



PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

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

Official Report

Second Session of the First Dewan Ra'ayat

Friday, 2nd December, 1960

The House met at half past nine o'clock a.m.

PRESENT:

- The Honourable Mr. Speaker, DATO' HAJI MOHAMED NOAH BIN OMAR,
S.P.M.J., D.P.M.B., P.I.S., J.P.
- „ the Prime Minister, Y.T.M. TUNKU ABDUL RAHMAN PUTRA
AL-HAJ, K.O.M. (Kuala Kedah).
- „ the Deputy Prime Minister and Minister of Defence, TUN
ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ the Minister of Internal Security, DATO' DR. ISMAIL BIN
DATO' ABDUL RAHMAN, P.M.N. (Johore Timor).
- „ the Minister of Finance, ENCHE' 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 Agriculture and Co-operatives, ENCHE'
ABDUL AZIZ BIN ISHAK (Kuala Langat).
- „ 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 Commerce and Industry, ENCHE' MOHAMED
KHIR BIN JOHARI (Kedah Tengah).
- „ the Minister of Labour, ENCHE' BAHAMAN BIN SAMSUDIN
(Kuala Pilah).
- „ 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' CHEAH THEAM SWEE, Assistant Minister (Bukit
Bintang).
- „ ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K., Assistant
Minister (Klang).
- „ ENCHE' MOHAMED ISMAIL BIN MOHAMED YUSOF, Assistant
Minister (Jelai).
- „ ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Malacca Utara).
- „ ENCHE' ABDUL RAUF BIN A. RAHMAN (Krian Laut).

The Honourable 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).
- „ ENCHE' AHMAD BOESTAMAM (Setapak).
- „ ENCHE' AHMAD BIN MOHAMED SHAH, S.M.J. (Johore Bharu Barat).
- „ TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- „ ENCHE' AHMAD BIN HAJI YUSOF, P.J.K. (Krian Darat).
- „ TUAN HAJI AZAHARI BIN HAJI IBRAHIM (Kubang Pasu Barat).
- „ ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- „ DR. BURHANUDDIN BIN MOHD. NOOR (Besut).
- „ ENCHE' CHAN CHONG WEN (Kluang Selatan).
- „ ENCHE' CHAN SIANG SUN (Bentong).
- „ ENCHE' CHAN SWEE HO (Ulu Kinta).
- „ ENCHE' CHIN SEE YIN (Seremban Timor).
- „ ENCHE' V. DAVID (Bungsar).
- „ DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- „ ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- „ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- „ ENCHE' HARUN BIN PILUS (Trengganu Tengah).
- „ TUAN HAJI HASAN ADLI BIN HAJI ARSHAD (Kuala Trengganu Utara).
- „ TUAN HAJI HASSAN BIN HAJI AHMAD (Tumpat).
- „ ENCHE' HASSAN BIN MANSOR (Malacca Selatan).
- „ ENCHE' HUSSEIN BIN TO' MUDA HASSAN (Raub).
- „ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- „ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ ENCHE' KANG KOCK SENG (Batu Pahat).
- „ ENCHE' K. KARAM SINGH (Damansara).
- „ CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- „ ENCHE' KHONG KOK YAT (Batu Gajah).
- „ ENCHE' LEE SAN CHOON (Kluang Utara).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' LEE SIOK YEW (Sepang).
- „ ENCHE' LIM JOO KONG (Alor Star).
- „ ENCHE' LIM KEAN SIEW (Dato Kramat).
- „ DR. LIM SWEE AUN, J.P. (Larut Selatan).

The Honourable ENCHE' LIU YOONG PENG (Rawang).

- „ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- „ ENCHE' MOHAMED BIN UJANG (Jelebu-Jempol).
- „ ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).
- „ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- „ ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI (Kuala Selangor).
- „ ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).
- „ 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).
- „ ENCHE' NG ANN TECK (Batu).
- „ DATO' ONN BIN JA'AFAR, 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).
- „ ENCHE' SEAH TENG NGIAB (Muar Pantai).
- „ ENCHE' D. R. SEENIVASAGAM (Ipoh).
- „ ENCHE' 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, P.J.K. (Larut Utara).
- „ ENCHE' TAN CHENG BEE, J.P. (Bagan).
- „ ENCHE' TAN PHOCK KIN (Tanjong).
- „ ENCHE' TAN TYE CHEK (Kulim-Bandar Bahru).
- „ TENGKU INDRA PETRA IBNI SULTAN IBRAHIM, J.M.N. (Ulu Kelantan).
- „ DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).
- „ ENCHE' V. VEERAPPEN (Seberang Selatan).
- „ WAN SULAIMAN BIN WAN TAM, P.J.K. (Kota Star Selatan).
- „ WAN YAHYA BIN HAJI WAN MOHAMED (Kemaman).
- „ ENCHE' WOO SAIK HONG, P.J.K., J.P. (Telok Anson).
- „ ENCHE' YAHYA BIN HAJI AHMAD (Bagan Dato).
- „ ENCHE' YEOH TAT BENG (Bruas).
- „ ENCHE' YONG WOO MING (Sitiawan).
- „ PUAN HAJAH ZAIN BINTI SULAIMAN, J.M.N., P.I.S. (Pontian Selatan).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).
- „ ENCHE' ZULKIFLEE BIN MUHAMMAD (Bachok).

ABSENT:

- The Honourable the Minister of the Interior, DATO' SULAIMAN BIN DATO' ABDUL RAHMAN, P.M.N. (Muar Selatan).
- .. the Minister of Education, ENCHE' ABDUL RAHMAN BIN HAJI TALIB (Kuantan).
- .. TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N., Assistant Minister (Johore Tenggara).
- .. ENCHE' CHAN YOON ONN (Kampar).
- .. ENCHE' GEH CHONG KEAT (Penang Utara).
- .. ENCHE' QUEK KAI DONG (Seremban Barat).
- .. ENCHE' TAN KEE GAK (Bandar Malacca).
- .. WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).

IN ATTENDANCE:

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

PRAYERS

(Mr. Speaker in the Chair)

BILL PRESENTED

THE SPECIAL PENSION (TENGKU AMPUAN JEMA'AH BINTI RAJA AHMAD) BILL

Bill to make provision for the grant of a pension to Tengku Ampuan Jema'ah binti Raja Ahmad, the widow of His late Majesty Sultan Hisamuddin Alam Shah ibni Al-Marhum Sultan Ala'iddin Sulaiman Shah; presented by the Deputy Prime Minister; read the First time; to be read a Second time at a subsequent meeting.

BILL

THE INCOME TAX (AMENDMENT) (No. 2) BILL

Second Reading

The Minister of Finance (Enche' Tan Siew Sin): Mr. Speaker, Sir, I beg to move that a Bill intituled "An Act to amend the Income Tax Ordinance, 1947" be read a second time.

It is the unhappy lot of a Minister of Finance to propose new burdens more often than to put forward a measure of relief. It is with particular pleasure, therefore, that I present this Bill, which, while reducing the relief granted to a small class of individuals with big incomes, will also benefit that much

larger section of the community which works for its living.

The Bill proposes a new relief for individuals and Hindu Joint Families who derive their income from what, for want of a better term is called "personal exertion". In other countries the relief goes under the name of "earned income relief" and for convenience it is desirable to adopt that term here.

Earned income is defined as the gains or profits from any trade, business, profession, vocation or employment where the Comptroller is satisfied that such gains or profits are directly derived from the carrying on or exercise of the trade, business, profession, vocation or employment. The definition also includes any pension given in respect of the past services of an individual. Income such as dividends, interest and rents which normally arise with little or no personal exertion on the part of the recipient will not qualify for relief unless of course it can be said to arise in the actual carrying on or exercise of a trade or business—for example, interest received by a person who is carrying on the business of money lending will, generally speaking, arise in the normal carrying on of his business and will qualify for the relief. The share of the income of a partnership, which is allocated to one who is merely a sleeping partner, will not qualify.

It is considered to be right and proper that there should be a distinction between these two types of income particularly since the former will in general increase the productivity and wealth of the country and those with such incomes can therefore be regarded as the most deserving sections of the community.

The relief proposed is one-tenth of the statutory income reduced by the amount of any trading loss in respect of which relief is claimed under section 33 (2) (a) or (b) of the Income Tax Ordinance.

The effect of the relief will be greater proportionally in the lower income groups. For example, a single man whose income is earned and amounts to \$2,500 will have his tax bill cut in half. A married man with \$4,000 of earned income will obtain a reduction of 40 per cent, that is from \$60 to \$36.

A married man with 2 children and an earned income of \$5,000 has his tax reduced by 2/3rds, that is from \$45 to \$15.

There will also be reductions for the bigger taxpayer, which will be greater in terms of tax but smaller in proportion to his total tax bill. For example a single man with \$10,000 of earned income obtains a reduction of only 1/6th in his tax liability. A married man with an earned income of \$20,000 will have his bill reduced by about only 1/12th.

The second provision of the Bill deals with the amount of relief which may be allowed in respect of life insurance premia and pension and provident fund contributions. At present the ceiling limit is one-sixth of the individual assessable income or \$4,000 whichever is the less. It is considered that the one-sixth limit is unnecessary and should be abandoned. The other limit of \$4,000 is no longer realistic when compared with the personal relief which may be allowed to an unmarried individual, namely, \$2,000, and to a married individual, namely, \$3,000. The Bill accordingly proposes that the limit should be reduced from \$4,000 to \$3,000.

Sir, I beg to move.

The Deputy Prime Minister (Tun Abdul Razak): Sir, I beg to second the motion.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

Clauses 1 to 3 inclusive ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

MOTIONS

THE MINISTER OF JUSTICE— MOTION OF CONFIDENCE

(Withdrawal)

Enche' D. R. Seenivasagam (Ipoh): Mr. Speaker, Sir, on the 12th of August this year the Honourable the Minister of Justice addressed this House and in the course of that address he made some statements, which tended to cause apprehension to members of the legal profession and the public of this country generally.

Subsequently in the *Straits Times* of the 30th August—a reliable newspaper—there appeared an explanation by the Minister of Justice part of which reads, "so much that has appeared in the Press regarding my remarks that Mr. D. R. Seenivasagam was a lawyer for thugs, gangsters and communist terrorists makes it clear that I expressed myself badly in Parliament and for that I offer an unqualified apology."

Mr. Speaker, Sir, that part of the explanation given by the Minister has to a large extent clarified the apprehension which members of the legal profession generally had and the members of the public felt with regard to the future administration of justice in this country. In view of that statement and that

explanation, I feel that the proper course for me would be to say that I ask the permission of this House, or the consent of this House, under Standing Order 34, to withdraw this motion, as I feel that no useful purpose will be served by going on with it and that the sooner this distasteful incident is closed the better it is for this House and for all.

Motion withdrawn by leave of the House.

PARITY OF REMUNERATION BETWEEN MEN AND WOMEN

Enche' V. David (Bungsar): Mr. Speaker, Sir, in my motion I originally intended to dwell on two proposals, but at the moment I would like to only specifically dwell on the subject of equal pay for equal work and leave the other points for the next meeting to be brought up as a different motion. Sir, I am proposing the following amendments, so that the amended motion will read:

"That this House, recognising the claim of women of the Federation of Malaya to the status of equality with men and the wisdom and necessity of having legislative provision for the realisation and enforcement of this just claim, hereby resolves:

- (a) that the Federal Government should take steps to introduce the necessary legislation at the earliest opportunity for enforcing this principle of equality between men and women for employment";—

that is to delete the words "with particular reference to the matters of matrimony, divorce and employment" as originally worded in my motion and to add the words "between men and women for employment" after the word "equality" in the original para. (a);

- "(b) that in the drafting of such legislation, the Federal Government shall aim"—

here delete the words immediately after "in relation to the matter of matrimony, at wiping out the practice of polygamous marriages and at the setting up of the institution of monogamy in its place and in the matter of employment," and then continue with the original wording:

- "at securing for all women the implementation of the principle of 'equal pay for equal work'."

Paragraph (c) the original motion to be deleted.

Mr. Speaker, Sir, this amendment is intended purely because I would like to take one subject at a time and on the question of marriages and other laws relating to it I intend bringing as a different motion at a later date for a thorough discussion in this House.

Sir, there are deep beliefs which have taken root in the minds of men that women are a weaker sex and as such they are inferior to men. This wrong misconception, however, has decayed in the present nuclear age. If we accept the principle that all human beings are created equal, then there is no logical argument that one is superior to the other. World scientists, through extensive research, have concluded that the brains of man and woman are equal; and there is no distinctive superiority in men against women. Further, within the past few years, women have reached the stage equal to men, not only in intellectual capacity but also in administering world affairs. For instance, Sir, in 1952 I remember Madam Vijaya Lakshmi Pandit, who is now the High Commissioner of India in Britain, was elected President of the United Nations General Assembly. Her magnificent performances as President of the world organisation have really kept the world thinking of her even after she has retired as President. Her performances were really commendable, and she has been a guiding force for world peace during her term of office. If I am allowed to touch on history, Sir, I cannot leave out the great Joan of Arc, who led France towards victory in the battlefield even at a time when men were reluctant to go to the battlefield. Similarly, Sir, today we see Britain is ruled by a Queen and we do not find any chaos, as one would expect from those who do not believe in equal status. We find peace and prosperity flourishing in Britain. Therefore, Sir, the false argument that women are not equal to men is mischievous, and I say it is also being misinterpreted.

Sir, it is extremely unfair for modern society to place women in a disadvantageous position due to political, economic and religious factors. They

are faced with obstacles from every angle wherever they go. In a semi-feudal society which, of course, the Alliance is going to create, their position is worse in their homes. In some homes they are often treated as slaves by their husbands and grown-up children. They are influenced largely by superstition and are unable to break away from the narrow family environment in order to understand the outside world. Sir, unmarried women are unable to stand on their own feet economically due to the lack of educational facilities. Under the pressure of worsening economic conditions and unemployment, Sir, many young girls are forced to become prostitutes, while others become victims of employers' exploitation. In the Federation of Malaya most of the girls who live on immoral earnings are due to economic conditions, since there is no other way to earn a living. It is due to circumstances that they are forced to adopt themselves to that way of life. These girls and women are not criminals. But I would say that the men, who claim superiority and who live in part on their immoral earnings, are really worth condemning. Only by granting equal status to women in society can the curse of prostitution be eliminated from our midst, thus helping the unfortunate women to regain their respect and their status in society.

Sir, women's claim for equal pay with men is not an unconventional claim. It is a decision of the I.L.O., and the I.L.O. Convention should be supported and ratified by the Federation of Malaya. Discrimination between sexes will only lead to disunity among the population of the country. Sir, the International Confederation of Free Trade Unions at a delegates educational meeting adopted the following:

"We have met at a time when the struggle to extend and preserve democracy is paramount all over the world. The movement for the advancement of fuller participation of women is only part of the great movement of democracy taking place in the world today. We know that the advancement of women is tied to the advancement of all people and that, meeting as trade unionists, not only as women, we can move towards the solution of our special problems. We do not want a special women's movement, but rather, we should take our place side by side with all trade unionists in the march

towards abundance, freedom and good life for everyone".

Sir, in 1954, at the Congress of Industrial Organisations Convention at Los Angeles, the following resolution was adopted:

"We call upon our affiliate organisations to intensify their effort to overcome the discrimination against women on the jobs or in the community and to support actively the protection of women's rights through clauses in unions' contracts against discrimination in pay, grading, training, lay off, or similar procedure. Further, we shall continue to safeguard the principle of equal pay for equal work."

Sir, Government's refusal to recognise the right of women for equal pay for equal work with men indirectly splits the trade union movement in this country. Sir, unity in the trade union movement can only be achieved if the evil of sex discrimination is abolished by the Government through appropriate legislation. In certain industries in Malaya, employers prefer women to men in order to extract the maximum profit through exploitation. For example, in the rice mills in Trengganu and Kelantan, women workers are paid only \$1.40 to \$1.60 per day. This would hardly enable them to purchase one gantang of rice per day. This we can briefly state is an oppressive wage. Sir, the biggest employer in Malaya—the Malayan Planting Industry Employers' Association—pay different rates of pay for men and women for the same work. Sir, in rubber tapping, there are fixed rates for women tappers and fixed rates for men tappers. Though the job is similar, and there is not much difference, still the discrimination is glaring. (*Laughter*). So, let us ask ourselves, why do women work? They work for the same reason as men. (*Laughter*).

Enche' Tan Siew Sin: Mr. Speaker, Sir, I would like to rise on a point of order, and it is a very important point of order too. When the Honourable Member for Bungsar sought to amend this motion, I was not in the Chamber, and I submit, Sir, that the motion as amended is in direct conflict with Standing Order 26 (2) (a), on page 32 of the English version of the Standing Orders, that is, it is a motion which

seeks a grant, charge or expenditure of public money. There is no question, Sir, that if this motion were to go through—but fortunately the likelihood of that is very negligible—it would involve the Government in tremendous expenditure of public money and I therefore seek your concurrence that this motion is directly in conflict with the Standing Orders and should not be allowed.

Mr. Speaker: What Standing Order?

Enche' Tan Siew Sin: 26 (2) (a).

Mr. Speaker: But the Government still can give its consent.

Enche' Tan Siew Sin: I am not prepared to give it, Sir.

Enche' V. David: It only asks for recognition, Sir, it is not a request for funds.

Mr. Speaker: I have already accepted this motion at the beginning as I find that this motion only asks the Government to draw up a legislation. It is up to the Government whether to draw up that legislation or not. Even if this motion is approved by the House, the power of legislation is still in the hands of the Government. Please proceed!

Enche' V. David: Thank you. Let us now go into the logical argument. Why do women work? They work for the same reason as men (*Laughter*). Women work to earn a living as men do. They have family responsibilities as men. In some cases widows do work in order to support large families and since there is no source of income they are the sole bread winner of the family. Sir, the term equal pay for equal work in other words means equal rate for a job and if there is any difficulty in defining what is equal, it would be advantageous to fix the rate for a specific job and whoever, whether man or woman, performs that job should get that agreed wage without any difference.

Sir, we have been reading in the newspapers during the last few weeks of the claim of the women teachers in

this country. Sir, I strongly support the women teachers claim for equal pay with men. There is no logic in Government's refusal of the rightful claim of these women teachers. As I said, earlier, the claim of equal pay for equal work is not an unconventional claim. It has been agreed by the International Labour Organisation, and to a certain extent it has been ratified by the United States and also to a certain extent in Britain. So, I do not see any reason why the Federation of Malaya should oppose such a right which has been accepted by the International Labour Organisation, in which Malaya is an affiliated body. Sir, the emancipation of women should at all costs be accepted if we really believe that all human beings are created equal. I have nothing more to add. Sir, I beg to move.

Enche' Tan Siew Sin: Mr. Speaker, Sir, may I rise on a point of order. I am sorry to bring up this matter again, but Standing Order 26 (2) after specifying the motions which cannot be proceeded with ends by saying that these motions "shall not be proceeded with unless the recommendation of the Government thereto is signified by the Minister charged with responsibility for finance". You have ruled, Sir, that this motion even if approved does not bind the Government to accepting its terms and going on with the legislation which would give effect to this motion. If that is your ruling, Sir, well and good. There is nothing more I have to say. But I should make it crystal clear that even if this motion is accepted by this House, the Government insists that it has got the right not to proceed with the motion at all, because it has not been agreed to by the Minister of Finance on behalf of the Government and on behalf of the Government I should like to make it crystal clear that I do not agree with this motion and that the Federation Government has no intention of proceeding with this even if this House approves it. So, I would like to tell this House that it will be wasting its time if it proceeds to debate this motion.

Dato' Onn bin Ja'afar (Kuala Trengganu Selatan): Will the Honourable the Minister of Finance quote the Standing Order?

Enche' Tan Siew Sin: Standing Order 26 (2).

Enche' K. Karam Singh: Mr. Speaker, Sir, I do not know whether it is a point of order or a point of clarification.

Mr. Speaker: Are you going to second the motion or not?

Enche' K. Karam Singh (Daman-sara): I am going to second the motion. I have the honour to second the motion, and I reserve my right to reply at a later stage.

Mr. Speaker: Never mind about the point raised by the Minister of Finance. If you want to reserve your right to speak later on, you can do so.

Enche' K. Karam Singh: Yes, I would like to reserve my right to speak later on, Sir.

Mr. Speaker: The motion is open to debate.

The Assistant Minister of Labour (Enche' V. Manickavasagam): Mr. Speaker, Sir, I rise to oppose this motion. Perhaps I cannot speak with such great authority on women as that of the Honourable Member for Bungsar, but, Sir, in so far as my Ministry is concerned, I would like to say that equality of women with men with regard to pay and equal opportunity for employment already exists. A survey has already been made, which does not disclose any widespread discrimination against women in these particular issues. Women, in fact, get as much as men, and, in rubber estates, women often earn more than men tappers because of their better output.

Wages, however, are related to output, and it has been found that women are less capable of sustained physical effort, and, for this reason, are normally given lighter work with rates of pay commensurate with the work done.

With regard to women officers in Government service, their salaries are paid in accordance with the Benham

Report, in which it is stated that much of an officer's value to Government depends upon the experience and continuity of employment. It is essential that Government should be able freely to transfer officers from one post to another, at least within the limits of a particular State, and therefore a lower salary scale for women than for men was introduced.

However, this does not prevent any Trade Union or association of Government employees from negotiating with Government for better terms and conditions of service through the normal machinery of the Whitley Council, which has been established for the purpose. To my knowledge, no official request has been made by women officers or their union or association for equal pay with men officers. But should such a request come, I can assure the House that the Alliance Government, which believes in justice and fair play for all, will give this matter all the consideration it deserves. (Applause).

Che' Khadijah binti Mohamed Sidek (Dungun): Tuan Yang di-Pertua, saya menyokong akan usul ini sebab sa-bagaimana keterangan² yang telah diberikan oleh pihak Yang Berhormat tadi dan juga sa-bagaimana keterangan² yang baharu sahaja di-berikan oleh Yang Berhormat Menteri Muda kita yang menyatakan ia-itu kaum wanita itu lemah, jadi hanya di-beri pekerjaan² yang ringan² sahaja. Sa-betul-nya Tuan Yang di-Pertua, zaman sekarang ia-lah zaman demokerasi dan zaman sa-chara peri-kemanusiaan. Jadi dimana negara² lain di-dalam Bangsa² Bersatu sendiri sudah di-adakan undang² yang sama hak wanita dan laki².

Sa-bagaimana keterangan yang telah di-berikan pihak penchadang tadi, bahawa wanita² itu otak-nya sa-chara dalam pelajaran, sa-chara dalam soal berpolitik dan lain² tidak ada kekurangan-nya, sa-bagai beberapa chontoh ia-itu sudah ada wanita² yang telah menjadi presiden saperti di-United Nations Organisation dan telah ada yang telah jadi Perdana Menteri. Jadi itu ada-lah menyatakan yang wanita itu tidak ada kekurangan-nya

dengan laki², Tuan Yang di-Pertua. Kalau sa-kira-nya dari pehak pembangkang menyatakan wanita ini lemah, wanita itu untuk bekerja di-rumah sahaja, tetapi di-sini saya mengatakan Tuhan sendiri telah memberikan satu kekuatan yang luar biasa kepada wanita yang tidak ada di-punyai oleh laki². (*Ketawa*).

Tuan Yang di-Pertua kalau rakan² saya daripada Yang Berhormat² tertawa itu boleh mereka tertawa, tetapi chuba renongkan dan fikirkan dalam² apa² yang saya katakan ini kalau² tuan membanggakan pehak laki² itu sa-bagai pahlawan kesatria terkorban mati di-padang pertempuran di-padang perjuangan, tetapi wanita² itu ada-lah di-sisi Tuhan mereka terkorban sa-bagai pahlawan kesatria di-padang mendzahirkan anak² tuan sa-bagai mati shahid shorga Jannatul-naim. Ini ada-lah keistimewaan yang di-berikan kepada wanita ia-itu kekuatan yang tidak ada di-punyai oleh laki². Jadi saya rasa rakan² saya yang tertawa tadi akan menarek balek chadangan-nya.

Tuan Yang di-Pertua, saya juga ikut tertawa kerana melihat Tuan Yang di-Pertua sendiri tertawa (*Ketawa*). Sa-bagai satu chontoh pembesar² di-negara yang Maha Mulia Queen di-United Kingdom sekarang ini juga ia-lah sa-orang wanita, sa-orang raja di-negeri Belanda juga sa-orang wanita tetapi pemerintah² mereka itu tidak kurang daripada pemerintah daripada yang mulia raja² dari pehak laki². Jadi ini juga harus menjadi pandangan menjadi sukar kepada pehak laki². Tuan Yang di-Pertua, saya membawa kepada chontoh yang lebih dekat yang kejadian di-tanah ayer kita ini ia-itu masa Pilehan Raya di-dalam tanah ayer kita ini bukan laki² yang bekerja kuat, saya berani mengatakan di-sini kerja kaum wanita pada masa itu amat keras untuk menjayakan Pilehan Raya yang telah di-chapai oleh Kerajaan Perikatan. Pada hari itu boleh-lah saya katakan 70 per cent di-tangan kaum wanita.

Mr. Speaker: Itu tidak ada kena mengena dengan soal gaji. (*Ketawa*). Kita sekarang di-dalam membincangkan soal gaji.

Che' Khadijah binti Mohd. Sidek: Tuan Yang di-Pertua, oleh sebab tadi banyak di-bawa berkenaan dengan masaalah gaji itu, jadi saya di-sini membangkang bahawa wanita itu tidak lemah, wanita itu kuat. Jadi Tuan Yang di-Pertua, sa-chara dalam pekerjaan yang bergaji pula ada yang mengatakan bahawa wanita itu lemah. Di-sini saya menegaskan dalam soal pekerjaan yang bergaji barangkali kaum wanita itu lemah dalam soal pekerjaan² yang berat², mungkin mereka itu lebih lemah daripada kaum laki². Tetapi chuba kita bawa kepada soal kebersehan, soal pekerjaan yang teliti sa-bagai Tukang Taip "Typist" di-pejabat², mereka lebih sukakan kaum wanita daripada kaum laki² kerana wanita itu dengan chara berhalus dan bersej, begitu juga dalam soal guru² sa-bagai hendak mendidik anak², bahawa wanita itu dia ada mempunyai jiwa ibu, jiwa pendidik yang di-berikan Tuhan kepada-nya. Mereka itu akan mendidik murid²-nya sa-bagai anak²-nya yang akan membawa kehormatan bagi rumah tangga dan bagi rumah tangga negara-nya. Sa-kira-nya Yang Berhormat Menteri Kewangan mengatakan tadi hanya membuang masa sahaja untuk membincangkan soal ini. Tuntutan ini untuk mengadakan undang² supaya gaji wanita itu di-samakan dengan gaji kaum laki². Jadi kalau di-dalam Bangsa² Bersatu undang² ini sudah di-adakan, yang mana baharu sahaja saya terbaca bahawa di-Indonesia undang² ini sudah di-adakan ia-itu gaji wanita Indonesia itu dengan gaji kaum laki² sama sahaja dalam pekerjaan yang sama. Jadi di-sini saya hendak menegaskan dan menguatkan kalau sa-kira-nya betul kata Yang Berhormat Menteri kita tadi bahawa Kerajaan Perikatan akan berdiri dengan sa-chara ke'adilan dengan sa-chara demokrasi maka saya sa-bagai suara daripada wanita kalau kata mereka tidak ada wanita yang menyuarakan-nya. Sa-betul-nya saudara Yang Berhormat penchadang ini telah terlebih dahulu menchadangkan ini dan tidak saya bermaksud akan membawa lagi chadangan ini (*Tertawa*).

Jadi sa-bagai dari pehak kaum wanita maka saya minta buktikan-lah

kalau betul² Kerajaan Perikatan mahu berdiri sa-chara ke'adilan maka adakan-lah ke'adilan dalam undang² ini bahawa kami dari pehak wanita akan mendapat sama hak dan sama taraf, jadi berikan-lah kami kaum wanita gaji yang sama dalam pekerjaan yang sama dengan kaum laki².

Sekian-lah sahaja Tuan Yang di-Pertua.

Enche' K. Karam Singh: Mr. Speaker, Sir, I may be excused if I render into poetry the slogan that our Honourable Assistant Minister for Labour told us just now. He said, "The Alliance Government believes in justice and fair play", but I would add, "But for men and women no equal pay." Where is the justice? It is just an empty slogan, mere words to throw dust in our eyes: when we come to a particular case where there is injustice worked upon the women workers of this country the Alliance refuse to accept this principle.

Mr. Speaker, Sir, let us consider a simple example, and take the case of a tapper. If a male tapper earns \$100 a month and his wife earns about \$70 or \$75 a month, would not his family, would not his children, would not the whole economy of the family, be better off if both the husband and wife receive \$100 each? They would have \$25 or more for the whole family and they could buy more clothes, eat better food, and probably that extra \$25 might help to educate their children. Sir, this example can be spread to cover every field, every profession, where women work; and this example will show that if women in every field of work were to get equal pay with their men folks the whole family will benefit—the children will benefit and the economy of the family will be much bolstered.

Mr. Speaker, Sir, the opposition of the Alliance to this principle of equal pay for men and women for equal work is without any reason. It is just a blind unreasoning opposition to a good constructive measure, and the reason, the one and only reason advanced, is that women are not capable of sustained effort. However,

Sir, commonsense will inform the Government that the sustained effort of which women are capable is tremendous and men cannot stand one-hundredth part of it. (*Laughter*). Women have equal concentration, equal perseverance and equal endeavour to that of men. Take the case of Madam Curie, the famous French scientist. Was she in any way inferior to the male scientist? Her name lives on because women are not inferior to men.

In the Law Faculty of our University, the best student is a girl. I know this as a fact, because she has passed through the same school as myself. (*Laughter*). Now, in what way are women inferior, in what way is that girl who topped the list in the law examinations in our University less capable of sustained effort in her studies than any of the other male students? I do not think that the Government or any Minister can find an answer to it.

Now, Sir, we will recollect that our Honourable sister Members on the Government Bench some time ago said that they wanted equal pay for equal work for men and women. Unfortunately, today we did not hear their voices in support of their own kind, and I do hope that they will stand up now. In fact, I am a man and I am defending their cause, and I think that it is more appropriate for them to do so and see that the principle is accepted, because they receive equal allowance as other Members for their parliamentary work. If that principle can be applied to them, why should it not apply to women who toil day in and day out for their living? Sir, this is ample proof that if a woman Member of Parliament can receive equal allowance as a male Member of Parliament, why cannot, and why should not, a female worker, a woman worker in the field in our country receive equal pay for equal work?

Mr. Speaker, Sir, the Honourable the Assistant Minister tried to—here I would not like to impute anything to him—use a false argument when he said that in our estates there are women who get more pay than men. But, I

would like to know, or should like to ask, more pay for what amount of work? I should say more pay for much more work; and if he goes on his own principle of equal pay for equal work, then the women are not getting equal pay. What we want is not the case where a woman works for 30 days and the man works for about 15 days and then say, "Look, this woman is getting more pay." In this case, for the equal number of days, for equal work, women are not getting equal pay.

Mr. Speaker, Sir, what is behind the Alliance Government's opposition to the acceptance of this principle? In my view, it is one very strong factor. My Honourable friend has mentioned that the biggest employer in our country is the rubber industry. The Minister has said that in his survey it has been revealed that there is no widespread inequality of pay. Sir, that statement is wrong, because the rubber planting industry is widespread, it stretches from one end of the country to the other, and in this widespread industry there are women working throughout the country, and throughout the country they receive less wages than men.

Sir, the difference that our woman tappers receive in our country in wages will run into millions of dollars per month, indeed millions and millions of dollars. This amount that they receive less than the men is over and above exploitation—a robbery committed upon the labour of our woman tappers—and it is precisely this exploitation, it is precisely this robbery of the fruits of the labour of our women folks that the Alliance Government stands for today, that it stands as a protector and defender of the exploitation of our women.

And it would displease the "plantocracy," as I call them, for the Alliance to accept this principle of equal pay for equal work. So as not to displease the "plantocracy," which is their ally and which they serve, the Alliance refuses to accept this principle. For women to receive less pay than men is to reduce their status to a servile and dependent one. It reduces their independence; it reduces their freedom.

It gives them less in economic power than what is their due. For us not to accept this principle of equal pay for equal work is not to give respect to labour. It is no use for the Alliance Government to say that they respect labour. Labour cannot be distinguished into male labour and female labour; labour cannot be classified on mere sex distinction. Labour power is the same, irrespective of whether it emanates from the body of a man or a woman. For the Alliance Government not to accept this principle is not to respect the women of our country.

Another point which I would like to raise is in reply to the argument of the Assistant Minister that women are not capable of sustained effort. But if we go back to history, we find that there had been the matriarchal form of society, where women ran the society, where the mother was the head of the family, and where the father was not the head of the family. If the Alliance Government tells me that this existed in pre-history, I tell them that it still obtains in certain parts of Malaya, like in Rembau. This fact will destroy the argument of the Alliance that women are not capable. Women are equally capable, and for that we have brought this motion to give respect to our women. We hope the Alliance Government will do the same.

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, I rise to support in full the principle and the motion put forward by the Honourable Member for Bungsar. Mr. Speaker, Sir, my Party believes in equality and we believe that, as between men and women, the question of equal pay for equal work is a principle which any sound Government must accept. It was really not my intention to say anything more than that except to say that we give it our full support, but I was shocked at the stand taken by the Minister of Finance this morning. He told us . . .

Mr. Speaker: You need not go into that point. I have already ruled him out.

Enche' D. R. Seenivasagam: I am not going into the point of order, Sir,

but on the comments he has made. The Minister of Finance told us, just off the bat: "We are not going to consider even if you debate it." Good enough. What did the Assistant Minister tell us? He told us: "The women workers are satisfied. If we get any representations from their organisations, we will consider and give them fair play". Now, which statement are we going to accept—the statement of the Minister of Finance that they are not going to consider it because the expenditure will be so enormous, or the statement of the Assistant Minister that he will consider it, but it must come from their unions? Why? I ask why? Are we not sitting here representing the people—the men, women and children of this country? Why then must it come only from unions? We are authorised, elected representatives of the people sitting in this House. And if the Government Bench wants to give an answer straightaway, give us one answer. Don't try to pull wool, not only over our eyes, but over the eyes of the people of this country. As it is, today the Government has given two reasons: the Minister of Finance says, "It is too large. We cannot consider it." The Assistant Minister says, "Oh, yes, we will consider it, but let it come from the unions". I would like clarification on that point because that appears to be the only point on which the Government side says that they cannot accept this motion.

Enche' V. Veerappen (Seberang Selatan): Mr. Speaker, Sir, I am afraid I cannot accept the arguments put forward by the Assistant Minister of Labour. They were contradictory arguments, Sir, and he contradicts himself. In the first place, he says that in the rubber estates the women earn more, because they are able to produce more work, while in the same line of argument he goes on to say that they are not capable of sustained effort. Honourable Members can note for themselves that if at one end they are capable of earning more by producing more work, how is that they are not capable of any sustained effort? This in itself shows that women work equally hard or even harder

than men. If the words of the Assistant Minister of Labour, that the women earn more, should be true, then they should be able to produce more work than men. Secondly, Sir, he says that women get better pay. We must look at the type of work that is being done. There are two types: one is the type of work where you are paid for the amount produced, and the other type is the daily paid, where the amount of work produced is not taken into consideration. If we look at the daily paid workers in the rubber industry as well as in the other industries, we find that the woman invariably gets less than the man. I am sure the Assistant Minister is not going to contradict this. For example, male tappers get \$3.00 and female tappers get \$2.80 or \$2.85; the same as in the case of weeding and other occupations. And even if we go through our Budget, where we have so many posts for women, I am sure the posts do not show that women and men are paid equally.

There was one other point which the Assistant Minister said in that he would consider representations if they were made through the Unions. I submit, Sir, that it is the deliberate policy of the Government in failing to recognise the just rights and just demands of women that has, in fact, split certain unions. I must say here as a teacher that this is particularly true of the National Union of Teachers. It was the National Union of Teachers which had been agitating for years and years for equal pay for equal work among the women teachers, and also for better conditions of service for women. However, because of the policy of the Government, the women became dissatisfied with the Union. They thought that the Union, which was predominated by men, had not taken up their matter with the Government and they therefore decided to split and form another union. This in itself shows, Sir, whether the Government means what it says: whether it really desires to consider the wishes of the representatives of the unions.

Furthermore, Sir, regarding whether women are capable of putting in equal

work with men, I as a teacher would like to draw the attention of the House to the number of schools which are solely run by women. We have several girls' schools in this country where all the male teachers, including the principals, are women. And may I ask whether they are not doing equal work with the teachers themselves? Look at the Cambridge results. I found that in some of the girls' schools they obtained better results than the boys' schools. This shows that women actually do more work than men and it is just that they should be paid equally. I put in several questions on women teachers and we see in the replies to the written questions on page 201 that anomalies do exist in the wages of women teachers. I do not know why this should be so. I remember—I think it was during the last budget session, or in one of the sessions—an Honourable Member—I cannot say from where—spoke on this issue of equal pay for equal work and I think that an assurance was given—may be I heard it wrongly—by the ministerial side that this would be looked into, and I do not see why they want to reject this at this stage when an assurance was given in this very House not very long ago.

Now we say that we cannot pay equally for an equal amount of work done by women. But, Sir, do we allow special rates for women? When women go to hospitals, do we charge them less? When children go to our schools, do we charge them less fees? When they travel by train, do we charge them less fares because they are women? So, Sir, why should there be this discrimination? I hope that the Government will be consistent in their statements and will weigh what they say and do what they say. Thank you very much.

Enche' Ibrahim bin Abdul Rahman (Seberang Tengah): Mr. Speaker, Sir, to be a man's tender mate woman was born. (*Laughter*). There can be no higher ambition for women than to be a faithful wife and a happy and influential mother. This is the place which God has given women, and she

who fills it well is as honourable and honoured as the most illustrious of men can be. Socrates, the greatest philosopher, said that woman once made equal to man becomes his superior, as we have often seen in this House. For the time being Mr. Speaker, Sir, though we have read about the great women of the World—like Joan of Arc, Kartini of Indonesia, and we have now the Prime Minister of Ceylon, Mrs. Bandaranaike, and Mrs. Vijaya Lakshmi Pandit—but for the time being I hope that the women of Malaya will think more of being permanent wives than of being permanent waves (*Laughter*).

Mr. Speaker, Sir, I think life is already cruel to men, because when they are born—that is, when men are born—their mothers get the compliments and flowers; when they are married their brides get the presents and publicity; and when they die their wives get the insurance benefits (*Laughter*).

Mr. Speaker: Saya harap kalau ada Ahli Yang Berhormat yang hendak berchakap

Datin Fatimah binti Hashim (Jitra-Padang Terap) rises.

Mr. Speaker: Dudok dahulu, saya belum berchakap lagi. Kalau ada Ahli Yang Berhormat hendak berchakap, jangan-lah berchakap perbezaan antara laki² dengan perempuan, nampak-nya banyak masalah yang di-bahathkan di-sini. Kalau di-lihat motion yang ada di-hadapan Majlis ini ia-lah "equal pay for equal work;" berchakap-lah atas perkara itu sahaja ia-itu kerja-nya sama, kemudian gaji pekerja perempuan—itu boleh—jangan-lah di-sambong perbezaan-nya—banyak benar beza-nya antara laki² dengan perempuan 'tu (*Ketawa*).

Datin Fatimah binti Haji Hashim (Jitra-Padang Terap): Dato' Yang di-Pertua dan Ahli² Yang Berhormat sakalian, saya bangun pada kali ini tidak-lah hendak berchakap atau bercerita panjang, yang sa-benar-nya saya tidak berchadang pada hari ini hendak mengambil peluang berchakap

dalam perbahathan ini, kerana Ahli² Yang Berhormat sakalian ketahui usul yang seperti ini ia-lah boleh di-katakan saya yang pertama membawa dalam Majlis Belanjawan yang seperti ini ia-itu berkenaan dengan bayaran gaji yang sama di-antara kaum perempuan dengan kaum laki² terutama Guru² Perempuan. Itu-lah sebab-nya saya tidak berchadang hendak berchakap pada hari ini kerana permintaan saya itu telah mendapat jawapan daripada pihak Kerajaan ia-itu hendak-lah rayuan itu datang-nya daripada Persatuan (Union) Kaum Perempuan itu sendiri. Itu-lah sebab-nya saya mengatakan saya telah faham atas perkara ini, tetapi oleh sebab saya di-usek oleh sahabat saya yang di-hadapan saya ini, maka saya bangun ia-lah untuk menerangkan sa-bagaimana yang saya katakan tadi ia-itu saya telah di-beri jawapan oleh pihak Kerajaan, saya telah faham, jika tidak dengan sebab jawapan itu sa-bagaimana kata sahabat saya dari Dungun, saya sendiri akan membawa usul seperti yang di-bawa oleh sahabat saya itu.

Oleh itu, bagi pihak kami bukan-lah sa-bagaimana yang di-katakan oleh wakil dari Dungun yang mengatakan pihak Kerajaan sa-mata² mengecilkan kebolehan kaum perempuan—tidak, bahkan pihak kami faham kebolehan dan fikiran kaum perempuan itu adalah sama juga dengan kaum laki². Kami faham yang kaum perempuan itu lemah, bukan-lah lemah pada fikiran dan kebolehan, tetapi pada sifat-nya yang lemah-lembut. Oleh itu, saya bagi pihak sa-belah sini . . .

Che' Khadijah binti Mohd. Sidek: Tuan Yang di-Pertua, saya . . .

Datin Fatimah: Saya tidak beri peluang . . .

Mr. Speaker: Order! Nanti dahulu. Mengikut Peratoran Meshuarat bila sa-saorang itu tengah berchakap, kalau ada ahli lain bangun, perchakapan itu berhenti-lah dahulu, kerana "ruling" itu datang-nya daripada saya, sama ada saya hendak benarkan ia menyampok atau tidak. Kalau ia bangun, puan berchakap juga—itu sudah menyalahi Peratoran Meshuarat. Saya rasa sudah lama dudok dalam

Majlis ini, patut-lah Ahli² Yang Berhormat tahu . . .

Datin Fatimah: Terima kaseh . . .

Mr. Speaker: . . . nanti dahulu, (*kapada Che' Khadijah binti Mohd. Sidek*) apa-kah point puan? Ada dua point sahaja boleh menyampok: On a point of Order dan On a point of explanation.

Che' Khadijah binti Mohd. Sidek: On a point of explanation.

Mr. Speaker: Puan (*kapada Datin Fatimah*) hendak beri atau tidak, itu terpulang kepada puan, kalau tidak beri pun boleh.

Datin Fatimah: Tidak.

Mr. Speaker: (*kapada Che' Khadijah binti Mohd. Sidek*) kalau tidak, dudok! (*Ketawa*).

Proceed!

Datin Fatimah: Yang sa-benar-nya, Tuan Yang di-Pertua, saya tidak nampak ia bangun, itu sebab-nya saya berchakap. Di-sini, Tuan Yang di-Pertua, saya melalui Majlis ini berseru kapada Persatuan Perempuan supaya menguatkan Persatuan-nya untuk mereka itu sendiri menghantar "Memorandum" atau "Rayuan"-nya terhadap Kerajaan yang mana Kerajaan juga saya mendengar pada pagi ini telah memberi pengakuan ia-itu sa-kira-nya rayuan itu datang, Kerajaan akan memberi pandangan yang berat dan menimbang-nya, terima kaseh.

Enche' Mahima Singh (Port Dickson): Mr. Speaker, Sir, I rise to oppose the motion. What has surprised me is the motion before the House which calls for equal pay for equal work. But no specific examples have been brought forward to show where the women have not been given equal pay for equal work. Generalities have been presented, historical facts have been brought forward, which do not have any bearing on this country. As the Honourable the Assistant Minister of Labour has explained, in most cases, if not in all, . . .

Mr. Speaker: Mengikut Standing Order tidak boleh membacha, kertas itu tolong taroh bawah.

Enche' Mahima Singh: . . . women do receive equal pay for equal work. The proposer would have strengthened his case if he had been able to point out exactly where equal work was done and equal pay was not received. In the rubber estates, it has been mentioned, that the tappers are not given equality, but no mention was made whether the lady tappers who tap the same number of trees or produce the same amount of latex receive equal or unequal returns. The same thing, I would say, applies to the rice mills in Trengganu. It was mentioned that the women there receive from \$1.40 to \$1.60, but no reference was made as to the amount of work and also as to the amount of pay that the men receive. I think that the proposer would have strengthened his case if the actual facts and figures had been given. As such, Sir, I oppose the motion.

Tuan Haji Ahmad Said (Seberang Utara): Tuan Yang di-Pertua, ada-lah usul yang di-kemukakan oleh Yang Berhormat itu ia-lah satu masaaalah perkhidmatan. Dan di-dalam masaaalah Perkhidmatan atau "Public Services" atau pun perkhidmatan² di-mana juga di-dalam Negara kita ini ada satu badan yang mengelokkan atau satu badan yang menguruskan segala hal ehwal perkhidmatan yang mana Kerajaan telah pun memberi kuasa yang sa-penoh-nya kepada badan² itu ia-itu-lah pergerakan Trade Union. Jadi sekarang ada-lah perkhidmatan itu di-awasi dan di-kelolakan dan di-bela oleh pergerakan Trade Union. Jika sudah di-serahkan kuasa itu kepada pergerakan Trade Union untuk menjalankan sa-barang rundingan, sa-barang rayuan, sa-barang tuntutan kepada pehak Kerajaan maka tidak patut sangat Dewan ini mengambil satu sikap untuk hendak membuat satu undang² atau da'awaan bagi pehak pergerakan Trade Union itu. Tuan Yang di-Pertua, saya angap ini sa-bagai mencharbar hak asasi yang kita telah berikan kepada Trade Union Movement untuk menjalankan tugas²-nya sa-berapa luas yang boleh dan sa-hingga gerakan itu di-beri hak boleh mengambil tindakan yang tegas sa-kira-nya di-dapati perkara itu perlu

di-lakukan, oleh yang demikian Tuan Yang di-Pertua, tidak patut sa-kali kita bahath perkara yang bukan hak kita dalam Dewan ini.

Yang kedua, di-atas soal perkhidmatan ini jika kita mulai membincangkan chadangan yang sa-macham ini saya perchaya beberapa ranchangan dan beberapa chadangan² di-atas soal perkhidmatan ini akan di-kemukakan dalam Dewan ini, maka dengan itu tidak dapat kita hendak membincangkan perkara² lain melainkan hendak membincangkan atas soal perkhidmatan sahaja. Ada-lah pergerakan Trade Union ini melalui saloran² yang tertentu ia-itu pehak pekerja² ada wakil-nya masing².

Mr. Speaker: Awak jangan ulang²-kan perchakapan awak itu. Sa-kali chukup-lah.

Tuan Haji Ahmad bin Saaid: Wakil bagi pehak pekerja² ia-itu di-dalam pehak Staff Side, dalam Whitley Council atau S.S.W.C. dapat membincangkan dan pendapat pehak pekerja² itu boleh kemukakan dan minta pehak Kerajaan merundingkan di-atas satu² masaaalah yang boleh membawa faedah kepada pehak pekerja². Ini-lah saloran yang tertentu yang telah di-jalankan semenjak beberapa lama dahulu dan patut sangat di-ketahui dan saya fikir tidak payah kita bincangkan soal ini. Di-atas soal gaji sama di-antara laki² dengan perempuan itu ada tiga pechahan-nya. Ada bahagian berkenaan dengan pekerja² yang menggunakan tenaga anggota dan ada bahagian yang menggunakan fikiran dan ada juga yang menggunakan tenaga anggota dan fikiran. Di-sini tentu-lah gaji² atau bayaran yang di-bayar kepada pekerja² itu di-tentukan di-atas kebolehan bagi satu² pehak yang saya sebutkan tadi.

Sekian-lah.

Enche' Mohd. Yusof bin Mahmud (Temerloh): Tuan Yang di-Pertua, saya bangun menentang usul ini atas beberapa alasan. Pertama-nya saya berasa hairan juga oleh sebab sa-orang penyokong-nya ia-lah dari Partai Islam Sa-Malaya, saya perchaya beliau mengerti dan faham ia-itu Islam

terang² menyatakan dalam Quran ia itu pehak perempuan itu ada-lah jenis kaum yang lemah yang tidak boleh dibandingkan dengan kaum laki². Dengan ini saya hendak bertanya kepada penchadang ada-kah kaum perempuan itu boleh membuat satu² kerja pada satu² masa, seperti kaum laki². Sa-umpama-nya jika kaum laki² boleh mengangkat satu pikul, ada-kah kaum perempuan juga boleh membuat begitu. Saya perchaya tentu tidak boleh.

Yang kedua, saya telah berkhidmat dalam beberapa pejabat Kerajaan dan saya ambil dua pekerja, satu pekerja laki² dan satu lagi pekerja perempuan. Saya dapati dalam satu tahun kaum perempuan itu akan tidak berkhidmat tidak kurang daripada 60 hari, kerana kaum perempuan mesti berkahwin dan akan menerima beban untuk mengadakan anak. Jadi dengan bagini perkhidmatan-nya sangat kurang tidak sa- bagaimana kaum laki². Oleh itu saya rasa tidak-lah patut kita adakan gaji yang sama dengan kaum laki². Tetapi ada juga kerja² yang khas bagi mereka seperti kerja nurse di-mana mereka diberi gaji yang lebih kerana pekerjaan ini untuk mereka.

Tuan Yang di-Pertua, sunggoh pun ada alasan yang mengatakan Ahli Yang Berhormat daripada kaum perempuan menerima \$500 itu sama dengan laki², di-sini perimbangan tanggung-jawab tidak-lah sa-berat bagaimana kerja² yang di-tetapkan seperti kerja buroh pekerja perkhidmatan awam dan saya rasa tidak termasuk-lah yang membolehkan mengambil perbezaan berkenaan dengan bayaran kepada Ahli Dewan Ra'ayat.

Sakian-lah sahaja Tuan Yang di-Pertua.

Dato' Onn bin Jaafar: Tuan Yang di-Pertua, saya mengucapkan tahniah kepada Tuan Yang di-Pertua oleh kerana tidak membenarkan bantahan daripada Menteri Kewangan tadi oleh sebab sa-kira-nya di-benarkan bantahan-nya itu maka sa-olah²-nya Menteri Kewangan itu akan jadi dictator di-Dewan Ra'ayat ini. Oleh sebab tidak ada sa-orang pun daripada pehak pembangkang boleh membawa satu² usul di-dalam Dewan ini melainkan terlebih

dahulu mesti meminta kebenaran daripada Menteri Kewangan itu oleh kerana tidak dapat tidak kebanyakan daripada usul² itu ada-lah berkait sa-banyak sedikit dengan perbelanjaan wang. Saya menyokong chadangan ini oleh kerana di-dalam hal² politik maka lelaki dan perempuan itu telah di-samakan. Tiap² sa-orang perempuan itu mendapat undi yang sama kuat-nya dengan pehak lelaki.

Wakil daripada Port Dickson tadi mengatakan, tidak ada pehak pembangkang ini yang ada menentukan peringkat pekerja² yang patut di-samakan gaji-nya oleh kerana saya fikir dia chuma hanya mendengar berkenaan dengan perempuan menureh getah sahaja dalam perbahathan ini tetapi tidak-kah terlintas pada fikiran-nya, oleh kerana dia sendiri tidak ada dalam masa di-bahatkan Penyata Pelajaran Abdul Rahman dahulu, maka terlupa-kah dia ia-itu ada-kah jenis pekerja² yang di-katakan guru² sekolah. Ada juga jenis² pekerja yang di-katakan Nurses dan Sisters dan orang² yang bekerja di-dalam Rumah² Sakit. Ada juga-kah jenis² pekerja daripada perempuan yang bekerja di-Pejabat² sa-bagai Stenographer, Typist dan Kerani, maka itu semua ada-lah termasuk di-dalam usul ini. Sa-orang Stenographer umpama-nya itu menjalankan kerja sa-rupa sakali dengan Stenographer pehak lelaki tetapi kalau kita bacha di-dalam Estimate Kerajaan, maka kita akan dapati ia-itu gaji Stenographer perempuan itu ada-lah berkurang daripada gaji Stenographer lelaki. Begitu juga kepada pehak Kerani, begitu juga pekerja² di-dalam Rumah² Sakit, begitu juga pekerja² di-dalam Pejabat² Talikom yang menjadi Telephone Operator dan sa-bagai-nya itu. Maka di-dalam pekerja² sa-macham ini, mengapa tidak boleh di-samakan gaji lelaki dan perempuan itu oleh kerana kerja-nya sa-rupa, tanggung-jawab-nya itu sa-rupa.

Bagitu juga saya hairan tadi mendengar perchakapan daripada wakil Padang Terap yang nampak-nya dia ia-lah sa-orang wakil ra'ayat yang dipileh oleh ra'ayat yang berhak membawa satu² perkara ka-dalam Dewan

ini dengan tidak terpaksa sujud kepada kehendak Penolong Menteri Muda atau Menteri mengajarkan kepada-nya, "jangan awak bawa perkara ini kerana perkara ini yang lebih patut di-bawa ia-lah satu Pertubuhan wanita" dan sa-bagai-nya.

Datin Fatimah binti Haji Hashim: Tuan Yang di-Pertua, untuk penjelasan di-sini.

Mr. Speaker: On a point of explanation! You give way or not?

Dato' Onn bin Ja'afar: Di-benarkan. (Ketawa).

Datin Fatimah binti Haji Hashim: Tuan Yang di-Pertua, saya tidak diperintah supaya saya sujud kepada pehak Menteri. Yang benar-nya per-chakapan saya tadi, saya kata, saya dulu² lagi dalam Majlis ini telah mem-bawa perkara ini dan saya telah men-dapat jawapan dan faham di-atas perkara ini. Kalau saya tidak dapat jawapan yang terang tentu-lah saya lebih dahulu membawa perkara ini, terima kasih.

Dato' Onn bin Ja'afar: Bagitu juga wakil daripada Temerloh tadi, mem-bangkitkan firman Tuhan dalam Koran ia-itu lelaki dan perempuan tidak sama, sambil dia berkata patut di-berikan pendapatan kepada ahli² jema'ah ini 500 sa-rupa dengan jantan. Jadi, yang mana satu hendak di-pakai daripada per-chakapan-nya itu.

Wakil Seberang Utara, lagi pelek saya dengar. (Ketawa). Dia kata, dia sendiri tidak ada berhak berchakap. Dia sa-bagai sa-orang wakil ra'ayat apa guna-nya dia dudok di-sini kalau dia tidak ada berhak berchakap.

Dalam perkara masaalah gaji yang sa-rupa kerana pekerjaan yang sa-rupa ini maka pada pendapatan saya ia-lah satu masaalah yang sa-memang-nya patut di-timbangkan, sekali pun tidak boleh di-jalankan dengan serta-merta oleh Kerajaan. Tetapi hendak-lah dapat timbangan daripada Kerajaan, jangan-lah di-tolak dengan mentah² usul yang sa-macham ini. Sa-bagaimana kata Menteri Kewangan tadi dia tidak akan menjalankan, itu tidak apa, usul ini

berkehendak Dewan ini menerima dasar-nya sahaja.

Di-England saya tahu dasar "equal pay for equal work", sudah pun di-luluskan oleh Parlimen tetapi tidak di-jalankan dengan sa-penoh-nya. Maka itu-lah kehendak usul ini supaya Dewan ini menerima dasar itu—prinsip itu sa-kadarkan terpulang-lah kepada Kerajaan dengan memandangkan ka-pada kebolehan Kewangan Kerajaan negeri sama ada dapat di-jalankan atau pun tidak. Ini daripada Menteri Kewangan, kita dengar daripada mulut dia sendiri sa-bagai dia sa-orang dic-tator "saya tidak mahu benarkan". Ada-kah Menteri Kewangan lebih kuat daripada Dewan ini semua-nya tetapi itu-lah chara-nya sikap sa-orang Menteri Kerajaan Perikatan. Jadi, Tuan Yang di-Pertua, saya minta-lah kepada Dewan ini memandang kepada usul ini bukan daripada segi parti Perikatan baik atau pun parti pembangkang baik. Melainkan daripada segi ke-adilan ada-kah patut atau tidak di-beri gaji yang sama kepada pekerja² perempuan sama juga dengan pekerja² lelaki. Oleh kerana ada beberapa banyak pekerjaan yang di-jalankan oleh pehak perempuan itu, ada di-jalankan dengan lebih baik, lebih kemas dan lebih chermat oleh orang perempuan sendiri daripada pehak lelaki-nya. Maka di-atas alasan² yang sa-macham ini-lah Ahli Yang Berhormat patut timbangkan jangan-lah di-tolak mentah² sa-bagaimana di-kehendaki oleh Menteri Kewangan tadi itu.

The Minister of Internal Security (Dato' Dr. Ismail): Mr. Speaker, Sir, with deference to you and to the high office you hold in this House, I feel that one cannot participate in this debate without reference—although I agree that it should not be a lengthy one—to the difference between the sexes, because the Honourable Mover himself in introducing his amended motion made much, even allowing him his customary aberration of the English language, of the sexual difference between men and women.

Sir, he has mentioned that there should not be any sexual discrimination between men and women. Sir, I think that the disappearance of this sexual

discrimination between men and women is with the advent of the Kinsey Report. Before, in the Victorian days—I think it might be secretly admitted by women—in this sexual matter the women were inferior but they bore it like a man. So, Sir, this idea of sexual difference between men and women is a matter of controversy. Some married lives are very happy when there is discrimination while others are not so happy (*Laughter*); so, it is a matter for the man and wife and should not be drawn into this House to support this motion of so-called “equal pay for equal work”.

Now the Honourable Member for Ipoh has said that he supported in full the Honourable Member who introduced this motion. I presume the Honourable Member is still inexperienced in this matter, being a bachelor. (*Laughter*). What makes it more surprising is that in the course of this debate, in fighting for “equal pay for equal work”, the Honourable Member for Seberang Selatan made charges against women. Sir, that is not the way to proceed to defend the principle of equal pay for equal work for women. He should defend them and not make charges against them.

Now, Sir, what is this phrase “equal pay for equal work”? Honourable Members who have spoken in support of this motion have quoted the I.L.O. Now I have here a statement of the I.L.O., and it comes under Convention 100, which says “equal remuneration for work of equal value”. Now, Sir, a man and a woman may be doing equal work, but the value of the work performed by the man and the woman need not necessarily be of equal value. There is no doubt—I think even the Members of the Socialist Front cannot deny this—that there are physical differences between men and women. (*Laughter*). I think there is no doubt about that. But as regards the mental capacity, that is a point for argument. Being of a very liberal nature, I am inclined to think that there is no difference in the mental capacities of men and women. But as regards physical differences, I certainly cannot say that there is no difference. It is so definite.

Look at the Honourable mover of the motion and our charming female Member on this side of the House—the physical difference is very obvious. (*Laughter*). So we cannot say that the phrase “equal pay for equal work” is synonymous with the phrase “equal remuneration for work of equal value”.

Whilst I am not questioning the accuracy of the statement of the Member for Kuala Trengganu Selatan, when he says that in England they accept this principle of equal pay for equal work—which may be right—but I think that in England, by usage, this phrase means equal remuneration for work of equal value. I think in England now the physical work done by human beings is at a minimum. With the advent of machinery, the physical work done by human beings, you can say, is almost negligible compared to the work done mentally. But can we say so of the countries which are still developing or are under-developed?

Now, Sir, I submit that in this country there is a large element of this I.L.O. Convention being carried out, that is, equal remuneration for work of equal value. My Honourable friend the Assistant Minister of Labour says that in the estates women in fact get as much as men, and in the rubber estates women tappers earn more than the men tappers because of their output. So, Sir, I think in the estates, to the extent that it is possible to value the work done, this principle is already being implemented—this I.L.O. principle of equal remuneration for work of equal value. But when the Honourable Member mentioned equal pay for equal work, I can only interpret it as it is written down here. What is written down here in the motion means that a man and a woman doing the same work, even though, because of their performance, there is a difference in the value of the work done by the man and the woman, the two should be paid the same. Well, I think this is entirely contrary to the I.L.O. Convention which says “equal remuneration for work of equal value”. Now, Sir, let us look at the Government Service, for example. Among the

doctors, although there is no doubt there is a difference between the male and the female doctor, yet they have equal pay. There is the question of the mental work coming into play where work is of equal value, and both the men and women doctors are paid the same.

Now, Sir, the Honourable Member for Kuala Trengganu Selatan mentioned that the female clerks and the female stenographers in the Government Service are being discriminated against. Now, Sir, the Honourable Member for Kuala Trengganu Selatan was a very prominent member of the Government when the Benham Report was submitted to the then Legislative Council. As my Honourable colleague the Assistant Minister of Labour has said, with regard to women officers in the Government Service, their salaries are paid in accordance with the Benham Report in which it is stated that "much of an officer's value to Government depends upon the experience and continuity of employment". The Honourable Member for Kuala Trengganu Selatan I believe endorsed this view. But, of course, now, and I say this without any ulterior motive, since he belongs to the Opposition he must naturally support the Opposition motion.

Dato' Onn bin Ja'afar: On a point of explanation, if the Honourable Minister will permit me. As a member of the former Executive Council, I was bound by the principle of collective responsibility which, I presume, is also binding the Honourable Minister of Internal Security.

Dato' Dr. Ismail: Well, Sir, the fact that the Honourable Member for Kuala Trengganu Selatan is no longer a member of the Cabinet does not absolve him from sharing the collective responsibility of the then Executive Council, or otherwise, if he had felt as strongly then as he does today, he would have resigned from the then Government (*Applause*). Did he do so? No! He was there for quite a long time (*Laughter*).

Now, Sir, the Honourable Member for Kuala Trengganu Selatan called

my Honourable friend the Minister of Finance a dictator. Sir, this is a very serious word to use in this House. But what my Honourable friend the Minister of Finance did was just to quote the Standing Rules and Orders of this House and subject himself to your decision, Mr. Speaker. Can such an act be attributed to him as an act of a dictator? You having ruled him, he submitted. I submit that my Honourable friend the Minister of Finance may yet become a good parliamentarian in this House.

Now, Sir, the Honourable Member for Ipoh—he is always very quick to see the apparent difference of opinions of members of the Government Bench—but I am afraid today he was slightly overzealous, for had he listened to what the Minister of Finance said and what the Assistant Minister of Labour said, he would have noticed that there is no difference in the Government's attitude in regard to this motion. The Minister of Finance says that Government cannot accept this motion, because it is contrary to the Standing Rules and Orders because it would make heavy charges on public finance. The Assistant Minister for Labour says, and I quote, "However, this does not prevent any trade union or association of Government employees from negotiating with Government for better terms and conditions of service through the normal machinery of the Whitley Council, which has been established for the purpose." And he goes on to say "But should such a request come, I can assure the House that the Alliance Government, which believes in justice and fair play for all, will give the matter all the consideration it deserves." So, there is no difference in the Alliance Cabinet. We may have appeared to be disunited to the Opposition, but in defending our policy we are solid, and that is the magic success of the Alliance so far (*Applause*).

Sir, coming back to this motion of equal pay for equal work, it is always my belief, Sir, that in a developing country, or underdeveloped country, we must not try to import wholesale a principle or for that matter anything

that is done by the West wholesale into our own country. I mentioned just now that in England—we take it as an example of a fully developed country—physical work is reduced to the minimum; machine has come to the aid of man. Women workers doing manual labour work on the roads hardly can be seen. But if you go to all developing or underdeveloped countries, this is a common sight. Now, Sir, I do not approve that women should do all this hard manual work which should really be done by men, and for that matter by machines. But then until with our sweat and labour we develop our economy and bring it to the status equal to that of the developed countries we cannot, without dire economic consequences, abolish this sight of women working on the roads without placing something in its place. We in the Alliance, Sir, believe in raising the standard of living of the workers, but at the same time we do not want unemployment to occur in this country. If, for example, as a result of this motion of equal pay for equal work, unemployment will occur in this country, because when you ask for equal pay for equal work there is work now done by women which may as a result of this be denied to them and by that much you reduce the standard of living of those women employed in such work. So, I say let us first of all raise our economy to that of a fully developed country in which women no longer do the hard manual work, in which women can compete with men on an equal footing in the field where there is no physical difference and where there is mental equality.

Now, Sir, the female member who sits opposite, I really admire her. In fact, I appreciate her defence of this motion, but to say that there is no equality of pay for an equivalent amount of work done in this House, or in this country, I think she herself kills that argument by the fact that she draws the same allowance as any member of this House. To be generous to the Honourable Member I think her mental capacity in this House, as evidenced by her vociferousness, is second to none (*Laughter*).

Che' Khadijah binti Mohd. Sidek: On a point of explanation.

Mr. Speaker: Will you give way?

Dato' Dr. Ismail: Yes! (*Laughter*).

Che' Khadijah binti Mohd. Sidek: Manusia ini sa-betul-nya bukan mengenai Member of Parliament, tetapi mengenai seluruh wanita dalam Tanah Melayu ini. Saya berchakap bukan untuk diri saya; saya berchakap untuk seluruh wanita Tanah Melayu ini.

Mr. Speaker: Ia chuma memberi mithal.

Dato' Dr. Ismail: Sir, even while speaking in this House now I am doing work: I am representing my constituency, so also is the Honourable Member; so, we are doing work in this House, even though we talk a lot sometimes, and we draw an allowance for the work we do. But what I said is that there is no discrimination in regard to the allowance which we draw as Honourable Members of this House. So, Sir, this question of equal remuneration for work of equal value, as stated by the I.L.O. Convention—as opposed to that put down in the motion of equal pay for equal work—I submit, is implemented to a greater extent in this country, taking into consideration that we lack the modern machinery, of valuing the actual work done, and taking into consideration the stage of economic development we have reached in this country. For, after all, that is the aim of everyone of us here—to raise the standard of living in this country, to elevate the women to that position where, I repeat myself, although there is physical difference, there will come the time when physical work is reduced to the minimum and mental work takes its place. Then, I think, that is the time when equal remuneration for work of equal value will be a challenge in life to a developing society. (*Applause*).

Enche' Lim Kean Siew (Dato Kramat): Mr. Speaker, Sir, I had not intended to speak on this motion because I had thought that everybody in this House can understand very simple English. It is obvious that the

Honourable the Minister of Internal Security having been to England recently, has come back with new interpretation and new usage of English words. The terms of this motion are centred round one phrase, "equal pay for equal work". It is unfortunate that the Honourable the Minister of Internal Security is not here to have the advantage of listening to me. Perhaps he may be off on another trip to London in order that he might come back prepared for a further new interpretation of the English language. The term here, the expression, is very simple. It says, "equal pay for equal work", and the Honourable the Minister of Internal Security has said that according to the International Labour Organisation, the proper phrase ought to be "equal remuneration for work of equal value". Well, equal remuneration means equal pay. What does equal remuneration for work of equal value mean but "equal pay for equal work." To make the expression shorter, we had said, equal pay for equal work.

The Hon'ble the Minister has tried to distinguish the value of work between the sexes, and he was, I think, trying to say that women, as far as manual work is concerned, produces less than their male counterparts under similar conditions. I do not think, in the first place, that in all cases of manual labour women produce less work; for example, in the dress making industry, who are the best seamstresses but women! And I am sure that had he been the Minister of Labour he would have said that as far as the municipal services of this country are concerned, it is immaterial whether it is a woman or a man who is in charge of traffic signals set up along stretches of roads under repair. We admit, of course, that with regard to the question of sexual differences, he being a married man is probably more experienced than the Honourable Member from Ipoh and the Honourable Member from Bungsar. (Laughter).

Mr. Speaker: The less we talk about sexual differences the better. (Laughter).

Enche' Lim Kean Siew: I do agree with you entirely, Mr. Speaker, Sir.

Mr. Speaker: You have to agree (Laughter).

Enche' Lim Kean Siew: I am afraid you are correct, Sir. The less we talk about those differences the better it will be for us. When we come to compare such things we might put ourselves entirely at a disadvantage!

Now, according to the Honourable the Minister of Internal Security, there is the question of inequality of output between that of women and that of men. But I am sure he will also agree, in principle, that there is also inequality of output between men themselves. But do we distinguish such inequalities in the pay of men? When it comes to the question of equality or otherwise in the pay between different men do we consider the differences in a man's ability in work of the same nature? I am sure that all the Ministers on the other side of the House are given the same pay, but I doubt if their output is equal!

HONOURABLE MEMBERS: Same! (Laughter).

Mr. Speaker: Proceed!

Enche' Lim Kean Siew: And if we were to judge by the value of work produced, I am doubtful if many of them will be paid very much. The whole point is that if we assert that people are to be paid, the question is this: should the discrimination of pay be based on the difference in sex. In other words, should we say that, in principle, women are to be paid less because they generally produce less (whether woman or man) but there should be equal pay for equal work? In other words, are we to take the example of the rubber industry where contract rubber tappers are paid on the amount of latex produced. If so, then we must accept that the person who gets more latex will automatically be paid more, and the person who gets less latex will be paid less and the matter of sex is immaterial. On that basis the women who produce more rubber will be paid more than men. But if we are merely going to insist that the women tappers, because they are women, ought to be paid less, then we are defeating that principle of equal pay for work of equal value.

Now, the greater difficulty will come to the question of intellectual work. Can any person or any Member on the opposite side of the House stand up and say quite categorically that women teachers work less efficiently than men teachers? Can any Member of the Government stand up and say that the female members of any secretarial staff in any firm or department are less efficient than the male members of the staff? If anyone dares to say so, then I would like to pose this question: What is your yardstick by which you hope to measure this question of equality of output? (*Laughter*).

Sir, the point in the motion here is very simple; it raises the question of principle—that this Government takes steps to introduce legislation to bring about equal pay for equal work for men and women. There ought to be no question of argument over this. The I.L.O. itself has stipulated that there should be equal pay for equality of work and by equality of work, of course, we mean equal value. If the Government disagrees with that, then it could easily move an amendment to this motion to strike out the words “equal pay for equal work” and substitute in their place the words “equal remuneration for work of equal value”. Why did the Government not do that? It is very surprising that the Honourable the Minister for Internal Security should stand up in this House today and attempt to make a distinction of words. I am sure that all of us here who are parents cannot decide whether we should have daughters or that we should have sons. But I think we all can decide as to what education we should give them, and in the end it is up to us to decide that after all if our daughter is better than the son of somebody else and can, in fact, produce work of better value, then she should be treated on the same basis as a man and be paid according to the value of the work she can produce.

The Minister of Commerce and Industry (Enche' Mohamed Khir Johari): Mr. Speaker, Sir, I have only seven minutes and so I will limit my speech to seven minutes, if possible. When I listened to the speech made by

the Honourable Mover, he mentioned the words “sexual discrimination”, . . .

Mr. Speaker: I think the less we talk about sexual discrimination the better. I have just given my ruling on that.

Enche' Mohamed Khir Johari: It reminded me of the book that I have just recently been reading—Lady Chatterley's Lover. (*Laughter*).

Mr. Speaker: You must not touch on that point.

Enche' Mohamed Khir Johari: The Honourable Mover has mentioned about the equality of pay for men and women. I must say quite plainly, as has been stressed by my Honourable colleague, the Assistant Minister of Labour, that we are not against the principle of equal pay for equal work. In fact, we oppose this motion because the principle already exists in this country in respect of equal pay for equal work, and we of the Alliance believe in this principle. It is for this reason that we have on the Alliance Benches two lady Members of Parliament—and I may add the P.M.I.P. has got one lady Member of Parliament. However, it is strange to note that those who have been crying out so loudly in the interest of equal pay for women, have not got one, and I am sure that the women in this country will know for themselves where their stand is. (*Laughter*).

Sir, the Honourable Member for Dato Kramat made a rather long speech; but after all that lengthy speech, he did not mention what his yard-stick was. (*Laughter*). For his information, I would like to tell him that the best cooks in the world are never women—always men; even the best make-up specialists or artists, in the world are men; they make up the women. (*Laughter*).

Now, on the question of equal pay mentioned by the Honourable Member for Kuala Trengganu Selatan—equal pay for stenographers, operators and such like—I would like to refer to the Schemes of Salaries as provided for in the Government Service. There you will find that lady stenographers get the same pay as man stenographers

because they produce the same value of work. It is only in commercial firms that the stenographers get their pay according to how charming they are.

Enche' V. David: Mr. Speaker, Sir, from the opposition, I have heard several contradictions this morning. The previous speaker, the Honourable the Minister of Commerce and Industry, quite categorically has admitted that he accepts the principle of equal pay for equal work; so, I do not know why he is opposing this motion.

The other Minister, the Honourable the Minister for Internal Security, has said that we are trying to import a lot of things from the outside world. Well, Sir, I did not say that I should make this country a little America which he did when he landed in Kuala Lumpur on his return from the United States some time ago.

Mr. Speaker, Sir, the glaring example is in respect of teachers—the teachers in Form III whether they be male or female should be given a specific rate of pay irrespective of sex; then there is logic in the argument of the Government. I cannot see that women teachers teach less than men or that they are less efficient—the value of their work is the same.

The Honourable the Assistant Minister of Labour really misinterpreted and misguided the House when he stated that there was no claim by the unions. I would like to draw his attention to the fact that several resolutions were passed and forwarded to the Government by the M.T.U.C., not only by the M.T.U.C. but also by the women teachers and especially by the National Union of Teachers. They did submit memorandum after memorandum for equal pay for men and women, but since the Government did not accede to the request of the N.U.T., it brought about a split in the Union itself—the women teachers have gone out of the Union and formed their own body, and still they are struggling for equal pay and they also have submitted several memorandums. In fact, they have commented on the Education Report saying that the question of equal pay has been excluded from the

Report. Therefore, there is no valid argument to say that the unions did not make a claim.

Referring to the Honourable Member for Port Dickson, his argument was that if we could point out specific cases where payment was not made on the basis of equal pay for men and women, then he would support the motion. I can tell him that conservancy labourers, male and female, working in the Municipal Council, receive different rates of pay though they do the same work: a male labourer takes charge of 30 houses for the removal of night soil and a female labourer also does the same—that is equal work and I do not see any difference. So now, I think when the motion is put to the vote, the Honourable Member for Port Dickson will vote with the members of the opposition.

One Honourable Member from Penang has said that women should only be housewives; they should look after their husbands and nothing else should be done by women. This is a false argument. I think he comes from the thirteenth century (*Laughter*) and his argument does not hold water in the present century.

Again, another Honourable Member has stated that women employees go on confinement leave and the employers have to pay maternity allowances and other benefits, whereas the men employees do not get this privilege. I would say, Sir, that this is not the fault of the women—rather it is the fault of the men. (*Laughter*).

Sir, there is no difference in my request for equal pay for equal work from what is already stated by the I.L.O. According to the Honourable the Minister for Internal Security, the point is "equal remuneration for work of equal value." I have quoted the case of the teaching profession in which there is now differentiation as between men and women who do not get the same salary scheme. Further, there are industries, Government departments, municipalities and even the P.W.D., where you find differences in the pay for men and women, and that is what we are trying to explain

to this House all along. As far as we have heard from several Honourable Members, none of them have come out openly with constructive arguments as to state why they oppose this motion; certain Honourable Members neither oppose nor support the motion, especially a lady Member of the Alliance, who only made certain observations and I think, that in her mind she sympathises with the motion but party discipline prevents her from expressing her views.

Mr. Speaker, there are no concrete points put forward by Members of the Government Bench to which I can reply, but I would like to add that this principle of equal pay for equal work has been accepted in the majority of countries. If the Alliance Government is determined to bulldoze this motion, then I would say that they refuse to recognise the rights of women in this country.

Question put: the House divided:
Ayes, 25, Noes, 59:

AYES

Enche' Ahmad Boestamam
Tuan Haji Ahmad bin Abdullah
Dr. Burhanuddin bin Mohd. Noor
Enche' Chan Swee Ho
Enche' Chin See Yin
Enche' V. David
Tuan Haji Hasan Adli bin Haji Arshad
Tuan Haji Hussin Rahimi

Tuan Haji Hassan bin Haji Ahmad
Enche' Haron bin Pilus
Enche' Khong Kok Yat
Che' Khadijah binti Mohamed Sidek
Enche' K. Karam Singh
Enche' Lim Kean Siew
Enche' Liu Yoong Peng
Nik Man bin Nik Mohamed
Dato' Mohamed Hanifah bin Haji Abdul Ghani

Enche' Mohamed Asri bin Haji Muda
Dato' Onn bin Ja'afar
Enche' D. R. Seenivasagam
Enche' S. P. Seenivasagam
Enche' Tan Phock Kin
Enche' V. Veerappen
Enche' Yeoh Tat Beng
Enche' Zulkiflee bin Muhammad

NOES

Tunku Abdul Rahman Putra Al-Haj
Tun Abdul Razak bin Dato' Hussain
Enche' Abdul Hamid Khan
Enche' Abdul Ghani bin Ishak
Enche' Ahmad bin Mohamed Shah
Enche' Ahmad bin Arshad
Enche' Aziz bin Isbak
Enche' Abdul Samad bin Osman
Enche' Abdul Rauf bin Abdul Rahman
Enche' Ahmad bin Haji Yusof
Tuan Haji Abdullah bin Haji Mohd. Salleh
Tuan Haji Azahari bin Haji Ibrahim
Tuan Haji Ahmad bin Saad
Tuan Haji Abdullah bin Haji Abdul Raof
Enche' Bahaman bin Samsudin
Enche' Cheah Thean Swee
Enche' Chan Siang Sun
Tuan Syed Esa bin Alwee
Datin Fatimah binti Haji Hashim

Enche' Hassan bin Mansor
Enche' Hussain bin Teh Muda Hassan
Enche' Hanafi bin Mohd. Yunus
Enche' Haron bin Abdullah
Tuan Syed Hashim bin Syed Ajam
Dato' Dr. Ismail bin Dato' Abdul Rahman
Tengku Indra Petra Ibai Sultan Ibrahim
Enche' Ibrahim bin Abdul Rahman
Enche' Ismail bin Idris
Enche' Kang Kock Seng
Enche' Lee Seck Fun
Dr. Lim Swee Ann
Enche' Lee Siok Yew
Enche' Lim Joo Kong
Enche' T. Mahima Singh
Enche' V. Manickavasagam
Enche' Mohd. Ismail bin Mohd. Yusof
Tuan Haji Mokhtar bin Haji Ismail
Enche' Mohd. Sulong bin Mohd. Ali
Enche' Mohamed bin Ujang

Enche' Mohd. Yusof bin Mahmud
Enche' Mohamed Nor bin Mohd. Dahan
Enche' Mohamed Abas bin Ahmad
Enche' Mohamed Dahari bin Haji Mohd. Ali
Enche' Mohd. Khir bin Johari
Enche' Othman bin Abdullah
Dato' Ong Yoke Lin
Enche' Sardon bin Haji Jubir
Tuan Haji Redza bin Haji Mohd. Said
Wan Sulaiman bin Wan Tam
Enche' Seah Teng Ngiah
Enche' Tan Cheng Bee
Dato' Teoh Chze Chong
Enche' Tan Tye Chek
Enche' Tajudin bin Ali
Wan Yahya bin Haji Wan Mohamed.
Enche' Woo Saik Hong
Enche' Yahya bin Haji Ahmad
Tuan Haji Zakaria bin Haji Mohd. Taib
Puan Hajjah Zain binti Sulaiman

ABSTENTION

NU

Question accordingly negatived.

Sitting suspended at 12 noon.

Sitting resumed at 2.30 p.m.

(Mr. Speaker in the Chair)

NATIONALITY OF THE PERSEKUTUAN TANAH MELAYU

Dato' Onn bin Ja'afar: Sir, before I introduce this motion, may I have your guidance on procedure. This motion was first introduced into this House on the 24th of February this year. The debate on the motion was started but on that particular day, because of lack of time, it was postponed, and this particular motion has been postponed and withdrawn from time to time right up till now. Therefore, I would like to ask for your guidance whether I should start all over again or we continue where we left off.

Mr. Speaker: You have to start all over again. *(Laughter)*.

Dato' Onn bin Ja'afar: In introducing my motion on the 24th February this year, I spoke in Malay. I am going to reverse the process today and introduce this motion in the English language, for the benefit of those who probably did not completely understand or were unable to follow what I said in February.

Now, Sir, at a meeting of this House last year, I posed a question to the Prime Minister and asked him what was the nationality of this country. His reply was "Warga Negara Persekutuan Tanah Melayu". With all due respect to the Honourable the Prime Minister, I do not consider that Warga Negara Persekutuan Tanah Melayu is a nationality for this country. Every country in this world, every independent country, has a nationality. Let us take, for example, Indonesia, from where this term "Warga Negara" has been adopted. This term "Warga Negara" in Indonesian language actually means a citizen or *ra'ayat*; it does not mean nationality. In Indonesia, they do have a nationality, as is disclosed in their national song "Indonesia Raya" which talks of "Indonesia Kebangsaan-Ku". Now, that is the nationality of Indonesia. In India, similarly, they also have a

nationality and they call themselves Indians. So do people in Pakistan have a nationality when they call themselves Pakistanis; so have the Japanese who, I believe, are called *Nihonjin* in their language or Japanese in the English language; so have the Chinese; so have all sorts of countries throughout the world itself. Only in the Persekutuan Tanah Melayu do we have a nationality called "Warga Negara Persekutuan Tanah Melayu" which, I submit, is completely ridiculous.

Now, what is the reason for all this? Why is there no nationality in this country, despite the fact that we have a Constitution which does not lay down what the nationality of this country is? Let us, first of all, examine the Report of the Constitutional Commission of 1957, which drafted the Constitution of the Federation of Malaya, because on pages 2 and 3 of this Report we have these words:

"Two understandings were reached at the London Conference in relation to these terms of reference."

One of the terms of reference was to recommend a common nationality for the whole of the Federation.

"First it was understood that nothing in the terms of reference proposed for the Constitutional Commission was to be taken as in any way prejudging the position of Her Majesty the Queen in relation to the Settlements of Penang and Malacca; and second, that sub-section (iv) of the terms of reference"—

which is the common nationality for the whole Federation—

"was not to be taken as precluding the Commission from making recommendations which would allow British subjects or subjects of Their Highnesses the Rulers to retain their status as such after they had acquired the proposed common nationality."

Now, page 3 of this Report goes on to say:

"The agreement of the Conference of Rulers to the terms of reference and the two understandings was subject to a rider which read as follows:

"Their Highnesses wish it to be understood that they do not wish the word 'nationality' in paragraph (iv) to be interpreted by the Commission in a strict legal sense but to be used widely enough to include both nationality and citizenship so that, if the Commission so wishes, it can preserve the combination of nationality and citizenship which is

expressed in the Federation of Malaya Agreement, 1948, but naturally without any restriction on the expansion of citizenship so as to produce what in effect would be 'a common nationality'."

Here we see the reason why there is no nationality in this country—because it is the wish of Their Highnesses the Rulers to retain their subjects under the nationality laws of each State in 1952, while allowing at the same time Her Majesty the Queen to retain her subjects in the Settlements of Penang and Malacca.

As you have instructed me to start all over again, Sir, I am forced to repeat the arguments I put before this House in February of this year. It is extraordinary a matter, to my mind, where other countries do have a nationality, we in the Federation today do not have one, but choose to call ourselves "Warga Negara Persekutuan Tanah Melayu" or, in the English language, "citizens of the Federation of Malaya". I submit, Sir, that I am a citizen in more ways than one. I am a citizen of the kampong I live in in Johore, Kampong Tarom; I am a citizen of the Town of Johore Bahru; I am a citizen of the District of Johore Bahru; I am a citizen of the State of Johore; and I am a citizen of the Federation of Malaya. And on top of all, I am a citizen of the Commonwealth. I am a citizen in more ways than one. I do not object to being a citizen in more ways than one, but I do object in having no name to call myself. Am I a tiger? (*Laughter*) Am I a *chichak*? Am I a *monyet*? (*Laughter*) I do not know. All I know is that I am a "Warga Negara Persekutuan Tanah Melayu", whatever that means.

This is a ridiculous position, and the object of my motion is to ask this House to define and to determine what the nationality of this country legally should be. I submit to you, Sir, that as this country is known as the Persekutuan Tanah Melayu, as the national dress is the "Pakaian Melayu", therefore, it is logical that the nationality of this country should also be known as "Melayu". I do not say that we should call ourselves "Malay": we should call ourselves "Melayu" and

"Melayu" only. There is no translation of the word "Melayu". That is my considered view of this question of nationality.

In the past, by usage, we have been used to calling ourselves "Malayan". Now, this word "Malayan" is anathema to the mass of the Malays due to the period immediately after the war, when the British Government imposed the Malayan Union, which created an uproar amongst the Malay population and they rejected the Malayan Union and they rejected at the same time the nationality "Malayan". Now, the actual word "Malayan" has only quite recently, since 1957, been officially and constitutionally adopted by this country, by being mentioned in the Constitution of the Federation of Malaya: "Malayan Consulates", "Malayan" this and "Malayan" that. But where did this word originate? I believe, Sir, that round about the 1870's, the Royal Asiatic Society, Singapore Branch, adopted the term "Malayan" not only to cover this Peninsula but also the Malayan Archipelago stretching from Aceh way back to West Irian, including the Borneo Territories, Indonesia, Sumatra and the islands adjoining that group. Later on, round about 1907, this word "Malayan" was shortened to mean territories existing in the Malay Peninsula itself—which we call "Semenanjung Tanah Melayu"—including Singapore, and I think it was Sir Frank Swettenham who elaborated on that by coining a new term "British Malaya", differentiating the States belonging to Britain or under the protection of Britain from the States under the suzerainty of Siam. That is the origin of the word "Malaya".

This country today is supposed to be an independent country. This country has chosen to take the path of disconnecting itself from any vestiges of colonialism, and, therefore, it would be anomalous, in my view, to re-adopt the term "Malaya" or "Malayan" as that term was coined by the *Penjajah* of old, and that we should, as a new nation, coin a new word for this particular nation, a new word for this nationality, which, I suggest, should be "Melayu".

To the Members of this House who are known as "non-Malays" according to the Constitution, I would ask you to consider this point: Why cannot you accept this "Melayu" nationality? Why must you accept a "Malayan" nationality? As a matter of fact, during the deliberations of the Constitutional Commission in 1956, the Alliance did put up a memorandum to the Commission in which it was stated that UMNO liked this country to be called "Malaysia"—and, therefore, by inference, the nationality of the country would be "Malaysian"—whereas the M.C.A. much preferred to retain the word "Malaya"—and, by inference, the nationality would, therefore, be "Malayan". Now, if the UMNO in 1956 was prepared to accept "Malaysian" nationality, what objection do they have today to accepting the "Melayu" nationality, because it is the Alliance Government itself which has determined that the National Language of this country would be the *Bahasa Melayu*, the national dress of this country should be the *Pakaian Melayu*—although I am sorry to see sitting on the Government Bench an Asian Minister who is not using the national dress. Now, what objections can you have to calling this new nationality "Melayu"? As far as I can see, the only objection is that we are prejudiced: prejudice on the part of the non-Malays—I call them non-Malays, as they will be called non-Melayu tomorrow—prejudice on the part of the non-Malays looking down upon the Malay race as being an inferior race or inferior people, and therefore they cannot accept the word "Melayu" in their vocabulary.

I have heard, during the debate in February, two or three Members of this House who had the opportunity to speak raising certain points. One Member said: "How can we call ourselves 'Melayu' because if we are all known as 'Melayu', then the special rights of the Malays would go all overboard?" But I would, in all honesty, ask that particular Member today: Where are the special rights of the Malays in the Constitution? They do not exist! The Constitution, Article 153, only mentions the "special position" of the Malays,

it does not mention anything about "special rights" of the Malays—only the "special position" of the Malays.

Another Member brought up the argument that if we adopted the nationality "Melayu", then there would be two classes of Malays: there would be Muslim Malays and non-Muslim Malays—"Melayu Islam" and "Melayu Kafir". This question of nationality, has got nothing to do with religion. Nationality is nationality, religion is religion. Let us take a person of British nationality—he may be a Christian, he may be a Muslim, he may be a Buddhist, he may be a Hindu, he may be an atheist, but he is still a British subject.

Enche' Kang Kock Seng (Batu Pahat): Mr. Speaker, Sir, on a point of order—under Standing Order 36 (10)—

"It shall be out of order to use:

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

Mr. Speaker: I think he is quite in order.

Dato' Onn bin Ja'afar: I must submit, Sir, that the Honourable Member who just

Mr. Speaker: I have already ruled on that.

Dato' Onn bin Ja'afar: I quite realise that, but I think I have a right to comment on that. (*Laughter*).

Mr. Speaker: I don't think it is necessary.

Dato' Onn bin Ja'afar: Standing Orders are of course subject to different interpretations, but I think your interpretation is the correct one. (*Laughter*).

Mr. Speaker: Please proceed!

Dato' Onn bin Ja'afar: Now, what am I today?

AN HONOURABLE MEMBER: chichak! (*Laughter*).

Dato' Onn bin Ja'afar: The truth is, I don't know. I don't know what I am. I know my name, I know my father's name, I know my mother's name, but I don't know the name of my nationality. According to the State Nationality

Law of 1952, I am either a Johorian or a Johorite—I don't know which. And I presume the Honourable the Deputy Prime Minister is also in the same position as myself. I don't think he will argue with me when I say he is a national of His Highness the Sultan of Pahang under the State Nationality Law of 1952. His allegiance is to His Highness the Sultan of Pahang, as is my allegiance to His Highness the Sultan of Johore. Neither he nor I do owe any allegiance to His Majesty the Yang di-Pertuan Agong—I am going according to the Constitution, because there is nothing in the Constitution which asks a Federal Citizen—a “Warga Negara Persekutuan Tanah Melayu” to owe allegiance to His Majesty the Yang di-Pertuan Agong. You can see that by the oath taken by every “Warga Negara Persekutuan Tanah Melayu”, as set out in the First Schedule, which says:

“I,..... ofhereby declare on oath that I absolutely and entirely renounce and abjure all loyalty to any country or State outside the Federation, and I do swear that I will be a true, loyal and faithful citizen of the Federation, and will give due obedience to all lawfully constituted authorities in the Federation.”

All I am asked to do is to swear to be “true, loyal and faithful” without owing any allegiance to His Majesty the Yang di-Pertuan Agong, who is the titular Head of the Federation. Well, this is a very anomalous position. We are supposed to be a monarchy, and in a monarchy—I am subject to correction—I believe the allegiance of the nationals of that country must be to the monarch in person; in a republic, the allegiance of the nationals of that country is to that republic or to the flag of the republic, which is symbolic of the republic itself. But here we have hundreds of thousands—millions—of citizens—“Warga Negara Persekutuan Tanah Melayu” who accept the Yang di-Pertuan Agong, but who are not prepared to owe allegiance to His Majesty. I say, this is all wrong.

We should establish a nationality. It is the intention, I believe, of the Alliance Government to establish a nationality, but they have taken an awful long time establishing one. I

don't know the reason behind that reluctance—maybe they cannot come to an agreement between the partners of the Alliance, because the UMNO originally wanted a “Malaysian” nationality, the M.C.A. wanted a “Malayan” nationality, the M.I.C. didn't say a word about it. (*Laughter*). So here we have the position in this Federation, an independent, democratic, sovereign State without a nationality. And, therefore, the object of this motion of mine is to ask this House to determine what that nationality would be, and I say it should be “Melayu” for the obvious reason that the country is known as the *Persekutuan Tanah Melayu*, the Peninsula is known as the *Semenanjung Tanah Melayu*, the National Language is the *Bahasa Melayu*, the national dress in this country is also the *Pakaian Melayu*; there is no reason whatsoever why the nationality should not follow suit and be known as “Melayu”.

I realise that there may be considerable opposition to this motion, opposition which I feel is unjustified, opposition which only comes from the reluctance of the Government to determine once and for all a name for the nationals of this country, rather than that we should go on having written on our identity cards “Bangsa—Warga Negara Persekutuan Tanah Melayu”. In the old identity cards, before this new-fangled cards that we have got today—I admit it is a great improvement—we did have in those identity cards the name of the nationality. If it was Malay, it was written down as Malay; if it was Chinese, it was written down as Chinese; if it was Indian, it was written down as Indian, and if Arab, written down as Arab. But, today, if you look at the new identity cards—I have not taken one out myself, there is plenty of time for it—all you see is—

“Bangsa/Nationality—Warga Negara Persekutuan Tanah Melayu”.

Now, in our passports, we adopt the same wording—

“Nationality—Warga Negara Persekutuan Tanah Melayu”.

Surely we can stop making ourselves the laughing stock of other countries

which do produce passports with the name of the nationality written on it, not, really, "citizen of England", "citizen of America", "citizen of Australia" or "citizen of the North Pole" or South Pole. In a British passport, you see "British subject"; in an American passport, you see "American subject" or "Subject of the United States of America"; in an Indian passport, you see "Indian subject"; in a Japanese passport, you see "Japanese subject". Why cannot we in this Federation also adopt the same system and put down the name of the nationality for this country of ours.

I quite realise, Sir, that this debate will probably be postponed within one and a half hours and I will have to wait probably till February next, if I am lucky, to continue again. However, I am quite prepared to wait another two months to have this question decided once and for all. Therefore, I would cut short my opening address by not repeating in detail what I said in Malay in February excepting to ask this House to consider very carefully the motive behind my motion, which is clear, which has no underlying motive other than that we should adopt a name, a nationality for this country—not as one Honourable Member of this House has suggested to me, "What is your motive in bringing this motion before the House? There must be a deep motive behind it." Sir, to be truthful, I have no other motive than that this country should follow suit as other countries are doing by having a name, a nationality, for the Persekutuan Tanah Melayu.

I, therefore, beg to move,

Dr. Burhanuddin bin Mohd. Noor (Besut): Tuan Yang di-Pertua, saya menyokong lagi usul ini; sa-sunggohnya usul ini telah timbul pada bulan February yang lalu dan sekarang ini berulang lagi. Saya rasa yang sudah itu maseh dapat di-ingati oleh Ahli² Yang Berhormat, maka saya sokong ini ia-lah masalah ini saya pandang satu perkara yang vital, satu perkara national issue yang mesti kita fikirkan halus². Kerana ini ada-lah untuk menentukan ketetapan kebangsaan

kita di-negeri ini, yang kedua saya menyokong ini ia-lah mengingatkan dalam erti membela hak dan membela ke'adilan. Manakala saya akan perjuangkan erti hak dan ke'adilan di-sini tidak-lah dapat saya mengatakan begitu mesti-lah tiap² usul ada pertalian-nya dengan pokok atau ada akar-nya yang menurut kemudian baharu-lah tumbuh batang, chabang dan ranting dan daun. Kerana itu bahawa yang menjadi hak dan ke'adilan negeri ini Bangsa Melayu itu ada-lah sa-bagai bumi putera-nya. Kemudian di-sana-lah akar satu² bangsa bumi putera itu akan tertumbuh. Hak dan ke'adilan ada-lah kita mempersalorkan kepada jiwa politik penduduk tanah ayer bagi kita, bahawa bumi ini telah pun rasmi di-namakan Persekutuan Tanah Melayu bukan Malaya. Maka nama yang sah-nya ia-lah Persekutuan Tanah Melayu, sah di-dalam erti sahaja, sa-belum datang-nya penjajahan di-negeri ini, sudah bernama Tanah Melayu dan bahasa-nya di-katakan di-sini ia-lah bahasa Melayu. Dan sa-belum penjajah datang ka-negeri ini juga telah di-sebut kita bangsa Melayu, sebab jajahan-lah datang-nya nama Malaya membawa perubahan kita. Saya tidak-lah hendak mengulangkan bagaimana kita sudah di-jajah oleh Portugis, di-jajah oleh Belanda, kemudian di-jajah oleh Inggeris lagi, sampai-lah kita mencapai kemerdekaan kita ini. Apa yang kita mesti bawa, kita ada-lah terus-menerus membela hak dan ke'adilan, hak pusaka kita, hak kemerdekaan kita, hak yang sa-benar-nya bagi kita. Mesti-lah apa hak kita yang telah terhapus oleh penjajah itu kita hendak kembalikan dengan sa-penoh-nya dalam erti hak dan ke'adilan. Erti hak dan ke'adilan menurut istilah itu ia-lah mengembalikan yang benar itu kepada tempat-nya. Sa-lagi belum terletak pada tempat-nya yang sa-benar-nya maka sa-lagi itu-lah belum menjadi hak dan ke'adilan.

Sekarang Tuan Yang di-Pertua, kita memandang sedikit kebelakang di-dalam masa kita telah terjajah itu, kita ia-lah membela bumi kita, hendak membela bumi putera, hendak membela supaya kembalikan-lah hak

Tanah Melayu yang di-namakan Malaya jadi Persekutuan Tanah Melayu. Bahasa yang dahulu yang rasmi ia-lah bahasa Inggeris jadi sekarang bahasa Melayu menjadi bahasa rasmi, tinggal lagi satu perkara ia-itu-lah nama rupa bangsa dalam negeri ini. Kalau-lah kita dapat kembalikan dalam Constitution bernama Persekutuan Tanah Melayu dan bahasa Melayu telah menjadi bahasa rasmi maka di-mana-kah tidak bolehnya bahawa Melayu itu-lah juga menjadi kebangsaan negeri ini. Apakah yang telah menjadikan sebab perkara itu timbul perbalahan, timbul pertelagahan. Tidak lain tidak bukan ia-lah sebab-nya bahawa Tanah Melayu itu sa-sudah datang-nya penjajah Inggeris di-tukarkan Malaya atau Federated Malay State itu kepada nama Malaya. Manakala ada-lah noun nama bagi Malaya, maka jadi-lah sebutan Objective-nya Malayan. Inilah yang menjadi pemakaian penduduk bagi Malaya yang telah terjajah itu tadi nama yang di-reka oleh penjajah maka sebutan bagi penduduk-nya di-namakan Malayan. Maka terpakai-lah hingga hari ini. Sa-belum di-namakan Malaya, perjuangan bangsa Melayu terus hendak mengembalikan hak Melayu, hak kebangsaan Melayu dan kerana kelemahan kita maka berjalan-lah nama Malaya itu dengan kuat-nya dan pemakaian Malayan itu bertambah kembang. Tadi telah pun diterangkan oleh pehak penchadang bagaimana erti nama Malayan itu untuk mengambil tempat ma'ana Melayu, dan untuk mengambil tempat dalam ma'ana Malaysia. Tetapi itu ada-lah telah di-reka untuk kepentingan penjajah dan perkembangan penjajah dan muslihat penjajah. Dengan jalan itu-lah satu jalan yang halus yang telah melebor pemakaian asli dan keaslian anak bumi putera di-negeri ini dengan memakai bahasa dagang dan dengan sendiri-nya kekuatan daya bahasa itu mena'aloki ra'ayat negeri ini.

Tuan Yang di-Pertua, kalau kita meninjau balek kepada perjuangan kita bahawa kita mahu kepada kesadaran dan bagaimana dasar open door policy

di-negeri ini kerana muslihat penjajah telah membawakan orang² yang bukan Melayu masuk di-sini. Ini saya harap jangan-lah siapa² tersinggong, kerana ini-lah dalam erti menyatakan hak dan ke'adilan itu perlu. Sekarang manakala orang Melayu pada masa itu telah terjajah, terjajah dalam politik, terjajah dalam pelajaran, terjajah dalam ekonomi dan bangsa Melayu terus bangun untuk mengembalikan hak ke'adilan, pelajaran mereka, kebudayaan mereka, kebangsaan mereka, dan politik mereka. Pada masa itu bergerak-lah Persatuan² Melayu, Kesatuan² Melayu, timbul-lah Kongres Kebangsaan Melayu, bukan sahaja Kongres itu daripada orang² Melayu di-Semenanjung bahkan juga orang² Melayu daripada Berunai dan Serawak sebelum perang lagi.

Kemudian manakala bangsa Melayu hendak mengembalikan hak politik-nya, hak kebudayaan-nya, hak ekonomi-nya tentu-lah bangsa Melayu itu bergerak dan dalam pergerakan itu-lah timbul perkataan Melayu dan golongan² yang bukan Melayu yang di-sebut non-Malay pada masa itu memang datang masuk ka-sabuaah negeri keadaan sejarah-nya yang berlainan, ini bukan-lah salah atau hendak menudoh apa² kepada orang² yang bukan Melayu. Saya sa-mata² menerangkan sahaja keadaan beberapa sebab yang kita mesti fahamkan maka dengan itu-lah akan dapat mengembalikan atau mengambil kesimpulan tadi. Manakala orang Melayu bergerak hendak mengembalikan hak ketuanannya, hak politik-nya, hak kebudayaan-nya pada masa itu timbul-lah Malayan Civil Service Method itu ada dengan taraf-nya sendiri. Ada-lah yang mesti jadi syarat di-dalam-nya yang mendapat hak Malayan di-terima ia-lah orang Melayu itu sendiri dan tidak-lah menyinggong sa-siapa yang di-namakan non-Malay pada masa itu, kechuali beberapa orang Inggeris sendiri. Tuan Yang di-Pertua, dengan ini keadaan berubah di-sekeliling Tanah Ayer kita, India bergolak menuju kemerdekaan-nya, Indonesia bergolak, Philipine bergolak hendak menentukan kemerdekaan-nya. Pergolakan ini menimbulkan semangat bangsa Melayu dan dengan

orang yang datang ka-sini dengan adanya beberapa keadaan perubahan inilah yang telah timbul gerakan Malayan.

Gerakan ini ada-lah mengambil dasar kerana ada-nya chara perpisahan di-dalam kedudukan politik pada masa itu. Dan di-dalam erti memperjuangkan democracy maka orang² non-Malay tidak dapat hendak menamakan diri mereka itu non-Malay sudah tentu-lah mereka menamakan dengan nama yang sesuai sa-bagai hendak meletakkan ta'at setia mereka itu kepada negeri ini supaya mereka dapat menjadi citizen, supaya mereka dapat hak di-dalam negeri ini kerana ada di-antara mereka orang yang sa-bagaimana burong lalu sahaja. Dan ada orang memang² sudah lama turun-temurun di-sini hendak menjadikan negeri ini benar² tanah ayer-nya, menjadi undivided loyalty. Maka ini-lah masaalah politik baharu, timbul-lah masaalah Malayan menuntut hak di-tanah ayer kita ini. Tuan Yang di-Pertua, manakala timbul-lah perka-taan Malayan ini maka sa-sudah perang dunia yang kedua timbul-lah gerakan politik yang tegas di-Tanah Melayu kita ini. Di-antara-nya yang tegas mula² bergerak ia-lah Malay Nationalist Party, tegas juga erti-nya Partai Kebangsaan Melayu; gerakan orang Melayu itu dengan nama Kebangsaan. Sa-sudah itu saya bersama² dengan pembawa chadangan ini tadi, Dato' Onn

Mr. Speaker: Jangan sebutkan nama, sebutkan wakil Kuala Trengganu Selatan sahaja.

Dr. Burhanuddin bin Mohd. Noor: Telah membawa chadangan ini menggerakkan Pertubuhan Kebangsaan Melayu Bersatu. Bahawa itu juga-lah menggambarkan jiwa perjuangan negeri ini pergerakan menuju mengembalikan hak ke'adilan-nya dengan nama "Gerakan Pertubuhan Kebangsaan Melayu Bersatu". Timbul Malayan Union, itu ada-lah lebeh tegas lagi hasrat Penjajah yang kita menolak kepada chita² Malayan tadi yang kita hendak ia-lah Kebangsaan Melayu itu juga.

Sekarang, Tuan Yang di-Pertua, jelas-lah rasa-nya bahawa dua anasir, tiga anasir yang besar, anasir yang pertama, ia-lah yang mempunyai hak mutlak yang membela hak dan ke'adilan

hendak mengembalikan hak, mengem-balikan hak politik-nya, hak ekonomi-nya, hak kebudayaan-nya, hak pelajaran-nya ada-lah Kebangsaan Melayu. Bahawa gulungan² non-Malay yang menamakan diri-nya Malayan yang sudah pun tertumbuh badan² politik yang berkehendakkan dan menyatak-an dengan terus-terang hendak meletakkan ta'at setia-nya kepada negeri ini, ini-lah masaalah yang kedua, Tuan Yang di-Pertua, dan ini ada-lah satu perkara yang ta'bi'i tidak-lah dapat di-batasi chita² sa-saorang itu melainkan ada-lah benda yang timbul di-dalam jiwa dan kebebasan jiwa masing² hendak menjadikan negeri ini negeri-nya. Bahawa perkara ini, bagi pehak orang Melayu tidak-lah menentang atau benchi atau menolak dalam perkara ini melainkan tidak ada erti-nya menerima ta'at setia ia-itu-lah akan merupakan ta'at setia yang tegoh pada negeri ini tidak sabalek-nya kerana itu-lah, Tuan Yang di-Pertua, kita terdapat dalam sejarah negeri ini pergerakan-nya yang ada, seperti Pusat Tenaga Ra'ayat dan "All Malaya Council of Joint Action", yang semua-nya itu merupakan hendak meletakkan ta'at setia yang tidak berbelah bagi kepada negeri ini.

Akhir-nya, Tuan Yang di-Pertua, kepada perkembangan² itu sampai-lah pada hari ini, sampai-lah ada-nya Perikatan dan sa-bagai-nya, ada-lah pada dasar-nya meletakkan ta'at setia yang tidak berbelah bagi kepada negeri ini. Maka ini ada-lah aliran yang telah di-jalankan, yang di-perjuangkan untuk menegakkan kembali akan hak dan ke'adilan tadi tetapi apa yang berjalan menggunting di-lipatan, Tuan Yang di-Pertua, bahawa Persatuan Islam mithal-nya, di-dalam memperjuangkan hak Kebangsaan Melayu ini ada-lah jelas menyedari bahawa apa yang di-namakan Melayu itu bukan perkauman tetapi ada-lah sa-benar²-nya dasar Kebangsaan. Dasar Kebangsaan yang telah pun saya terangkan tadi dalam erti hak dan dalam erti ke'adilan.

Sekarang, Tuan Yang di-Pertua, manakala telah nyata dengan rengkasan sejarah tinjauan perjuangan negeri ini bahawa yang hendak kita perjuangkan ia-itu negeri ini—Malaya menjadi

Persekutuan Tanah Melayu telah terdiri di-perjuangkan oleh ra'ayat Malaya yang hendakkan satu bahasa, satu negara—negara yang menjadi Persekutuan Tanah Melayu, hanya bahasa yang kita telah terchapai pada peringkatan yang pertama ya'ani bahasa Melayu, satu bangsa sahaja ini-lah yang belum lagi kita chapai. Maka ini-lah sebab-nya, Tuan Yang di-Pertua, saya menyokong National Issue ini kerana itu memang dasar perjuangan kita hendak menegakkan Kebangsaan Melayu itu. Jadi, munasabah benar-lah, Tuan Yang di-Pertua, menurut hak dan ke'adilan-nya bahawa Kebangsaan negeri ini di-namakan Kebangsaan Melayu itu.

Tuan Yang di-Pertua, persidangan Asian Relation Conference di-New Delhi tahun 1947, di-antara beberapa penganjur Asia telah pun menimbulkan masalah pemakaian bahasa Inggeris—bahasa penjajah di-satu² negeri itu dengan bahasa anak negeri itu—pemakaian bagi anak negeri itu sendiri. Mithal-nya, Tuan Yang di-Pertua, kalau-lah negeri Tiongkok orang-nya di-sebutkan "Tionghoa" tetapi dalam bahasa Inggeris di-sebutkan "China" dan "Chinese". Kalau Bharat di-sebutkan "India", orang-nya di-sebut "Indian". Kalau pada masa menamakan Asian Relation Conference itu ada yang menyebutkan Asiatic Conference, maka di-sana-lah timbul-nya masalah pemboikotan—menolak bahawa perkataan "Asiatic" itu tidak harus dipakai oleh orang² Asia kerana itu berbentuk penjajah. Jadi, orang Asia tidak bersetuju di-panggil Asiatic walau pun erti-nya ia-lah Asian, maka orang Asian menamakan bentuk-nya sendiri dengan nama Asian.

Orang Burma yang datang di-Asiatic Conference itu manakala wakil²-nya mendengar orang mengatakan "Burmese", mereka menjawab: "Kami bukan Burmese". Kita pun hairan yang kita tahu Burma orang-nya Burmese. Mereka mengatakan bahawa, "kami orang Burman kami tidak mahu di-namakan Burmese". Jadi, di-sini-lah erti-nya hak dan ke'adilan, Tuan Yang di-Pertua. Maka kita bangsa Melayu yang sudah berjuang sekian lama di-jajah hendak mengembalikan hak ketuanan, hak ke'adilan kita, hak

politik, hak ekonomi, hak kebudayaan maka dalam sa'at yang kita tertunggu² kemerdekaan yang kita hendakkan sa-penoh-nya dalam erti tiga dasar perjuangan kita, terdiri satu bahasa, terdiri satu negara, terdiri satu bangsa, maka sekarang belum-lah lagi terdiri satu Kebangsaan yang kita hendak memperjuangkan itu.

Tuan Yang di-Pertua, kalau semalam kita telah membahathkan dengan panjang masaalah Palestine dan telah pun di-tolak usul Persatuan Islam, kita tentu-lah maseh tidak dapat melupakan lagi dengungan² penganjur² Melayu kita, awas²-lah bahawa mungkin Malaya menjadi Palestine yang kedua. Ini, Tuan Yang di-Pertua, kalau kita kaji benar² ini-lah perkara-nya yang boleh kita nampak. Masaalah-nya bahawa dasar perjuangan negeri ini ialah Melayu sa-bagai Kebangsaan. Tiga daripada segi Kebangsaan negeri ini menuju satu negara, satu bahasa dan satu kebudayaan. Maka hak Melayu, tanah ayer-nya Melayu dan Kebangsaan-nya maseh belum ada lagi entah Malayan, entah apa, entah warga negara Persekutuan.

Maka bagitu-lah, Tuan Yang di-Pertua, bahawa Palestine itu ada-lah negeri Arab yang mana sekarang ini telah bertukar tempat yang bernama Israel, sa-bahagian Palestine itu digantikan dengan Israel. Kalau ini tidak kita awasi dalam erti kata membela hak dan ke'adilan maka boleh jadi berlaku sa-bahagian yang tidak tepat tempat hak dan ke'adilan dalam perjuangan kita yang selama ini kita hendak menegakkan satu bangsa yang bernama Melayu. Saya rasa pendirian saya menyokong dalam membela hak dan ke'adilan supaya kebangsaan Melayu itu dapat kita sama² persetujukan dengan nama kebangsaan Melayu dan dengan ini-lah erti-nya perjuangan kita yang selama ini telah terbuai² oleh perjuangan yang mengelirukan dalam menetapkan kebangsaan kita dengan sebab ada-nya fahaman yang bernama Malayan. Maka dengan kita balek kepada dasar hak dan kebenaran ini dan dasar yang sudah di-tentukan oleh kongres² yang berjuang sa-belom Malaya Merdeka di-perjuangkan bagi kemerdekaan negeri ini yang mana

dasar-nya menjadikan satu bahasa, satu bangsa, dan satu negara yang sudah wujud terus berturut di-perjuangkan dengan ada-nya semangat "undivided loyalty" menjadikan satu rupabangsa yang pada tingkatan yang belum bernama sehingga pada hari ini dan mari-lah kita bersama² namakan kebangsaan Melayu sa-bagaimana usul ini di-kemukakan.

Mr. Speaker: The motion standing in the name of Honourable Dato' Onn bin Ja'afar is now open to debate.

Tun Abdul Razak: Tuan Yang di-Pertua, oleh sebab usul yang di-kemukakan oleh Ahli Yang Berhormat dari Kuala Trengganu Selatan itu telah di-bentangkan di-Majlis ini sudah 10 bulan lama-nya, dan oleh sebab Ahli Yang Berhormat yang men-chadangkan usul ini juga penyokong-nya telah dua kali memberi buah fikiran mereka itu di-Dewan ini oleh itu sebelum perkara ini di-binchangkan dengan panjang lebar suka-lah saya memberi pandangan di-atas usul ini. Ahli Yang Berhormat dari Kuala Trengganu Selatan dalam ucapan-nya yang panjang lebar pada kali yang pertama dalam bahasa Melayu dan pada kali yang kedua dalam bahasa Inggeris, tetapi malang-nya penuh dengan perkara² yang berkaitan semata² dengan sejarah, bukan-nya dengan perkara yang ada pada hari ini atau yang wujud pada hari ini.

Pandangan dan tafsiran yang diberikan oleh Ahli Yang Berhormat itu berkenaan dengan perkataan "Kera'ayatan" atau pun "Rupabangsa" itu ia-lah tafsiran yang terkandung dalam Perlembagaan yang di-perbuat pada tahun 1947 ia-itu Perlembagaan Persekutuan Tanah Melayu tahun 1948, bukan-nya Perlembagaan Persekutuan Tanah Melayu yang merdeka yang ada pada hari ini. (*Tepok*). Dalam Perlembagaan yang di-perbuat oleh Ahli Yang Berhormat itu sendiri pada tahun 1947 ada tertulis dalam penyata itu yang menentukan bahawa kera'ayatan itu bukan-nya Nationality dan tidak menchukupi syarat² Nationality. Itu ada tertulis dalam Perlembagaan tahun 1947 atau dalam Penyata Jawatan-Kuasa yang menggubal Perlembagaan itu.

Akan tetapi dalam Perlembagaan Persekutuan Tanah Melayu yang ada sekarang ini ia-itu Perlembagaan Persekutuan Tanah Melayu yang merdeka, perkara itu berlainan. Pada meshuarat Dewan ini pada bulan November tahun yang lalu saya telah menerangkan perkara ini sa-bagai menjawab pandangan yang di-datangkan oleh Ahli Yang Berhormat itu sendiri berkenaan dengan hal ini, akan tetapi malang-nya pada masa itu Ahli Yang Berhormat itu tidak ada dalam Dewan ini maka dengan sebab itu dia tidak dapat mengambil ingatan berkenaan dengan perkara ini.

Pada masa itu saya telah menerangkan bahawa Persekutuan Tanah Melayu yang merdeka pada hari ini ada mempunyai kera'ayatan atau Rupabangsa atau Nationality yang sama taraf-nya dengan Rupabangsa di-mana² negeri yang merdeka dan berdaulat dan Rupabangsa itu di-akui oleh undang² antara bangsa atau international law, oleh itu tidak benar sama sekali jika hendak di-perkatakan bahawa Persekutuan Tanah Melayu tidak ada Rupabangsa. It was incorrect to say that the Federation of Malaya has not got a Nationality. Dan lagi di-Perlembagaan Persekutuan Tanah Melayu perkataan² "ra'ayat" atau "citizen" dan perkataan "warga negara" atau "Nationality" atau "National" itu ma'na-nya sama, atau dalam bahasa Inggeris di-katakan: "The terms are synonymous—undang² international law tidak membezakan di-antara kedua² perkataan itu". Bahkan sa-saorang ra'ayat negeri atau citizen of the country mempunyai semua hak sa-bagai warga negara atau Nationality dalam negeri itu, maka ra'ayat negeri itu menjadi warga negara atau Nationality dalam negeri itu. Ini dari segi undang² international law. Yang menentukan hak ra'ayat, atau pun warga negara sa-sabuah negeri itu, ia-lah undang² negeri itu atau "the Municipal law of that country". International law hanya-lah meng'i-tirafkan Rupabangsa atau kera'ayatan sa-sabuah negeri dan perkataan citizen atau National itu di-gunakan dengan sama ma'ana-nya di-mana² juga. Kita biasa mendengar orang Amerika berchakap yang mereka itu citizen of

United States of America bahawa mereka itu bukan berma'ana yang mereka tidak menjadi warga negara yang tidak mempunyai Nationality yang berdaulat bahkan mereka mempunyai Nationality yang berdaulat. Begitu juga dengan negeri yang lain menggunakan perkataan citizen yang di-sifatkan diri-nya sa-bagai warga negara atau National negeri itu yang mempunyai taraf yang serupa. Dalam bahasa Latin asal-nya perkataan citizen itu di-pakai *Civis Romanus sum*—I am citizen of Rome. Ini menunjukkan dengan terang-nya bahawa perkataan citizen atau National atau warga negara itu di-gunakan bersama di-kebanyakan negeri² atau tempat² termasuk-lah di-Persekutuan Tanah Melayu: That is to say two words—citizen and National are synonymous.

Oleh itu saya suka hendak menegaskan bahawa pandangan yang di-datangkan oleh Ahli Yang Berhormat dari Kuala Trengganu Selatan dan juga Ahli Yang Berhormat dari Besut yang mengatakan bahawa Persekutuan Tanah Melayu ini tidak ada kera'ayatan atau Nationality itu tidak-lah benar dari segi undang². (*Tepok*). Kita ada Nationality dan ada kera'ayatan, dan nama-nya kalau hendak beri apa nama sekali pun tidak-lah akan mengurangkan atau meninggikan taraf Nationality yang ada pada hari ini. Nama itu terpulang-lah kepada kita ra'ayat negeri ini yang hendak menentukan-nya. Dengan ini tidak-lah boleh kita mengatakan yang keadaan sekarang ini kita tidak mempunyai chukup hak dan ke'adilan bagi diri kita. Kita mempunyai sifat² sa-bagai warga negara yang merdeka, dan sa-bagai warga negara yang merdeka kita mempunyai chukup hak² yang di-kehendaki dan sama hak² yang di-punyai oleh warga negara di-mana² negeri² yang merdeka pun.

Ini perkara yang pertama, Tuan Yang di-Pertua, yang saya suka memberi fahaman kepada Dewan ini supaya tidak ada lagi silap faham di-atas hal ini. Dalam perkara Perlembagaan, dalam perkara *nationality* "*International Law*", Tuan Yang di-Pertua, kita kena-lah pandang hal ini dari segi undang², kita tidak boleh pandang dari

segi sentimen saperti yang saya katakan kita tidak boleh pandang kepada bayang². Dan begitu juga, Tuan Yang di-Pertua, Ahli Yang Berhormat dari Kuala Trengganu Selatan chuba hendak mengelirukan fahaman Dewan ini bila ia menyebutkan *Report of the Constitutional Commission* tahun 1957, paragraph 4. Oleh itu, saya suka terangkan bahawa paragraph 4. ini menyebutkan dua fahaman yang telah di-persetujui di-London pada masa mengadakan perundingan berkenaan dengan Perlembagaan Persekutuan Tanah Melayu. Fahaman yang pertama ia-lah berkenaan dengan kedudukan Baginda Queen terhadap Pulau Pinang dan Melaka, dan fahaman yang kedua berkenaan dengan ra'ayat *British* dan ra'ayat Duli Yang Maha Mulia Raja².

Sekarang bagi mengingatkan Ahli² Yang Berhormat, saya suka bachakan supaya lagi *understanding*:

The second understanding reached at a London conference is as follows:

That sub-section 4 of the terms of reference refers to a common nationality in the whole of the Federation which the Constitutional Commission was asked to examine and make recommendations and shall not be taken as precluding the provision from making recommendation which would allow British subjects or subjects of Their Highnesses Their Rulers to retain their status as such after they have secured the proposed common nationality.

Ma'ana-nya ia-lah tugas yang diberikan kepada Surohanjaya itu tidak menahan Surohanjaya itu daripada membuat shor² bagi membenarkan ra'ayat Raja atau pun ra'ayat British menyimpan taraf kera'ayatan-nya apakala mereka itu telah menerima Rupabangsa atau pun kebangsaan bersama atau *common nationality*. Jadi fahaman ini tidak menggalakkan atau pun menyuruh saperti kata Ahli Yang Berhormat itu menyuruh *Commission* itu mendatangkan shor² membenarkan ra'ayat British atau ra'ayat Raja itu menyimpan taraf-nya dalam Perlembagaan. Jadi tafsiran yang di-buat oleh Ahli Yang Berhormat itu pada fikiran saya hanya-lah tambahan yang di-buat-nya sendiri sahaja (*Ketawa*), saya sendiri berada di-London pada masa fahaman (*understanding*) ini di-buat, dan saya tahu benar apa dia ma'ana-nya. Dan lagi sunggoh

pun Ahli Yang Berhormat itu membaca paragraph 4 *Report of the Constitutional Commission* itu tetapi saya fikir ia tidak baca paragraph 46 Paragraph 46. ada menerangkan bahawa *Constitutional Commission* ini tidak dapat menerima fahaman yang kedua yang saya sebutkan tadi. Sebab di-fikirkan jika hendak di-benarkan fasal dalam Perlembagaan Persekutuan Tanah Melayu tahun 1948 yang mengatakan ra'ayat Raja itu boleh menjadi ra'ayat Persekutuan "*by operation of law*", maka fasal itu akan berlawanan dengan chadangan hendak mengadakan satu *common nationality* bagi Persekutuan Tanah Melayu, dan lagi ada di-tulis dalam Fasal 46. ini ia-itu jika di-benarkan sa-saorang ra'ayat Raja itu mempunyai kera'ayatan mereka itu, maka perkara ini berlawanan-lah dengan dasar hendak mengadakan *common nationality*. Oleh itu, dalam *Report of the Constitutional Commission* tahun 1957 itu sa-tiap masa di-sebutkan *common nationality* itu, dan sebab itu-lah tidak ada di-sebutkan ra'ayat Persekutuan. Dan Fasal 8 (3) dalam Perlembagaan Persekutuan Tanah Melayu ada di-sebutkan:

"There shall be no discrimination in favour of any person on the ground of the subject of a Ruler of any State."

Ini bermakna kita ada satu sahaja *nationality* ia-itu *Citizen of the Federation* atau Warga negara Persekutuan Tanah Melayu. Sunggoh pun Perlembagaan kita tidak menahan undang² negeri hendak mengadakan ra'ayat Raja negeri ini, tetapi tidak boleh hendak di-beri kelebihan kepada sa-orang ra'ayat Raja itu yang berlawanan dengan Perlembagaan; ma'ana-nya boleh di-katakan tidak-lah hak ra'ayat Raja yang sa-benar-nya. Jadi sekarang ini kita ada satu sahaja *nationality* ia-itu ra'ayat Persekutuan Tanah Melayu atau warga negara Persekutuan. Dan saya fikir tidak payah-lah Ahli Yang Berhormat itu menyebutkan ia-itu harimau-kah, chichak-kah, Johorian-kah atau apa², tetapi ra'ayat Persekutuan Tanah Melayu dan saya sendiri pun ia-lah ra'ayat Persekutuan Tanah Melayu, ini-lah *nationality* kita—satu sahaja, tidak ada yang lain.

Dan Ahli Yang Berhormat ada juga menyebutkan berkenaan dengan hal

"loyalty" kepada Yang di-Pertuan Agong. Kalau kita semua menjadi ra'ayat Persekutuan Tanah Melayu dan kalau Persekutuan Tanah Melayu ini ada mempunyai Raja, tentu-lah kita semua menjadi ra'ayat Raja Persekutuan Tanah Melayu dan ta'at setia kita kepada Yang di-Pertuan Agong dan kepada negara kita Persekutuan Tanah Melayu. Perkara itu tidak payah di-sebutkan dalam Perlembagaan pun tentu faham—semua orang tentu faham dan tidak ada lagi yang lain daripada itu.

Jadi dengan keterangan yang saya berikan ini daripada segi undang² berkenaan dengan segi Perlembagaan dan nyata-lah bahawa pandangan yang dibawa oleh Ahli Yang Berhormat itu tadi tidak menepati dengan Perlembagaan yang ada sekarang ini ia-itu Perlembagaan tahun 1957 bagi negara kita yang merdeka ini. Jadi saya suka shorkan kepada Ahli Yang Berhormat itu lupakan-lah Perlembagaan tahun 1948 yang di-buat-nya itu. (*Tepok*). Kita sudah mansokhkan pada Perlembagaan yang baharu ia-itu Perlembagaan bagi Negara kita yang merdeka.

Dato' Onn bin Ja'afar: Sir, on a point of explanation, I do not think in the course of my address, I have mentioned one word about the Federation of Malaya Agreement.

Tun Abdul Razak: Tuan Yang di-Pertua, sunggoh pun barangkali Ahli Yang Berhormat tidak sebutkan perkara itu dan perkara ini sudah 10 bulan lama-nya, akan tetapi tafsiran yang diberi itu ada-lah tafsiran dalam undang² atau Perlembagaan tahun 1948. Dan lagi dalam ucapan Ahli Yang Berhormat pada kali ini saya ingat pada masa yang lalu ada menyebutkan perkara² yang lain yang tidak berkait dengan kera'ayatan, tetapi saya patut juga menjawab perkara² itu yang pertama berkenaan dengan nama Persekutuan Tanah Melayu.

Saya ingat dahulu ahli Yang Berhormat ada menyebut nama Persekutuan Tanah Melayu, di-kata-nya nama dalam bahasa Inggeris itu tidak betul, nama Federation of Malaya yang betul di-kata-nya Federation of Malay Land. Jadi saya suka terangkan

di-sini bahawa nama Persekutuan Tanah Melayu itu ia-lah nama yang di-buat dalam Perlembagaan Tahun 1948. Ahli Yang Berhormat sendiri menentukan Federation of Malaya jadi terjemahan yang di-buat pada masa itu. Pehak Kerajaan Perikatan tidak menukar-nya. Tidak tahu-lah kalau Ahli Yang Berhormat telah bertukar fikiran pada masa ini (*Ketawa*). Ini bukan-lah salah Kerajaan Perikatan.

Ahli Yang Berhormat ada memberi pandangan berkenaan dengan perkara² yang lain, terutama sa-kali berkenaan dengan fasal (153) dalam Perlembagaan ini ia-itu hak² istimewa bagi orang² Melayu. Jadi Ahli Yang Berhormat menyatakan yang sa-benar-nya tidak ada hak istimewa, ada kedudukan istimewa, jadi saya katakan kalau sudah ada kedudukan istimewa tentu-lah ada hak istimewa. Jadi kita semua tahu terang dan nyata bahawa pada masa ini orang² Melayu ada mempunyai hak istimewa. Jawatan² dalam pejabat Kerajaan ada di-khaskan kapada orang² Melayu, jawatan M.C.S. dan jawatan² lain, begitu juga berkenaan dengan Scholarship dan kelebihan² lain, yang di-berikan khas kapada orang² Melayu. Saya tidak faham kalau Ahli Yang Berhormat itu tidak mengetahui hal ini, kerana perkara ini sudah berjalan beberapa lama-nya.

Dato' Onn bin Ja'afar: May I draw the attention of the Deputy Prime Minister to Article 8 (2) of the Constitution?

Tun Abdul Razak: Article 8 (2) say this: "Except as expressly authorised by this Constitution." So there is no provision in Article 153 which specially authorises this. I think that is quite clear.

Tuan Yang di-Pertua, jadi oleh sebab hak² istimewa yang ada pada orang² Melayu itu maka Kerajaan Perikatan berpendapat mustahak-lah hak² istimewa itu di-kekalkan pada orang² Melayu kerana menurut keadaan sekarang ini, sa-bagaimana ahli² Yang Berhormat mengetahui bahawa orang² Melayu sangat mundur dalam beberapa lapangan, terutama di-dalam lapangan iktisad dan jika tidak ada hak² istimewa ini tentu-lah susah bagi

orang Melayu hendak mempunyai tempat yang sempurna dalam negara ini.

Sa-perkara lagi semua ra'ayat Persekutuan ini hendak di-panggil Melayu tentu-lah tidak patut, kalau semua ra'ayat hendak di-panggil Melayu, jika kita hendak kekalkan hak² istimewa itu. Tentu-lah hendak ada dua kelas, ia-itu Melayu kelas 1 dan Melayu kelas 2, jadi perkara ini berlawanan dengan Perlembagaan. Tentu-lah pada segi ke'adilan juga tentu tidak 'adil kalau kita hendak ajak orang² asing non-Malay bersama dengan kita dan di-panggil Melayu; kita maseh lagi hendak benyenguntokan diri dari hak² istimewa, ini perkara tidak betul, saya rasa ini tidak 'adil, jadi biar-lah kita pandang perkara ini daripada segi keuntongan dan faedah diri kita terutama orang² Melayu. Saya katakan nama itu tidak akan merendahkan taraf yang ada pada kita, kita telah dapat taraf kelas 1 dan tidak ada lagi yang lebih daripada itu. Apa kita namakan pun taraf-nya sama juga. Jadi kalau nama itu hendak merugikan kedudukan orang² Melayu biar-lah kita berfikir lebih panjang sedikit atas perkara ini. Pada masa ini kita di-sebut sa-bagai ra'ayat Persekutuan Tanah Melayu, warga negara Persekutuan Tanah Melayu. Jadi dengan ini memada-lah pada masa ini; kalau kita hendak pakai nama lain pada satu masa yang akan datang itu kita boleh timbangan. Apa nama pun Malaysia dan sa-bagai-nya itu boleh di-timbangan oleh Dewan ini. Perkara ini hendak-lah di-timbangan daripada segi Undang² dan juga kedudukan orang² Melayu.

Enche' Mohamed Yusof bin Mahmud: Tuan Yang di-Pertua, usul yang di-bawa oleh wakil dari Kuala Trengganu Selatan itu berkehendakkan nama kebangsaan negeri kita dengan nama Melayu, jadi bagi pehak saya, saya tidak setuju sa-kali². Yang pertama sa-kali saya suka bertanya apa-kah rugi-nya kalau nama yang di-tetapkan bagi kebangsaan kita ia-itu warga negara Persekutuan Tanah Melayu? Kerana kita tidak-lah boleh mengtaksiran tiap² satu perkataan itu dengan taksiran² yang kita sa-orang sahaja

memikirkan. Yang kedua, Tuan Yang di-Pertua, Melayu ada-lah satu nama yang menunjukkan atau mempertunjukkan kepada satu bangsa keturunan yang dudok dalam Persekutuan Tanah Melayu yang berasal dalam negeri Tanah Melayu dengan nama negeri-nya Tanah Melayu, dengan tidak ada lain nama; kalau pergi ka-Kedah dia akan di-panggil orang Melayu juga, kalau pergi ka-Johor dia akan di-panggil orang Melayu juga. Tetapi di-negeri² yang lain seperti Indonesia sa-bagaimana yang di-katakan oleh Yang Berhormat tadi Indonesia Raya, tetapi mereka² di-situ kalau orang Jawa di-panggil dalam bahasa Inggeris-nya *Javanese*, kalau Bali, di-panggil *Balinese*, begitu juga di-India, jadi tiap² satu puak keturunan ada nama-nya dan kita di-Tanah Melayu seluroh Persekutuan ini orang² asal yang betul² di-Tanah Melayu di-panggil dengan nama orang Melayu.

Saya percaya kalau saya pergi ka-Johor tidak di-panggil Johorian dan pergi ka-Trengganu tidak di-panggil Trengganurian (*Ketawa*) di-mana juga saya pergi saya di-panggil orang Melayu. Jadi tiap² satu nama itu menunjukkan kebangga'an satu² keturunan bangsa. Jadi bagi pehak saya yang 100 peratus berketurunan orang Melayu saya tidak redza nama bangsa saya diperadokkan dengan bangsa² yang bukan Melayu di-panggil Melayu.

Yang kedua, Tuan Yang di-Pertua, kalau kita ambil sekarang warga Negara Persekutuan Tanah Melayu seperti sa-orang India yang pakai terban, sa-orang Melayu yang pakai songkok, dan sa-orang China yang tidak bersongkok, berjalan-lah mereka bertiga di-negeri luar, jadi ada-kah ketiga² ini ka-semua-nya kita panggil Melayu? Tentu-lah tidak. Saya tidak redza yang mereka² di-panggil Melayu kerana orang Melayu ada adat resam yang tertentu, ada pakaian-nya, dan tabi'at-nya berlainan dengan orang yang bukan Melayu. Jadi, dengan dasar ini-lah saya tidak ber-setuju di-gunakan nama "Melayu"; nama² lain boleh-lah di-gunakan yang mana sekarang, kita telah menetapkan nama Kebangsaan kita ia-lah "Warga Negara Persekutuan Tanah Melayu". Sekarang, kita ambil-lah, Tuan Yang di-Pertua, sa-orang China di-rumah ini

umpama-nya, dan datang pula sa-orang yang berbangsa China dari negeri China pula yang mana kita akan dapati adat resam-nya sama, tetapi dengan Melayu pula sangat berlainan, jadi ini ada-lah menjadi satu kesamaran dan keliru kepada bangsa² asing yang datang ka-Persekutuan Tanah Melayu. Ini juga yang menyebabkan boleh memburokkan nama dan ugama bangsa kita pada mereka² yang datang dari luar negeri. Rasa saya chuba-lah Yang Berhormat ini pergi ka-kampong², katakan-lah kepada orang² Melayu di-kampong yang orang² China yang ada sekarang di-Tanah Melayu ini hendak kita panggil Melayu, apa kata mereka, saya percaya barangkali Yang Berhormat tidak boleh memijak Rumah² mereka² ini nanti.

The Assistant Minister of Education (Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan): Tuan Yang di-Pertua, saya berasa apa yang telah di-ucapkan oleh Timbalan Perdana Menteri tadi, telah pun terang bahawasa-nya usul yang di-bawa oleh wakil daripada Kuala Trengganu Selatan itu tidak-lah dapat di-terima oleh akal daripada Dewan ini. Saya berasa geli hati apabila memandangkan bahawasa-nya toko Kebangsaan ia-itu wakil daripada Kuala Trengganu Selatan apabila membawa usul-nya telah beruchap di-dalam satu bahasa yang bukan bahasa Melayu.

Dato' Onn bin Ja'afar: On a point of explanation. Saya telah terangkan tadi pada mula² saya mengemukakan chadangan ini pada bulan February, saya telah berchakap dalam bahasa Melayu. (*Ketawa*).

Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Itu memang benar, Tuan Yang di-Pertua, tetapi ada kata² kita ia-itu bahasa ia-lah Jiwa Bangsa. Jadi, sakira-nya jiwa sa-saorang itu

Mr. Speaker: Saya sudah katakan tadi, jangan di-jadikan satu perbathan berkenaan dengan apa bahasa yang di-gunakan dalam Dewan ini.

Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Saya bersetuju tetapi tentang jiwa, Tuan Yang di-Pertua.

Mr. Speaker: Ta' usah jadikan perbahathan.

Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Tadi, Ahli Yang Berhormat itu telah menegor Timbalan Perdana Menteri tentang pakaian-nya ia-itu kata-nya

Dato' Onn bin Ja'afar: On a point of explanation.

Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Saya tidak benar-kan. (*Ketawa*). Saya ulang balek.

Mr. Speaker: He won't give way.

Dato' Onn bin Ja'afar: Saya tidak tegor tadi.

Mr. Speaker: Dia tidak menegor tadi. Jangan-lah jadikan satu perbahathan dalam perkara kechil² ini. Tolong-lah sebutkan perkara yang besar² sahaja rundingan yang ada di-hadapan Majlis ini—yang mustahak² sahaja.

Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Jadi, saya berasa tentu-lah hak bagi diri sa-saorang Ahli di-sini untuk membuat pandangan di-atas satu² ucapan yang di-buat oleh sa-saorang Ahli Yang Berhormat yang bangun berchakap. Jadi, ini-lah saya membuat pandangan saya di-atas ucapan itu.

Mr. Speaker: Boleh, sila-lah.

Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Jadi, sakira-nya dia memandang berat di-atas satu² pakaian, saya pula memandang berat di-atas bahasa yang di-gunakan. Oleh kerana pada awal-nya saya telah me-nyatakan bahawasa-nya keterangan² yang telah di-buat oleh Timbalan Perdana Menteri itu dengan panjang lebar jelas dan nyata bahawasa-nya usul sa-macham ini tidak dapat di-terima. Saya bangun hanya untuk menunjukkan kepada Dewan ini bagaima-na-kah yang sa-benar-nya terdiri perasaan Kebangsaan Ahli Yang Berhormat daripada Kuala Trengganu Selatan itu.

Enche' Othman bin Abdullah (Tanah Merah): Tuan Yang di-Pertua, saya bangun di-sini ada-lah menyokong chadangan yang di-kemukakan oleh

penchadang bagi usul ini. Beberapa salah faham telah timbul daripada usul ini oleh pehak orang² atau pun Ahli² Yang Berhormat yang tidak ingin lahir-nya suatu bentok Kebangsaan yang di-namakan Melayu di-dalam negeri ini. Salah faham yang saya katakan di-sini ia-lah jelas dan terang, manakala sa-orang anggota Yang Berhormat daripada Temerloh bangun menyatakan bahawa semua orang dalam Tanah Melayu ini ka-mana pun kita ada-lah pergi di-panggil-lah Melayu. Dan dia tidak redza sama sakali yang dia di-champur adokkan dengan orang yang bukan Melayu.

Saya tertarek hati dengan keterangan Timbalan Perdana Menteri yang mengatakan jangan-lah bersentimen benar dalam kita membahathkan masaalah ini, tetapi dia sa-orang anggota dari Temerloh telah mengguna-kan sentimen. Saya ta' tahu apa yang di-kemukakan-nya dalam Dewan ini ada-kah hanya fikiran-nya, atau fikiran parti-nya. Saya fikir dan bagi pehak saya; di-pandang dari segi Perlembagaan yang ada sekarang ini, Tuan Yang di-Pertua, ada-kah di-dalam Perlembagaan Persekutuan Tanah Melayu itu telah di-sebutkan suatu rupa bangsa yang tegas yang hendak kita jadikan sa-bagai satu tapak kapada kebangsaan negeri ini? Kata Timbalan Perdana Menteri tadi, ada, ia-itu "Kera'ayatan Persekutuan Tanah Melayu". Saya rasa, tidak-lah tepat dengan menyebut kera'ayatan itu sa-bagai Kebangsaan dan tidak-lah tepat pula kita katakan sianu itu berkebangsaan Melayu, sa-hingga dia telah beradat resam Melayu, berpakaian Melayu, berchakap Melayu baharu di-namakan berkebangsaan Melayu, itu tidak logik, Tuan Yang di-Pertua. Sebab bangsa dengan kebangsaan ada-lah dua kalimah yang berlainan tujuan dan maksud dan tidak-lah kena sa-bagaimana wakil Temerloh berkata tadi, di-Indonesia kata-nya ada bangsa Jawa, ada bangsa Minangkabau, ada yang berbangsa Bali, dan lain² lagi. Dan saya berasa hairan atas pendapat Ahli Yang Berhormat dari Temerloh yang mana saya yakin dia tidak tahu

apa yang sa-benar-nya, apa-kah Minangkabau atau Jawa itu satu bangsa pula di-Indonesia perlu-lah saya terangkan bahawa Jawa itu hanya suku bangsa, bukan bangsa, di-Malaya kita sebut suku bangsa ini ia-lah kaum. Kaum itu bukan bangsa dan bangsa itu bukan kebangsaan. Dalam masa-alah memecahkan soal ini, Tuan Yang di-Pertua, kalau dia ta' tahu hendak-nya jangan-lah dia mengelirukan fikiran kita pula dan fikiran orang lain. Apa-salah-nya kalau sa-orang yang bukan Melayu yang duduk dalam negeri ini, katakan-lah Ah Tong mithal-nya dengan menggunakan nama-nya yang sa-benar ia-itu Ah Tong bangsa dengan menukar kebangsaan-nya sahaja dari China kepada Melayu? Dia-tetap boleh mempunyai adat resam-nya sendiri suku bangsa yang bernama China, tetapi duduk dalam Tanah Melayu dan China hanya kita sebut sa-bagai satu daripada suku bangsa di-Tanah Melayu ini, kita tidak mengi'tiraf China sa-bagai satu bangsa, tetapi hanya-lah sa-bagai satu kaum sahaja yang patoh pada undang² dan Perlembagaan negeri ini dan mengakui bahawa Kebangsaan-nya ia-lah Melayu dalam mana dia misti mengatakan bahawa Kebangsaan-nya itu ia-lah Melayu dan dengan sendiri-nya terputus-lah perhubungan lahir dan batin-nya dengan tanah asal-nya yang bernama tanah besar China. Ini-lah yang hendak di-fahamkan benar² oleh pehak pembangkang usul ini supaya jangan terkeliru oleh perkara² yang titek bengek ia-lah perkara² yang kecil² dengan kita jadikan satu dalil untuk menentang usul ini. Kalau sa-kira-nya Ahli Yang Berhormat dari pehak Kerajaan tidak mahu Rupabangsa Melayu ini di-jadikan sa-bagai Kebangsaan negeri ini dan mengatakan warga negara itu-lah kebangsaan, maka apa-kah guna-nya UMNO itu di-tulis dengan nama "Pertubohan Kebangsaan Melayu Bersatu" yang mana telah jelas mereka² yang duduk dalam Dewan ini tidak mengakui sebagai kebangsaan. Kita dapati di-luar-nya di-tulis dengan tulisan besar "Pertubohan Kebangsaan Melayu Bersatu" dan dalam Dewan ini mereka enggan dan menentang Kebangsaan Melayu apa-kah ini satu penipuan kepada

ra'ayat yang mengatakan mereka berjuang untuk Melayu, tetapi di-sebalek-nya di-dalam Dewan ini mereka sendiri tidak mengakui Melayu sa-bagai satu kebangsaan. Ini satu ke'ajaiban, satu kehairanan kepada kita sekalian.

Biar kita membahathkan soal ini di-atas pokok dan dasar Perlembagaan yang di-hadapan kita ia-itu; di-mana-kah satu clause, satu bahagian, satu fasal dalam Perlembagaan Persekutuan Tanah Melayu yang mengatakan bahawa kebangsaan Persekutuan Tanah Melayu ini Melayu? 'Ah ini dia yang sa-benar-nya kebangsaan negeri ini Melayu pun tidak, China pun tidak, Indian pun tidak, tetapi yang ada ia-lah kera'ayatan Persekutuan Tanah Melayu. Kera'ayatan Tanah Melayu ini ada-lah di-punyai dan boleh di-milikki oleh orang² yang duduk sekian² tahun dan bagini s h a r a t, tetapi apa-kah bentok k e b a n g s a a n - n y a sa-telah ia menjadi kera'ayatan itu? Misti-kah dia bertukar daripada satu bentok asal-nya kepada bentok yang di-buat dalam Perlembagaan ini sendiri? Indonesia mithal-nya, banyak suku² bangsa sa-bagaimana yang saya katakan tadi ia-lah suku bangsa Minangkabau, Batak, Jawa dan selain daripada itu ada pula suku bangsa lain ia-itu suku bangsa Arab, China atau Tionghua kata orang Indonesia, suku bangsa India, tetapi manakala mereka itu telah menjadi ra'ayat bagi Republic Indonesia dan mereka mengatakan ta'at setia-nya kepada Indonesia di-samping berkebangsaan Indonesia, maka tidak-lah lagi mereka berkebangsaan India, tidak berkebangsaan China, tidak berkebangsaan Jawa tetapi hanya-lah berkebangsaan Indonesia yang tadi-nya mereka berasal daripada suku² bangsa yang bernama suku² Jawa atau suku bangsa China, India atau Arab. Maka nyata-lah di-sini bahawa di-Malaya pun hendak-lah di-bentok daripada suku² bangsa itu suatu kebangsaan. Telah beberapa kali kita dalam Dewan ini mendengar, bahawa kita hendak melahirkan satu bangsa yang bersatu. Ini berma'ana dengan sendiri-nya hendak melahirkan satu Kebangsaan.

Yang Berhormat Timbalan Perdana Menteri telah mengatakan bahawa kita

sudah ada kebangsaan, tetapi pada satu masa yang lain dia berkata kita akan membentok satu bangsa yang bersatu—ma'ana-nya keterangan itu berlawanan. Satu kali dia mengatakan kita akan membentok satu kebangsaan, tetapi pada kali yang lain pula katanya, kita sudah ada kebangsaan. Ini menunjukkan kedua² kenyataan-nya itu berlawanan. Mengikut kaedah-nya tiap² berlawanan di-antara dua, maka kedua²-nya ta' boleh di-pakai. Bila tidak boleh di-pakai, maka kembali-lah kepada asal-nya, ia-itu tiada, maka nyata-lah bahawa kebangsaan Tanah Melayu ini belum ada, oleh kerana belum ada-nya kebangsaan negeri ini yang hendak kita jadikan umbi tempat kita bertedoh dalam Persekutuan Tanah Melayu ini, maka kerana itu-lah usul ini di-kemukakan, bukan kerana sentimen, bukan-lah pula bila sa-sa-orang itu berkebangsaan Melayu, maka sa-sa-orang itu misti memakai songkok, pakai samping saperti saya ini, atau memakai adat Islam—itu tidak-lah mustahak. Tidak misti di-ikut adat Islam, adat resam orang² Melayu, kerana Melayu itu hanya suku bangsa daripada kebangsaan yang di-namakan Melayu. Begitu juga di-Indonesia tidak mustahak bagi orang² China telah menjadi ra'ayat Indonesia itu misti makan bersuap, kalau umpamanya dia mempunyai adat resam makan bersepit. Dengan keterangan yang di-kemukakan oleh Timbalan Perdana Menteri tadi yang mengatakan bahawa kita belum ada kebangsaan, tetapi yang ada ia-lah warga negara dan warga negara itu-lah kebangsaan kata-nya. Saya tidak dapat memahami hakikat yang sa-benar-nya ma'ana-nya kebangsaan yang di-sebutkan-nya dengan arti warga negara.

Dalam soal ini, saya ulangi lagi, Tuan Yang di-Pertua, di-mana-kah sa-benar-nya ada dalam Perlembagaan Persekutuan Tanah Melayu ini satu fasal yang menyatakan bahawa kebangsaan Tanah Melayu ini—'ah ini dia, dan ini nama-nya. Jadi jangan-lah sechra menggunakan sentimen, susah kita hendak berbahath, tetapi kemerdekaan yang kita chapai ada-lah memberi peluang kepada kita bagi tujuan kita yang besar ini sa-belom merdeka, kita di-sebut

"Malayan". Kemudian kita ingin merdeka, ingin bebas supaya hak asli kita kembali kepada kita.

Saya beri satu chontoh, mithal-nya negeri Gold Coast yang dahulu-nya sa-belom merdeka di-sebut Gold Coast, tetapi sa-telah merdeka dan dengan kembali-nya hak mereka sendiri maka mereka telah mengubah nama Gold Coast itu menjadi Ghana. Dengan yang demikian nyata-lah bahawa perubahan daripada masa penjajah kepada masa kemerdekaan itu ia-lah mengembalikan hak mutlak bagi bangsa yang mempunyai negeri itu, sendiri bagitu juga-lah kita yang berkehendakkan berkebangsaan Melayu supaya nyata-lah dalam negeri ini dengan sejarah dan amalan-nya serta dalam Perlembagaan, mengatakan dan mengakui bahawa Melayu itu ada-lah bangsa yang asal bagi negeri ini dan Melayu itu hendak-lah di-jadikan kebangsaan negeri ini. Kalau sa-kira-nya yang di-namakan kebangsaan itu sudah dapat di-faham sa-bagai warga negara sa-bagaimana yang di-katakan oleh Timbalan Perdana Menteri itu sendiri, kenapa-kah pada masa Surohanjaya Bebas dahulu datang ka-Tanah Melayu bagi membuat Perlembagaan negeri ini banyak parti² politik mengemukakan pendapat-nya tentang nama kebangsaan negeri ini. UMNO sendiri hendak supaya nama kebangsaan di-panggil "Malaysian", M.C.A. berkehendakkan "MALAYAN", PAS berkehendakkan "Melayu". Nyata dan tegas bahawa Surohanjaya Bebas yang datang ka-Malaya dahulu tidak bertugas melahirkan satu bentok kebangsaan, tetapi hanya melahirkan satu Perlembagaan bagi negara Persekutuan Tanah Melayu. Terserah-lah kepada ra'ayat Persekutuan Tanah Melayu yang hendak melahirkan satu bentok bagi Rupabangsa dan kebangsaan negeri ini. Kata Timbalan Perdana Menteri pula esok kita kira, sekarang biar setakat ini dahulu. Sa-benar-nya kita lemah dalam soal economic, dalam soal pelajaran dan hanya mempunyai hak istimewa orang² Melayu yang tidak pula terjamin, ada-kah ini dapat memberi jaminan yang baik bagi bangsa kita? Perjalanan masa di-dunia ini terlalu chepat dan putaran-nya bertambah ligat, kalau dahulu-nya pergi ka-Mekah memakan masa 6 bulan dengan

menaiki kapal layar, tetapi sekarang ini telah boleh menggunakan kapal terbang dengan sekejap masa sahaja ia itu dalam masa dua hari sahaja sudah sampai. Ada-kah dengan perputaran yang demikian chepat, kita dapat melengah²kan nasib bangsa di-masa depan? Ada-kah bangsa kita dan dapat di-selamatkan?

Ini-lah perubahan yang chepat yang di-hadapi oleh dunia sekarang ini. Perubahan kita daripada tahun kita ini kena jajah sampai-lah tahun kita ini merdeka, banyak juga. Satu perubahan yang nyata ia itu Melayu tidak di-aku¹ lagi di-Tanah Melayu ini sa-bagai kebangsaan, sebab kita semua-nya kita terpaksa mengaku¹ Malayan, bila kita mengaku sa-suatu, mesti-lah menapiakan benda yang lain, kita Malayan, berm¹ana kita menapiakan kita ini Melayu. Jadi dengan sebab itu, Tuan Yang di-Pertua, dengan perubahan yang chepat yang di-hadapi sekarang ini hendak di-tunggu² entah berapa tahun yang akan datang baharu kita hendak melahirkan satu rupa bangsa, maka saya khuatir benar sudah hilang yang di-namakan hak orang Melayu baharu kita hendak kira pula bentok rupa bangsa Tanah Melayu.

Tuan Yang di-Pertua, saya terdengar tadi yang mengatakan orang Melayu ada hak istimewa. Sa-panjang yang saya bacha, hak istimewa itu tidak ada, yang ada ia-lah keistimewaan atau kedudukan istimewa orang² Melayu, tentu-lah berbeza kalimat istimewa dengan hak. Mithal-nya, keistimewaan Tuan Yang di-Pertua dudok di-atas kerusi, itu keistimewaan-nya

Mr. Speaker: Itu salah perbezaan antara hak dengan kedudukan. Istimewa itu ada dua², hak istimewa, kedudukan istimewa. Yang di-bahathkan ini antara dua kalimat, kedudukan (position) dan right, istimewa itu ada.

Enche' Othman bin Abdullah (Tanah Merah): Baik-lah, Tuan Yang di-Pertua, kedudukan istimewa dengan hak istimewa. Kedudukan istimewa tidak sa-rupa, Tuan Yang di-Pertua, dengan hak istimewa. Kalau kita mempelajari bahasa, tentu-lah perkara yang saperti ini mudah sangat kita bedzakan.

Kedudukan istimewa Tuan Yang di-Pertua sa-bagai yang di-Pertua dudok di-atas, tetapi sa-bagai Yang di-Pertua mempunyai hak istimewa menahan orang berchakap, itu hak, kedudukan dengan hak tentu berlainan. Telinga hak saya, saya tidak boleh tanggalkan walau dengan apa chara sa-kali pun, saya akan berperang dan mahu berbunuhan, Tuan Yang di-Pertua, kalau ada orang hendak mengambil telinga sebagai hak saya itu. Tetapi keistimewaan saya sa-bagai orang Melayu saya mempunyai songkok, dan hak keistimewaan saya ia-lah telinga; mithal-nya sa-rupa-kah kedudukan songkok dengan kedudukan telinga? Kedudukan songkok kalau hendak di-tanggalkan pun boleh di-jual boleh, di-hadihkan pun boleh, tetapi kalau kedudukan telinga hendak di-tanggalkan, bergochoh-lah kita dahulu. Ini-lah kedudukan orang Melayu, kebangsaan yang di-namakan Melayu, itu ada-lah hak orang Melayu yang ta' boleh di-lenyapkan. Tuan Yang di-Pertua, ini-lah di-antara hak² istimewa orang Melayu. Ada pun kedudukan istimewa orang Melayu itu ia-lah Malay reservation, scholarship, mithal-nya yang itu boleh tanggal pada suatu masa, kalau kedudukan istimewa orang Melayu itu tidak di-penuhi, mithal-nya orang Melayu mendapat scholarship dan tidak chukop orang-nya, boleh di-ambil orang lain yang bukan Melayu mendapat scholarship itu ini berm¹ana kedudukan istimewa itu boleh tanggal, tetapi hak keistimewaan tidak boleh tanggal, jadi ini-lah bedza-nya di-antara kedudukan istimewa dengan hak istimewa, tetapi sudah di-putar belitkan sa-hingga sa-rupa. Saya tidak nampak di-antara hak istimewa dengan kedudukan istimewa itu sa-rupa

Mr. Speaker: Banyak repetition . . .

Enche' Othman bin Abdullah (Tanah Merah): Tidak apa, Tuan Yang di-Pertua,

Mr. Speaker: Dalam Peratoran Meshuarat mengatakan repetition itu saya boleh menahan, jangan banyak repetition membuang masa.

Enche' Othman bin Abdullah (Tanah Merah): Sadikit sahaja, Tuan

Yang di-Pertua, oleh itu, Tuan Yang di-Pertua, saya menegaskan bagi pehak menyokong usul ini bahawa kedudukan istimewa orang Melayu yang di-sebut tadi sa-bagai hak akan tanggal pada suatu masa yang lain. Apa-kah yang di-namakan hak istimewa orang Melayu? Yang di-namakan hak istimewa orang Melayu ia-lah negeri ini kepunyaan orang Melayu serta kebangsaan negeri ini mesti-lah Melayu, ini ada-lah hak keistimewaan yang mesti di-perjuangkan oleh tiap² orang Melayu, dan kerana itu sa-bagai hak, maka kami mengemukakan usul ini dan saya menyokong usul ini supaya hak yang hendak di-tanggalkan itu di-kembalikan kepada yang mempunyai hak-nya, dan sa-lama hak ini di-tanggalkan daripada orang yang mempunyai hak, maka sa-lama itu-lah ke'adilan tidak akan terchapai, terima kaseh.

Enche' Mohamed Khir Johari: Mr. Speaker, Sir, lest we be misunderstood, I think it is my duty to tell the Opposition that we always welcome any motion from them, although I do not think that they should expect us to pass their motion for them (*Laughter*). We leave that unpleasant work to them.

Now, it would appear that the Honourable Mover of this motion in bringing this motion before the House is prompted by the fact that he does not know what he is (*Laughter*)—whether he is a Johorian, or Trengganurian, or something like that, Well, Sir, talking about names, when the Honourable Mover was at the peak of his political career, I remember there were so many children who were named after him—his name was "Onn". But when he was "off". (*Laughter*) they quickly switched over their names to something else. (*Laughter*). So, we can see the flexibility of names that exists in this country.

The Honourable Mover gave some examples: he says in Ceylon the nationality is Ceylonese; in India it is Indians; in Burma it is Burmese or something like that; and in Japan it is Japanese; I should like to clarify this point, because in Japan the nationality of the Japanese is not "Japanese"—the word is coined by the Western

people—they call themselves Nihon Jin, and although they are Nihon Jins nobody calls them that but Japanese.

Dato' Onn bin Ja'afar: On a point of explanation, Sir . . .

Enche' Mohamed Khir Johari: There is not much time left.

Mr. Speaker: You should only reply by saying whether you give way or not.

Enche' Mohamed Khir Johari: Sir, the more important thing to do is not to give a name to our nationality but to create national consciousness, the feeling of love and patriotism to this country—and this is the very thing that we, the Alliance Government, are trying to do and has been doing in the past. Through our unified educational policy, through our policy of encouraging the youths of this country to mix together, to play together and to work together, we hope that each one of them, no matter of what descent they may be, will try to think as people of this country and owe loyalty to no other country except to this. I feel that rather than make things worse by trying to think out names—e.g., Melayu, Malayan, Malaysian—we have got a more important task to do right now and in future; and if only Honourable Members of the Opposition would try to think as we do, I think we have got plenty of work to do in future.

Che' Khadijah binti Mohd. Sidek: Tuan Yang di-Pertua, saya bangun menyokong usul ini, tetapi sa-sudah saya mendengar bingkangan daripada saudara saya Ahli Yang Berhormat wakil Temerloh yang mengatakan bahawa kita di-Tanah Melayu ini semua-nya bernama Melayu—pergi ka-Johore Melayu, pergi ka-Trengganu pun Melayu. Itu sa-betul-nya salah. Kalau sakira-nya saya Melayu Johor pergi ka-Trengganu, orang Trengganu mengatakan saya orang Johor dan bila saya pergi ka-Kedah, orang Kedah mengatakan saya orang Johor dan kalau orang Kedah datang ka-Johor, orang Johor mengatakan orang Kedah—tidak mengatakan Melayu sahaja. Jikalau hendak di-bandingkan

dengan Indonesia semua-nya ia-itu Gugusan Pulau² Melayu termasuk Indonesia dan Philippines maka semua-nya itu ada-lah bangsa Melayu, tetapi oleh kerana mereka itu dudok di-gugusan itu yang di-panggil Indonesia dengan ra'ayat-nya berjumlah 80 juta orang Indonesia maka tidak-lah di-panggil Melayu dan bagitu juga di-Philippines. Tetapi Tanah Melayu ini yang bernama Persekutuan Tanah Melayu yang akan membangkitkan batang serendang sa-bagai Tanah Melayu tempat lahir-nya Hang Tuah di-mana meninggalkan tempat sakti-nya yang berkata: Tak akan Melayu hilang di-dunia. Ini kata sakti Hang Tuah, Tuan Yang di-Pertua, hendak-lah kita di-Dewan ini mengambil keputusan ia-itu Rupabangsa di-jadikan Melayu dengan kata sakti daripada Hang Tuah itu.

Jika sakira-nya Rupabangsa atau warga negara Persekutuan Tanah Melayu di-namakan maka bagaimana pula dengan Duli² Yang Maha Mulia Raja² Melayu, ada-kah bernama Duli² Yang Maha Mulia Raja² Warga Negara Persekutuan Tanah Melayu di-masa yang akan datang, atau kalau nyanyian Melayu asli, mithal-nya akan di-sebutkan nyanyian warga negara Persekutuan Tanah Melayu? Tentu berubah Rupabangsa dengan warga negara Persekutuan Tanah Melayu itu keselurohan-nya.

Bagitu juga, Tuan Yang di-Pertua, Kerajaan kita yang pada hari ini berdasarkan kepada ke'adilan dan peri kemanusiaan, maka saya atas nama anak chuchu dari nenek moyang keturunan datok kita bangsa Melayu yang mempunyai tanah ayer ini ia-itu bernama Persekutuan Tanah Melayu meminta kepada Kerajaan pada hari

ini supaya bertindak di-atas ke'adilan supaya di-namakan Rupabangsa atau Kebangsaan Tanah Melayu ini Melayu.

Saya memohon kepada Kerajaan Perikatan yang mengagongkan ke'adilan sechara peri kemanusiaan, maka tolong-lah berikan nama Rupabangsa bagi Persekutuan Tanah Melayu itu "Melayu".

Enche' Kang Kock Seng: Mr. Speaker, Sir, to use the word "Melayu" with no introductory text as a name for the nationals of Persekutuan Tanah Melayu would lend itself to abuse. Sir, at present the word "Melayu" is used in the title of our nation, and it is also commonly used to describe persons of the Malay race. It can also be said that the word "Melayu" is an ethnic term and is used as far as possible to distinguish from nationality so as to create confusion.

Mr. Speaker, Sir, as some of us in this House have been termed "non-Malays", I would like to make it quite clear to the Honourable Member for Kuala Trengganu Selatan that I am one of the non-Malays but I am here as a representative of the ra'ayats of Johore where he lives and not from Kuala Trengganu Selatan—otherwise some people may not be here.

Sir, the Honourable Mover of this motion has said that he moved the motion with no ill-will behind it, but that is a matter of opinion, especially with his previous reputation in Batu Pahat. (*Applause*).

Mr. Speaker: The debate on this motion will continue after the debate on the Supply Bill. The House is adjourned till 10 o'clock tomorrow.

Adjourned at 4.30 p.m.