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MALAYSIA

Hari Khamis
25hb Februari, 1971

PENYATA RASMI

OFFICIAL REPORT

DEWAN RA'AYAT
House of Representatives

PARLIMEN KETIGA
Third Parliament

PENGGAL PARLIMEN PERTAMA
First Session

KANDONGAN-NYA

**WAKTU MESHUARAT DAN URUSAN YANG DI-BEBASKAN DARIPADA
PERATORAN MESHUARAT (Usul) [Ruangan 193]**

RANG UNDANG²:

Rang Undang² (Pindaan) Perlembagaan [Ruangan 194]

MALAYSIA

DEWAN RA'AYAT YANG KETIGA

Penyata Rasmi

PENGGAL YANG PERTAMA

Hari Khamis, 25hb Februari, 1971

Meshuarat di-mulakan pada pukul 2.30 petang

YANG HADHIR :

- Yang Berhormat Tuan Yang di-Pertua, DATO' CHIK MOHAMED YUSUF BIN SHEIKH ABDUL RAHMAN, S.P.M.P., J.P., Dato' Bendahara Perak.
- Yang Amat Berhormat Perdana Menteri, Menteri Luar Negeri dan Menteri Pertahanan, Y.A.B. TUN HAJI ABDUL RAZAK BIN DATO' HUSSEIN, S.M.N. (Pekan).
- „ Timbalan Perdana Menteri dan Menteri Hal Ehwal Dalam Negeri, Y.A.B. TUN DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, S.S.M., P.M.N., S.P.M.J. (Johor Timor).
- Yang Berhormat Menteri Kewangan, Y.A.B. TUN TAN SIEW SIN, S.S.M., J.P. (Melaka Tengah).
- „ Menteri Kerja Raya, Pos dan Talikom, Y.A.B. TUN V. T. SAMBANTHAN, S.S.M., P.M.N. (Sungei Siput).
- „ Menteri Kesihatan, Yang Berbahagia TAN SRI HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ Menteri Perdagangan dan Perusahaan, TUAN MOHAMED KHIR JOHARI (Kedah Tengah).
- „ Menteri bagi Hal Ehwal Sarawak, Yang Berbahagia TAN SRI TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K., P.N.B.S., O.B.E. (Ulu Rajang).
- „ Menteri Buroh, Yang Berbahagia TAN SRI V. MANICKAVASAGAM, P.M.N., P.J.K. (Klang).
- „ Menteri Pertanian dan Tanah, Yang Berbahagia TAN SRI HAJI MOHAMED GHAZALI BIN HAJI JAWI, P.M.N., D.P.C.M. (Kuala Kangsar).
- „ Menteri Pembangunan Negara dan Luar Bandar, TUAN ABDUL GHAFAR BIN BABA (Melaka Utara).
- „ Menteri Pengangkutan, DATO' HAJI ABDUL GHANI GILONG, P.D.K., J.P. (Kinabalu).
- „ Menteri Ta' Berpotfolio, TUAN LEE SIOK YEW, A.M.N., P.J.K. (Sepang).
- „ Menteri Kebudayaan, Belia dan Sukan, DATO' HAMZAH BIN DATO' ABU SAMAH, D.S.R., S.M.K. (Raub).
- „ Menteri Kebajikan Masharakat, Yang Berbahagia TAN SRI FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ Menteri Pelajaran, TUAN HUSSEIN BIN DATO' ONN (Johor Bahru Timor).
- „ Menteri Teknologi, Penyelidikan dan Kerajaan Tempatan, DATO' ONG KEE HUI, P.N.B.S. (Bandar Kuching).

- Yang Berhormat Menteri Muda Jabatan Perdana Menteri, TUAN ABDUL TAIB BIN MAHMUD (Samarahan).
- „ Menteri Muda Kewangan, TUAN ALI BIN HAJI AHMAD (Pontian Selatan).
- „ Menteri Muda Pembangunan Negara dan Luar Bandar, DATO' ABDUL SAMAD BIN IDRIS, J.M.N., P.J.K. (Kuala Pilah).
- „ Menteri Muda Buroh, TUAN LEE SAN CHOON, K.M.N. (Segamat Selatan).
- „ Menteri Muda Pertahanan, Y.M. TENGKU AHMAD RITHAUDEEN BIN TENGKU ISMAIL, P.M.K. (Kota Bharu Hilir).
- „ Menteri Muda Hal Ehwal Dalam Negeri, TUAN MOHAMED BIN YAACOB, P.M.K., S.M.T. (Tanah Merah).
- „ Setiausaha Parlimen kepada Menteri Penerangan, TUAN SHARIFF AHMAD (Langat).
- „ Setiausaha Parlimen kepada Perdana Menteri, WAN ABDUL KADIR BIN ISMAIL, P.P.T. (Kuala Trengganu Utara).
- „ Setiausaha Parlimen kepada Menteri Pengangkutan, TUAN MOHAMED BIN UJANG, A.M.N., P.J.K. (Jelebu-Jempol).
- „ Setiausaha Parlimen kepada Menteri Pelajaran, TUAN MOHAMED BIN RAHMAT (Johor Bahru Barat).
- „ NIK ABDUL AZIZ BIN NIK MAT, J.P. (Kelantan Hilir).
- „ DATO' DR HAJI ABDUL AZIZ BIN OMAR, J.M.N., J.M.K., S.M.K. (Tumpat).
- „ Y.A.M. TUNKU ABDULLAH IBNI ALMARHUM TUANKU ABDUL RAHMAN, P.P.T. (Rawang).
- „ TUAN HAJI ABDUL RASHID BIN HAJI JAIS, A.D.K. (Sabah Selatan).
- „ TUAN HAJI ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ TUAN HAJI ABDUL WAHAB BIN YUNUS (Dungun).
- „ PENGHULU ABIT ANAK ANGKIN (Kapit).
- „ TUAN ABU BAKAR BIN UMAR (Kubang Pasu Barat).
- „ TUAN HAJI AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ PENGIRAN AHMAD BIN PENGIRAN INDAR (Kinabatangan).
- „ TUAN AHMAD BIN HAJI ITHNIN (Melaka Selatan).
- „ TUAN HAJI AHMAD BIN SAID, J.P. (Seberang Utara).
- „ TUAN HAJI AHMAD DAMANHURI BIN HAJI ABDUL WAHAB, P.J.K. (Hilir Perak).
- Yang Berbahagia TAN SRI HAJI NIK AHMED KAMIL, D.K., S.P.M.K., S.J.M.K., P.M.N. (Ulu Kelantan).
- Yang Berhormat PUAN BIBI AISHAH BINTI HAMID DON, A.M.N., P.J.K. (Kulim Utara).
- „ TUAN AJAD BIN O. T. OYONG (Labuk-Sugut).
- „ DR AWANG BIN HASSAN, S.M.J. (Muar Selatan).
- „ TUAN AZAHARI BIN MOHD. TAIB, S.M.K., A.M.N., J.P. (Sungei Patani).
- „ DATO' PENGARAH BANYANG ANAK JANTING, Q.M.C., P.B.S., P.N.B.S. (Julau).
- „ CHEGU BAUDI BIN UNGGUT (Bandau).
- „ TUAN BOJENG BIN ANDOT (Simunjan).
- „ TUAN BUJA BIN GUMBILAI (Tuaran).
- „ AWANG BUNGSU BIN ABDULLAH (Limbang-Lawas).
- „ TUAN HAJI AWANG WAL BIN AWANG ABU (Santubong).

Yang Berhormat TUAN CHAN FU KING (Telok Anson).

„ TUAN CHAN SIANG SUN, A.M.N., P.J.K. (Bentong).

„ TUAN CHAN YOON ONN (Ulu Kinta).

„ TUAN CHEN KO MING, P.B.S., A.M.N. (Sarikei).

„ DR CHEN MAN HIN (Seremban Timor).

„ DR CHU CHEE PENG (Kluang Selatan).

„ TUAN PETER PAUL DASON (Pulau Pinang Utara).

„ TUAN V. DAVID (Dato Kramat).

„ TUAN EDWIN ANAK TANGKUN, A.B.S. (Batang Lupar).

„ TUAN FAN YEW TENG (Kampar).

„ DATIN HAJAH FATIMAH BINTI HAJI ABDUL MAJID, J.M.N., P.I.S.
(Batu Pahat Dalam).

„ TUAN GOH HOCK GUAN (Bungsar).

„ TUAN HANAFIAH HUSSAIN, A.M.N. (Jerai).

„ TUAN HASHIM BIN GERA (Parit).

„ TUAN HOR CHEOK FOON (Damansara).

„ TUAN RICHARD HO UNG HUN (Sitiawan).

„ TUAN HUSSAIN BIN HAJI SULAIMAN (Besut).

Yang Berbahagia TAN SRI SYED JAAFAR BIN HASAN ALBAR, P.M.N. (Johor Tenggara).

„ TAN SRI KHAW KAI BOH, P.M.N., P.J.K. (Ulu Selangor).

Yang Berhormat TUAN KHOO PENG LOONG, O.B.E. (Bandar Sibu).

„ TUAN EDMUND LANGGU ANAK SAGA, P.B.S. (Saratok).

„ TUAN LATIP BIN HAJI IDRIS (Mukah).

„ TUAN LEE SECK FUN, K.M.N. (Tanjong Malim).

„ TUAN LIM CHO HOCK (Batu Gajah).

„ TUAN LIM KIT SIANG (Bandar Melaka).

„ TUAN LIM PEE HUNG, P.J.K. (Alor Star).

„ TUAN LOH JEE MEE (Batang Padang).

„ TUAN WALTER LOH POH KHAN (Setapak).

„ TUAN PETER LO SU YIN (Sandakan).

„ TUAN LUHAT WAN (Baram).

„ TUAN CHIK JOHARI ONDU MAJAKIL (Labuan-Beaufort).

„ TUAN ANDREW MARA ANAK WALTER UNJAH (Betong).

„ TUAN HAJI MAWARDI BIN LEBAI TEH (Kota Star Utara).

„ DR MOHAMED BIN TAIB, P.M.K., P.J.K. (Kuantan).

„ TUAN MOHAMED ARIF BIN SALLEH, A.D.K. (Sabah Dalam).

„ DATO' HAJI MOHAMED ASRI BIN HAJI MUDA, S.P.M.K.
(Kota Bharu Hulu).

„ TUAN MOHD. DAUD BIN ABDUL SAMAD (Kuala Trengganu Selatan).

„ TUAN MOHD. NOR BIN MD. DAHAN, A.M.N., J.P. (Ulu Perak).

„ TUAN MOHAMMAD SAID BIN KERUAK (Kota Belud).

„ TUAN MOHD. SALLEH BIN DATO' PANGLIMA ABDULLAH (Darvel).

Yang Berhormat TUAN MOHD. TAHIR BIN ABDUL MAJID, S.M.S., P.J.K. (Kuala Langat).

- „ TUAN HAJI MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ TUAN HAJI MOHD. ZAIN BIN ABDULLAH (Bachok).
- „ DATO' ENSKU MUHSEIN BIN ENSKU ABDUL KADIR, D.P.M.T., J.M.N. (Trengganu Tengah).
- „ WAN MOKHTAR BIN AHMAD, P.J.K. (Kemaman).
- „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- „ TUAN MUHAMMAD FAKHRUDDIN BIN HAJI ABDULLAH, J.P. (Pasir Mas Hilir).
- „ TUAN MUSA BIN HITAM (Segamat Utara).
- „ DATO' HAJI MUSTAPHA BIN HAJI ABDUL JABAR, D.P.M.S., A.M.N., J.P. (Sabak Bernam).

Yang Amat Berbahagia TUN DATU HAJI MUSTAPHA BIN DATU HARUN, S.M.N., P.D.K., K.V.O., O.B.E. (Marudu).

Yang Berhormat TUAN MUSTAPHA BIN HUSSAIN (Seberang Tengah).

- „ TUAN JONATHAN NARWIN ANAK JINGGONG (Luboh Antu).
- „ DATO' SYED NASIR BIN ISMAIL, J.M.N., P.I.S. (Muar Dalam).
- „ TUAN NG HOE HUN (Larut Selatan).
- „ RAJA NONG CHIK BIN RAJA ISHAK, P.J.K. (Kuala Selangor).
- „ TUAN OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ DATO' PANG TET TSHUNG, P.D.K. (Kota Kinabalu).
- „ PENGARAH RAHUN ANAK DEBAK (Serian).
- „ TUAN RAMLI BIN OMAR, K.M.N. (Krian Darat).
- „ TUAN R. C. M. RAYAN *alias* R. C. MAHADEVA RAYAN (Ipoh).
- „ TUAN SEAH TENG NGIAB, P.I.S., S.M.J. (Muar Pantai).
- „ DR S. SEEVARATNAM, P.J.K. (Seremban Barat).
- „ DATO' S. P. SEENIVASAGAM, D.P.M.P., P.M.P., J.P. (Menglembu).
- „ TUAN THOMAS GABRIEL SELVARAJ (Pulau Pinang Selatan).
- „ TUAN HAJI SHAFIE BIN ABDULLAH, A.M.N., B.C.K. (Baling).
- „ TUAN SINYIUM ANAK MUTIT (Bau Lundu).
- „ TUAN SOH AH TECK (Batu Pahat).
- „ DR A. SOORIAN (Port Dickson).
- „ TUAN SULAIMAN BIN BULON (Bagan Datoh).
- „ WAN SULAIMAN BIN HAJI IBRAHIM, S.M.K. (Pasir Puteh).
- „ DR SULAIMAN BIN MOHAMED ATTAS, J.P., P.J.K. (Rembau-Tampin).
- „ TUAN SULAIMAN BIN HAJI TAIB (Krian Laut).
- „ TUAN SU LIANG YU (Bruas).
- „ PENGIRAN TAHIR BIN PENGIRAN PETRA (Kimanis).
- „ TUAN TAI KUAN YANG, A.M.N., P.J.K. (Kulim Bandar Bharu).
- „ TUAN TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ DR TAN CHEE KHOON (Batu).
- „ TUAN TAN CHENG BEE, A.M.N., J.P. (Bagan).

Yang Berhormat TUN TIAH ENG BEE, P.I.S. (Kluang Utara).
 „ TUN JAMES STEPHEN TIBOK, A.D.K. (Penampang).
 „ TUN TIBUOH ANAK RANTAI (Rajang).
 „ TUN TING MING KIONG (Bintulu).
 „ TUN JOSEPH UNTING ANAK UMANG (Kanowit).
 „ TUN V. VEERAPPAN (Seberang Selatan).
 „ DATO' JAMES WONG KIM MIN (Miri-Subis).
 „ TUN YEH PAO TZU, A.M.N. (Tawau).
 „ TUN YEOH TECK CHYE (Bukit Bintang).
 „ TUN STEPHEN YONG KUET TZE (Padawan).
 „ TUN HAJI YUSOF BIN HAJI ABDULLAH *alias* HAJI YUSOF RAWA (Kota Star Selatan).

YANG TIADA HADHIR :

Yang Berhormat Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M., C.H., D.M.N. (Kuala Kedah).
 „ DATO' HAJI ABDUL RAHMAN BIN YA'KUB, P.N.B.S. (Payang).
 „ DR LIM CHONG EU (Tanjong).
 „ TENGKU ZAID BIN TENGKU AHMAD, J.M.K., S.M.K. (Pasir Mas Hulu).

YANG HADHIR BERSAMA:

Yang Berhormat Peguam Negara, Yang Berbahagia TAN SRI ABDUL KADIR BIN YUSOF, P.M.N., P.J.K. (Di-lantek).
 „ Menteri Dengan Tugas² Khas dan Penerangan, Yang Berbahagia TAN SRI MUHAMMAD GHAZALI BIN SHAFIE, P.M.N., D.I.M.P., P.D.K. (Di-lantek).

DO'A

(Tuan Yang di-Pertua *mempengerusikan Meshuarat*)

WAKTU MESHUARAT DAN URUSAN YANG DI-BEBASKAN DARIPADA PERATORAN MESHUARAT

(Usul)

Timbalan Perdana Menteri (Tun Dr Ismail):
 Tuan Yang di-Pertua, saya menhadangkan ia-itu:

Bahawa walau apa pun ketetapan yang diluluskan pada hari Selasa, 23hb Februari, 1971, persidangan Dewan Ra'ayat hari ini hendaklah diteruskan hingga pukul 8 malam.

Menteri Kewangan (Tun Tan Siew Sin):
 Tuan Yang di-Pertua, saya menyokong.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Di-putuskan,

Bahawa walau apa pun ketetapan yang diluluskan pada hari Selasa, 23hb Februari, 1971, persidangan Dewan Ra'ayat hari ini hendaklah diteruskan hingga pukul 8 malam.

RANG UNDANG²

RANG UNDANG² (PINDAAN) PERLEMBAGAAN

Bachaaan Kali Yang Kedua

Atoran Urusan Meshuarat di-bachakan bagi menyambong sa-mula Perbahathan yang tanggohkan atas masaalah, "Bahawa Rang Undang² ini di-bachakan kali yang kedua sekarang" (24hb Februari, 1971).

Dato' Haji Mohamed Asri bin Haji Muda (Kota Bharu Hulu): Tuan Yang di-Pertua, untuk mendapat gambaran yang lebih jelas tentang perkembangan orang² yang bukan Melayu mendapat hak² kera'ayatan sa-hingga bulan Jun, 1969. Saya rasa ada baik-nya saya sebutkan tahun demi tahun. Sa-sudah sahaja kita mencapai kemerdekaan pada tahun 1957 orang² yang bukan Melayu telah di-terima menjadi ra'ayat melalui pendaftaran sa-ramai 13,867 orang dan by naturalisation 60,599 orang, akan tetapi pada tahun 1958 suatu jumlah yang besar dan mengejut. Apa-kah besar-nya jumlah ini oleh kerana hampir menjelang-nya Pilihanraya tahun 1959, tidak-lah dapat kita ketahui, tetapi ternyata angka ini begitu besar sa-kali.

Orang² yang bukan Melayu yang telah mendapat kera'ayatan melalui pendaftaran ia-lah berjumlah sa-banyak 822,567 orang dan melalui naturalisation hanya 12 orang sahaja. Demikian-lah sa-terus-nya :

Pada tahun 1959 melalui pendaftaran	...	67,337
Tahun 1960	..	77,858
Tahun 1961	..	57,153
Tahun 1962	..	83,657
Tahun 1963	..	89,515
Tahun 1964	..	44,748
Tahun 1965	..	83,964
Tahun 1966	..	65,701
Tahun 1967	..	59,690
Tahun 1968	..	40,922 dan sa-hingga
Jun 1969	..	13,251

Akibat daripada pendaftaran, atau pun kemasukan orang² yang bukan Melayu menjadi ra'ayat dengan sa-demikian jumlah-nya kita akan dapat menyaksi perbedzaan yang mengejut jumlah pengundi² dalam pilihanraya antara tahun 1955 dengan 1959. Pada tahun 1955 sa-belum merdeka orang² Melayu yang menjadi pengundi ia-lah 1,078,000 sa-kira² 84.2%; orang² China hanya 143,000 kira² 11.2%; orang² India 50,000 kira² 3.9% dan lain² bangsa kira² 9,000 ia-itu-lah 0.7%. Pada tahun 1959, Tuan Yang di-Pertua, jumlah pengundi² Melayu ia-lah sa-banyak 1,217,000. Jumlah pengundi² China 764,000; jumlah pengundi² India 159,000; lain² ia-lah 4,000. Dari segi perhetongan perbedzaan persen-nya mengikut tahun² yang berkenaan pengundi² Melayu turun menjadi 56.8%; pengundi² China naik kepada 35.6%; India 7.4% dan lain² turun kepada 0.2%.

Dari segi perhetongan chara graf saperti ini dapat-lah kita menyaksikan bahawa ukoran yang sa-benar-nya pengundi² Melayu kurang 27.4%; pengundi² China naik 24.4% dan pengundi² India naik 2.4% di-bandingkan jumlah kenaikan pengundi² mengikut keturunan antara tahun 1955 dengan tahun 1959. Jumlah pengundi² yang bukan Melayu pada tahun 1959 ini boleh di-katakan hampir 99% daripada jumlah orang² yang telah mendapat kera'ayatan antara 1957 dan 1959.

Jadi, nyata-lah, Tuan Yang di-Pertua, apabila pilihanraya itu berjalan sampai kepada tahun 1964 dan sa-terus-nya sampai kepada tahun 1969 baki ra'ayat sa-banyak 655,029 orang² yang bukan Melayu sempat mendaftarkan diri-nya menjadi pengundi² menjelang pilihanraya 1969. Kedudukan saperti ini-lah yang saya katakan tadi, bahawa ini-lah satu daripada tanda² betapa baik budi-nya orang² Melayu terhadap orang² yang bukan Melayu di-dalam memberikan hak² politik orang² Melayu kepada mereka, sedangkan pembalasan-nya orang² Melayu tidak menerima hak² ekonomi yang sa-wajar-nya sa-bagaimana yang di-janjikan kepada mereka. Sebak-nya, Tuan Yang di-Pertua, orang² yang bukan Melayu pula merasa tidak puas hati dengan keadaan ini ia-lah oleh kerana mereka merasa bahawa mereka telah di-kelas-dukan, atau telah di-anggap sa-bagai ra'ayat kelas dua dengan alasan konon-nya ada-nya kedudukan istimewa bagi orang² Melayu di-dalam Perlembagaan. Baik-lah, Tuan Yang di-Pertua, kalau begitu-lah dudok-nya persoalan dapat-kah perasaan tidak puas hati kedua² pihak ini di-hilangkan dengan wujud-nya Akta bagi Meminda Undang² Perlembagaan yang sedang kita bahathkan sekarang ini. Dapat-kah dengan Undang² yang kita bahathkan sekarang ini melenyapkan, atau menghilangkan perasaan tidak puas hati kedua² pihak—pihak Melayu dan pihak yang bukan Melayu. Tentu-lah amat sulit bagi kita untuk mengatakan "Ya" amat sulit bagi kita mengatakan "dapat" kerana persoalan² yang menimbulkan Peristiwa 13 Mei ada-lah persoalan² yang tidak sahaja beredar di-sekitar kata² yang menimbulkan sensitif atau kata² menghasut tetapi ia terkumpul di-dalam suatu bidang yang lebih luas yang menyentoh soal lembaga kehidupan masyarakat yang di-tinggalkan sa-bagai pusaka penjajah kepada negara kita yang merdeka dan berdaulat ini.

Satu perkara lagi, Tuan Yang di-Pertua, ia-lah tentang wujud pula di-dalam Undang² atau Akta bagi Meminda Perlembagaan ini asas² bagi mengurangkan hak² kebebasan Ahli² Dewan untuk beruchap sama seperti pengurangan kebebasan orang² awam untuk beruchap di-luar daripada Dewan. Memang pehak Kerajaan, saya perchaya mempunyai alasan yang chukup dan mungkin menasabah apakala ia mengemukakan pindaan dalam perkara ini. Tetapi satu perkara yang harus kita kaji: Dapat-kah dengan menutup mulut Ahli² Dewan Ra'ayat, Dewan Negara, Dewan Undangan Negeri daripada memperkatakan, atau menyentoh soal² yang di-bimbangkan itu akan melenyapkan perasaan kechemburuan yang mungkin membawa kapada peristiwa² yang sangat² tidak di-kehendaki. Memandang kapada sa-pintas lalu siapa sahaja pun akan dapat menudoh bahawa maksud di-masokkan fasal² supaya Undang², atau peratoran tentang larangan menyebut, beruchap yang menyentoh perkara sensitif dan Akta Asutan, atau menghasut di-masokkan ka-dalam pindaan² Perlembagaan ini untuk menyekat sama atas hak² Ahli Dewan, atau Ahli² Parlimen ia-lah supaya perkara² yang di-anggap sa-bagai boleh menimbulkan kechemburuan antara kaum itu tidak di-perkatakan lagi. Atau dengan kalimah lain nyata-lah pindaan perlembagaan kapada fasal² yang berkenaan itu pada hakikat-nya, kalau-lah ia di-luluskan, ia-lah sa-bagai satu usaha untuk menutup mulut Wakil² Ra'ayat supaya jangan memperkatakan perkara² yang boleh menimbulkan puncha² kechemburuan antara kaum. Mungkin di-dalam anggapan Kerajaan bahawa perkara² yang sensitif, perkara² yang di-anggap sa-bagai menghasut kalau-lah di-perkatakan di-dalam Dewan ini, mungkin pehak Kerajaan Perikatan perchaya api kechemburuan itu akan padam dengan sendiri-nya. Dan pada masa itu lahir-lah perpaduan yang sejati, perpaduan yang hakiki seperti mana yang di-chita²kan oleh semua ra'ayat, semua gulongan di-dalam negara kita ini. Dapat-kah, Tuan Yang di-Pertua, kita menerima hujjah² yang seperti itu, atau dapat-kah kita menerima suatu sifir yang seperti ini, bahawa yang menimbulkan kechemburuan yang menghasilkan huru-hara dalam negeri ini, ia-lah kerana ada-nya sifat² uchapan yang menyentoh perasaan antara gulongan—antara kaum, ada-nya uchapan² yang di-anggap sa-bagai menghasut, maka bagi mengelakkan daripada berlaku-nya

huru-hara antara kaum, mulut² Ahli² Parlimen hendak-lah di-jahit dan dengan demikian api kechemburuan itu akan padam dan perpaduan pun lahir-lah.

Saya rasa, Tuan Yang di-Pertua, kalau ka-situ-lah pergi-nya, kurang-lah lojik-nya. Tetapi kalau itu-lah merupakan usaha awal mungkin dapat di-terima buat sementara waktu. Akan tetapi kalau itu-lah yang menjadi usaha pokok maka terpulang-lah pula hujong jatuh-nya uchapan saya ini kapada hujjah yang saya sebutkan semalam bahawa Akta bagi Meminda Undang², atau Meminda Perlembagaan Persekutuan ini maseh belum lengkap sa-bagai hajat yang di-kehendaki oleh pehak Kerajaan dan juga pehak kami di-sini bagi mengelakkan timbul-nya huru-hara, kekachauan, di-dalam tanah ayer kita.

Tuan Yang di-Pertua, saya suka menarek perhatian, Tuan Yang di-Pertua, kembali kapada zaman 14 tahun yang lalu. Di-zaman mula² perundingan dan perkiraan untuk menchapai kemerdekaan, yang akhirnya telah berjaya di-lantek satu Surohanjaya bagi meninjau pendapatan² daripada ra'ayat negara ini sa-belum daripada satu Perlembagaan bagi Persekutuan Tanah Melayu dapat di-susun. Pada masa itu Surohanjaya itu telah datang ka-negara kita, seluroh parti² politik telah pun menghantarkan memorandum. Maka demikian pula-lah parti kami, Parti PAS, telah pun juga ikut menyusun memorandum itu dan kemudian kandungan memorandum itu sendiri dengan segala kenyataan dan keterangan-nya telah pun di-sampaikan juga ka-tangan Yang Teramat Mulia Tunku Abdul Rahman Putra yang pada masa itu memegang jawatan sa-bagai Ketua Menteri bagi Persekutuan Tanah Melayu.

Saya maseh ingat, Tuan Yang di-Pertua, di-antara kandungan² memorandum itu antara lain maksud-nya, ada menyebutkan, bahawa di-dalam menyusun Perlembagaan Persekutuan Tanah Melayu yang merdeka. Surohanjaya itu hendak-lah sedar bahawa di-mana letak-nya bagaimana sejarah-nya kedudukan Tanah Melayu itu sendiri, dan Surohanjaya itu hendak-lah insaf bahawa memandang dari segi sejarah dan mengikut faktor² politik, Tanah Melayu ada-lah bangsa Melayu.

Kemudian memorandum itu telah menyatakan dengan tegas, jangan-lah oleh kerana orang² yang bukan Melayu telah banyak

memberikan sumbangan untuk pembangunan dan kemajuan ekonomi negeri ini maka kedudukan orang² Melayu hendak di-ketepikan begitu sahaja.

Saya perchaya dengan ayat yang serba rengkas itu dapat-lah kita mengambil satu pengertian ia-itu saranan yang di-berikan oleh PAS tadi merupakan saranan yang asasi, yang pokok. Mengenenipkan asas² yang pokok ini-lah menyebabkan timbul-nya perasaan tidak puas hati di-semua kalangan ra'ayat. Kami yakin pada masa itu, kami yakin benar bahawa apa yang kami sarankan itu, jika di-amalkan, akan dapat mengujudkan satu negara yang setabil di-rantau ini.

Tetapi, Tuan Yang di-Pertua, berbalek kapada apa yang saya sebutkan tadi perasaan kechemburuan itu telah timbul akibat daripada bentuk negara kita ini tidak begitu jelas—tidak begitu clear. Orang² Melayu di-berikan kedudukan istimewa bukan-lah dengan sifat-nya ia sa-bagai tuan negeri, tetapi oleh kerana orang² Melayu lemah di-bidang ekonomi, pelajaran dan kemasyarakatan, maka di-berikan-lah rahman-rahim, belaskasehan kapada orang² Melayu dengan hadiah beberapa fasal² yang tertentu di-dalam Perlembagaan. Sambil itu orang² yang bukan Melayu yang telah pun menerima hak kera'ayatan dengan mudah seperti apa yang telah di-sebutkan tadi, sa-bahagian, tidak semua, sa-bahagian-nya kami dapat agak bahawa mereka bukan-lah manusia² yang dapat di-harap untuk mendokong chita² kenegaraan sa-bagai yang telah tersemat di-dalam hati orang² Melayu kita sendiri. Sebab mereka dengan kera'ayatan yang mereka telah dapat, mereka mengharapkan sa-suatu yang lebih, pada hal kalau dari mula lagi, kalau mereka tidak di-beri peluang banyak, dengan di-batasi oleh undang² Perlembagaan mithal-nya, tentu-lah mereka tidak akan mendapat apa² dari perubahan bentuk chorak politik negara pada masa 14 tahun yang lalu. Tetapi oleh kerana sifat lemah-lembut dan baik budi orang² Melayu itu menyebabkan sikap orang² yang bukan Melayu, sa-bahagian, merupakan seperti kata pepatah Melayu: Sudah dapat betis, hendakkan peha pula, atau mereka hendakkan peha sa-sudah dapat betis. Agak saya ini-lah barangkali yang kini telah di-sedari oleh pemimpin² Kerajaan sekarang sa-telah meletus-nya Peristiwa 13 Mei yang dahshat itu.

Sa-telah darah tertumpah, sa-telah huru-hara berlaku, sa-telah parliamentary democracy di-beku, di-peti-icekan, kesedaran pun datang, maka menchuba-lah mereka melalui kesedaran yang ada pada mereka itu untuk mengubah bagi di-hasilkan, atau di-betulkan apa² yang telah berlaku.

Tuan Yang di-Pertua, ada pula sa-tengah² gulungan lagi menganggap bahawa Akta (Pindaan) Perlembagaan ini juga ada-lah manifestasi dari kegagalan Perikatan dalam melaksanakan tugas-nya untuk orang² Melayu. Ulasan saya tadi ia-lah sa-kadar manifestasi dari kegagalan Kerajaan Perikatan untuk mengujudkan keharmonian antara kaum, maka timbul pula anggapan sa-tengah gulungan bahawa ini juga merupakan manifestasi dari kegagalan Kerajaan Perikatan dalam melaksanakan tugas-nya untuk pembangunan, untuk kekuatan, atau lebih jelas untuk orang Melayu.

Tuan Yang di-Pertua, oleh kerana mereka memandangkan pada hakikat terhadap fasal² yang telah pun wujud di-dalam Perlembagaan Malaysia, dahulu-nya Perlembagaan Persekutuan Tanah Melayu mengenai kedudukan istimewa orang² Melayu bagi pandangan sa-bahagian besar orang² Melayu “kedudukan istimewa Melayu” ada-lah modal yang besar bagi Perikatan untuk menunaikan kewajipan sa-bagai amanah ra'ayat jika ia berhasrat demikian. Yang sa-benar-nya pandangan ini bukan sahaja pandangan sa-bahagian besar ra'ayat, malah pandangan pemimpin² Perikatan sendiri sa-belum berlaku-nya Peristiwa 13 Mei. Sa-belum Peristiwa 13 Mei, pemimpin² Perikatan sentiasa melaungkan bahawa orang² Melayu jangan bimbang sebab di-dalam Perlembagaan ada fasal² bagi melindungi kedudukan mereka di-bidang ekonomi dan sa-bagai-nya. Dan sekarang, Tuan Yang di-Pertua, jawapan telah jelas bahawa mereka telah gagal, oleh kerana kegagalan itu-lah mereka chuba mengemukakan satu Akta pindaan yang baharu untuk memberi kuasa yang lebih. Bagi saya, Tuan Yang di-Pertua, menambahkan lagi kuasa yang lebih dengan tujuan untuk menjaga kedudukan orang² Melayu, saya memang sokong, Tuan Yang di-Pertua, lebih dari itu pun saya sokong lagi. Tetapi apa yang saya rasa hendak sebutkan sa-olah² Akta yang menyebut pindaan atas perkara² kedudukan orang² Melayu ini menjadi suatu hujjah untuk menyatakan ini-lah sahaja jalan-nya untuk menyelamatkan orang² Melayu, atau dengan

suatu pengertian yang lain salah-nya kedudukan orang² Melayu yang tidak terjamin sa-lama 14 tahun yang lalu, bukan kerana Perikatan tidak mahu membuat kerja, tetapi Perlembagaan tidak chukup memberikan kuasa² bagi melaksanakan dasar² ini. Pada hal sa-benar-nya yang ada dahulu pun telah chukup, kalau di-tambahkan lagi, lagi baik.

Mari-lah, Tuan Yang di-Pertua, kita tinjau sa-pintas lalu sa-jauh mana kedudukan orang² Melayu semenjak kita merdeka. Saya tidak mahu mengupas keseluruhan aspek, tetapi saya ingin mengupas kedudukan orang² Melayu di-bidang² yang tertentu yang menyentoh dengan kedudukan fasal² dalam Perlembagaan Persekutuan seperti Fasal 152, 153 dan sa-bagai-nya. Chuba kita perhatikan kedudukan orang² Melayu di-dalam bidang perjawatan, tidak masok perhitungan di-bidang perdagangan dan perusahaan. Ada statistik yang menunjukkan kedudukan jumlah pegawai² Division I dalam jawatan Kerajaan pada 1hb November, 1968. Dalam Perkhidmatan Pentadbiran dan Perkhidmatan Undang², kedua² perkhidmatan ini boleh-lah di-katakan bahawa kedudukan orang² Melayu lebeh banyak daripada kedudukan orang² bukan Melayu, tetapi pada keseluruhan-nya dapat-lah saya katakan bahawa quota yang telah di-sebutkan di-dalam perlembagaan itu tidak tertunai dengan sa-penoh-nya. Mari kita lihat seluruh Division I, Tuan Yang di-Pertua, pada 1hb November, 1968:

Dalam Perkhidmatan Pentadbiran:

Melayu 706 orang
Bukan Melayu 515 orang
Jumlah 1,221 orang
Melayu 57.82%
Bukan Melayu 42.18%.

Dalam bahagian Akitek, Engineering dan Keahlian² yang lain:

Melayu 73 orang
Bukan Melayu 370 orang
Jumlah 443
Melayu 16.47%
Bukan Melayu 83.53%

Dalam bahagian Pegawai² Kesihatan dan Perubatan, Tuan Yang di-Pertua:

Melayu 64 orang
Bukan Melayu 693 orang
Jumlah 727 orang
Melayu 8.7%
Bukan Melayu 91.3%

Dalam bahagian Physical Scientist:

Melayu 13 orang
Bukan Melayu 51 orang
Jumlah 64 orang
Melayu 20.03%
Bukan Melayu 79.97%

Dalam bahagian Professional Statistician:

Melayu 38 orang
Bukan Melayu 166 orang
Jumlah 204 orang
Melayu 18.6%
Bukan Melayu 81.4%

Perkhidmatan Undang², boleh tahan:

Melayu 70 orang
Bukan Melayu 37 orang
Melayu 65.42%
Bukan Melayu 34.58%

Dalam Perkhidmatan Beruniform:

Melayu 331 orang
Bukan Melayu 369 orang
Melayu 47.28%
Bukan Melayu 52.72%

Dalam Perkhidmatan Pengangkutan dan Perhubungan Raya:

Melayu 67 orang
Bukan Melayu 188
Jumlah 255 orang
Melayu 29.77%
Bukan Melayu 70.23%

Pukol rata semua-nya:

Melayu 36.26% } Dalam jumlah
Bukan Melayu 63.74% } semua sa-kali.

Agak membosankan menyebut angka² seperti ini, Tuan Yang di-Pertua, tetapi saya ingin angka² ini di-chatitkan di-dalam Dewan Ra'ayat ini sa-bagai bukti bichara tentang bagaimana kedudukan orang Melayu sa-lama 14 tahun merdeka.

Tuan Yang di-Pertua, mengikut Penyata Statistik dalam Kementerian Buroh pada 2hb April, 1969:

Racial composition of employees:

Melayu 36.78%
Bukan Melayu 63.22%

Ini kita memandang, Tuan Yang di-Pertua, dari segi Pegawai² Division I, belum lagi kita pandang pegawai² division bawahan. Chuba kita perhatikan, Tuan Yang di-Pertua, di-dalam Angkatan Pasokan Keselamatan, Polis, pegawai² yang bertauliah dan Inspekter. Tahun 1969:

Melayu	...	...	47.38%
China	...	...	29.52%
India	...	...	19.18%
Pakistan	...	...	.56%
Lain ²	...	...	2.6%

Jumlah orang² yang bukan Melayu dalam Perkhidmatan Polis dalam bahagian Pegawai² Bertauliah dan Inspekter ia-lah 52.62%.

Kita tengok ka-dalam Angkatan Tentera, Tuan Yang di-Pertua, pegawai Division I dalam Angkatan Tentera:

Dalam Army:

Melayu	...	...	69.1%
Bukan Melayu	...	...	30.9%

Dalam Navy (Askar Laut):

Melayu	...	...	34.80%
Bukan Melayu	...	...	65.20%

Dalam Angkatan Udara:

Melayu	...	...	29.15%
Bukan Melayu	...	...	70.85%

Tuan Yang di-Pertua, saya pun bosan menyebutkan angka² ini, tetapi hendak sebut juga kerana ini perkara penting. Chuba kita lihat percentage dalam Angkatan Tentera Laut dan chabang² yang mengikut hitungan yang berakhir pada bulan Ogos, 1969:

Dalam Bahagian Seamen:

Melayu	...	...	43.53%
Bukan Melayu	...	...	56.47%

Bahagian Engineering:

Melayu	...	...	8.33%
Bukan Melayu	...	...	91.67%

Dalam Bahagian Supply dan Bahagian Secretarial:

Melayu	...	...	57.14%
Bukan Melayu	...	...	42.86%

Kalau dalam bahagian Angkatan Tentera Udara, Alham dullillah:

Pemandu² Perkhidmatan Am:

Melayu	28.87%
Bukan Melayu	71.13%.

Dalam Bahagian Teknikal:

Melayu	20.28%
Bukan Melayu	79.72%

Dalam Bahagian Secretarial:

Melayu	50%
Bukan Melayu	50%

Lain²:

Melayu	19.51%
Bukan Melayu	80.49%.

Kalau melihat kapada ini sahaja pun, Tuan Yang di-Pertua, sudah chukop memberikan gambaran bahawa fasal² di-dalam Perlembagaan yang terdahulu itu jauh daripada terpenoh. Bukan sahaja tidak penoh, jauh daripada terpenohi. Chuba lihat, Tuan Yang di-Pertua, Bahagian Scholarship, di-mana letak-nya quota dalam Perlembagaan ini. Jumlah pemberian biasiswa daripada berbagai² jenis biasiswa di-antara tahun 1956 hingga 1969. Tahun 1956 itu sa-tahun sahaja sa-belum merdeka, tetapi boleh di-masukkan perhitungan.

Scholarship Federal atau Scholarship Persekutuan:

Melayu	76.33%
Bukan Melayu	23.67%.

maseh tidak dapat memenohi quota.

Federal Bursary:

Melayu	81.11%
Bukan Melayu	18.89%.

Biasiswa Colombo Plan:

Melayu	30.94%
Bukan Melayu	69.06%.

Hadiah Sambil Belajar/Kerajaan Persekutuan/Hadiah Study Leave Kerajaan Persekutuan:

Melayu	30.49%
Bukan Melayu	69.51%.

Hadiah Latehan Colombo Plan:

Melayu 41.91%

Bukan Melayu 58.09%.

Lain² Hadiah Pelajaran Dari Luar Negeri:

Melayu 46.53%

Bukan Melayu 53.47%.

Demikian-lah, Tuan Yang di-Pertua, sa-bahagian kechil daripada statistics yang menjadi bukti bichara tentang bagaimana gagal-nya Kerajaan Perikatan di-dalam memenohi tugas-nya menyempurnakan kehendak² membela kedudukan orang² Melayu yang di-beri kapada mereka melalui Perlembagaan Persekutuan Tanah Melayu dan kemudian-nya Perlembagaan Malaysia yang ada hari ini. Maka sekarang, Tuan Yang di-Pertua, di-kemukakan kapada kita pindaan² lagi. Biar-lah kita harap, mudah²an pindaan² yang di-bawa kapada kita ini tidak sa-bagai satu alasan untuk melarikan diri tentang gagal-nya yang lama, tetapi untuk menambahkan semangat kapada mereka, untuk memenohi tugas baik yang lama, atau yang tambahan baharu.

Tuan Yang di-Pertua, sa-belum saya berhenti daripada berchakap, saya tertarek hati, Tuan Yang di-Pertua, saya tertarek hati tentang ucapan Yang Amat Berhormat Timbalan Perdana Menteri lama dahulu, lepas sahaja Peristiwa 13 Mei. Pada masa itu Yang Amat Berhormat Timbalan Perdana Menteri tidak dudok dalam Kerajaan, kalau ta' salah ingatan saya. Ucapan-nya begitu menarek, begitu serious, begitu berani dan nada-nya nada jujur, isi-nya belum tahu. Nada yang begitu jujur, berani dan begitu serious, sesuai dengan serious-nya Yang Amat Berhormat itu sendiri, ia-itu bahawa sudah sampai masa-nya demokrasi barat ini mesti di-ubah, bahawa sudah sampai masa-nya Malaysia mesti mempunyai bentuk demokrasi sendiri dan memang-lah, Tuan Yang di-Pertua, saya sendiri pun begitu-lah terasa benar bahawa demokrasi ala-barat ini tidak begitu sesuai dengan iklim, dengan hawa, dengan musim² yang ada di-Malaysia ini, dengan ra'ayat yang terpaksa di-kelas-buta-hurufkan, dengan pengundi² yang boleh di-beli dengan harga \$5; \$10 sa-helai batek atau sa-bagai-nya. Dengan pengundi² yang tidak berani keluar membuang undi, kerana ada halangan² di-tengah jalan atau sa-bagai-nya memang-lah demokrasi barat ini tidak begitu sesuai

dengan iklim kita sendiri. Tetapi, Tuan Yang di-Pertua, apa-kah parliamentary democracy yang kita hendak masok sa-hari dua lagi apabila Bill ini di-luluskan, telah benar² memberikan wajah baharu, bentok baharu, chorak baharu dan hati baharu saperti baharu-nya orang² dalam Kabinet dan orang² dalam Parti Kerajaan sekarang ini. Apa-kah demokrasi berparlimen yang akan kita tempohi selesai sahaja Rang Undang² ini di-luluskan akan benar² merupakan demokrasi ala-Malaysia? Apa yang kita perhatikan. Tuan Yang di-Pertua, demokrasi ini maseh demokrasi barat, chuma sudu-garphu-nya yang tidak. Kalau hidangan barat, makanan chara barat, soup chara barat, steak chara barat, chara mengangkat hidangan chara barat, tetapi terpaksa makan dengan tangan, sudu-garpu-nya tidak ada, kalau itu-lah di-katakan perubahan daripada western-type democracy kapada ala-Malaysia demokrasi, saya rasa tidak kena. Kita maseh mengikut sistem demokrasi barat. Chuma kita buang garpu dan sudu, takut dia berlaga dalam pinggan, takut terchuchok bibir dan lidah maka garpu dan sudu di-ketepikan dahulu, biar tangan sendiri yang menyuap ka-mulut. Bagitu-lah, Tuan Yang di-Pertua, pandangan saya tentang Pindaan Perlembagaan yang sekarang ini ia-lah untuk menghilangkan satu dua perkara, untuk menjaminkan jangan terhantok di-tengah jalan. Demokrasi maseh demokrasi barat.

Tuan Yang di-Pertua, maseh banyak perkara² yang harus kita fikirkan kalau benar² kita ingin kembali kapada keperibadian kita, menchari bentok demokrasi kita sendiri, biar-lah kita dengan jujur dan ikhlas-nya, meneliti dengan bersungguh² dan biar-lah kita anggapkan bentok yang akan kita tempohi ini sa-bagai bentok sementara, sa-bagai bentok buat sementara waktu bagi menchari satu formula baharu, untuk mengubati penyakit² kita sa-hingga lahir-nya sa-benar²-nya bentok demokrasi ala-Malaysia. Saya perchaya, barangkali Yang Amat Berhormat Timbalan Perdana Menteri sa-waktu beliau beruchap sa-demikian di-dalam hati dan kepala beliau telah tersimpan bahan² yang chukup untuk mengubah wajah, sifat dan hati demokrasi yang ada sekarang ini kapada wajah kita sendiri dan hati kita sendiri.

Antara perkara² yang harus di-tinjau oleh pehak yang berkuasa sekarang ini, jika benar² mahu kembali, mahu menchari keperibadian sendiri, tinjau-lah tentang Undang² Pilehanraya, tinjau-lah tentang

undang² kera'ayatan, tinjau-lah berbagai² aspek Perlembagaan yang ada dalam negeri ini dan bandingkan-lah dengan kedudukan² kita dalam masharakat. Umpama-nya saya katakan saya tersalah sebut soal pilihanraya. Kalau kita hendak mengubah bentuk demokrasi tidak-kah pernah terfikir oleh kita demokrasi berchorak Malaysia itu, bagaimana? Demokrasi berchorak barat ia-lah melalui pilihanraya dan pilihanraya itu mempunyai pengertian-nya sendiri, ada rukun²-nya sendiri, kalau rukun itu tidak di-ikuti, tidak sah. Maka dapat-lah kita membuat rukun sendiri untuk pilihanraya kita sendiri. Chara kita sendiri, demikian pula dengan soal kera'ayatan; bagaimana chara-nya membentok satu undang² yang adil yang membolehkan orang² yang benar² ingin hidup dan mati untuk negara ini menjadi ra'ayat dan tentu-lah orang² yang benar² ingin hidup dan mati untuk negara ini tidak chukup dengan mengatakan saya ingin hidup dan mati untuk negara ini. Tetapi ia-nya dapat membuktikan sikap chara berfikir-nya dan chara hidup-nya di-dalam masharakat, tidak chukup umpama-nya untuk mengetahui bahasa kebangsaan untuk mendapatkan kera'ayatan masuk pepereksaan, di-tanya hidung, hidung di-jawab-nya; di-tanya telinga, telinga sahaja dapat di-jawab-nya; berchakap panjang sudah kelu lidah-nya. Chara yang seperti ini tentu-lah tidak chukup, suatu sifat yang lebih positive, chara berfikir-nya, chara hidup-nya tentu-lah pehak Kerajaan akan menjawab bagaimana dapat di-buat peratoran dan bagaimana-kah pemilihan atau penyeliaan dapat di-buat bagi mengetahui apa-kah orang² itu telah chukup syarat. Saya perchaya, Tuan Yang di-Pertua, memang payah, tetapi, Tuan Yang di-Pertua, kalau kita mahu yang benar, memang payah, sebab barang yang berharga itu payah menchari-nya. Kalau hendak menchari pasir senang sahaja di-tepi laut, tetapi menchari intan di-seluruh Kalimantan, menggali bumi-nya, barangkali sa-biji dua yang kita jumpai. Memang payah, Tuan Yang di-Pertua, tetapi terpaksa kita lakukan demi untuk menjamin keharmonian negara pada masa yang akan datang dan kemurnian chita² negara kita. Kalau ini tidak dapat kita buat dan kalau ini tidak menjadi hala pemikiran pemimpin² negara sekarang ini, maka perchaya-lah, Tuan Yang di-Pertua, Akta bagi meminda Perlembagaan Persekutuan bersama² dengan Perlembagaan itu sendiri tidak akan dapat menyampaikan kita kepada chita² hidup sa-chara harmonis antara kaum, chita² kebahagiaan dan kemajuan

ra'ayat jelata seluruh-nya dan chita² untuk menjadi satu bangsa yang megah dan agong pada masa akan datang. Tidak chukup.

Walau bagaimana pun. Tuan Yang di-Pertua, PAS sa-bagai sa-buah parti politik yang ingin hidup sa-bagai gulungan ra'ayat chara aman, sentiasa menerima konsep keamanan, sebab memang yang Islam yang menjadi asas kami ia-lah aman; kami menyokong apa sahaja (*Tepok*), kami menyokong apa sahaja usaha dan ikhtiar bagi menuju arah itu. Kami menyokong sa-barang sikap, atau langkah untuk menuju kepada chara hidup yang lebih harmonis bukan sahaja antara yang Melayu dengan bukan Melayu, malah antara yang bukan Melayu dengan yang bukan Melayu dan yang Melayu dengan Melayu-nya.

Tuan Yang di-Pertua, ada orang mengatakan, dahulu PAS telah menyokong Undang² Keselamatan Dalam Negeri di-atas asas dan chita² untuk mewujudkan satu masharakat yang aman, dengan penuh semangat chintakan aman, semangat ingin bekerjasama dengan Kerajaan, PAS berdiri bersama² dengan Anggota² Kerajaan menyokong Undang² Keselamatan Dalam Negeri sambil mengharapkan jangan-lah undang² itu di-salahgunakan. Tetapi apa yang berlaku, Tuan Yang di-Pertua, orang² kami yang terok, orang² PAS dapat makan free di-Batu Gajah, dapat makan free di-Muar tanpa di-kemukakan kesalahan² yang betul.

Pernah, Tuan Yang di-Pertua, satu kes sa-orang ahli PAS di-tahan, chukup tempoh-nya untuk di-bicharakan, dia pun bichara-lah di-hadapan satu Commission, satu Surohannya, kebetulan orang PAS itu menyebut nama saya sa-bagai saksi. Saya terpaksa hadir ka-Batu Gajah menjadi saksi pehak yang kena tudoh dalam perbicharaan di-hadapan Commission. Tudohan-nya ia-lah ahli PAS ini bergiat, bergerak di-selatan Selatan Siam menyusun Barisan Pemuda Pembebasan yang akhir-nya akan datang membuat huru-hara dalam Malaysia. Meshuarat-nya pada sekian² haribulan, tempat meshuarat-nya ia-lah di-rumah di-Kampong Sireh, tidak sebut nombor rumah-nya, tetapi ternyata-lah yang di-tunjukan rumah itu, ia-lah rumah No. 10 Kampong Sireh, rumah tempat saya dudok. Saya hadir-lah menjadi saksi, kalau tidak, tidak perlu menjadi saksi, oleh kerana rumah saya di-kaitkan sa-bagai tempat meshuarat sulit konon, saya hadir.

Saya telah menerangkan bahawa pada sekian² haribulan saya berada di-sini dan yang kena tudoh itu berada di-sini dan memang hari itu sa-lepas sembahyang Juma'at ada meshuarat, meshuarat Pemuda PAS di-pejabat PAS Kota Bharu bukan di-rumah saya. Kalau rumah saya meshuarat sulit bukan beliau yang mesti di-tangkap, tuan rumah itu mesti bertanggung-jawab sama, tangkap-lah dia, di-tahan. Pendek-nya perbicharaan itu berjalan dengan baik dan orang yang menjadi Pengerusi Surohanjaya itu menyatakan bahawa beliau perchaya semua kenyataan saya. Soal-nya hendak membebaskan orang itu bukan kewajipan beliau, ini kewajipan Menteri. Saya mengangkat laporan kepada Menteri, kata Pengerusi tadi, dan kalau Menteri perchaya tentang apa yang laporan saya ini, bebas-lah dia, kalau tidak, tunggu-lah sa-tahun dua lagi. Mujor-lah, Tuan Yang di-Pertua, 13 Mei berlaku.

Oleh kerana berlaku-nya 13 Mei, entah apa fasal-nya, ta' payah saya terangkan, baharu dia di-bebaskan. Tetapi, Tuan Yang di-Pertua, orang politik yang di-tahan sa-demikian rupa, dalam keadaan tekanan jiwa yang sa-demikian hebat, orang yang tidak merasa diri-nya bersalah, tiba² dia di-tudoh bersalah dan tudohan itu tidak tepat sama sa-kali, menderita bathin-nya. Orang saperti ini tidak lama hidup-nya. Orang itu sudah meninggal dunia lebeh kurang dua minggu yang lalu. Penderitaan sakit yang di-bawa daripada tempat tahanan politik Kerajaan Perikatan. Ini cherita orang PAS di-Kelantan, belum lagi cherita Doktor Burhanuddin, ta' payah sebut. Maka berkata-lah orang yang berkata itu, kalau PAS menyokong Pindaan Perlembagaan ini akan tiba masa-nya yang Perikatan akan menyalahgunakan sa-kali lagi. Dahulu PAS menyokong Undang² Keselamatan Dalam Negeri, orang PAS yang kena tangkap. Kalau PAS menyokong pindaan undang² ini, silap langkah orang PAS, tafsir salah, kata menghasut, kena tangkap. Maka confirm-lah bodoh-nya PAS, kata orang. Dahulu menyokong, sekarang ini mesti menyokong pula, maka confirm-lah bodoh-nya PAS dan confirm-lah begaimana jahat dan kejam-nya Perikatan.

Tetapi Tuan Yang di-Pertua, saya mempunyai pandangan yang sedikit luas, lapang dada. Soal Perikatan hendak menyalahgunakan dia bertanggung-jawab dengan ra'ayat dan dengan Tuhan dia sendiri. Tetapi apa yang kita harapkan tentu-lah ia mudah²an

jangan-lah lagi menyalah-gunakan Pindaan Rang Undang² ini. PAS, Tuan Yang di-Pertua, terpaksa membayar dengan harga yang mahal untok kembali kepada parliamentary democracy, mahal benar harga yang PAS akan bayar untok parliamentary democracy itu, Tuan Yang di-Pertua, walau pun PAS perchaya kalau tidak mengundi sa-kali pun kepada pindaan ini, pehak Kerajaan akan mendapat kelebihan 2/3 undi, sa-sudah terbayang gambaran pehak Parti Gerakan Ra'ayat pun akan menyokong.

Tetapi soal-nya, Tuan Yang di-Pertua, bukan soal dia akan dapat undi 2/3 atau tidak, tetapi soal hasrat yang mesti di-bayangkan di-dalam Dewan yang mulia ini, hasrat inginkan kembali kepada parliamentary democracy. Berdasarkan hasrat itu-lah, Tuan Yang di-Pertua, pehak kami, PAS telah mengambil keputusan akan mengundi menyokong Akta (Pindaan) Perlembagaan Persekutuan ini. (*Tepok*). Terima kaseh.

Tan Sri Syed Jaafar bin Hasan Albar (Johor Tenggara): Tuan Yang di-Pertua, saya ingin mengambil bahagian dalam membincangkan Akta (Pindaan) Perlembagaan ini. Dalam beberapa hari Dewan ini bersidang, kita telah melihat beberapa orang Ahli Yang Berhormat daripada pehak Pembangkang rasa resah dan gelisah terhadap Akta (Pindaan) Perlembagaan ini, khas-nya Ahli² Yang Berhormat dari Bandar Melaka dan juga Ahli Yang Berhormat dari Menglembu. Yang saya berasa hairan mengapa-kah Ahli² Yang Berhormat ini bagitu resah dan gelisah dengan Akta (Pindaan) Perlembagaan ini, pada hal-nya kalau Ahli² Yang Berhormat dari pehak Pembangkang dengan sa-chara jujur dan ikhlas untok melihat keamanan, keselamatan, hidup harmoni dalam negeri ini telah memadaï-lah bagi mereka menyemak apa yang telah di-huraikan oleh Yang Amat Berhormat Perdana Menteri tatkala membentangkan Akta ini dalam Dewan ini beberapa hari yang lalu. Nampak-nya apa yang sangat² di-runsingkan dan di-gelisahkan oleh beberapa orang Ahli Yang Berhormat yang telah berchakap dalam Dewan ini berhubung dengan Akta ini ia-lah soal hendak menyekat kebebasan berchakap yang menyentoh soal² sensitif yang di-bimbangkan boleh menerbitkan kekachauan lagi dalam negeri kita ini.

Jadi bukan-lah tujuan dan maksud Kerajaan hendak menyekat kebebasan Ahli² Dewan ini, atau orang² yang di-luar Dewan

ini daripada membicarakan kepentingan ra'ayat, kebajikan ra'ayat, dan keselamatan negara, tetapi apa yang hendak di-tahan dan di-sekat, atau di-sukat oleh Akta (Pindaan) Perlembagaan ini ia-lah samata² supaya beberapa perkara yang di-fikirkan boleh menyentuh perasaan dan menyalakan api perasaan satu² kumpulan kaum dalam negeri ini jangan-lah di-sentuh, kerana ini akan membakar negeri ini, akan membinasakan kehidupan yang harmoni yang ada dalam negeri ini. Kalau satakat ini yang Kerajaan kehendakan daripada Dewan ini maka saya fikir ada-lah menjadi kewajipan tiap² sa-orang dalam Dewan ini dengan tidak pandang bulu, parti-nya dan kumpulan-nya mesti menyokong hasrat yang baik ini dan chita² yang mulia ini. Tetapi, Tuan Yang di-Pertua, daripada bangkangan² yang kita dengar dalam Dewan ini penentangan² yang kita dengar dalam Dewan ini daripada beberapa orang Ahli Yang Berhormat daripada pihak Pembangkang yang menitik-beratkan berkenaan dengan kebebasan Ahli² Yang Berhormat berchakap dalam Dewan, atau di-luar Dewan ini, nampak²-nya Ahli² Yang Berhormat itu tidak ada lagi mempunyai sa-barang modal untuk di-gunakan bagi menarek keyakinan dan keperchayaan orang ramai kepada parti-nya sa-lain daripada menggunakan soal² sensitif ini.

Jadi orang² yang menentang Akta (Pindaan) Perlembagaan ini yang saya sebutkan tadi samata² menunjukkan bahawa mereka benkras dalam fikiran² dan idea² untuk ke-baikkan dan kebajikan negeri dan bangsa.

Tidak ada lain modal untuk hendak mencari pengaruh, tidak ada lain bahan untuk hendak mencari sokongan ra'ayat sa-lain daripada menjajakan soal² sensitif yang hendak di-tegah dan di-larang oleh Kerajaan untuk di-gunakan sa-bagai modal. Kalau parti² Pembangkang yang menentang Akta ini daripada DAP mempunyai modal dan mempunyai progre² politik, progre² ekonomi-nya dan progre² yang lain yang boleh menarek dan mempengaruhi orang ramai mengapa bimbang daripada larangan berchakap berkenaan dengan soal bahasa dan lain². Ini menunjukkan parti² itu benkras, dan tidak ada modal, melainkan soal² sensitif walau pun dengan mengungkit-nya boleh membahayakan keselamatan. Keselamatan tidak menjadi soal kepada mereka, khas-nya DAP. Kalau negeri terbakar dan negeri hangus, lari keluar negeri bagaimana

yang di-tunjukkan contoh-nya oleh bekas Setiausaha Agong DAP sendiri itu. Dalam keadaan negara huru-hara, dalam keadaan negara susah, dia lari, melarikan diri entah ka-mana. Ini contoh manusia yang hendak memimpin negara, yang hendak mencari pengaruh daripada ra'ayat dengan menggunakan sensitive issue ini.

Saya fikir patut DAP dan wakil daripada Menglembu berasa malu menentang Akta (Pindaan) Perlembagaan ini. Shame. Malu sunggoh, Tuan Yang di-Pertua, kerana tujuan Akta Pindaan ini bagaimana yang telah diterangkan berulang² ia-itu kita tidak hendak mengerohkan ayer yang keroh, kita chuba hendak menjadikan ayer yang keroh itu ditenangkan dan di-diamkan supaya segala keledak-nya turun ka-bawah dan dapat ayer itu di-minum dan di-nekmati oleh orang yang perlukan-nya. Tetapi sayang rupa²-nya bila ayer sudah mula² jernih segala keledak dan kotor-nya hendak turun ka-bawah, tinggal ayer yang jerneh di-atas datang orang² ini kuchak lagi, hendak mengotorkan ayer itu untuk menjadi minuman ra'ayat negeri ini. Untuk membunuh ra'ayat yang ada dalam negeri ini dengan menimbulkan kekacauan.

Saya satu sahaja salahkan Kerajaan, satu yang saya salahkan Kerajaan, kerana terlampau lambat membawa perkara ini ka-dalam Dewan ini. Saya maseh ingat dalam Dewan ini apakala wakil dari Ipoh, mendiang wakil dari Ipoh dahulu sentiasa membangkitkan soal sensitif dalam Dewan ini, saya telah bangun menentang-nya dan saya menuntut supaya orang ini di-sumbat mulut-nya dan di-adakan satu undang² untuk menahan perkara² sa-umpama ini di-bangkitkan dalam Dewan, atau pun di-luar Dewan. Tetapi pada masa itu tahun 1959 saya mula² masuk dalam Dewan ini, saya telah di-tudoh ultra, extremist. Ini-lah yang saya salahkan Kerajaan, kerana lambat mengadakan pindaan yang sa-umpama ini. Kalau perkara ini telah dibawa 10 tahun dahulu barangkali kejadian 13 Mei tidak akan berlaku. Tetapi Alhamdullillah saya menguchap shukor, better late than never.

Tuan Yang di-Pertua, Ahli Yang Berhormat dari Menglembu dalam ucapan-nya telah menudoh Kerajaan ini Kerajaan diktator, dengan sebab mengadakan Akta pindaan ini. Saya fikir patut Kerajaan sa-belum Parlimen ini di-buka, tunjukkan dictatorship-nya dan

simpan orang ini untuk beberapa hari di-dalam, biar dia rasa apa ma'ana-nya dictatorship. Kita biarkan dia datang ka-mari, datang berchakap dengan bebas, lepas, dan buat provokasi dalam Dewan ini, on top of that, dia kata kita diktator. Saya fikir, pada satu hari Kerajaan patut mahu tunjukkan kepada dia apa ma'ana dan apa rupa dictatorship.

Dr Tan Chee Khoon (Batu): Tuan Yang di-Pertua, ada-kah Ahli Yang Berhormat dari Johor Tenggara menyuruh Menteri Hal Ehwal Dalam Negeri menahankan Ahli Yang Berhormat dari Menglembu di-Batu Gajah?

Tuan Yang di-Pertua: Dia ta' ada kata menahan, dia kata patut.

Tan Sri Syed Jaafar bin Hasan Albar: Sunggoh dia faham apa ma'ana dictatorship yang saya fikir patut dia merasa sedikit di-sana dahulu. Baharu ada ma'ana dia datang menuduh di-sini besok yang Kerajaan ini diktator. Tetapi dia lepas, bebas berchakap di-luar, berchakap di-dalam, maseh juga kita ini di-katakan diktator. Sunggoh² Kerajaan ini sabar.

Dan lagi dalam ucapan Ahli Yang Berhormat dari Menglembu, kata-nya UMNO patut di-salahkan berkenaan dengan riot 13 Mei yang telah berlaku di-Kuala Lumpur, kerana sa-tengah² pemimpin UMNO ta' sanggup menerima kekalahan. Tuan Yang di-Pertua, pendapat ini sangat mengelirukan. Kita Perikatan kalah di-Perak, kita kalah di-Penang, kita kalah di-Kelantan, tetapi tidak berlaku keadaan yang sa-umpama ini di-sana, kerana di-sana tidak ada provokasi bagaimana yang berlaku dalam Kuala Lumpur ini daripada pihak Pembangkang. Choba provok dan tengok apa jadi-nya. Jadi bukan-lah kerana kita tidak sanggup menerima kekalahan, kita sanggup sa-bagai ahli² politik yang masak dalam permainan politik di-negara ini, kita sanggup menchari kemenangan dan sanggup menerima kekalahan. Tetapi kalau kita di-provoke, di-achum, di-api²kan, maka tentu-lah akan timbul reaksi yang burok. Maka itu-lah yang berlaku pada 13 Mei ia-itu satu trajedi yang amat dikesali oleh tiap² sa-orang. Barangkali Ahli Yang Berhormat tidak ada di-Kuala Lumpur waktu perarakan berlaku di-sini. Ada orang yang buka seluar, tunjukkan kemaluan-nya, minta maaf, Tuan Yang di-Pertua, pergi berpekek di-rumah Menteri Besar, (Selangor) suroh dia keluar daripada rumah itu. Kita

kena tendang, kena terajang, kena provok, mahu suroh kita diam? Lagi baik kita ta' usah hidup dalam dunia ini. Let us face it, apa nak jadi, jadi! Itu-lah yang Kerajaan bawa pindaan Perlembagaan ini, jangan lagi buat supaya jangan lagi berlaku provokasi macham mana yang telah berlaku dalam pilihanraya tempoh hari dan berlaku kejadian yang mengakibatkan kejadian 13 Mei.

Jadi ini-lah, Tuan Yang di-Pertua, saya fikir rasa gelisah dan penentangan Ahli² Yang Berhormat dari Menglembu dan juga dari Bandar Melaka tidak langsung bertempat dalam Dewan ini. Kalau orang² ini jujur, mereka mesti sokong sa-ratus peratus Akta (Pindaan) Perlembagaan ini, kerana mulut Tuan² Ahli Yang Berhormat itu tidak akan di-sumbat untuk berchakap lain² perkara mengenai kepentingan ra'ayat, kebajikan ra'ayat, kebaikan ra'ayat, dan keselamatan negara. Yang di-tegah dan di-larang hanya sensitive issue yang boleh menimbulkan api kemarahan satu² puak dan satu² kaum.

Tuan Yang di-Pertua, bila saya lihat dan dengar Ahli Yang Berhormat dari Menglembu beruchap dan membuat ucapan² provokasi macham biasa-nya dia buat rasa gelisah yang di-tunjokkan itu, saya terbayang orang² yang main lembu di-Spain sana. Orang tunjokkan kain merah, dia pun mengamok. Bagitu-lah keadaan-nya dia menunjokkan rasa gelisah-nya tadi.

Tetapi Ahli Yang Berhormat dari Bandar Melaka pula lain chara gelisah-nya; menikam ka-sana, menikam ka-sini. Dia fikir dia menikam musuh, tetapi dia menikam dirinya, dan parti-nya dan future-nya dalam negeri ini, political future of DAP.

Ahli Yang Berhormat dari PAS pun gelisah juga dengan Rang Undang² ini, kerana parti ini, Tuan Yang di-Pertua, tahu bahawa mereka masok ka-mari bukan atas platform ekonomi-nya yang baik. Mereka masok ka-mari atas sensitive issue yang mereka gunakan. Sekarang modal ini hendak di-tarek, meradang-lah dia. Ta' ada modal lagi. Jadi saya ta' hairan, kalau saya tengok Ahli dari Menglembu tadi membuat kelakuan lembu saperti yang berlaku di-Spain sana, atau pun Ahli dari DAP dan daripada mana² parti Pembangkang juga yang akan menentang Rang Undang² (Pindaan) Perlembagaan ini.

Tuan Yang di-Pertua, saya ada membuat sedikit² chatetan ucapan Ahli dari Bandar Melaka, yang dalam ucapan-nya pada hari

kelmarin telah menggunakan satu perkataan yang belum pernah di-gunakan dalam Dewan ini semenjak saya berada dalam Dewan ini: "but we shall not be cowed or intimidated, my comrade," perkataan "comrade" ini, ini-lah kali yang pertama perkataan "comrade" di-gunakan dalam Dewan ini. Barangkali dia ta' dapat lain bahasa Inggeris untuk menunjokkan perkataan "kawan". Jadi dia pakai perkataan comrade, ini-lah bahasa yang dia belajar daripada kechil dahulu, lepas dia besar, ini-lah perkataan "sahabat", atau "kawan" yang boleh di-gunakan-nya.

Lagi satu dalam ucapan-nya yang panjang lebar Ahli Yang Berhormat dari Bandar Melaka dia berkehendakkan, dia tidak perchaya penyata Kerajaan berkenaan dengan sebab² rusohan 13 Mei, dia lebeh perchaya dan bagitu juga Ahli Yang Berhormat dari Menglembu, mereka lebeh perchaya kapada kenyataan² yang di-buat oleh foreign correspondents, tetapi malang-nya, Tuan Yang di-Pertua, dalam ucapan-nya yang panjang beliau sendiri tidak menyatakan apa-kah sebab² yang membawa kapada riot 13 Mei itu. Malahan dia kata dia tidak puas hati dan dia hendak adakan Surohanjaya, tetapi berkenaan dengan soal mengadakan Surohanjaya sahabat saya Ahli Yang Berhormat dari Muar Dalam telah menjawab sa-malam dan memada-lah dengan itu.

Saya pun hairan mengapa DAP tidak mahu hendak terima alasan² Kerajaan berkenaan dengan sebab² riot 13 Mei itu. Pada saya apa yang di-nyatakan oleh Kerajaan itu-lah yang benar. Tidak tahu-lah saya kalau DAP ini telah di-lateh, atau berlateh tidak mahu menerima kebenaran, sebab dia sendiri tidak menyatakan apa sebab²-nya, melainkan apa yang menjadi sandaran-nya ia-itu "world press", "world press", dia lebeh perchayakan orang luar daripada perchayakan Wakil² Ra'ayat yang di-pilih oleh ra'ayat. Dan foreign correspondents, sa-bagai sa-orang yang biasa bergelumang satu masa dalam lapangan surat khabar; with due respect to them—orang² ini juga ada orang² upahan yang membuat news mengikut kehendak satu² puak, atau kepentingan satu² kumpulan manusia.

Tuan Yang di-Pertua, dalam ucapan Ahli Yang Berhormat dari Bandar Melaka kata-nya, bahawa Bill ini tidak akan menolong untuk mengelakkan, atau menghilangkan perasaan perkauman malah kata-nya 20 bulan dalam masa dharurat berjalan dalam negeri

ini, perasaan perkauman tidak berkurangan kata-nya. Macham mana perasaan perkauman hendak berkurangan dalam masa 20 bulan, atau hilang dalam masa 20 bulan padahal berbelas tahun Kerajaan biarkan orang mengapi²kan masaalah² atau soal² yang sensitive ini. Tetapi chuba kalau perkara ini tidak di-usek dan di-ungkit tentu-lah perasaan perkauman itu tidak akan menjadi tebal dan makin menjadi², tetapi dengan perlahan² akan hilang dengan sendiri-nya.

Dalam 20 bulan, Ahli Yang Berhormat itu berkehendakkan kita membuktikan bahawa dalam masa 20 bulan yang kebebasan berpolitik di-sekat dan di-sukat, patut perasaan perkauman sudah tidak ada lagi. Padahal berbelas tahun sensitive issue ini di-api²kan oleh pehak² Pembangkang. Jadi, di-sini saya tidak nampak lojik-nya yang mengatakan bahawa walau pun dengan ini tidak akan habis perasaan perkauman ini. Perasaan perkauman yang tidak merbahaya yang tidak meluap barangkali kita tidak sangat peduli-kan, tetapi perasaan perkauman yang di-api²kan bagaimana yang berlaku dalam Pilehanraya. Di-sini kalau saya sebutkan dalam Dewan ini kata² yang menyentoh perkara² sensitif sudah tentu tiap² sa-orang yang mendengarkan ucapan itu akan berdiri bulu tengkok-nya. Di-sini dia ada muka datang ka-Dewan ini mengatakan DAP tidak pernah mengatakan, membawakan, membangkitkan soal² perkauman di-dalam Pilehanraya. Berpuloh² orang yang datang berchakap dengan saya memberitahu apa ucapan² DAP dalam masa Pilehanraya: "We do not want to be ruled by circumcised people." Ini ucapan daripada siapa? Tanya diri sendiri. Ucapan yang sa-umpama ini-lah yang telah membakarkan, menyalakan perasaan orang² dalam negeri ini. Jadi bila kita hendak sekat dan hendak tahan orang² ini daripada membawa perkara² yang sa-umpama itu maka datang-lah orang² ini di-sini menjerit².

Di-sini saya hendak membachakan satu ayat daripada ucapan Yang Berhormat dari Bandar Melaka berkenaan dengan Akta ini. Kata-nya, Akta ini kalau tidak di-terima oleh kebanyakan penduduk negeri ini atau citizens negeri ini tentu-lah dia akan menimbulkan perasaan tidak senang. Saya fikir, saya bersetuju, kalau satu² undang² tidak di-terima oleh Dewan Ra'ayat, mengikut peratoran² yang telah di-tentukan bagi meluluskan satu² Akta. Memang undang² yang

sa-umpama itu tidak akan di-terima oleh ra'ayat dan akan menimbulkan kemarahan ra'ayat, tetapi kalau Akta ini boleh di-luluskan oleh Dewan ini mengikut syarat²-nya yang telah di-tentukan maka siapa lagi yang di-katakan majority itu? Kalau bukan kita yang telah di-pilih oleh ra'ayat, majority mana yang dia refer. Majority yang dalam hutan, atau majority mana? Kita di-hantar ka-mari oleh ra'ayat untuk membicarakan soal² negara, soal² bangsa dan kalau kita meluluskan satu undang² yang berlawanan dan bertentangan dengan kehendak dan hasrat ra'ayat, ra'ayat boleh menghakimkan kita tiap² lima tahun sa-kali. Tetapi di-sini ada terkandung satu ugutan sulit kepada Kerajaan, dan saya harap Kerajaan ada buka mata—dua belah mata dan dengar dengan telinga yang chukup terang berkenaan dengan ugutan yang sulit dalam ucapan-nya itu, kata-nya: "The Government can put any law on the Statute Book or amend the Constitution anyhow they like provided they have the necessary votes in Parliament." Di-sini ada ugutan yang halus kepada Kerajaan. "But when Parliament is used to block or frustrate the popular will." Whose popular will after the Bill has been approved by two-thirds majority? Siapa lagi itu yang di-katakan popular will. Jadi ini sa-olah² Ahli Yang Berhormat ini mengugut Kerajaan kalau Akta ini di-luluskan, dia akan keluar daripada Dewan ini menghasut orang ramai di-luar. Itu saya punya pengertian daripada statement ini. Oleh sebab itu, saya menarek perhatian Kerajaan kepada kenyataan ini yang penoh dengan ugutan² yang sulit dan yang chukup halus dan tajam. Lagi satu kata-nya Akta ini boleh menahan orang berchakap di-Dewan, berchakap dalam public rally, tetapi Akta ini tidak boleh menahan orang berchakap di-kedai² kopi. Itu betul. Tetapi pada saya chakap-nya dalam Dewan ini ma'ana-nya dia lain.

Jadi saya fikir boleh jadi dengan chara yang halus dalam ucapan-nya ini Ahli Yang Berhormat itu berchadang hendak mengadakan perjumpaan² sulit, menghasut supaya dia tidak terlibat dengan Akta ini dan terlepas daripada Sedition Act. Jadi, ini-lah dia bayangkan daripada sekarang, "di-sini engkau boleh tahan aku, di-luar aku boleh buat," Harap Kerajaan sedar perkara ini. Saya harap Kerajaan ambil perhatian yang baik² bukan hendak menjadikan negara ini Negara Polis

bagaimana dia katakan, tetapi untuk keselamatan dan untuk keamanan negara, kita mesti bertindak dengan tidak memandang bulu dan ta' pandang siapa juga.

Lagi satu yang di-chakapkan oleh Ahli Yang Berhormat dari Bandar Melaka berkenaan dengan soal berbilang bahasa di-dalam negara ini, kalau Ahli Yang Berhormat telah mendengar ucapan Ahli Yang Berhormat dari Kota Bharu Hulu tadi dia faham-lah apa dia maksud tujuan-nya ini berkenaan dengan bahasa, berkenaan dengan kera'ayatan, berkenaan dengan imbalance dalam negeri ini, kalau perkara² yang sa-umpama ini di-bawa², di-heret², di-seret², di-ungkit² dan di-bangkitkan, maka padahnya 13 Mei dan banyak lagi 13 Mei akan berlaku. Ini-lah yang Kerajaan yang bertanggung-jawab ini tidak hendak tengok berlaku dalam negeri ini, kerana kita kaseh dan sayang ra'ayat kita, negara kita dan bangsa kita. Dan dia menyeru supaya diadakan multi-lingualism di-dalam negeri ini dengan dia membawa dan menyebutkan satu fasal di-dalam Perlembagaan. Saya fikir, saya suka hendak memanggil Ahli dari Bandar Melaka ini sa-bagai wakil penjajah di-dalam negeri ini, kerana soal berbilang bahasa di-dalam negeri ini, tidak akan mendatangkan kebaikan. Ini tidak berma'ana yang bahasa² sa-lain daripada Bahasa Malaysia mesti di-kambus dan di-timbus, tetapi untuk hendak menjadikan berbilang bahasa di-dalam negeri ini, maka ini-lah benchana yang akan timbul dan persatuan kaum sampai bila² tidak akan terchapai di-dalam negeri ini, kerana kita sendiri ketahui bahawa dalam negeri ini kita ada orang² China yang mempunyai tarekan yang kuat sa-tengah²-nya kepada negeri China, ia-itu sa-buah negeri yang besar dan mempunyai sejarah yang tua. Jadi, kalau benda ini di-hidupkan sentiasa sampai bila Malaysian conscious itu tidak akan wujud di-kalangan ra'ayat negeri ini. Sunggoh pun kita tidak mengaku² berbilang bahasa dalam negeri ini, tetapi sekolah² China maseh wujud, radio kita maseh memakai berbagai² bahasa, jadi apa yang digaduhkan oleh Ahli Yang Berhormat dari Melaka ini, sa-lain daripada hendak mengapi²kan perasaan orang China supaya menudoh Kerajaan ini yang di-pimpin oleh orang Melayu konon-nya anti-China, ini-lah maksud-nya daripada membangkit²kan soal bahasa ini—itu-lah yang Kerajaan hendak tahan dan hendak tegah dan hendak sekat daripada menggunakan perkara ini untuk

menchari pengaruh di-kalangan orang ramai. Jadi, Tuan Yang di-Pertua, saya tidak hendak mengulas banyak lagi ucapan-nya, kerana maseh banyak lagi Ahli² Yang Berhormat daripada pihak Kerajaan yang akan berchakap, biar-lah saya berchakap sa-takat itu sahaja dan saya harap Ahli² Dewan ini yang tahu menghormati diri-nya, yang ada kehormatan bagi diri-nya dan ada kaseh sayang-nya kepada negeri ini supaya menerima Akta (Pindaan) Perlembagaan ini dengan hati yang puteh—menolak Akta ini pada pandangan saya menempa kechelakaan untuk anak chuchu chichit kita. Terima kaseh.

Peguam Negara (Tan Sri Abdul Kadir bin Yusof): Tuan Yang di-Pertua, saya berdiri mengambil bahagian dalam perbahathan Rang Undang² yang amat penting ini ia-lah menggunakan hak saya di-bawah Article 61 (1) Perlembagaan kerana saya bukan Ahli Dewan ini dan saya tidak berhak mengundi.

Tuan Yang di-Pertua, saya suka hendak mengambil perhatian Dewan ini, ia-itu seluroh ra'ayat Malaysia masa ini dan saya perchaya juga seluroh dunia sekarang memandang dan mendengar apa yang berlaku di-dalam Parlimen dan menunggu keputusan yang kelak kita ambil berkenaan dengan Rang Undang² ini. Sakalian-nya hendak tahu ada-kah pemerintah negeri kita akan balek kepangkuan pemerintahan chara demokrasi dan berpalikan kelak, atau sa-balek-nya.

Kita telah lihat bagaimana negeri² yang mendapat kemerdekaan sa-lepas perang dunia yang kedua di-Asia dan di-Afrika semuanya bermula dengan chara pemerintahan demokrasi; tetapi sa-bilangan daripada-nya, akhir-nya, pemerintahan chara itu telah lenyap. Ada sa-tengah²nya mengatakan, sa-tengah² negeri Asia dan Afrika sa-memang tidak subur, atau tidak sesuai dengan pemerintahan dengan chara demokrasi. Ra'ayat, nya, kata-nya, dalam negeri-nya belum lagi begitu matang, atau chukup sedia dengan pemerintahan chara² negeri² barat. Satu kenyataan yang terang ia-lah negeri yang baharu munchol merdeka di-Asia dan Afrika termasuk negeri kita Malaysia ini yang mana yang ra'ayat-nya berhak mengundi dan memilih wakil-nya ka-Parlimen, tetapi sa-bilangan daripada-nya dengan sebab² yang tertentu, sangat senang di-pengarohi oleh perasaan dan imosi dan mengenenipkan perkara² yang mustahak, perkara² pokok—

perkara penting yang mereka patut pertimbangkan. Apa-kah lagi negeri saperti Malaysia yang mengandongi berbilang bangsa yang sa-paroh-nya boleh di-katakan lebeh kurang sa-paroh-nya Melayu dan bumiputra, dan sa-paroh-nya kaum² lain. Lebeh² senang lagi perasaan perkauman dan imosi di-bangkitkan dan di-gunakan.

Pengalaman kita semenjak Hari Merdeka sa-hingga 13 Mei tahun 1969, bukti dan akibat yang kita telah lihat, telah chukup menjadi pelajaran kepada kita dan seluroh ra'ayat Malaysia ini. Ra'ayat jelata berkehendakan ketenteraman, keselamatan dan kemajuan. Kalau-lah dengan sebab chara pemerentahan demokrasi dan ada-nya pilihanraya, timbul-nya peristiwa saperti terjadi 13 Mei tahun 1969 ra'ayat jelata akan berkata: "Apa-kah guna demokrasi kalau huru-hara padah-nya", itu-lah sebab-nya ada sa-bilangan ra'ayat berkehendakan pemerentahan Mageran, kata-nya, di-teruskan sahaja, kerana ra'ayat mendapat keamanan, pentadbiran pun berjalan dengan lichin dan tiada pula kezaliman kepada ra'ayat yang di-lakukan oleh Mageran sa-lama ini.

Tuan Yang di-Pertua, dengan keterangan ringkas ini pada pendapat saya ada-lah terang dan nyata betapa mustahak-nya Perlembagaan di-pinda supaya di-bekukan, atau di-lindongkan empat perkara yang menjadi asas kemerdekaan dan asas Perlembagaan negara kita yang mana peruntokan² lain sunggoh pun mustahak juga di-dalam Perlembagaan ada-lah bergantung dan berkisar kepada yang empat perkara itu.

Dari segi perkauman pula yang kita tidak boleh nafikan dan ketepikan empat perkara itu ada-lah sangat sensitif, senang membangkitkan perasaan imosi dan kechurigaan sa-saorang, atau satu² kaum di-negeri ini.

Tiada siapa boleh menafikan yang hakikat ini. Tetapi ada lagi yang maseh berdegil demi kepentingan diri-nya atau faedah parti yang di-pimpin.

Saya berseru ia-itu sudah sampai masa-nya kita sakalian ketepikan kepentingan diri, atau sa-gelintir bilangan yang kechil di-negeri ini demi kepentingan national dan demi kepentingan anak chuchu kita yang akan datang. Kerajaan menyatakan Rang Undang² ini mesti di-luluskan, kalau kita hendak sambong lagi pemerintahan chara berparlimen, bukan-lah dengan tujuan menggunakan kekerasan,

atau threat, atau menakut²kan kepada Ahli² Yang Berhormat. Tetapi hakikat yang sebenarnya Kerajaan menyampaikan hasrat ra'ayat dan menunaikan tanggung-jawab-nya kepada ra'ayat, kepada negara yang tidak sanggup dan tidak suka lagi pemerintahan chara berparlimen berjalan dengan chara dahulu dan kebebasan berucap akan kelak menghanchorkan negara yang kelak menjadi padang jarak dan padang terkukor pada masa akan datang.

Tuan Yang di-Pertua, tujuan utama Undang² ini ada-lah menguatkan lagi kedudukan empat perkara yang mutlak yang menjadi asas Undang² tuboh supaya tidak boleh di-sentoh dan di-goyang sa-bagaimana yang lepas. Kalau di-goyang empat perkara yang asas ini bergoyang-lah rumah, bergoyang-lah orang yang di-dalam-nya dan bergaduh-lah di-dalam-nya.

Kedua-nya, dengan kelulusan-nya Rang Undang² ini ia-lah membolehkan kita mengadakan satu Undang² yang melindungi empat perkara itu daripada di-soal dan di-bangkit²kan oleh sa-siapa juga pun baik di-dalam atau di-luar Parlimen. Kalau masa dahulu ada mana² pihak satu atau satu parti mengeluarkan polisi, atau berkata, kalau parti-nya dapat sokongan dan mendapat memerintah, parti-nya akan menjadikan bahasa² lain juga menjadi bahasa rasmi, atau ada yang berkata menghapuskan kedudukan istimewa orang² Melayu, atau dan bumiputera, atau lagi negeri ini akan di-jadikan Republik, atau yang berkata di-pinda Bab 3 berkenaan dengan kera'ayatan supaya di-luchutkan samula orang² bukan Melayu yang telah senang mendapat kera'ayatan. Semua-nya ini, Tuan Yang di-Pertua, ada-lah tidak menjadi kesalahan masa itu, walau pun mereka tahu perubahan ini mustahil dapat di-laksanakan kerana tiada suatu kaum pun di-Malaysia yang boleh dapat chukuk 2/3 undi Parlimen dengan sebab dekat separoh ra'ayat negeri ini bukan Melayu dan juga bumiputera, lebeh kurang di-bahagi dua.

Perkara² ini sangat berguna daripada faedah parti dan mendapat sokongan, kita semua sedar tetapi akibat-nya membawa kepada huru-hara, kerana ke-empat² perkara itu perkara pokok dan asas kemerdekaan dan asas Perlembagaan Negeri dan Perlembagaan pula telah di-gubal berasas atas latar belakang tawarikh dan sejarah negeri. Keadaan penduduk yang berbilang bangsa di-dalam negeri, keadaan orang²

Melayu dan bumiputera yang maseh ketinggalan dalam bidang pelajaran, ekonomi dan perniagaan, yang berpegang tegoh pula kepada kenyataan yang menyatakan negeri ini ada-lah negeri kepunyaan asal-nya, tetapi sanggup memberi kera'ayatan kepada kaum² yang mendatang yang telah menyumbangkan tenaga kepada pembenaan dan pembangunan negara. Sa-siapa yang menyoal perkara yang empat ini berma'ana-lah mereka menyoal persetujuan dan penyelesaian yang telah diambil oleh tiga kaum yang terbesar masa kita mendapat kemerdekaan, dan yang telah diterima oleh ra'ayat negeri ini, atau sabilangan yang besar ra'ayat negeri ini tahun 1957.

Di-soal mana² satu perkara yang sensitif, menimbulkan re-action dari satu pihak lain dari satu perkara yang lain pula yang juga sensitif dan mutlak. Tindakan yang saperti itu akan menimbulkan re-action dan counter re-action. Angin sepoi², Tuan Yang di-Pertua, akan menjadi ribut, ribut akan menjadi taufan, akhir-nya semua-nya karam habis dengan labu²-nya.

Ini-kah yang kita dan ra'ayat khatirkan pada masa sekarang? Tidak-kah kita mahu insaf sekarang ini? Tidak-kah kita sanggup mengorbankan kebebasan berchakap yang sangat kecil dan terhad itu demi kepentingan negara kita dan keselamatan chara pemerintahan demokrasi kita yang akan datang? Kita sekarang ada di-simpang jalan. Kalau salah jalan, pusing ka-belakang, kalau jalan depan sukar dan merbahaya, bunoh bahaya itu dahulu sa-belum bermula berjalan ka-depan. Ini-lah yang kita buat sekarang.

Tuan Yang di-Pertua, saya dengar dari Ahli² Yang Berhormat dari pihak² Pembangunan menyatakan Rang Undang² ini tidak dapat mengelakkan terchetus-nya lagi peristiwa perkauman saperti yang telah berlaku pada 13 Mei. Kerajaan sedar juga hal ini. Tetapi kalau hendak pulang kepada pemerintahan demokrasi, kita mesti ikhtiar, ikhtiar menchari jalan dan satu daripada-nya ia-lah dengan mengadakan pindaan atas perkara² mutlak dalam Perlembagaan. Ada-lah salah faham kalau kita berpegang sa-mata² kepada kelulusan Undang² ini sahaja yang akan menjamin keamanan yang akan datang, tetapi keamanan akan terjamin, kalau ada kerjasama dari pihak² yang tidak bersetuju atas undang² ini dan mematohi bersama² kita melaksanakan dan mengamalkan-nya apakala telah di-luluskan kelak dalam Dewan ini.

Kita sedar mulut tempayan boleh di-buka, kita sedar mulut manusia bukan-lah mulut tempayan, boleh senang di-tutup. Sanggupkah Ahli² Yang Berhormat menerima Undang² ini dan dengan ikhlas dan patoh kapada-nya kelak?

Dato' Yang di-Pertua, saya berterus-terang di-sini, kerana apakala Undang² ini di-luluskan terpaksa banyak parti² mesti menyemak sa-mula undang² tuboh dan dasar parti-nya, kerana ada kandungan² di-dalam undang² tuboh dan polisi parti itu berlawanan dengan Undang² Asutan yang telah di-pinda, atau dengan undang² yang akan di-luluskan kelak di-bawah Article 10 Perlembagaan.

Had ini, Tuan Yang di-Pertua, izinkan saya berucap dalam bahasa Inggeris kerana saya akan menegor dan berchakap atas perkara² yang datang daripada Ahli² Yang Berhormat yang telah berucap dalam bahasa Inggeris supaya senang di-faham.

Sir, I will now deal with Article 152 of the Constitution, which is one of the four main pillars of the basis of our Constitution. I feel that a fuller explanation and clarification is necessary in this House to avoid further misunderstanding or distortions and manipulations by unscrupulous and irresponsible politicians in the future. The true spirit and meaning must be understood by all and once and for all. Article 152 relates to the National Language. Most of the problems in this country are the products of history. When we realised the necessity of self-determination and the desire for independence we found this country to be made up for communities rather than a nation. No country can survive without a nation. No nation can emerge or survive without a common bond and no common bond is stronger than that of language. It is here that we come to look at the provisions in the Constitution relating to the National Language. It is interesting to note that the term used in Article 152 (1) of the Constitution is "National Language" and not "Official Language." The drafters of the Constitution appeared to have deliberately chosen to employ the word "National" rather than "Official" as employed in Article 343 (1) of the Indian Constitution. In my view, it is safe to conclude that the drafters of the Constitution deliberately differentiated the word "National" from the word "Official" indicating that the use of the word "National" is to be taken in its emotive or moral rather than legal connotation. There-

fore, as opposed to the concept of Official Language, meaning the language to be used by the Government in the conduct of its business, the expression "National Language" is to be taken to mean a language which should be used by individuals, by groups, private and public bodies, and in a particular nation in every field and activity of life. It is a national language; it belongs to the nation and of anyone who considers himself as a loyal national of that country. In my view, the drafters of the Constitution wanted the National Language as a catalyst in the moulding of a nation in this country. The word "national" should be invested with its ordinary meaning, which is, "pertaining or relating to a nation as a whole"; or, I quote the Oxford English Dictionary, "affecting or shared by the nation as a whole"; or the word "nation" means, "an aggregation of men existing in the form of a benign jural society inhabiting a distinct portion of the earth, speaking the same language, using the same customs, possessing historical continuity"—that is from Black's Law Dictionary. I will now read paragraph 170 of the Malayan Constitutional Report regarding the National Language. This is what the Report states:

"We received a large number of representations (this is before 1957) on this subject. After giving full consideration to them we have decided to recommend that Malay should be the national language and that for a period of at least ten years English should continue to be used as an official language. There are many citizens of the Federation who have had little opportunity in the past of learning to speak Malay fluently, and we think that it would not be fair to them that Malay should become the sole official language in the immediate future. Moreover, we think that it would be impracticable to abolish the use of English before ten years have elapsed. After 10 years it should be left to Parliament to decide when the change should be made and we have framed our recommendations so as to enable Parliament to proceed by stages if it thinks fit to do so. It may be found desirable first to discontinue the use of English for some purposes and then to discontinue its use for other purposes at some later date. We do not recommend that any other language should become an official language. This has not been found necessary in the past and we think that it might lead to great inconvenience. But in the past it has been found desirable that many notices, announcements and other documents should be published in Chinese and Tamil as well as in Malay and English and we think that this will continue to be desirable for some considerable time. Our recommendations will not prevent this being done, but it is impossible to define the circumstances in which it should be done."

Now, Sir, the amendment to Article 152 by Clause 5 of the Bill is nothing else than to give a definition of the words "official purposes" which have not been defined in the Constitution nor by any decision of the Courts as no one else had taken a case in court. At one time there was a misunderstanding as to the extent to which National Language must be used for official purposes; for example, whether the purposes of local government or statutory authorities or tribunals are official purposes and should use the National Language. Public authority, as stated there, is defined in Article 160 of the Constitution and the doubt is now resolved. But even this useful and practical amendment has provoked the Honourable Member for Bandar Melaka to state in this House that the present Government is not properly implementing the provision of Article 152 (1) (b) of the Constitution. I am reading now the wording of Article 152 (1) of the Constitution. It says here:

"The national language shall be the Malay Language and shall be in such script as Parliament may by law provide:

Provided that—

(b) nothing in this Clause shall prejudice the right of the Federal Government or of any State Government to preserve and sustain the use and study of the language of any other community in the Federation."

This is only an enabling clause, not an imperative clause. You heard the words "Shall not prejudice the right of the Federal Government". Without this clause the action of the Government to preserve and sustain the use and study of the language of another community by using public funds can be challenged. Note the words "to preserve and sustain the use and study" only and not to increase the use by the Federal and the State Government—something which is to preserve and sustain. Whatever is achieved, preserve it—macham jerok—not to increase it or to improve it. But the Government have done a lot more than that, spending more, five or six or even ten times the amount of money, public funds, than previously to increase the Chinese and Tamil schools in this country, which is more than what is the requirement of the Constitution.

The Member for Bandar Melaka urged the Government to make wider use of the languages of other communities, which means for official purpose. That is what he said. Why, he said, cannot the Government, both Federal and State, make use of other languages in

a wider field, in more fields, even for official purpose? Well, if we know what is the policy of the D.A.P., then we realise why that was urged. If there is any doubt of what I have said, permit me, Sir, to read a quotation of a policy statement issued by the D.A.P. Central Executive Committee on the occasion of the second anniversary of the party on June 1st, 1968. This is what it says, and I quote:

"The provision in the national Constitution stipulates free use and study of Chinese and Tamil in this country. It is the D.A.P.'s view that the free use of these languages need not be taken to mean only their private use. If this Constitutional guarantee is to have any relevance or significance, it should also include the official use of the other languages. Recognition would come, naturally, if the political leaders of the country genuinely accept the principle and practice of cultural democracy and would not derogate in any way from their sense of national unity.

On the contrary—this is what it says—it would preserve to enhance the sense of national unity by giving a respective place to all the major languages in the country for official purposes. It is, for instance, childish denial of democratic right to deny the use in Parliament and in State Assemblies of major languages in the country, like Chinese and Tamil".

Singapore was then cited as an example for Malaysia to follow. They urged that the policy of multi-lingualism practised in Singapore should be adopted and followed in Malaysia. Further, D.A.P. again advocated the restitution of official status to the English language.

It is clear that one of the main platforms of the D.A.P. is the introduction of multi-lingualism here, including for official purposes. I want to make clear here so that Honourable Members of this House will clearly understand the meaning and the interpretation of Article 151 (1) (b) of the Constitution. What the D.A.P. wants is really urging the Government to adopt multi-lingualism for official purposes. This is contrary to the spirit and to the object of Clause (1), which is to make Malay the National Language and the sole Official Language of this country. It cannot carry that meaning as advocated or interpreted by the D.A.P. Member. The Reid Commission has said, "we do not recommend that any other language should become an official language. This has not been found necessary in the past, and we think that it might lead to great inconvenience."—this is what it said. The Government solved this problem and set forth—where the Reid Constitution states, "Our recommendations will not prevent this being done, but it is

impossible to define the circumstances in which other languages may be used, if necessary, by the Federal Government"—the Government solved this problem, Sir, and set forth when and in what circumstances the Federal or State Governments will use the languages of other communities. For the information of the Honourable Members who were not present in 1967, I shall read Section 3 of the National Language Act of 1967. Here is what it says:

"Nothing in this Act shall affect the right of the Federal Government or any State Government to use any translation of Official documents or communications in the language of any other community in the Federation for such purposes as may be deemed necessary in the public interest".

That is all. That law was passed in 1967 after considering the Reid Report and also the spirit of the Constitution. It is clear, Sir, that to urge the Government and not the public to make a wider use of the language of other communities, for example, Chinese and Tamil, is clearly advocating a policy of multi-lingualism in Malaysia, which is contrary to the object and spirit of Article 152. We all quite realise that to some political parties, this is their life-line for vote catching and for support. But in Malaysia, this is so sensitive. It is a dynamite to use a policy or platform of even halfway multi-lingualism or even a misrepresentation or a distortion of the true meaning and the spirit of Article 152 (1), and this itself is a sensitive issue and a dynamite as the Malays will take it as a challenge of the solemn pledge already agreed to by the three main communities when the Constitution was drafted. What is good for another country does not mean that it is applicable to Malaysia as each country has a different historical and social background and other conditions. Some other country, Sir, may think that everybody should be equal because that country was only barren, everyone came afterwards to reside in that country, to inhabit it, but Malaysia was different, different from any other countries that have been colonised. It was not a barren country when the others came to this country. It was a country already civilised hundreds of years ago with its religion, with its Rulers, its cultures, its civilisation six or seven hundred years ago. They made treaties with other countries and only after that people of other countries came to colonise this country and that is why we have to consider the background and history of this country before we try to borrow and adopt the constitution

of any other country to our country. When everybody comes to a barren land forgetting whatever history therein, a land with only a few fishermen, they can have everything equal—multi-lingualism and everything, but not in a country like Malaysia.

I would now deal with the Honourable Member for Miri-Subis on what he said regarding the effect and result of the proposed amendment of Article 153 by including the words "natives of the Borneo States" in that Article. He said that Clause 8 of the proposed amendment would erase certain special rights of the natives as provided in Article 161A, Clauses (1), (2) and (3) of the Constitution. He said that this was a breach of the London Agreement and the Inter-Governmental Committee Report. He suggested that the matter be looked into by the Government. The amendment will result in certain contradictions, he said, with the proposed Clause (9A) of Article 153 and the proposed Clause 8 of the Bill. The net result of this has been to take away the special position enjoyed by the natives of the Borneo States, he added. This matter, Sir, again has to be clarified once and for all to avoid misunderstanding and misinterpretations of the amendment and the objects of the Government. This request has been made by the two State Governments of Sabah and Sarawak. Both the Governor and the Chief Minister are Malays, who are defined also as natives of Borneo. Does the Honourable Member mean that the two Governments controlled by natives are so foolish as to ask an amendment to take away the special position enjoyed by them? If this kind of meaning is given by the Honourable Member to the public in the Borneo States, what will be the outcome, Sir? The natives will feel that they have been cheated and that will cause anger, suspicion and hostility by the natives towards the Government in power.

It is not true to say that Clause 8 of the Bill will erase the special rights of the natives of the Borneo States. On proper reading of the Bill, together with the Constitution, it will be clear that Clause 8 is a necessary consequential amendment necessitated by the earlier amendment made to Article 153 which seeks to give parity to the natives of Borneo with the Malays in West Malaysia. In fact, without Clause 8 in the Bill the provision of Article 153 as amended will be in contradiction with

the provision of Article 161A. The amendments in Clause 8 of the Bill cannot, therefore, be regarded as a breach of the I.G.C. Report. Perhaps the Honourable Member was thinking of the I.G.C. Report, 1962. I would invite him to see paragraph 29 of that Report. Paragraph 29 (a) was incorporated into the Constitution as Clause (2) of Article 161A. Because of the desire to give parity of position to the natives of the Borneo States with the Malays in West Malaysia, it is necessary to achieve this by the proposed amendment to Article 153. With the amendment of Article 153, Clauses (1), (2) and (3) of Article 161A are no longer necessary and therefore should be deleted to avoid inconsistency. After the passing of the amendment, the provision in the Constitution relating to the special position of the natives in Borneo in Article 161A will be similar to the provisions relating to the Constitutions of the States in West Malaysia in relation to the Malays.

It is also not true to say that the proposed Clause (8A) of Article 153 is in contradiction with Clause 8 of the Bill. Clause (8A) of Article 153 seeks to enable the Yang di-Pertuan Agong to give such directions as may be required to ensure the reservation of such proportion as deemed reasonable of places for Malays and natives of Borneo States in higher educational institutions where the number of places offered by these institutions is less than the number of candidates qualified for such places. It is to be noted that the proposed Clause (8A), instead of taking away the special position enjoyed by the natives of Borneo States, in fact, widens their special position. Clause (2) of Article 161A gives effect to Paragraph 21 (a) of the Inter-Governmental Committee Report, 1962. That is in the application of Article 153 in and to the Borneo States. The term "Malay" is substituted by the term "natives", except that in issuing a directive with regard to the reservation of scholarships and other educational facilities, the Yang di-Pertuan Agong has no power to determine a fixed proportion under the Report. It is clear from Clause (2) of Article 161A that the status of the natives is now equated to that of the Malays only when Article 153 is applied to and in the Borneo States. In other words, the natives of Sabah and Sarawak before did not enjoy

the status of the Malays for any privileges; for example, permits, licences, business, trade, scholarships issued or granted under any Federal law in respect of business, trade, etc., operated or enjoyed in West Malaysia. The proposed amendment, Sir, will therefore result in the natives sharing whatever permits, whatever licences, etc., reserved for the Malays under Article 153. On the other hand, the Malays will also enjoy the privileges of Article 153 when that Article is applied to and in the States of Borneo, provided the Borneo States allow their entry thereto. They have a restriction there, Sir.

I shall speak only for a short while more, Sir. I sincerely urge the Honourable Member and members of his party, for the sake of security and stability of Sabah and Sarawak, not to repeat what he said here to the public in Sarawak later. It is a misrepresentation and distortion and no good will come out of it except for a few extra votes in the elections. We have enough trouble with the subversive elements and the communist terrorists there. We cannot afford a new element of dissatisfaction by the natives on the distortion of the true meaning of a basic Constitutional provision which affects the very life interest of the natives of Sabah and Sarawak.

The Honourable Member also urged the Central Government not to implement the use of National Language in Sarawak—too fast, he said—as the people are not yet ready, because of the lack of educational facilities to study the National Language in the past. The question is: has the Federal Government implemented the use of National Language too fast or too widely in Sarawak? The Constitution provides and guarantees the use of English until 1973. Whether the Federal Government will apply the National Language Act to Sarawak in 1973 will be considered in the light of progress in the study and in the use of National Language in the State. The trouble, Sir, is that when the Honourable Member was Deputy Chief Minister of Sarawak, in control of the Government, what had his Government done to facilitate the introduction of the study of the National Language in that State? Had he or his Government then approached our Federal Government to open more Malay schools, more Malay classes in Sarawak? As far as we can see, nothing had been done. But, of

course at that time, Sir, forest and timber were more important to that Government than the study of the National Language. Thank you.

Tuan Yang di-Pertua: Persidangan ini di-tempohkan sa-lama 15 minit.

Persidangan di-tempohkan pada pukul 4.45 petang.

Persidangan di-sambong sa-mula pada pukul 5.30 petang.

(Tuan Yang di-Pertua *mempengerusikan Meshuarat*)

Perbahathan di-sambong sa-mula.

Dr Tan Chee Khoon: Tuan Yang di-Pertua, saya bangun untuk mengambil kesempatan dalam perbahathan ini

Tuan Stephen Yong Kuet Tze: (*Bangun*).

Tuan Yang di-Pertua: You heard him start his speech, please sit down!

Dr Tan Chee Khoon: Terima kaseh. Saya bangun untuk mengambil bahagian dalam perbahathan ini yang di-kemukakan oleh Yang Amat Berhormat Perdana Menteri pada hari Isnin yang lalu. Perbahathan tentang Rang Undang² Akta (Pindaan) Perlembagaan, 1971 ini ia-lah paling penting dan bersejarah, dalam sejarah pendek demokrasi berparlimen di-negara kita. Chabaran² terhadap kita pada masa sekarang dan di-masa yang akan datang ia-lah betul sa-kali dan besar juga. Kita mesti mengatasi chabaran² tersebut jika negara kita akan hidup. Hampir dua tahun yang genting dalam kehidupan negara kita; keputusan² pilihanraya yang lalu telah ditolak dan negara kita di-perintah oleh sebuah directorate, ia-itu Majlis Gerakan Negara. Pada masa itu Parlimen telah di-hinakan dan di-gantungkan oleh pihak yang berkuasa dan negara kita menghadapi krisis yang paling genting.

Kedaulatan negara kita juga telah di-chabar dan peninggalan di-tudoh dengan per-chakapan dan chara dictator. Oleh sebab itu, Tuan Yang di-Pertua, sa-belum saya sentoh tentang Bill ini sangat-lah perlu saya mempertahankan kuat-kuasa dan hak istimewa Parlimen. Parlimen mewakili ra'ayat jelata dan kuat-kuasa Parlimen yang berhak datang daripada ra'ayat jelata di-negara kita.

Tuan Yang di-Pertua, buku ini ia-lah Perlembagaan kita. Apabila Kerajaan Perikatan ingin perlu, atau di-kehendaki, buku ini ia-lah sa-buah buku yang paling suci dan Kerajaan kehendak ra'ayat di-negara kita menghormati dan mengikuti buku ini. Akan tetapi jika Kerajaan Perikatan ingin perlu dan di-kehendaki, Kerajaan Perikatan meroboh, mengoyak dan membuang buku ini ka-dalam longkang. Itu-lah, Tuan Yang di-Pertua, kesuchian dan kehormatan buku ini kepada Kerajaan Pusat.

Tuan Yang di-Pertua, di-samping ini, saya mohon izin untuk berchakap dalam bahasa Malaysia juga dalam bahasa Inggeris.

(*Degan izin*) Mr Speaker, Sir, in the past the Government had given us very little time to study all their Constitutional amendments. I well remember that on one occasion they tabled one such Amendment Bill in the morning and expected us to debate it the same day. The Opposition then refused to play ball with the Government and they had to relent and give us a few days to study the Bill.

This time, it is true that the Government has published a White Paper and a week ago it sent us a copy of the original Constitution (Amendment) Bill. But last Saturday it withdrew that Constitution (Amendment) Bill and substituted it with the Bill that is before the House today.

I maintain, and my party the Gerakan maintains, that this is not enough. My party has asked both the Prime Minister and the Minister for Information for this Bill to be discussed over Radio and T.V. But unfortunately the request has been rejected. This is most regrettable for a Bill of such importance should be widely discussed by all sections of the people as it is going to affect the lives of all of us for generations to come. As it is, this Bill has hardly caused a ripple amongst the people of this country.

Coming to the Bill before us today, let me at the outset say that none of the amendments can affect me personally as never have I had the need to resort to racial arguments in this House or elsewhere. Two decades of my speeches and writings, for five years spoken in this House, will bear testimony to this. Nevertheless, it is necessary for me to speak out in the defence of the rights of our peoples of all races, and in the defence of democracy.

Despite what I have to say in the defence of Parliamentary democracy, my party, the Gerakan, is in agreement with the Government that there should be some restraints placed on all of us in order that Parliamentary democracy may survive. But let us not go so far that the cure is worse than the disease. And we are not in agreement with the manner and the extent to which the restraints are imposed.

Let me first touch on the principle of entrenchment of certain Articles of the Constitution.

The White Paper in its last paragraph states, and I quote: "Parliament is after all the trustees for the peoples of Malaysia." How can it be so when such a decision of Parliament needs the approval of another hereditary body? If the purpose of entrenchment is to provide further safeguards, then this can be achieved by holding a referendum in which at least two-thirds of the people of this country must approve before the entrenched provisions of the Constitution are removed. By this means the sacred principle that the people through their elected representatives are the sole and ultimate repository of power is reiterated and given meaning and respect.

Despite my criticism of the entrenchment of certain Articles of the Constitution, we are in agreement that the provisions relating to Citizenship (Part III of the Constitution) and Article 152 relating to the National Language should be placed beyond the reach of the demagogue.

But the Gerakan finds no merit in the entrenchment of the emasculated Articles 63 and 72 nor of any amendment to a law passed under the proposed Clause (4) of Article 10. Articles 63 and 72 do not deal with sensitive issues and Clauses 3 and 4 are enabling legislation to withdraw the privilege of MPs and State Assemblymen in respect of anything said either in this House or in a State Assembly. There is no need to entrench Articles 63 and 72.

Mr Speaker, Sir, I have stated it before outside this House and I reiterate it again in this House that there should be no gag on discussion in Parliament. The Standing Order should be amended to enable the Speaker, who is the Servant of the House, to apply the Standing Orders rigorously. This House

can make any recalcitrant Member pay the extreme penalty, i.e., he can be expelled from this House for infringing any of the Standing Orders of this House. And if the need arises when we have to discuss sensitive issues, then this House can go into secret session and the visitors' galleries can be cleared of all visitors including the Press. Any restriction on the freedom of speech of M.P.s in this House is derogatory to the dignity of Parliament and a challenge to the sovereignty of the people.

While we are on the question of Parliamentary immunity, we have been told that M.P.s could not challenge the entrenched Articles of the Constitution but could discuss their implementation. The latest amendment to Clause 2 has virtually plugged all loopholes in the law and now if this Bill is passed we cannot, if the Government so wills it, even discuss the implementation of sensitive issues. The lips of all M.P.s are now effectively sealed. If that is the intention of the Government, let them say so, so that we need not participate in this farce and game of make-believe. Mr Speaker, Sir, here I will be very glad if the Government says that I am wrong, that I have caught the wrong end of the stick, that despite the addition of the words, "Sa-bagaimana yang di-nyatakan dalam Undang² itu", despite the addition of these words we can still discuss the implementation of sensitive issues in this House or outside of this House as well.

Mr Speaker, Sir, in the original draft Bill, Clause 7 (a) sought to entrench any amendment to a law passed under the proposed Clause (4) of Article 10, but in the Bill before the House today the lid is further tightened by the addition of Clause 7 (1) which provides that any such amendment to the law passed under the proposed Clause (4) of Article 10 shall not be passed without the support of two-thirds majority in either House of Parliament. Mr Speaker, Sir, the Sedition Act belongs to that category of ordinary law of the land. But the amendments sought under Clause 7 (1) and of 7 (2) (a) have arrogated the proposed amendments of the Sedition Act under the proposed Clause (4) of Article 10 to the status of a Constitutional amendment.

As far as I am aware this is the first time that an ordinary law of the land has required a two-third majority of either House of Parliament and the consent of the Conference

of Rulers as well for it to be amended. All these amendments contained in Clauses 7 (1), 7 (2) (a) and some other clauses as well may well mean that in future there can be no change through evolution but that only a revolution can provide the change that the people of this country look for.

Tuan Yang di-Pertua, tentang soal Bahasa Malaysia, suka saya menegaskan sa-mula lagi sokongan dan persetujuan saya kepada kemajuan Bahasa Malaysia untuk kegunaan rasmi. Kegunaan Bahasa Malaysia saya sendiri di-dalam Dewan ini dan juga di-luar merupakan kegembiraan saya. Apabila Rang Undang² Bahasa Kebangsaan di-binchangkan di-Dewan ini pada tahun 1967 saya menyokong Bill tersebut sa-penoh²-nya walau pun sokongan saya bahaya kepada saya sendiri oleh sebab parti saya masa itu, Parti Buroh Malaya, tidak menyokong Bill tersebut. Parti saya sekarang ia-itu Parti Gerakan Ra'ayat Malaysia menyokong sa-penoh²-nya kedudukan Bahasa Malaysia di-dalam Perlembagaan ini dan juga di-dalam Fasal 5 di-dalam Bill yang kita sedang perbincangkan pada hari ini. Gerakan lama dahulu telah mengakui Bahasa Kebangsaan sa-bagai bahasa rasmi yang tunggal.

Mr Speaker, Sir, the acceptance of Bahasa Malaysia by our people will be strengthened if scrupulous respect is given to the guarantee in our Constitution regarding the study and use, other than for official purposes, of all other languages in this country.

There is a need, despite what the Government backbenchers have said, to spell out in greater detail and precise terminology the guarantees regarding the study and use of other languages so that we can set at rest the genuine fears and anxieties of the non-Malays in this country.

The special rights of the Malays as a method of helping poor and under-privileged Malays to advance themselves has never been, to my knowledge, questioned in this House since the first meeting of Parliament after independence. If the application of the special rights provisions has failed to help the vast majority of Malays, then the responsibility lies with the people on the other side of the House whose Government has been responsible for its implementation. It is common knowledge that the 14 years since independence the special rights of the Malays has been used mainly to create millionaires out

of certain members of the ruling party and their friends and relatives. The abuse of the special rights of the Malays, I maintain, is responsible for much of the economic imbalance that exists in this country, as I think the Honourable Member for Kota Bharu Hulu quite rightly has said.

Coming now to the problems of education, I must express my personal sadness at the failure of the Government to develop the education of Malay children. It is an unchallengeable fact that not enough Malay children come out of the schools system who are equipped for a university education. Contrary to what is stated in the White Paper—and this is a mistake that should be publicly rectified—a heavy element of preference for Malay students entering the University of Malaya has already existed for many years in all Faculties of the University of Malaya. In the Faculty of Medicine, for example, virtually no non-Malay student with less than 45 points based on the H.S.C. results is admitted whereas virtually all the Malay students admitted have less than 45 points based on their H.S.C. results. This is a damning indictment of the failure of the Government education policy that there is such a serious shortage of Malays doing moderately well in the H.S.C. examination. And here I must stress the fact that the indigenous peoples of East Malaysia, namely the Kadazans, Bajaus, Ibans, Dayaks, Muruts, etc., should be given the same facilities and assistance as the Malays for higher education in West Malaysia.

Mr Speaker, Sir, if I may dilate a little more on this question of the poor number of Malays in the Universities, because I perhaps have a little experience of university education in this country, I must say that there has over the past years been plenty of chakap² sahaja, tetapi tindakan yang terpaksa di-ambil dengan segera tidak di-ambil.

Now, Mr Speaker, Sir, take the question of the backwardness of the Malay school children in the matter of science. It is common knowledge that the Malays are a little backward, but it is not the fault of the Malay children—it is not their fault. But we know that in one year, for example, I asked a question for a Written Answer, and I was shocked to find that the Malay children dropping out after Standard VI in that year amounted to about 79,000 pupils. Now, how on earth can you expect the Malay children

to advance in life, let alone into the University if they drop out from the school system at the age of 12. This is an indictment of the Government, because the Government knows what are the reasons for the Malay school children dropping out of schools. Now, I asked a teacher; I asked him: "Look here, what is wrong?" Some teachers have told me, "Doctor, you know-lah, apa Kerajaan Perikatan ini. Murid² di-sekolah saya buku exercise pun tidak ada, kasut tidak ada". Tuan Yang di-Pertua, bagaimana-kah, saya hendak bertanya kepada Kerajaan, murid² yang keturunan Melayu boleh maju pelajarannya jika ibu bapa-nya tidak ada wang yang menchukupi untuk membeli buku² exercise.

Surely, if the Government is interested in helping the Malays, then it is their responsibility to provide exercise books which, after all, are not that costly—I mean, if you take into consideration a total budget which is more than two billion dollars, the provision of exercise books to the Malay children who need those exercise books—they don't have exercise books, much less text books. Mr Speaker, Sir, a whole bunch of hypocrites I see in front of me. (*Ketawa*) They talk about hak keistimewaan Melayu, they know what is wrong, but they have not done anything and this is an indictment on the Government. But, Mr Speaker, Sir, these children who drop out at the age of 12 not only can they not go to higher education, they will be a drag on the economy—and I have an economist, Sir, in front of me, and he is in the Faculty of Economics.

Tuan Musa bin Hitam (Segamat Utara): Saya hendak memberi penerangan, Tuan Yang di-Pertua. Ada-kah Ahli Yang Berhormat daripada Batu sedar bahawa sungguh pun saya mengajar di-Fakulti Ekonomi, tetapi Fakulti itu di-namakan juga Fakulti Ekonomi dan Pentadbiran, dan saya ini bukan pakar ekonomi dan ada-kah Ahli Yang Berhormat dari Batu sedar bahawa dengan mengatakan saya ini pakar ekonomi dia tidak dapat menjalankan tugas-nya sa-bagai Pengerusi Jawatan-kuasa Council Universiti kerana dia tidak tahu apa tugas Ahli² akademik di-dalam Universiti itu. (*Ketawa*).

Dr Tan Chee Khoon: Tuan Yang di-Pertua, sa-benar-nya silap perkataan saya, saya sedar wakil dari Segamat Utara ia-lah sa-orang Pensharah di-Fakulti Ekonomi dan Pentadbiran dan beliau mengajar International Relations di-Fakulti tersebut.

Mr Speaker, Sir, if these children drop out at the age of 12 from the school system they will be a drag on the economy of this country for many generations to come. Then how on earth can you talk of redressing the economic imbalance when at the age of 12 they will be for many years a drag and so let us not talk about redressing economic imbalance until the Government shows its sincere intentions by seeing that these children who go to school have enough shoes, have exercise books provided by the Government, have textbooks provided by the Government. "If I see evidence of that then I can say, "Yes, the Alliance Government is doing something for the Malays and not beating an empty drum." You talk about people harping on special rights. Sure, the non-Malay is panas hati juga, oleh sebab Kerajaan Perikatan tidak mengambil langkah² yang sesuai.

Tan Sri Syed Jaafar bin Hasan Albar: Perinsip itu tidak berbangkit.

Dr Tan Chee Khoon: Saya bukan mencha-barkan perinsip hak istimewa orang Melayu, saya chuma hendak menerangkan, menegaskan perlaksanaan hak istimewa orang Melayu.

Mr Speaker, Sir, we know, and the new Minister of Education knows—and I hope the new broom will sweep very well and sweep very clean—that the Malays are very backward. What do you do? You must see that they are given extra tuition in the rural schools so that their standards in the sciences are improved to enable them to enter the University of Malaya. It is no use, Mr Speaker, to pass a law like this and say "Oh, we are going to provide, by legislation, more places, reserve more places." What is the use? You reserve more places for whom? Because there won't be any coming. But if you take active steps to improve the standard of pengetahuan Ilmu Sains antara murid² Melayu, then of course you will get more of them coming to the University system.

So, Mr Speaker, Sir, I call on the Minister of Education, without any more delay, to provide junior colleges in the rural areas—no use providing them in Kuala Lumpur, there are too many colleges and universities in Kuala Lumpur. Set them up in Kota Bahru, although it is P.M.I.P. territory; set them up in Trengganu; set them up in Sarawak, junior colleges, so that there are enough of them to come into the University. Until that is done, then it is futile to talk about providing—in the

original Constitution it talks of facilities, now you talk of proportions—how long more are the Malays to hear the leaders talk, talk, talk. Mr Speaker, Sir, one day they will rise up and boot all of them out. (*Ketawa*).

Mr Speaker, Sir, the quota is a clumsy way to achieve the very unexceptional objective of getting more Malay students into University. If it is the intention of the Government to use this method, then I must emphasise the need for scrupulous honesty and fairness in applying the quotas. If a quota is to be effective and just, then these considerations must apply:

- (1) The quota must be a reasonable figure representing the output of the schools.
- (2) The quota shall apply to all courses of study and not just to a few selected courses.
- (3) It must apply not to individual institutions but across institutions at different levels of higher education. Thus there must be one set of quotas which apply to the total admission of college, institutions, namely, Sekolah Tuanku Abdul Rahman, the Ungku Omar Polytechnic and the Serdang Agriculture College. Another set of quotas would apply to the joint admission to the three Universities. Having implemented quota, then it must be established by legislation that no other preference based on race, religion, residence or other criteria shall be permitted to operate and the non-quota admission must be strictly and exclusively on the basis of academic merit.

Mr Speaker, Sir, when the Government started the debate in this House the Government said, “Jangan khuatir, jangan bimbang, Rang Undang² ini untuk kebaikan ra’ayat di-negara kita”, and my Whip, the Member of Bukit Bintang, has stated that after the passage of this Bill—and we are realistic enough to know that whatever we say in this House this Bill will go through—the country is on trial and the judge and the jury will be the people, because how they implement this Bill is the important thing, apart from this Bill itself raising a little temperature in this House. Now, Mr Speaker, Sir, I question the intentions of the Government. I have here with me a Government *Gazette Notification* dated 18th February, 1971. Mr Speaker, Sir, the N.O.C. rule ended on the 20th February, 1971. This *Gazette*

Notification is dated 18th February, 1971. This means, Sir, that this is probably the last bit of legislation passed by the National Operations Council. It is Ordinance No. 74. Now this *Gazette Notification* has given rise to this, Mr Speaker, Sir, “Politics, Unions, Not for Students”—this is in the *Malay Mail*. Now, the Government has realised that just before the National Operations Council has broken up. It was bulldozed through and what does it say? Mr Speaker, Sir, this is where I question the intentions of the Government. I will read it not from the newspaper because people may say, well, you know the newspapers are given to sensationalism. I will read from the sober language of this *Gazette Notification*: “No Students Council, Faculty Students’ organisation or any body or group of students of a University shall have any affiliation with, or shall do anything which can be construed—the operating word here, Mr Speaker, Sir, is do anything which can be “construed”, not that he has done anything, he does something which can be construed and the construction of course is dependent on the Government—as expressing support, sympathy or opposition to any political party or trade union established and registered under the law relating to the registration of societies or trade unions or to any unlawful group or body of individuals.” Now Mr Speaker, Sir, where I take exception to such an Ordinance is this. The law now says, “which can be construed”; if I talk to a number of students that can be “construed” that the students are offending the law. And who construes the thing? The Police presumably, and this is what has given rise to the Member for Bandar Melaka saying that if we pass this law we may well be landing up ourselves in a Police State, because it may be construed, and apart from the political parties and all, it says a “body of individuals”. Now, Mr Speaker, Sir, let us take the Member for Segamat Utara, for example. If in the course of his work, a body of students wants to meet him outside, in his house, then if the Government so desires, the students may be construed to meet as a body of individuals and the poor students have landed themselves in the soup, because they have met as a body of individuals who in the opinion of the Government may be acting inimical to the interests of the nation. Now this is what I say, Mr Speaker, Sir.

Tuan Musa bin Hitam: May I have the privilege, Tuan Yang di-Pertua, menjawab dalam Bahasa Inggeris. I can assure the Honourable Member for Batu that even though I may be construed to be associating myself with the students, or the other way round, I shall not be in any way subversive or I shall not be in any way working against the interest of the nation on the whole.

Dr Tan Chee Khoon: Mr Speaker, Sir, I have not at any time imputed such intentions to my worthy friend, the Honourable Member for Segamat Utara and he knows the history of his appointment to the University; so he knows how my feelings lie. He knows very well that I am not imputing any improper motive to him. We all know that today he is *persona grata* anyway (*Ketawa*). He is no more regarded as *persona non-grata*. Mr Speaker, Sir, for that matter, I want to make it very clear that what I say today with regard to the students and all are my private opinions and in my capacity as Member for Batu and in no other capacity lest somebody says that I am abusing my position elsewhere.

The Gerakan is aware that in any plural society in the world, there exists invariably a radical fringe which thrives on emotion, be it religious, class or race. India, which has a multi-religious population, is plagued by the Jan Sangh Party. Canada, a multi-national State, has to contend with the French-speaking separatists. The United States has, on the one hand, the Ku Klux Klan and, on the other, the Black Panthers. Fortunately, this radical fringe usually enjoys only a limited appeal. The vast majority of the population in a plural society do now want to be swayed by them as they realise that theirs is the path of conflict and violence.

My party agrees with the Alliance Government that this radical fringe of our society should be contained. However, I am not sure that amending the Constitution is the most effective way to curb the chauvinists and extremists. If the Government rules without fear or favour and is seen to do so, then the demagoguery of this radical minority will fall upon deaf ears and the overwhelming majority of the people will come to look upon them as agitators and trouble-makers.

Mr Speaker, Sir, the fundamental liberties that are enshrined in our Constitution have taken a severe buffeting in the last two Parliaments but never more so than in the Bill before us today.

Thus, when this House debated the amendment to the Constitution in 1967, I concluded my speech with these prophetic words, and I quote:

"The Alliance Government pays lip service to parliamentary democracy. When it is in danger of losing at the ballot box it will throw overboard parliamentary democracy and rule at the point of the bayonet."

The tragedy is that on May 10, 1969 the Alliance Party did not lose at the ballot box. In fact, at that stage of the election it had a working majority of two but it lost its head and decided to rule through the N.O.C.

Mr Speaker, Sir, in the last Parliament, I had warned the Alliance Government that the lights of freedom in this country were being extinguished one by one and if this were not checked we would soon live in darkness.

And so I shall conclude my speech by repeating an earlier warning that I had made in this House:

"When the bell tolls for the death of democracy in this country.

Ask not for whom the bell tolls

It tolls for thee". (*Tepok*).

Tuan Yang di-Pertua, Alham dulillah, kematian demokrasi berparlimen tidak akan berlaku di-negara kita. Terima kaseh.

Menteri Muda Buroh (Tuan Lee San Choon): Tuan Yang di-Pertua, apabila saya dengar ucapan sahabat saya Ahli Yang Berhormat dari Johor Tenggara mengenai kedudukan orang Melayu yang sa-benar dan apabila saya dengar hujah² oleh Ahli² dari Bandar Melaka dan Menglembu yang membangkitkan semangat perkauman, saya bimbang, saya bukan hakim, tetapi saya bimbang, jikalau ucapan² saperti ini keluar lagi boleh jadi tumbok bertumbok akan berlaku dalam Dewan ini. Jadi ini-lah satu sebab patut soal sensitif saperti ini, patut ta' usah di-bahathkan.

Tuan Yang di-Pertua, saya mohon izin berucap dalam Bahasa Inggeris.

(*Dengan izin*) Sir, so far generally no one has yet opposed the provisions of the Constitution which are subjects of entrenchment, few have yet questioned the principle of the Bill, the purpose and the implication. Even the Honourable Member for Bandar Melaka, who violently opposed the amendments, except taking the opportunity for politiking, has not raised any dissatisfaction on the provisions

themselves. Those are the Sovereignty of Rulers, Citizenship, National Language and the special position of the Malays. What has been touched on was the question of implementation.

Sir, democracy is a process of compromise—a spirit of give and take. Only with a spirit of compromise can democracy work well. It, therefore, follows that where mistrust and fear exist amongst the people, democracy will always flop, especially in a multi-racial society like ours. Having accepted this fact, let us then examine whether this fear and mistrust exist among our people. I say “yes”. Sir, we need not go beyond this Dewan to find that this is so. Let us analyse the speeches that have been delivered so far. They denote feelings of frustration, mistrust and even hatred. Now then, let us ask ourselves, can we honestly say that a democratic system will work under these circumstances? Can we honestly tell our people that these issues, if discussed publicly, would be better for us? Whether we like it or not, please let us be practical and realistic. Let us face the fact that on issues such as the National Language, special position of the Malays and citizenship, our people who are of different racial origin invariably take sides, which in turn when stirred up by irresponsible and unscrupulous politicians, build up strong defensive lines based on racial feelings. Now, can we then benefit from any discussion or debate on these issues?

The amendment before us is a very practical and fair solution to our prevailing circumstances. I say fair because it has not deviated from the spirit of balanced approach which runs through our entire Constitution. Practical, because ideally speaking, amendments to the Constitution should be avoided if possible, but our situation is far from ideal, and this is the only way where we can embark on Parliamentary democracy again and hence it is practical. We may argue for days, nights and months over our existing problems, but let us not forget that ultimately we will still have to find a solution. Thus, I think we have got to accept these amendments and accept in good faith.

The net result of this amendment, when it goes through, is, as I see it, that we as Parliamentarians and our colleagues in all the State Legislative Assemblies, will be somewhat restrained on public discussions of those issues which are likely to generate anxiety

and fear among our various racial groups. This restraint, I think, is worth our sacrifice if we are to have a guarantee not only for a democratic parliamentary Government in the country, but also peace and unity among the various racial groups in this country.

There is, Mr Speaker, Sir, a racial problem in this country; the issues before us are also racial in nature. I do not see why those political parties which claim to be non-racial in structure should not accept this amendment unless, of course, they admit that their very existence depends on playing on racial sentiments. In this respect, I congratulate the UMNO members and the P.M.I.P. leaders who have the courage to face the problems and agree to place this restraint on themselves.

I am not without worry when I say I support this amendment. Again, because of the multi-racial structure of this country, any implementation which does not take into account the spirit to which this is amended, will create unpleasantness and may even defeat the very purpose for which this amendment is intended. I, therefore, would like to caution all the implementers to always bear in mind the spirit on which this amendment has come about—the compromising attitude and the balanced approach. We are indeed pleased to hear that the Prime Minister has already given the assurance that this amendment will be implemented fairly and, if I may suggest, that such assurance be transmitted to all the implementers of these provisions.

Now, let us look at the various provisions:

National Language

The provision of having the National Language is accepted by all. The time to pay lip-service only to accept the National Language has passed. Serious efforts must be made by all concerned to master the language whenever possible. We can appreciate our non-Malay elder generation who are not in a position to do so, but I honestly do not see why and I honestly do not anticipate any problem for our younger generation to be able to master the language. The National Language will only have its worth if the citizens of the country try to use it when and wherever possible. As non-Malays, we must appreciate the feelings of the Malays on this issue. Let us therefore put in more efforts to uphold the prestige of our National Language.

Again, Sir, as non-Malays, we feel that the time to quarrel over National Language on sign-boards and such other trivial matters has gone. I would like to call upon all "language-fighters" of the National Language to look on this issue more rationally. I do not see the need for utterances like the closing down of Chinese schools and such like so long as the people of this country give due regard and respect to our National Language. In fact, the more languages our people know, the more cultures we have, the better we are.

Citizenship

I myself have always felt very unhappy when the status of a non-Malay's citizenship is questioned. Let it be known once and for all that once a citizenship is granted, he or she has equal right as anyone else under the Constitution. Incidentally, on this, I would like to ask of my sahabat² in UMNO, in P.M.I.P., to stop using the words, for example, "bangsa asing" any more. To me, "bangsa asing" refers to "foreigners". If we are accepted as citizens we are not "bangsa asing". To the non-Malays, so long as they are known as "bangsa asing", they cannot honestly feel that they are accepted. Let us accept the fact that all citizens are our own people and have equal rights and no less and no more.

Special Position of the Malays

I have heard not once, but many times from Malay leaders that the Malays themselves are not very proud of the special position of the Malays as such. I have heard them say that when the time comes, they will voluntarily ask that this special position be removed. I have not the slightest doubt that this is their honest feeling. This temporary handicap is necessary to ensure that one day the Malays would be in a position to compete with non-Malays on equal footing. Sir, I look forward to the day when the Malays will say that this provision is a shame for us and that it is no more necessary. Again, Sir, on this particular provision, the spirit of balanced approach prevails. The legitimate interests of the other communities will not be taken away.

While I agree on the reservation of a certain proportion of places in institutions of higher learning for the Malays, I would also like to see that racial proportion is

also reflected in other institutions of higher learning, such as the Technical College, the Serdang Agricultural College, the Tengku Abdul Rahman College, and the Universiti Kebangsaan. This will then be in line with the spirit of the balanced approach.

Poverty

Poverty exists in not only large sections of the Malay community but other communities as well. In this regard, Sir, the new economic policies as enunciated by the Prime Minister are not only to redress the imbalance between Malays and non-Malays but also between the "haves" and the "have-nots", irrespective of their racial origin. This again, Sir, is a very enlightened and fair solution for all. I am sure that in correcting the economic imbalance between the Malays and the non-Malays, the Government will always be mindful of the "have-nots" in the other non-Malay communities so that the Government will not make the mistake of creating an equally important problem in order to solve one.

Sir, apart from the fair implementation, which I think needs to be emphasized, and taking into account of our prevailing circumstances, I support the amendment. (*Tepok*).

Tuan Goh Hock Guan (Bungsar): Tuan Yang di-Pertua, saya mohon izin berchakap dalam Bahasa Inggeris.

(*Dengan izin*) We are asked today, Sir, to vote for the Government's proposed amendments to the Constitution. These are not small amendments. They are big, far reaching amendments that will make or break this country. To vote for these amendments is to agree with the Alliance Government's diagnosis of the May 13 riots and its prescription that banning the freedom of speech will prevent similar riots in future. If this diagnosis is correct, and the prescription likely to be effective, then I, for one, and the electorate whom I represent in Bungsar and the whole country, I am sure, will fully endorse these changes to our Constitution. We can indeed wish the Government good luck. But try as I might, Sir, even looking at May the 13th from the point of view as a Malay, or as a Chinese, or as an Indian, or as a Malaysian, I can only come to one conclusion, i.e., the Government's analysis that May 13 was sparked off by politicians abusing their freedom of speech firstly, and, secondly, as

a result of questioning Malay special rights and the status of the National Language and citizenship provisions, is incorrect, one-sided, misleading and a poor distortion of the truth. And what is that truth? The Government has stated its case in its book, the N.O.C. Report, and our former Prime Minister has stated this in his own book, May the 13th, and the former Alliance Member of Parliament for Kota Star has also put forward his case in the Malay Dilemma, and the Malaysian Ambassador to Bonn, His Excellency Tuan Haji Khalid Awang, has also put forward his case.

On the Government side, Sir, they have four books and four versions, but the same conclusion: the Communists to blame, the Opposition to blame, the other side was guilty. On the Opposition side, we have no book, no version, no case, not because we are guilty, not because we have suddenly become inarticulate, but the moratorium imposed by the Emergency precludes any kind of defence. It was totally one-sided. But never mind, we observe the rules, even though others do not. So here we are today—Parliament reconvenes—a proper place to put forward our version, our analysis of May 13 and our solutions to prevent similar future outbreaks, not by amending the Constitution, limiting democracy, investing real power only in the National Security Council which has merely replaced the National Operations Council only in name; not only in security, but even national solidarity now comes under the National Security Council.

Now, our analysis, Sir, is that May 13 was not sparked off by irresponsible Alliance or Opposition Members of Parliament abusing their freedom of speech during the General Elections. Extremist sentiments have been expressed time and again by leading politicians from the very first day Malaysians began to take part in politics—pre-Merdeka and post-Merdeka. No riots were caused by this exercise in free speech, when the genuine grievances of the Malays or the non-Malays were articulated. If we examine some recent riots, such as the one in Bukit Mertajam and the one in Penang, we find that one was the result of a quarrel between some Malays and some non-Malays in the Bukit Mertajam Market; the other was the result of an organised “hartal”, which went completely haywire. These things are fully documented and could be easily checked. If new laws could be worked out to prevent small daily quarrels

from blooming into full-scale riots and to prevent politicians, either in the Government or in the Opposition, from advocating racial violence, then I will say that it is a forward step. But I cannot support any laws that attempt to deny the need to articulate the grievances, real or imagined, of both the Malays and the non-Malays, simply because riots have not been caused by these expressions, however severe in tone they have been. As an instance of this, in the Kampong Bahru By-election on 7th January, 1967, the Alliance put up a banner saying—and this was brought out in the House here—UNDI PERIKATAN UNTOK KEPENTINGAN BANGSA, BAHASA DAN UGAMA DALAM TANAH AYER. The Gerakan in the Serdang By-election claimed that Malay would be the sole Official Language in its message to the Malay voters, and equal cultural treatment in its message to the non-Malays. No riots were caused by these expressions, sensitive as they were, simply because we lost all these by-elections. What really caused May 13 was the result of a section of the population refusing to accept the verdict of the May, 1969 General Elections in which the Alliance Party, for the first time ever, suffered a severe setback. Both the UMNO and the M.C.A. lost ground heavily: lost to the P.M.I.P. on one side and the D.A.P./P.P.P./GERAKAN electoral combination on the other. In factual terms, Sir, the Alliance faced every likelihood of failing to secure that desperate and magical two-thirds majority in Parliament. In Selangor the 14-14 deadlock meant a fresh election for the premier State of Malaysia, containing as it does Kuala Lumpur, the federal capital, the seat of government, symbol of power; Petaling Jaya, the industrial hub of the Nation and Port Swettenham, the number one port of Malaysia. All things considered, Kuala Lumpur was too big a prize to lose—and lose the Alliance will at a fresh election, what with the overwhelming desire for change which has come.

The Alliance has failed to uplift the standard of livelihood of the Malays after fourteen years of rule nor assuaged the fears of the non-Malays. That is why they lost. These are the hard, painful facts, Sir, behind the horrors of May 13, not the alleged abuse of freedom of speech of UMNO or the D.A.P. candidates at the election. I shudder to think what would have happened if the Opposition had been in charge and not the Alliance

since 1957, for then we would have been blamed for oppressing the people and May 13 would have been justified as a legitimate revolt. Honourable Members in the ruling party may disagree—as the four books on the Government side have clearly stated, that the Opposition and the Communists were mainly responsible. I do not expect them to agree. It is for the people of all races in Malaysia to decide and weigh the scales of reason, of justice. Honourable Members across the floor have a right to their views, just as we here have a right to ours, and the only way to establish the truth is for an independent Commission to look into the matter and if the verdict of that independent enquiry is that the abuse of the democratic process caused the riots and could again cause future riots, I, Sir, would gladly support these proposed amendments to the Constitution, and would willingly accept all limitation on Parliamentary democracy, to ensure that there shall be no future outbreaks. But regrettably, there was no impartial inquiry. Justice was not seen to be done, even if it were done, and all we have had was 21 months of paramilitary rule, a ban on all Opposition political activities while the Alliance leaders, of course with their capacity as Ministers, daily indulged in hectic politicking, desperately rebuilding their shattered UMNO/M.C.A./M.I.C. “horse trading” and fixing of Opposition renegades to cross the floor. Those 21 months were well-used and today having been assured of a 2/3 majority and the 14-14 deadlock in Selangor broken—with one Independent and one Gerakan Assemblyman joining the Alliance—we are now heading for Parliamentary democracy once again. But with the rules changed, Sir, to ensure, as the Honourable Deputy Prime Minister himself came close to admitting in his Johore speech that these sensitive issues shall not be raised again at the expense of M.C.A., M.I.C. and UMNO interests: in other words, “We intend to muzzle the Opposition”, to show to the people how useless they are and why it is futile for voters in future to support them. Mr Speaker, Sir, I submit that these were the real reasons. What must be entrenched is not justice or equality or liberty or fraternity or stability but the inalienable right of the Alliance Party, specifically the UMNO, to rule forever beyond question, beyond challenge. At any rate, this is the effect, if not the intent, of these amendments we are now asked to endorse. I cannot endorse, Sir, and

I will urge Honourable Members in this House, irrespective of political affiliations, to consider carefully and vote according to their conscience, whether this attempt by the Government to establish a semi-dictatorship or guided democracy should prevail in our land.

Today it is the Alliance changing the Constitution; tomorrow it may well be the Communists. But we will oppose similarly. The Government has threatened that it must desperately have two thirds majority, otherwise it will revert back to N.O.C. rule. I say, Sir, so be it. For at least the whole world and the whole country would be spared the hypocrisy of the Parliamentary democracy which is anything but democratic, where the right to speak, the right to question, to represent the grievances and the anxieties of the people on fundamental issues, to change Government by peaceful means when that Government has become intolerable, have all been denied.

What is the difference between the N.O.C. which has been abolished and the new N.S.C. which has just been formed? None. Like the N.O.C., the N.S.C. is supreme in all matters relating to national security and national unity. It is not Parliament that is supreme. There will only be banquets, the tea parties, the ceremonial displays, but there is no democracy. The final repository of power, the supreme institution, is not Parliament, but the National Security Council. Surely, the more intractable our problems, the more discussions we must have between the Malays and the non-Malays, between the Government and the Opposition. There is no other way for the good of both. Human problems as a rule can only be resolved peacefully by discussion inside Parliament or violently, as Chin Peng and the Labour Party have advocated, outside Parliament in the street and the jungle. I myself prefer the peaceful way and it was on that basis that the people of Bungsar voted me in to serve them and my country. If you deny me that right to speak for them on all matters which affect them, their lives, their hopes, their fears, their dreams of an equal multi-racial Malaysian Malaysia in which at last the economic and political imbalances between Malays and non-Malays will be soberly and fairly tackled, then I may well have to ask myself and my electorate before long whether there is any

more point for me to continue to be a Member of Parliament when that Parliament is not the same one I was voted in to serve. It is a mutilated Parliament.

For these reasons, Sir, I urge the Government not to ram through these amendments. Please withdraw them and let us study together—the Government and ourselves in Opposition and the people at large—how best national unity, prosperity and equality could be achieved. Let us not rush madly through these vital amendments. Instead, I propose a national referendum to seek the views of every citizen in the country. Give them all a chance to have a say in their destinies and if, at the end of it all, the answer is an emphatic “yes” to all these amendments to our Constitution to curb fundamental freedom, then, Sir, I will abide by the will of the people but not the “dictates” of a few men in UMNO now as it stands.

For those who say democracy is not wholly suited to this country, let me say that up to May 10, 1969, before the Alliance suffered its first severe set-back, the boast was that Malaysia is a wonderful beacon of Parliamentary democracy. Lose the election, then the rules must be changed; democracy must be adapted to local conditions, to UMNO conditions. This is what we are asked now to vote. But for those who are itching to rule by decree or through the barrel of a gun, let me say simply this: it is not worth it; in that course lies disaster, for there will be many who will reply in kind and the Alliance and the D.A.P. who can only flourish if Parliamentary democracy is allowed to flourish, we together with the whole country, will meet a common doom, and the land we love will be lost for ever. So, please let us talk, let us discuss however sensitive, no matter how intractable our problems are; let us not threaten, let us disagree if disagree we must in a civilised manner, so that long after we are gone, posterity can say that Alliance leaders, together with the Opposition, had the good sense to pull back from the brink, willing to reconsider and in so doing strike out a new framework for our country.

The 1970 generation of Malaysians of all races is vastly different from the old 1957 generation. They constitute the majority. Their wants, their hopes, are also different; and the world they live in at home and abroad is no longer the same. No generation

has the right to dictate to the future generation as yet unborn or not ready to vote what precisely their political destiny must be. We can lay the framework for a just society, for freedom and equality, for justice and all the other universal attributes that man prides, but we cannot entrench into the Constitution or any other documents the denial of these fundamental rights to equality, justice and freedom of speech and assembly, much less can we hope to enforce these so-called safeguards, because in the end it is not what the whims of a few men in power may dictate but it is the irrepressible will of all the people that make up Malaysia's multi-racial society. They will decide in Parliament peacefully if they can, if not, in the street and the jungle as our neighbouring countries have shown. There is no escape from that verdict. Parliament may close, Parliament may be castrated and M.P.s of good conscience may resign, but the vast majority of Malay economic “have-nots” and non-Malay political “have-nots”, they will be there to assert their will. The question is, do we wish to learn from our wretched mistakes and those of others since 1957 or do we wish to keep on careering blindly, merrily into the waiting abyss?

If the proposed amendments can ensure that Malay economic poverty can at last be sincerely and effectively tackled, I, for one, Sir, will fully, unreservedly, support these curbs on fundamental liberty, however obnoxious they are. But the result is a foregone conclusion. It will not work for even the President of the M.C.A. himself is alarmed and has found it fit to lend his presence to the movements for Chinese unity in response to Malay unity.

We are, Sir, on a collision course, and a quickening response by wide sections of the Chinese population to the M.C.A. connived operation for Chinese unity evidenced, if evidence is needed, the acute anxieties and unhappiness of the non-Malay half of the population over these Constitutional amendments. We need further dialogue not silence and threats for in the end no nation can be governed when it is so badly divided as ours. The responsibility is now the Alliance's to decide whether to push through these amendments or not. Our responsibility is to present a contrary point of view not just for the heck of it, but because a big section of the population shares this apprehension of the sweeping police powers to arrest people who dare to

disagree with the Government once discussion is banned on these so-called sensitive issues. I have no doubt you will marshall the two-thirds majority that you need to do whatever you want, but I would recommend that given the widespread fears in the country, the art of successful Statesmanship would suggest that there should be a pause, a re-examination of means and ends, to gain time for yourselves to persuade and win over the hearts and the minds of all the people to your course of action and also to enable us to propose to you concrete measures to achieve simultaneously economic and political equality for the Malays as well as the non-Malays. That is a safer and more enduring solution than to use the tyranny of your majority in Parliament to assert your will. This is a key to successful nation-building in a multi-racial country like ours. Fears must be allayed, not excoriated further by threats, legislation and arrests. Nobody could change history, Sir. I do not wish to go into history, not because I do not like history; I think history has many useful lessons to teach provided we draw the right interpretation from it.

What has been said by our Prime Minister during the time when he was campaigning in Europe for support against the Philippines' claim to Sabah—here I quote—"If the Netherlands wants to, it can lay claim to the better half of England". So let us not go too far back to history. Let us consider what we have now, the present reality. This is a multi-racial, multi-lingual and multi-religious society where for better or for worse, the representatives of the great civilisation of Islam, Buddhism, Confucianism, Hinduism and Christianity have met in confluence. Our job is to ensure that the great divides that separate the races in this country are closed rapidly and simultaneously, because unless this is done, a simultaneous onslaught on rural and urban problems is carried out, there will always be sharp feelings of dissatisfaction either with one group or the other, or worse still, with all groups. I want to see more Malay doctors, engineers, scientists, technologists, economists, people who can lead and modernise Malay society. I want to see the Malay peasants begin to earn not \$40 a month, but \$400 a month, if not more. I want to see the Alliance succeed in their task, where they have failed to succeed so badly these last 14 years. Admit their own mistakes, do not put the blame on sensitive issues and

freedom of speech. In any other country given the rules of a fair election, the Alliance would have been thrown out, but cleverly, cunningly today the Government has shifted the blame for Malay poverty on the non-Malays, on the Opposition, on the Communists and on all those who dared to challenge their supremacy or criticise their failure.

To conclude, Sir, I suggest that we examine the following options first before we clamp down the lid. Hold a national referendum and allow every citizen an opportunity to decide what kind of a future he or she wants; ask every citizen whether he or she agree with these amendments in the Constitution. Alternatively, let us go back to the original Constitution which the Prime Minister has extolled as a fair agreement that has been struck between all the communities to attain Merdeka. I agree that this was in many ways a good Constitution and given time a Malaysian nation would have been built over that framework where the legitimate interests of all communities were guaranteed and freedom of speech and Parliamentary democracy, the corner-stone of our society. Remove that fundamental foundation of democracy now and the whole structure collapses. Let us therefore affirm that whatever our differences, Parliament is supreme, not the N.O.C., the N.C.C., the N.S.C. or whatever have you. In so doing I have no doubt that with the abundant talents of all people of all races in this country, we can successfully construct a viable nation upon the structure of real Parliamentary democracy. There is only one redeeming feature in the sorry mess we are in. For at long last the Government has recognised that rural poverty cannot be divorced from urban poverty, that Malay poverty and non-Malay poverty are inter-twined. If this realisation is a genuine one, and I hope it is, otherwise it will just be the umpteenth platitude that this Government has uttered, then the new economic policy which this Government has now based its existence upon, this new economic policy may yet succeed if implemented vigorously and justly. I hope it does, because upon its success depends our very last chance to hold this country together. I also hope that whereas the economic imbalance of the races has now been amply enunciated, it will be well to admit also that there is also a political imbalance between the races which needs equally urgent attention. Time, Sir, does not permit us the luxury

of solving one imbalance first before attending to the other, for this country cannot long remain in one piece, with one half rich, the other half poor, one half powerful politically and the other half weak politically. That in a nut-shell is the national problem. Threats, emotional outbursts and Constitutional amendments will not solve it. What can guarantee success, and this is the correct lesson to draw from the tragedy of May 13, and all the other hideous riots before, in Bukit Mertajam, Singapore and Penang, is this: that only Malaysians, especially the political leaders, of all races imbued with genuine multi-racial values and determined to see that all Malays and all non-Malays benefit simultaneously in the economic, political and cultural fields can defend, build and save Malaysia.

Sir, before I sit down I would just like to answer some of the points which have been raised by Honourable Members across the floor. The Honourable Member for Johor Tenggara made a serious allegation that he has heard that members of the D.A.P. have said that the D.A.P. will not allow people who have been circumcised to rule this country. Sir, this is a serious allegation and it is a completely false one. If the Honourable Member for Johor Tenggara can substantiate it, we will be very happy to hear what he has got to say and we can take the necessary disciplinary action on any member of the D.A.P. who has said that. If not, please withdraw for it is patently an untruth.

Now, the other point, Sir, is that Honourable Members across the floor have also said that I had gone overseas after the "huruhara", after the riots. I think the Honourable Member for Johor Tenggara may well recall that immediately after the May 13 riots, he and I had a meeting, including some representatives of the political parties, on what we ought to do to try to bring down the riots, to bring the country back to law and order. Unfortunately, nothing materialised out of that meeting, in the same way nothing materialised from our efforts to contact the Prime Minister, the Deputy Prime Minister, the Minister of Home Affairs, to offer our services to bring down the temperature, to bring the country back to law and order. Nothing came out of it. We were not allowed; our services were not wanted. So I did go to London in June, in the middle of June, and I am glad I went there because I would like

to believe that the efforts which have been expended have been worth it and have contributed a little, if not much, firstly, in securing the release of my friend and comrade, Lim Kit Siang, and also the return of Parliamentary democracy to this country.

The Honourable Member for Besut said that I should be thankful to the Government for bringing back democracy so that I could be here today. Indeed, I am. I am very grateful to the Government for coming back to Parliamentary democracy. I am grateful not just for myself but for the whole country and Honourable Members across the floor themselves would be grateful and should be grateful that we have the sense to come back to this building so that we can talk and disagree in a civilised manner. Of course, the Honourable Member for Besut, if he feels like it, can always pay a visit to Bungsar when the next election comes along. I have already invited the Honourable Member for Tanjong to pay a visit to Bungsar when the next election comes along. I hope the Honourable Member for Besut will also come to Bungsar in 1976 or 1974, if there is an election again, and I hope that both he and the Honourable Member for Tanjong will fare better than my good friend, Lew Sip Hon. Thank you, Sir.

Tan Sri Syed Jaafar bin Hasan Albar (Johor Tenggara): Untuk penjelasan, Tuan Yang di-Pertua, berkenaan dengan tuduhan saya bahawa berkenaan dengan ucapan² Ahli² D.A.P. boleh di-katakan "talk of the town" dalam masa pilehanraya dan chara² mereka mengapi²kan perasaan perkauman didalam negeri ini termasuk-lah perkataan yang saya sebutkan dalam ucapan saya tadi.

Saya boleh bawa berpuluh² orang di-dalam Dewan ini untuk membenarkan tuduhan saya, jika sahabat saya dari Bungsar hendak mendengar tuduhan ini. Saya tidak membawa satu tuduhan yang palsu, kalau tuduhan itu palsu, saya tidak tergamak membawa di-dalam Dewan yang mulia ini. Tuduhan yang saya katakan itu memang benar telah didengar oleh orang² (*Tepok*). Jadi ini-lah dia saya hendak memberi tahu bahawa perkara ini di-dengar oleh berpuluh² orang yang saya boleh bawa mereka tiap² orang ka-dalam Dewan ini untuk mengatakan ya.

Tan Sri Khaw Kai Boh (Ulu Selangor): (*Dengan izin*) The Bill before this House, that is the Constitution (Amendment) Bill,

1971, puts every citizen of Malaysia, and more particular every Member of this House, to the test as to whether in all these years they have reached that degree of political maturity and, more important still, the full realisation of the responsibilities of a Malaysian citizen—to place nation-building, national unity and national survival above all other considerations, particularly as to personal glory and gain, rank, status and position.

The Bill before us is above partisan politics. We all stand here to be judged by our attitude and our utterances, not as a Malay or as a Chinese or as an Indian or as one of the many races represented in Malaysia, not as a West Malaysian or as an East Malaysian, but as a Malaysian—nothing else but just a Malaysian; to be judged by all right-thinking people within and without this Chamber as to whether we can look at this Bill objectively and courageously devoid of all emotion, racial feelings, which unfortunately is still inherent among some of our people at this early stage of our new nation, personal and party considerations.

It is so easy to play up to the gallery, as we have seen time after time, and more so in a multi-racial society such as ours when one can unscrupulously become a hero overnight riding on the crest of chauvinism. In fact, we have seen many heroes, many, many heroes having succeeded on chauvinistic platforms, be they Chinese, Malays, Indians or any other race. It is not new in world history, neither is it new in Malaysian history. Wasn't it not very long ago that Hitler played on the supremacy of the Aryan race? For a while, he was very great, great as a pocket dictator, but where is he today? Even as recently as in the last few weeks we have seen again chauvinism rearing its ugly head, riding on the crest of a well-intended call for unity; knowing very well that any dissident voice, however logical it may be, would be labelled as the enemy of unity. Let this House not think that extremism is the monopoly of any one race only. It is not. And certainly not in this country. One can speak at length on the importance of Bahasa Malaysia as the national and official language of this country, but if by the same breath, as any true Malaysian should do, he should proceed further in also expounding the sanctity of the other languages as provided in the same Article—that is Article 152 of the Constitution—one could

immediately be castigated and labelled as anti-Bahasa Malaysia and anti-Malaysia. I had this unique experience not once, but many, many times. There are also journalists, be they Chinese or Malay or any other race, who would report or comment subjectively and not objectively. Passages are singled out and reproduced completely out of context and in the examples I have just given, one section of the Press would make no mention of the speaker's efforts on that part on which he spoke on the importance of Bahasa Malaysia and instead only that part on which the speaker referred to the sanctity of other languages in discussing Article 152, which was produced, enlarged and commented upon. The speaker is then branded as anti-Malay. By the same token, another section of the Press—and this illustrates the importance of this Bill—would do just the opposite, reporting at length that the speaker emphasised on the importance of Bahasa Malaysia, and overnight the speaker would then be branded as anti-Chinese, and if he should be a Chinese then he would be branded as a traitor to the Chinese. Now, where do we go from there? One then ends up as a friend of neither, being labelled at the same time as both anti-Chinese and anti-Malay. This is just an example.

It is precisely for the purpose of stopping such irresponsible and unscrupulous elements, and in particular politicians who, in the name of democracy, exploit racial emotions “until the nation reaches the brink of national disaster”, using the words of our Honourable Prime Minister, that this Bill is before us today. In fact the very act which we hope to prevent by this Bill was immediately enacted by the Honourable Member for Bandar Melaka, hardly before our Honourable Prime Minister sat down. The facts speak for themselves. I dread to think, with the situation prevailing in this country today, what would be the outcome should the Honourable Member for Bandar Melaka be permitted to repeat what he said, word for word, in a public rally? Is it therefore any wonder that this House is now asked to act to deny such irresponsible elements that freedom, and to safeguard the smooth functioning of Parliamentary democracy in a multi-racial society? I would emphasise that again—Parliamentary democracy in a multi-racial society. The D.A.P. stand is opposed to the Bill. It was a speech of great eloquence, delivered with equally great vehemence and

cynicism, complete with the usual parrot-wise jargon of a social democrat. It reminded me of President Soekarno when I was standing behind him when he received his doctorate degree in the University of the Philippines. For 1½ hours a packed auditorium listened to him, spell-bound, but when I was driving back from the University to Manila, I thought to myself, what did I learn? Nothing. It was a most stirring speech. History has shown the final episode of such politicians. We were given a real treat as to the social democrat's so-called solution to all this nation's ills, read out carefully and religiously from copied extracts of leading political works. But what we need today in this country are not theories but practical approach to all the problems created by a multi-racial society with economic imbalances which no textbook politicians can solve—problems which are unique by themselves in the world today. We have done well. We have done well in the sense that no country in the world has, I believe, been able to restore Parliamentary democracy within such a short space of time of 21 months, after an incident such as May 13. One has only to look around the world and read modern history to see if one could find another country where democracy has gone to the dogs, and yet returned to Parliamentary democracy with such incredible speed, with complete economic recovery. None other than Malaysia, although I stand to be corrected.

Instead of congratulating the Government for having achieved what is virtually an impossibility in modern political history, and support the Bill before the House to ensure not only the return of Parliamentary democracy but also the perpetuation for ever and ever Parliamentary democracy in this country, the D.A.P. has chosen to take the retrograde step, hugging on dearly to its chauvinistic platform. For a moment I thought we were back to a D.A.P. rally at the height of the 1969 general elections. We heard again and again in this very House, the language issue, the Merdeka University issue, the Malay privileges issue, all of which clearly show that as a political party the D.A.P. is yet unable to rise above the occasion. Not only it could not advance with the political trend of the country, it has receded into a more and more irretrievable position as an enemy of the nation, beyond all redemption. Hearing him, one could not believe that he was talking as a Malaysian, in which outlook and status each

and everyone of us in this House must speak, if we are to truly, honestly and fearlessly carry out our responsibilities in this House. The Honourable Member for Bandar Melaka talked as if the D.A.P. are the champions of democracy. We shall see what D.A.P. has contributed to its restoration presently.

The P.P.P. does not support the Bill, but at least their leaders have tried to understand the Bill by having sat for days in deliberation in the National Consultative Council. One can differ in democracy; otherwise there won't be a minority, and there won't be Opposition either as one sees the grouping in a corner of this House. But you cannot refuse to take part in discussions, to deliberate, like the D.A.P. It is not democracy, and perhaps the word "democracy" itself is not found in the D.A.P. vocabulary. What are the facts? The D.A.P. is the least qualified to talk on democracy. They never believe in democracy, and given half the chance they will destroy democracy. The very constitution of the Party itself explains it. The D.A.P. has not only failed to contribute anything positive towards, but has done everything possible against the restoration of Parliamentary democracy in this country. While all the other Opposition Parties have joined hands together with the Government in frank and sincere deliberations as to means and ways to bring about greater racial harmony and goodwill as a prelude to the restoration of Parliamentary democracy, the D.A.P. has stubbornly refused to play its part and doggedly chose to remain on the path towards destruction.

The D.A.P. placed the interest of one individual above the interest of 10 million people of this country and yet this very individual stands up in this House and tells us what is democracy—it happens to be the very Member who spoke against the Bill. For months while leaders of all fields and callings in this country, including the Opposition Parties, have met for days on each occasion in the National Consultative Council, where all the sensitive issues were discussed and thrashed out including the finalisation of the Rukunegara, the D.A.P. has, on its own volition, remained outside in arrogance, placing the interest of the party and its own party leaders above those of the people of the whole nation. Therefore, is it any wonder that the D.A.P. Members have come into this House completely ignorant and oblivious to

what is going on, and of the spirit and the objective of this Bill, so that the people of all races in this country can at least once again continue to work together, free from any racial mistrust and suspicion, for the moulding of an ultimate united democratic Malaysia. To say the least, D.A.P.'s attitude is criminal if not treasonable. Criminal and treasonable in sophisticated political sense.

Sitting back opposite here at this very corner, one is fascinated listening to the Honourable Member for Bandar Melaka, fascinated by his being so naive that he can escape our detection, and the detection of the people of this country; detection of D.A.P.'s sinister motives to gain power by hook or by crook, with complete disregard of national interests and national survival. Fascinated by his repeated self-contradiction—he spoke of an ostensible double coincidence. He said, and I quote his words, “Firstly, the class divisions in our country appear very often to coincide with communal divisions; secondly, the disparity in incomes and productivity between urban and rural areas appear also to coincide along racial lines as towns are predominantly non-Malay, while the mass of Malays live in rural areas”. This analysis is honourable. But having admitted that double coincidence of our ills, one would have thought that, as a political leader, he would have been imbued with that minimum degree of political honesty and logic to admit a third coincidence as the obvious and logical solution to such ills. But, no! The ugly head of racialism rears again. “The key to bridging the urban/rural imbalance is to promote greater and faster economic growth in the rural areas”—this was what he said, and it was well said, and any school boy can tell you that. But the truth of it all, he was merely using this as a prelude to bringing in what he had to say. The Honourable Member for Bandar Melaka went on, and I quote his poison words,

“and not by embracing and implementing an evil, pernicious and racist doctrine, equating economic disparity and imbalance with the racial division in the country.”.

Now, the analysis of the double coincidence was his, nobody's. He volunteered it, and yet he chose to turn his back on logic and honest approach when it comes to the solution and says they cannot be a coincidence. Now if the first two analyses are double coincidence, then surely the cure must be exactly the same and it should be a triple coincidence. Now

the analysis is not mine, it is his. His analysis of the double coincidence was a mere ruse or a mere facade to enable him to bring in those provocative words with heavy racial undertones. This approach must be condemned in this House (*Tepok*). This is the type of double talk that the Bill aims to stamp out, not just stamped out but stamped out ruthlessly. As I have said earlier, it is easy to play up to the gallery, and still easier to play up to the deep-rooted chauvinistic tendencies that bedevil each and everyone of us, irrespective of whether one is a Malay, Chinese, Indian, Dayak or whatever you may be. If one is unable to think and live above it, which unfortunately a great percentage of the people in this country have yet to learn to do so, precisely for that reason this Bill is before this House.

Still more fascinating to hear the Honourable Member for Bandar Melaka speak is that it was a case of the sinners speak the loudest. Are the D.A.P. leaders prepared to ask themselves honestly, were not they the very persons who created the very situation which made this Bill so necessary before this House? Ask yourself honestly. Were not they the very persons who used chauvinistic platform with slogans and utterances questioning the special position of the Malays which provoked the sensitive Malays into also questioning the legitimate interests of the non-Malays, in both cases contrary to the provision of Article 153 of our Constitution? Were not they the very persons who very subtly played up the language issue against the very spirit and words of Article 152 which equally provoked the Malays in taking similar actions in directly the opposite manner? One can go on and on enumerating all the D.A.P. sins which directly or indirectly brought about the necessity of this Bill, and yet they have the audacity of posing once again as the heroes and protectors of democracy, when they did not even subscribe to the very essentials of democracy, and that is just to be able to sit down and at least talk, as all the other leaders of this country, political and non-political, Government or Opposition, have done in the National Consultative Council. No amount of denial or rebuttal by the D.A.P. can remove their guilt in connection with the May 13 incident, and no amount of eloquence in speech-making and poison tongue of D.A.P. can cover up their mere facade of democracy, which, in their interpretation, is that the will of the minority, as long as they stayed as

minority, should supersede the majority; and if any proposal does not fit in with their scheming, they are then not prepared even to sit down and discuss. They just shut their minds out to any issue except their own dogmatic views.

The Honourable Member for Bandar Melaka even insulted this very House when he said that a law passed by this House, even with a two-thirds majority, unless the D.A.P. agrees, would not be accepted outside this House. What arrogance, I ask this Member, to insult this House to say that a Bill passed by two-thirds majority in this House will not be accepted by the people of this country, and that is the brand of democracy they believe in.

We would also like to ask the D.A.P. leaders what contributions they have made towards the restoration of Parliamentary democracy (*Some Honourable Members: Nothing!*) in the early days of the Emergency following the May 13 incidents. There was not one D.A.P. leader to be found—although this does not confine entirely to D.A.P. Opposition leaders, as I had myself made repeated attempts to contact a top-ranking Opposition leader resident in Kuala Lumpur and he was nowhere to be found (*Ketawa*). In fact, most of them had run helter-skelter while all of us were on the ground, not posing ourselves as champions of the people and cashing in on politics at a time like that, which was what D.A.P. wanted to do, had they been given the chance, but trying to restore food supplies, essential services, goodwill and resumption of normal life in commerce and industry and in homes, with no glory, no political kudos, and we remember the many many volunteers who worked in the food centres and who worked from dawn to twilight without any mention of their names or any mention of their political parties. Not even D.A.P.'s shadows could be seen. Bayang² mereka pun tidak kelihatan, and yet they are here to talk with their tongues in their cheeks and lecture to us on the concept of Parliamentary democracy, for which they have the least respect, and towards the restoration of which they have contributed nothing. Had it not been for the efforts of the Government, the Security Forces, the Civil Service and the Opposition party leaders—excluding D.A.P.—their contributions *in toto* and their understanding of the problems—we would not have been able to restore normalcy in the city of Kuala Lumpur

and elsewhere in Malaysia. Had it not been for such efforts Honourable Members of D.A.P. would not be enjoying the privileges of standing and talking down to us in this House (*Tepok*) with their bags of untruths and textbook political jargons (*Tepok*). It is indeed amusing to see our erstwhile so-called self-styled social democrats basking in capitalistic luxuries made possible by the Alliance Government, and preaching to us socialistic platforms as cure all for all ills, forgetting the fact that had it not been for the great strides and progress that Malaysia has achieved since 1957, they would not have had the opportunities they have had to become, in name and in fact, little capitalists and budding dictators.

The D.A.P. stand is one of opposition for opposition sake with the typical destroy-if-I-cannot-get-it attitude. All that the D.A.P. is interested is to create chaos. It loves to see May 13 because on each and every occasion they can run away as they have done so last time and then come back to claim the seats here and speak on democracy, towards the restoration of which, as I have said, they have played no part. At least, other Opposition parties have played their part.

The Honourable Member for Bandar Melaka talked of inviting foreign correspondents to settle our national affairs. The D.A.P. understandably so, have always looked outwards for their inspiration. Surely we have grown up enough now to deal with our own affairs without foreign interference. What does a foreigner know about the difficulties which beset Malaysia with its multi-racial society? Malaysia would be a much happier country if foreigners stop interfering and mind their own business (*Tepok*).

Democracy is a good political institution, but an institution imported from foreign lands with completely different ethnic, cultural, religious, racial and other backgrounds. It cannot, therefore, be used *in toto* against a different background; more so, a multi-racial background as in Malaysia. Modification there must be. It is for this reason that many new-born democracies have fallen by the wayside for the simple reason that one cannot import something *in toto* and expect it to work without modifications; more so, as I have said, in a multi-racial, multi-religious, multi-cultural and multi-lingual society such as Malaysia. The Bill before this House is an essential modification to this political

institution. The political leadership in this country led by the Honourable Prime Minister should be congratulated for their foresight, their courage, their flexibility of approach of the problems in bringing before this House this Bill with minimal—I repeat the word “minimal”—modification necessary for the restoration of Parliamentary democracy. There is no parallel comparable to Malaysia in modern political history and all of us, whether Government or Opposition, should be Malaysian enough to be proud of this (*Tepok*).

It is so easy to speak from the Opposition bench on an issue such as this Bill because they do not have to shoulder the responsibilities of Government and, as I have said, at the height of the Emergency following the May 13 incidents, many of the Opposition leaders, and in particular the D.A.P. leaders, ran helter-skelter, some even overseas. In a multi-racial society, it is easy to build up a personality cult. The key to political power is so easy. All that an unscrupulous Chinese politician has to say is, “Why should Chinese not be made official language and that the Malays’ special position should be abolished.” So easy. By the same token, all that an unscrupulous Malay politician has to say is, “Why should the non-Malays be citizens and why should not Bahasa Kebangsaan be used to the exclusion of all other languages” as I have, in fact, heard a highly educated professor say one day. All of these are contrary to the Constitution. It, therefore, takes two sides to pick up a quarrel and the Bill is to enable a middle course to be taken and to be taken strictly in accordance with the Constitution, in the true spirit of Rukunegara. We have heard these at the last general elections and we have seen the dire consequences that followed. It is true that in the last general elections, as D.A.P. Members of this House have boasted, that the position of both the UMNO and the M.C.A. was eroded. But at what price? No political party in power representing any one race could obtain maximum support from the people because obviously they have to take a middle course. But the UMNO and M.C.A. lost some of their seats at what price? And every D.A.P. Member of Parliament, I think, can claim the satisfaction that his seat in this House came about through all the bloodshed and sufferings brought about in the wake of their chauvinistic political campaigns (*Tepok*). It is to stop exploitation of such sensitive

issues for personal gain, personal glory, personal power and personal position as well as party advantage that the Constitution (Amendment) Bill, 1971 is before this House.

The intention of the Bill is very clear. It provides an umbrella under which the seedlings of a truly united and prosperous Malaysia would and could germinate, protected against the intrusions of irresponsible and unscrupulous elements. It takes two sides to pick up a quarrel, and this Bill is to stop that quarrel, and there are racial extremists among us in every community as we have seen in the past and more so after May the 13th. It was the doings of such political opportunists and adventurists that acute polarisation has taken place. The D.A.P. is not excluded from such guilt. This Bill before this House is a genuine and sincere attempt to reunite the people again, people who have been divided in the 1969 General Elections, thanks partly to the D.A.P.

In his hour long speech in this House, the Honourable Member for Bandar Melaka offered not one single constructive proposal as to how we can go about in restoring Parliamentary democracy and bring about racial harmony without further threat of destruction. Not one. How does the D.A.P. propose to stop all the irresponsible and unscrupulous racial extremists like themselves in the exploitation of the sensitive issues? Throughout the last twenty one months, we have heard agitations derogatory to the rightful position of Bahasa Malaysia as well as the rightful position of all the other languages contrary to both wings of Article 152. We have also heard agitations, in the more extreme cases, to make Chinese an official language, and we have also heard agitations to stop the use of Chinese and other languages completely. Slogans for the abolition of Malay privileges are still fresh in our memory—the D.A.P. thinks that we have short memory, we haven’t got. But equally so, the utterances to deprive the non-Malays of their legitimate rights to trade, to hold property, to properly educate their children and to go about in their normal lives—all these are contrary to the Constitution. These are extremely sensitive racial issues but issues which nonetheless provide a short cut, an easy path for irresponsible and unscrupulous politicians to attain power, and to attain power quickly. Equally so, we have cases where implementation has gone wrong. With the best intention and policy of the Government, even civil servants

were alleged to have played politics and chose to interpret policy and make utterances completely contrary to Government policy and the provisions of the Constitution. All such opportunists and adventurists, be they politicians or otherwise, adopted the attitude openly "check me if you dare"; and obviously with the atmosphere then prevailing after May 13, nobody dared, not even those in high office. This Bill is the only answer. This Bill is therefore essential to stop once and for all the nefarious "attempts of irresponsible and unscrupulous elements" again, using the words of our Honourable Prime Minister. The fact that the D.A.P. opposed the Bill illustrates the callousness with which it has placed the interest of the party and the individual interest of its leaders above nation-building, national unity and national survival. Of course, the D.A.P. can only thrive in a sea of chaos and racial strife.

There has been criticism on the amendments as to the reservation of places in institutions of higher learning. Admittedly, a degree of political sophistication is necessary to really understand this problem. But unfortunately a further twist has been given by anti-national elements to this amendment by rumours that not only the non-Malays are deprived of their places, they would also be deprived of opportunities to send their children abroad for higher education in one way or another through administrative obstructive measures. I have no doubt that the Government will, in its final reply, remove such fears. As it is only equitable where opportunities have been curtailed for reasons of national unity and national survival which we do not question, facilities should be given, and freely given with the greatest of Government blessings, for opportunities to be found elsewhere for the non-Malays to obtain places for higher education, assisted or otherwise by the Government.

The adoption of this Bill is only the beginning of many constructive moves for a new era, and we have no doubt that under the dynamic leadership of our new Prime Minister the goal of a united and happy Malaysia where each and everyone will have equal opportunities ultimately under the Malaysian sun will be attained. Let us look at this Bill and other measures as unavoidable, necessarily transitional but temporary adjustments in the history of Malaysia.

We have heard Opposition leaders speaking on this Bill. We have heard some in support, some in opposition, some ambiguous. Removing the party whip is not enough, and only shows a state of confusion within the party (*Tepok*). An issue such as this Bill calls for courage, forward thinking and, last but not the least, statesmanship. (AN HONOURABLE MEMBER: Hear, hear). Each man and each party stand judged by the stand he takes on this Bill (AN HONOURABLE MEMBER: They have no stand) not merely in the eyes of the chauvinistic few, not in the eyes of your own party, but in the eyes of those who read of our history in posterity. In facing this Bill not only every Member of this House, but every Malaysian is at the cross-roads. They have two choices, the choice of plunging back into the abyss of racial mistrust, suspicion and hatred with the resulting chaos and dire consequences for the sake of personal and party gain and glory with complete disregard for national survival or, alternatively, the other course is to be courageous enough, to get down to understand, not only to understand himself but to make fellow Malaysians to understand, what it involves to be a citizen of Malaysia, this proud country of ours, the problems and limitations thereto pertaining to be fully integrated into the political stream of life in Malaysia, and make their contributions to nation building and national survival with objective thinking—objective thinking devoid of all considerations as to status, rank and position.

In the context of what I have said, the Malaysian Chinese Association supports the Bill. (*Tepok*).

Tuan Stephen Yong Kuet Tze (Padawan): Mr Speaker, Sir, in discussing this Bill we are bound to touch on questions of privileges, rights, special position of the Malays and the natives and the interest of the other communities. Sir, the significant fact is that somehow in touching on these matters some Honourable Members could not help being carried away by emotion and passion, and sometimes expressing in terms verging on hysteria. Sir, maybe this is an eloquent testimony to the validity of the argument that Clauses 3 and 4 of the Bill, that is to say, the withdrawing of privileges from Members of Parliament and State Assemblymen in dealing with questions of certain matter is necessary. Sir, if we will take the view that

these Clauses are introduced to make Members of Parliament and State Assemblymen to be more inhibitive and restraining in touching on sensitive issues, such as the matter referred to in Clause 2 of the Bill, that is to say, the new Clause (4) of Article 10 rather than the denial of the inalienable right of Members of Parliament or State Assemblymen to free speech, then the amendment may be seen in its proper perspective and the real intention of the Government for the amendment may be established.

Mr Speaker, Sir, we all have our weaknesses and foibles, either individually or racially. The point is, can we recognise these in ourselves and in others. If we do, then I think the fear and suspicion of one another may be lessened and diminished. How often do we become aggressive just because we feel insecure or that because we may not have the confidence in ourselves? We have to accept the fact that our Nation is made up of several different races, with different historical, cultural and social backgrounds. Short of assimilation by force, which I do not think is possible or desirable, we have to put up with the habits and the peculiar characteristics of one another. In short, we must try in diversity to forge unity.

Sir, the economic pattern of our country, again due to historical factors, is such that it is well-nigh impossible for the peasants and the rural people to get into the industrial and commercial streams. We all agree that it is not healthy for any nation to have a too-pronounced economic imbalance among its people and which can more or less be identified by race at that. Sir, I therefore think that the time has come for a closer examination of our economic pattern with a view of providing opportunities for the poor peasants and the kampong folks in getting them into fields of industry and commerce. Sir, having said this, I hope that the privileges which may be given to the Malays and the natives of the Borneo States will not be an end in itself, but rather as an assurance for providing opportunities to the more economically backward section of the community to have a better chance in life.

The Honourable Prime Minister has stressed the point that the Yang di-Pertuan Agong, while having to safeguard the special position of the Malays and the Natives of the Borneo States, has also the responsibility of

safeguarding the legitimate interests of the other communities. Sir, may I put in a plea here. In order that the spirit of Article 153 may be upheld, the Government will have to weigh very carefully in the implementation of its policies as to where the privileges of the bumiputras end and where the legitimate interests of the other communities begin. It will be against the spirit of the Constitution if the implementation of one can only be made at the expense of the other. Sir, may I mention here that the provisions for safeguarding the special position of the Malays, reservation of quotas in the Public Service and of scholarships, and so on, as provided by Article 153, Clauses (1), (2) and (3), are similarly contained in Article 39 of the Sarawak Constitution. Such concessions are, therefore, not new as far as Sarawak is concerned. There is, however, a limiting factor with regard to the reservation of scholarships for a fixed proportion of natives in Sarawak and Sabah under Article 161A (2) of the Constitution. That, Sir, apparently was the outcome of the I.G.C. Report. So we have the curious situation wherein the Governor of Sarawak may reserve scholarships for natives in Sarawak, the Yang di-Pertuan Agong cannot. In other words, the natives in Sarawak cannot enjoy the privilege of getting scholarships in the University and higher institutions of learning at Federal level. The Sarawak State Governor-in-Council has, therefore, agreed to the deletion of Clause (2) of Article 161A. Sir, this is to make available to the natives of Sarawak a quota of Federal scholarships. This may have infringed the I.G.C. Report, as pointed out by Dato James Wong, the Honourable Member for Miri-Subis, but I, as did the Honourable the Attorney-General, do not accept his conclusion that the deletion of the Clauses of Article 161A by Clause 8 of the Bill has taken away the special position enjoyed by the natives in the Borneo States. In fact, I cannot see the logic of his argument.

Mr Speaker, Sir, we have all accepted Malay to be the National Language. However, in the case of Sarawak the retention of English for official purposes ten years after Malaysia Day is yet to be decided by the Council Negri. This is specifically provided under Article 161 (3) of the Constitution. I take it that the definition given by Clause 5 of the Bill, that is to say, Article 152 as

amended, the definition for "official purposes" applies equally to Article 161 (2) (c). Perhaps the Honourable Prime Minister will, in his reply, confirm this.

Sir, Article 152 whilst specifying Malay to be the National Language also provides for the continued teaching, learning and use of other languages. This means that the schools teaching English, Tamil, Iban, Chinese, and so on, can go on. In this connection, Sir, I have been approached by Boards of Managements of Chinese schools pointing out the difficulty in recruiting teachers because facilities for the training of teachers in Chinese are becoming fewer. It is only fair, in view of the Constitutional provisions for such schools to go on, to infer that training facilities for teachers of such institutions cannot be prohibited or prevented.

Sir, it is obviously in the national interests that effective measures be devised to curb the irresponsible elements who are bent on fomenting racial hatred or exploiting the seeming differences which exist among the different races. This Bill seeks to attain this goal.

The Prime Minister has referred to the stresses and strains of a multi-racial society which have been brought to bear on our political system. In looking around and at the developed countries as well as the under-developed countries in all the Continents, we find strifes, riots, lawlessness, and most of them are of homogeneous societies. Even in our own region, the same unhappy state of affairs are obtaining in some of the countries. By comparison, Sir, I think we are very lucky.

Mr Speaker, Sir, so long as the Government is sincere and fair to all races in all its dealings and will implement such laws which may be passed under Article 10 (4) with a view to maintaining peace and harmony and for the sake of a healthy development of our economy, it should deserve our support. (*Applause*).

Tuan Peter Lo Su Yin (Sandakan): Mr Speaker, Sir, in rising to speak in support of the Bill, may I say it is not because I and my colleagues from Sabah believe that "half a loaf of bread is better than no bread"—to use the words of the Honourable Member opposite, i.e. the Member for Miri-Subis—but that because we believe the Government has made out a strong case for entrenching

the necessary provisions in the Constitution in the manner as set out in the Bill. Apart from that, we also believe that there is an urgent need to return to Parliamentary democracy even if, in the process, we will be accepting half a loaf. In saying this, Mr Speaker, it must not be understood that we are happy with the restrictions proposed in the Bill. On the contrary, we are not happy at all and judging from the speeches of all the speakers on both sides of the House, none of us is happy and that includes the Government. The Government, however, has explained its position: it is not happy with the provisions on restrictions which they are taking to this House. But it is necessary all the same because it is necessary that for Parliamentary democracy to return there should be some curb to the freedom of speech in and outside this House. That proposition is, of course, strongly supported by the Prime Minister's speech, a speech which, if I may say, contains statements which are compelling and persuasive and a speech which I know all men of goodwill will give their support. So, Mr Speaker, Sir, we support the Bill—we from Sabah support the Bill. (*Applause*).

Sir, much has been said about the events of May 13. For obvious reasons, we from Sabah cannot claim to have any direct knowledge of those dark days as to where the fault lies; and no attempt will be made by me or by any of my colleagues here from Sabah to say where the blame lies or to apportion blame. We are simply not competent to judge. In any case, I feel that no useful purpose will be served by carrying out an exercise of that nature at this stage. Certainly, we should learn a lesson from those events, and I think a lesson has already been learnt. Although, Mr Speaker, Sir, we in Sabah have been spared from the tragedy of May 13, we are not altogether unaffected by that tragedy, for a tragedy of that magnitude and scope must inevitably affect, as it has affected, each and every Malaysian, be he or she residing in East or West Malaysia. So, as a result of May 13, the attitude and thinking of all Malaysians must be such that we will have to be careful in future. We have to recognise the fact that we live in a highly complex society, a society which demands that we exercise restraint in what we do or say and a society that is not homogeneous as my friend the Honourable Member from Padawan has said; that is to say we live in a

multi-racial society, a multi-religious society, a multi-lingual society, and as such problems are bound to arise. We, therefore, Mr Speaker, Sir, must be very careful and we can ignore the tenet of exercising restraint, for tenet it is, at our peril.

Mr Speaker, Sir, I said earlier on that there is an urgent need to return to Parliamentary democracy rightaway. Our people deserve this chance; we owe them this chance; we must give them this chance; they expect us to give them this chance and indeed they expect more from us than cries of indignations and attack. Despite all differences in views as exhibited in this House, I am confident, Mr Speaker, Sir, there are more vital issues that hold Malaysians together than there are that divide them.

We need to return to Parliamentary democracy to discuss and execute our duties for the benefit of our people. The issues such as creating more job opportunities, providing more schools and places in the higher seats of learning, modernising the country to meet the challenge of the day, these are vital considerations for this House, and these are issues on which Honourable Members on both sides of the House will find common ground, and they cannot be made to wait if we are to serve our people properly, Mr Speaker, Sir. The task is urgent, and I say let us all get on with the job.

Mr Speaker, Sir, much has already been said on both sides of the House about the entrenchment proposed in the Bill, the supposed violation of democratic rights, and answers have been suitably given from the Government Benches here, and I do not need to touch on them.

I feel, however, Mr Speaker, Sir, that there is a small point that I must clear up before I sit down.

This point has earlier on been answered by the Honourable Attorney-General concerning the queries raised by the Honourable Member for Miri-Subis. As I recall, he has stated that certain proposals in the Bill would seem to conflict with certain provisions in the Constitution. He says, as a result of this conflict and contradiction, certain rights of the natives in the Borneo States would be taken away. Now, I want to assure the Member for Miri-Subis that if he was right in this, I would be the first to support him, but he is obviously wrong and I agree with the Honourable Attorney-General in his analysis of the two provisions. The two provisions, as my understanding goes, mean nothing more or less than this, that whereas in the past or as at present the natives in the Borneo States are not given the right to enjoy certain rights in respect of scholarships, business licences and other opportunities, they shall be, when this Bill is approved, given those opportunities. And for those reasons, Mr Speaker, Sir, I support the amendment because it is necessary that our native brothers in the Borneo States should be given more and more opportunities to partake in the benefits of independence which they have only had a few years, certainly no longer than those in West Malaysia. As a matter of fact I would plead with the Government that when awarding scholarships, or giving any benefit to the Malays or to the natives in the Borneo States under the relevant provision, the Government will be even more generous than they have been in giving such awards.

Tuan Yang di-Pertua: Meshuarat ini sekarang di-tanggohkan sa-hingga pukul dua sa-tengah, hari Ithnin, 1hb Mach, 1971.

Dewan di-tanggohkan pada pukul 8.03 malam.