me warning. I don't ever remember having given a warning to anybody, but now I have heard to-day two Honourable Members standing up and giving us warning. We will take heed of the

warning, Sir, because, as I say, I prefer to give the Honourable Member the benefit of the doubt that he means well. But with regard to the Honourable Member saying that the object of this thing is to muzzle the Opposition, I am sure, Sir, as I said, the Honourable Member is much too intelligent a person to really ask me to believe that. I can assure him that he cannot convince me of that, because he knows that he can speak. It is only up to him when you stop him, and as the Honourable Member from Menglembu just said, he will continue until you stop him. That is what we are trying to do (*Laughter*).

Mr. Speaker: Not "we"—the Speaker, you mean.

Dato' Suleiman: Oh, yes—by you, Sir, as Speaker—I am sorry, Sir—Dato' Speaker (*Laughter*).

Mr. Speaker: By the Speaker.

Dato' Suleiman: Bërkënaan dëngan . . Bërkënaan dëngan Ahli Yang Bërhormat dari Bësut sëlalu Ahli Yang Bërhormat ini bërchakap colonial², kita mënjalankan colonial, undang² ini sëmua sa-kali colonialism. Tëtapï bagai-mana yang saya sudah bachakan tadi, di-dalam Përatoran përbahathan di-England ada juga përkara ini, saya fikir tëntu-lah Ahli Yang Bërhormat dari Bësut barangkali suka mëndëngar daripada satu nëgara Islam, Pakistan. Përatoran përbahathan di-dalam National Assembly of Pakistan pada muka 27, bërkënaan dëngan përbahathan, ada di-sini kata-nya, Përatoran No. 130, Limitation of debate, "The matter of every speech shall be strictly relevant to the matter before the Assembly. A member while speaking shall not utter treasonable seditious or defamatory words, or make use of offensive expressions." Di-sini tëntu-lah saya përchaya Ahli Yang Bërhormat dari Bësut tidak akan mëngatakan Pakistan bukan-nya nëgara Islam dan Pakistan mënurut hëndak mëngambil Përatoran daripada colonialism (*Tëpok*) ada di-Pakistan. Jadi susah-lah, sëlalu² bagaimana juga saya katakan demokrasi sëlalu di-katakan, di-hantukan² di-buat sa-bagai satu sëbab, bagitu-lah

bèrkènaan dèngan colonialism ini sè-lalu di-buat sèbab. Tètapi kita tahu Pakistan nègara Islam yang sudah mèrdeka 10 tahun lèbèh daripada kita ada mēngadakan pèratoran ini. Oleh kèrana saya dèngan Ahli Yang Bèrhormat itu sunggoh pun bèrtēngkar²—baik—ta' usah-lah saya bèrchakap banyak; rasa saya chukup-lah bagi Ahli Yang Bèrhormat itu.

I come now, Sir, to the Honourable Member for Dato Kramat, my colleague in the Committee. While I appreciate his speech, I cannot excuse him for what happened this morning. When I came straight back from Australia, I hurried here, I found out from the Parliamentary Draftsman that the Honourable Member for Dato Kramat had telephoned him and offered to second this motion. So I approached him, and till last night I was under the impression—and even this morning—that he was going to second this motion. As you see this morning, and as Honourable Members saw, I was in a terrible predicament. There was nobody to second my motion. And this motion is not from the Alliance or from the Government—this is a Committee of the House. Now, Sir, that completely upset not only my nerves, even my stomach too—especially when the air condition was not operating and you allowed us to take off our coats. You can just imagine, Sir. That was why I felt very much upset. Not, Sir, that I object to his agreeing to his Party Members. I am a Party man myself. If he had come to me and told me that he wanted to withdraw from seconding the motion, I would have agreed, and I would have been prepared

Mr. Tan Phock Kin: On a point of clarification, Mr. Speaker—according to the Report, it is stated here on page 24, paragraph 5, that the Question proposed that the mover and seconder of the motion for the adoption of the Report of the Standing Orders Committee of this House be nominated by the Chairman at a later date. May I know whether the Chairman had nominated both proposer and seconder?

Mr. Speaker: I think that is immaterial.

Dato' Suleiman: I am only telling this House how patient I am, Sir, on all this. Again, as I say, while I appreciate the difficulties which the Honourable Member was facing—as the House had just seen just now that his colleagues would not support him and tried to make a compromise—I can appreciate his position. But then, Sir, fortunately for him, he has got all my sympathy.

Mr. V. David: Mr. Speaker, I think the Honourable Minister is imputing on the Member for Dato Kramat.

Mr. Speaker: No, I don't think so.

Dato' Suleiman: I am only praising him, Sir. I feel that as a colleague of mine in this Committee, when the Honourable Member from Kuala Trengganu Selatan attacked him for making a speech to support whatever he could on what he agreed upon, he was branded something else. I don't envy his position, and I quite understand him, and I have always sympathy for people who have got me into difficulties (*Laughter*).

Now, Sir, let me come to my Honourable friend the Member from Kuala Trengganu Selatan, for whom I have always great admiration, but great admiration which every now and again is tinged with regret, for I am shocked at that Honourable Member, knowing what his record is and what he had done in the Communities Liaison Committee—he was so proud of it, and I was very proud of it. And here, in this debate, the Honourable Member asked that this particular portion—36 (c)—should be deleted and giving reasons—if I am wrong it is for the Honourable Member to correct me—which will encourage words—I had better read, because my Honourable friend is sitting alert to catch me by the throat:

“words which are likely to promote feelings of ill-will and hostility between different communities in the Federation.”

Dato' Onn bin Jaafar: Sir, on a matter of clarification, I see no connection between what happened 14 years ago and the debate now.

Dato' Suleiman: No, Sir, I was mentioning that because then the Honourable Member was for everything non-communal.

Mr. Speaker: There is no connection.

Dato' Suleiman: There is no connection? I see, there is no connection.

Sir, I have replied to him with regard to who should decide on these words, but I do feel sorry that the Honourable Member from Kuala Trengganu Selatan should take to task my Honourable friend from Dato Kramat, who was trying to do what he was deputed to do, at least, as far as possible, to support whatever he could of this motion.

Dato' Onn bin Jaafar: He asked for it.

Dato' Suleiman: We have different views.

Sir, as to the Honourable Member for Tanjong, with regard to the banning of communal organisations, I believe the Honourable Member from Menglembu mentioned that as the reason. Sir, surely that is a great argument in favour of us—that we are practising democracy. Sir, treason has nothing to do with the Government, nor has sedition; but it is the role of the Public Prosecutor. But with regard to the banning of communal parties, then if we do that, we won't be democratic. But here again, of course, if I were to ban, the Honourable Member would also say we are not democratic, because we restrict the liberties of the people to form whatever association they like, and if we are going to ban

Mr. S. P. Seenivasagam: Mr. Speaker, on a point of explanation, the point made was that a communal political party is allowed to fight the elections and win the elections, but when they come into this House, they are not allowed to speak. That was the point.

Dato' Suleiman: Whichever applies—if it is not the Honourable Member from Menglembu, then it is another Member. Surely the Member for

Tanjong did say we did not ban communal organisations. Well, we do not want to ban communal organisations because we are being very democratic: we don't try to do it.

But what is being discussed here has nothing to do with the Alliance but what had been considered and suggested by the Committee, Sir, and it is for this House now to accept or not—it is for this House now to decide. As I said, Sir, there were two representatives from the Opposition Parties—the Member for Dato Kramat, and the Honourable Member for Kelantan Hilir. Whether they want to say now they did sign after reading it, whether their eyes were wide open when they agreed with it, or they now say they either did not read or they had never agreed when they signed it, is up to the Honourable Members to decide for themselves. What conclusion could be drawn from that, I leave to the House. If I were to tell you my conclusion, Sir, it would be asking for trouble—I would be finished.

Sir, there has been a great deal of confusion of thought in this matter. When some Honourable Members—one of them was the Honourable Member for Damansara—kept on accusing the Alliance Government, the Alliance Party, are wanting to do this, I am very surprised. I am very surprised as the Honourable Member from Damansara is a legally qualified man. That is why I have so much respect for the Members from Ipoh and Menglembu. They kept quite clear. But the Honourable Member for Damansara made allegations against the Government, and against the Alliance Party—so much so, I am beginning to think that it was lucky when he was talking just now that the air-conditioning started again. Otherwise, probably on account of the heat in this room and the heat that will come out from him, I would have to leave the room and I would not be able to answer him. What I would like to ask from the Honourable Member for Damansara is fair-play. When it is not the Government's doing—nor the Alliance Party's doing—then be fair. If we do it, I can assure

the Honourable Member for Daman-sara that we will accept the responsibility.

Now, Sir, with regard to the Honourable Member for Bungsar, I did not want to tease him; nor to pull his legs; nor put him off his stride. What I was telling him just now—and I have to repeat it because, Mr. Speaker, Sir, you said I would have the chance to speak, and now that I am speaking I will repeat it with your permission—was that he did say what I actually said in my opening speech: I was afraid that probably he might not understand my Malay.

Mr. V. David: Mr. Speaker, I think we understand better Malay than the Alliance non-Malay Members themselves. (*Interruption*).

Dato' Suleiman: Sir, he is not fair now. At least when I spoke to him I did try to tell facts. As I said just now, in fact, my trouble is this: when I asked in Committee if Ministers here got any special privileges, at least in reading speeches, because we got so many Bills and so on to introduce, I was told that there were no special privileges for Ministers. In fact, Sir, an Honourable Member, I think it was the Honourable Member for Kuala Trengganu Selatan, took great delight at the beginning of this meeting in saying of every Minister, "He is reading his speech." Sir, that only shows we have got no privilege at all. But if the Honourable Member for Bungsar would like us to ask to have some privileges, I would not mind; if we could have them, we would be very grateful; and if he would suggest to the House that the Ministers should have privileges, I would certainly agree. Surely, we would like to have them.

Now, Sir, I come to my other colleague in the Committee—the Honourable Member for Kelantan Hilir. I do not know what to think of my Honourable friend. How could he get up here and say he was sick of it? He was one of the Members of the Committee. Therefore he ought to try to come to my rescue, he ought to try to explain the provisions here to Members of his Party, to try to explain to the other

Honourable Members of this House, and try to help me, as after all I am not doing this as a Member of the Government

Wan Mustapha bin Haji Ali: Sir, on a point of explanation, I was not sick of the Honourable Minister, but I was sick of the other speakers.

Dato' Suleiman: Thank you very much. Sir, what I am trying to point out to him is that he has not done his duty he has not done his duty to me. (*Laughter*). What I am worried about is that he has not done his duty to the other Members by explaining to them. He just got up here and said he was quite sick of the debate. Can you imagine such a thing? The only thing I have to say is that I am feeling very sorry, if he is going to be sick of all the recommendations he makes in this House.

Sir, at the beginning of the debate just now, some Honourable Members tried to mislead this House, and I am sorry to say that the Honourable Member for Kelantan Hilir did try to mislead the Honourable Members of this House, and he tried to ascertain that there was no provision of this nature anywhere. In fact what he was looking for is in the Halsbury Laws of England. I was his colleague in the Committee and if he had asked me, I would have supplied him with the information. If he had asked me about the procedure, I would have supplied him with this Manual of Procedure, Public Business, House of Commons, 1951. Now, to think that my colleague would let me down like this, is very bad of him, as he belongs to the same profession, the legal profession. Even if I can excuse him, Sir, as a Member of this House because he has got privileges, as a member of the profession I cannot excuse my Honourable friend for trying to mislead not only the House, but even me by reading Halsbury Laws of England.

Sir, one little point more and that is in regard to the Honourable Member for Menglembu. I have a great respect for his intelligence. He might have convinced Judges in cases which he had won. However, I can assure him that he has not convinced me that he really

believes 100 per cent of it, when he says that this is a perpetration of an outrage on democracy and all these things. I think it is a matter of rhetoric. Of course, being a very good legal practitioner he has made a very good attempt to convince me, but I am afraid I cannot be convinced, and I give the Honourable Member a bouquet for that. I am sure he does not believe in what he says 100 per cent because this is not a perpetration of an outrage on democracy. As I said just now, they appear in the Rules and Procedures of the Mother of Parliament in England. that is all, Sir. (*Applause*).

Original Amendment put, and negatived.

Sitting suspended at 5.00 p.m.

Sitting resumed at 5.20 p.m.

Debate resumed on Original Question, "That the First Report of the Standing Orders Committee, tabled as Paper No. DR. 2 of 1959, be adopted, with effect from the end of this meeting".

Mr. D. R. Seenivasagam: Mr. Speaker, Sir, I rise again to oppose the proposed amendment and during this reference I would like shortly to refer to the observations made by the Honourable Minister of the Interior with regard to using the name of His Majesty or others. That is already provided for in our Standing Orders as it now stands—Order 36 (7), (8), etc. It is significant that the Honourable Minister of the Interior has not at any stage of his speech or reply touched on the proviso (c), which it is intended to place into these Standing Orders.

Sir, nowhere in any Parliament do we find any such provision in any Standing Orders of any country, even where there are different communities living in the same land; nowhere in the free world could you find such a provision—not even in India or Ceylon, where there have been communal troubles. And this clearly indicates to

this House the importance of preserving that freedom of speech.

With regard to the Minister's suggestion that we of the Opposition here do not intend what we say, that is entirely wrong. We intend every word of what we say, and we want it to be given its fullest meaning.

Mr. Speaker, Sir, with regard to this question of treason and sedition—though Erskine May has been referred to, I would like to refer to one small passage on page 455 which deals with the question of treason. It says—

"Treasonable or seditious language or a disrespectful use of Her Majesty's name would be rebuked"

Dato' Suleiman: Is the Honourable Member still speaking on the decision we have taken just now?

Mr. Speaker: He is quite in order. We are going back to the substantive motion now and he is quite relevant to speak on that.

Mr. D. R. Seenivasagam: " by any subject out of Parliament; and it is only consistent with decency, that a member of the legislature should not be permitted openly to use such language in his place in Parliament. Members have not only been called to order for such offences, but have been reprimanded, committed to the custody of the Serjeant or even sent to the Tower." That can be done as our Standing Orders now stand, though not sent to the Tower, of course, because we have no Tower here. We can be called to order; we can be reprimanded by the Chair as our Standing Orders now stand. Therefore, there is not much substance, unless the Minister of the Interior is trying to pull wool over this House.

Question put, and agreed to.

Resolved,

That the First Report of the Standing Orders Committee, tabled as Paper No. DR. 2 of 1959, be adopted, with effect from the end of this meeting.

House adjourned at 5.25 p.m.