The Politics of Multiculturalism and Nation Building: Managing Cultural Diversity in Malaysia

by

Azrul Anaz Mohd Any

B. Hsc (Second Upper Honour), International Islamic University, Malaysia

LL.M International Relations, Nagoya University, Japan

Thesis submitted in fulfillment of the requirements for the degree of Doctor of

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Lancaster University

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Abstract

The issues and challenges facing multicultural societies around the globe could plausibly be argued to be similar in nature. The demand for recognition by certain segments or compartments in society calls for further examination of these demands and how the demands fit with the politics adopted by the respective states. However, the social, political and economic landscape of each particular society has a bearing on the policies formulated to address these issues and challenges. This has given rise to terms such as plural society, multicultural society, multi-ethnic and multi-religious societies to indicate the existence of such variants in a society. As for Malaysia, its colonial experience can be identified as one of the factors that contributed to the formation of a multicultural society and later to the formulation of policies which sustained the formation of a multicultural identity. Nevertheless, the main issue and challenge facing multicultural Malaysia is to grapple with the idea of national integration. Does this indicate that by recognising multiculturalism means that one has to face the issue and challenges of national integration? It is here that one would normally argue for an assimilationist approach to be adopted in order to ensure national integration. It is my hope that this dissertation is able to highlight the issues and challenges facing multicultural Malaysia and to make some contribution to addressing the issues and challenges faced.

Dedication

First and foremost I would like to thank the Almighty for the strength and spirit to continue with this work. It was indeed a test for me when during my first year of this journey my late mother left all of us and that somehow side-tracked my focus and determination. But I believe that life for all of us is a journey that has its ups and downs and we have to face this reality. I would like to dedicate my work to my late parents, Mohd Any bin Sujak and Raihani binti Yahanid, who were instrumental in my pursuit of knowledge. Their encouragement has always been my utmost motivation to seek self-improvement in this journey of life. While they are no longer around, their words of encouragement and motivation will always be remembered and cherished. Secondly, to my wife, Norhadznita Mohammad Ilham, who has been by my side throughout this winding journey and has been patient in supporting me. Not forgetting my family members who have given me the moral support to continue this journey of knowledge. Finally, I want to acknowledge those people who have assisted me in any other way in carrying out this work, especially during the ground work of gathering the relevant data and information.

Acknowledgements

Declaration

I hereby declare that this thesis is my own work and has not been submitted in the same form for the award of a higher degree elsewhere.

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Acronyms

AMCJA	All Malay Council of Joint Action
BCIC	Bumiputra Commercial and Industrial Community
DAP	Democratic Action Party
IMP	Independent Malaya Party
MCA	Malaysian Chinese Association
MCP	Malayan Communist Party
MIC	Malaysian Indian Congress
MSCC	Malaysia Solidarity and Consultative Committee
NEM	New Economic Model
NEP	New Economic Policy
NOC	National Operations Council
NVP	National Vision Policy
PAP	People's Action Party
PAS	Islamic Party
PMIP	Pan Malaysia Islamic Party
PPP	People's Progressive Party
UMNO	United Malay National Organization

The Politics of Multiculturalism and Nation-building:

Managing Cultural Diversity in Malaysia

Introduction

Managing and recognising cultural diversity in multicultural societies, both Western or elsewhere in the world, is one of the most important challenges of our time. This challenge is so acute, the United Nations Human Development Report brought out a special dossier on this issue in 2004. The International Covenant of Civil and Political Rights highlighted the need to preserve diversity in these multicultural, multi-ethnic and multi-religious societies. While most multi-ethnic, multi-religious and multicultural societies encounter problems relating to recognition and promotion of cultural diversity, it is liberal Western democracies which most adhere to the principle of equality and rule of law.

Although such policy measures have their foundation in the liberal tradition, there is no scholarly agreement on the application of multicultural practices in culturally diverse societies. While some scholars have called for the replication of the Western model in non-Western contexts or societies, others have argued for a more restrained approach. In this battle of ideas, the key question as to how non-Western, especially postcolonial, societies respond to the need to recognise diversity and difference appear muddled. Similarly, the question as to the necessary arrangements and policies which need to be adopted to address difference and diversity equally, is not clearly stated. The challenge therefore, is how we develop a cohesive scholarly position that can be adopted in the policy context.

Turning to Malaysia, it can be seen that this is a postcolonial society which faces all the problems associated with a multicultural society. However, when it comes to policy planning, there is neither a clear scholarly position on the issue nor a clear policy response to the problems arising from diversity and dissent. My aim in this dissertation is to highlight this particular anomaly.

Geographically, Malaysia is located in Southeast Asia, and comprises a Federation of 13 states with a population of approximately 28.15 million. The population comprises three main ethnic groups; the Malays, Chinese and Indians. However, these ethnic groups are categorised into *Bumiputra* and *non-Bumiputra*. *Bumiputra* comprises Malays who are Muslims and other indigenous people (60%), while *non-Bumiputra* comprises the Chinese (23%) and Indian (7%) (Department of Statistics Malaysia, 2010). Malaysia gained its independence in 1957, after more than 400 years of colonial experience under the Portuguese, the Dutch and the British.

The colonial experience has brought significant change to Malaysia's social, political and economic landscape. However, the most significant is the transformation of Malaysia into a multi-ethnic, multi-religious and multicultural society by the colonial legacy. The definition or identification of Malaysia as a multicultural, multiracial and multi-religious society is based on its societal composition and recognition of the cultural, ethnic and religious diversity, as stipulated in the Federal Constitution. Article 8 of the Federal Constitution clearly stipulates the equality of all Malaysians before the law and their entitlement to

equal protection, while Article 11 of the Constitution recognises the freedom of cultural practice and religious belief of other communities, even though Islam and the Malay language are officially recognised as the official religion and language of the Federation. Malaysia's constitutional monarchy is led by the head of state, *Yang di-Pertuan Agong,* or His Royal Highness, who is elected from the nine Malay rulers on a rotational basis. As the head of the state in a parliamentary democracy, the *Yang di-Pertuan Agong* acts with government advice.

Nevertheless, as mentioned earlier, the biggest challenge for any multicultural or pluralist society is the delicacy and sensitivity needed for managing and recognising the diverse cultural, religious, racial and ethnic minorities that exist within the polity. This is due to the fact that the recognition of such diversity or plurality is that it could create cleavages, divisions, and compartmentalisation within the societies and, in a worst case scenario, it could escalate into inter-ethnic conflict, as people become more aware of their differences and question perceived advantages or disadvantages within the polity. The delicacy could be described on two levels. Firstly, whether a right to equality is sufficient to ensure the flourishing of diversity and, secondly, whether the special concentration or attention given to the various groups in order to maintain the diversity and plurality is justified under the banner of nation-building. Such is the common argument posed by those on the right wing who view multiculturalism as a threat and a challenge to the aspiration of nation-building.

As for Malaysia, its cultural, ethnic and religious diversity continued to be recognised and maintained after independence was gained from the British in

1957. The formation of the pluralist society during the colonial period, especially during British rule, is nevertheless claimed to have altered the societal composition and, at the same time, the social, economic and political landscape of Malaysia, which was once an ethno-culturally homogenous society. Colonialism is argued to have caused the identity of the indigenous Malays to be diluted and, as Muzaffar (2010) describes, the Malays as becoming a community among communities as a result of the colonial legacy. The colonial legacy has turned Malaysia into a multicultural or pluralist society. However, adding to this argument is that the colonial legacy not only altered the societal composition of Malaysia, but also caused socio-economic imbalances to exist between the indigenous Malays and the non-indigenous, non-Malay immigrant communities, as a result of the economic functions attached to each ethnic group. This resulted in the weaker economic position of the indigenous Malays. This imbalance, inherited as part of the colonial legacy, became an important justification for the government to accord a 'special position' to the indigenous Malays in the Federal Constitution, which covers preferential quotas in the civil service, police force and army, a quota for higher learning institutions and public universities, and awards of scholarships and business licences. Apart from the constitutional guarantees, a policy that seeks to emphasise a special commitment to the Malay economic position was formulated specifically after 1969.

Policies that focus on economic growth are formulated in order to reduce the social and economic gap between the ethnic communities. The policies formulated recognise and acknowledge the need to eliminate the racial segregation or compartmentalisation of the colonial legacy. The race-based

affirmative action for indigenous Malays was formulated in order to ensure the success of the nation-building process, since the indigenous Malays make up the largest number of poor and economically deprived. However, this has resulted in the argument that the reconciliation of citizenship rights with this special position undermined the nation-building initiative, whereby ethnic and racial consciousness was further reinforced. Additionally, racial politics became reinforced, even though the formation of the coalition appears to be multi-ethnic.

Therefore, in this dissertation I will highlight the issues and challenges facing the attempt by multicultural Malaysia to form a mature, liberal democratic and tolerant society as envisaged by the government in policies such as the New Economic Policy (NEP) and the National Vision Policy (NVP). One can clearly identify the issues and challenges that the government would encounter, in which the policy aspiration or objective would be at odds with the policy implementation. For instance, the aspiration of *Bangsa Malaysia* (or 1Malaysia*)* as the national identity envisaged for all Malaysians, would be at odds with the preferential, race-based affirmative action policies for the indigenous Malays. Therefore, the challenge awaiting the government is that, while diversity is being recognised, the sense of equality is somehow missing and the success of *Bangsa Malaysia* as an identity for all Malaysians depends on how the sense of equality is being nurtured in order to have a sense of belonging. The argument is that the aspiration to unity in diversity, as propagated by *Bangsa Malaysia* has a long way to go until race-based or ethnic politics are dismantled. This is because underlying issues, such as the special position and the special privileges of the indigenous Malays, are argued to have undermined the notion of rights to equality and democratic

citizenship which are fundamental to nation-building. Hence, this could be argued to have created a skewed image of the nation envisaged.

While Malaysia's recognition of its cultural diversity could be argued to be a response to its nation-building initiative, as most multiculturalism scholars would agree, such a nation-building initiative created a condition of conflict between the indigenous Malays and the non-indigenous non-Malays. This is because the nation-building initiative is viewed by the communities, especially the non-indigenous minorities, as an avenue to seek greater recognition of rights to equality, and strengthening of their democratic citizenship. For the indigenous Malays, the claim is that the recognition of the nation-building initiative would undermine their special position and the preferential treatment which has been an essential feature of their indigenousness.

When the government formulated the nation-building initiative, it outlined nine challenges, as stipulated under Vision 2020, one of which is, significantly, to establish a mature, liberal and tolerant society in which Malaysians of all colours and creeds are free to practice and profess their customs, cultures and religious beliefs, yet feel that they belong to *Bangsa Malaysia* or the Malaysian nation. However, this nation-building initiative of *Bangsa Malaysia* has opened up the debate over the recognition of rights to equality and democratic citizenship. This is because the objective of forming a liberal and tolerant society is challenged by the need to maintain the special recognition of the indigenous Malays' special position and preferential policy.

Therefore, the recognition of cultural diversity in multicultural Malaysia could be argued to have diverged from the liberal framework of recognition to a right to equality. This resulted in the nation-building process opening an avenue for the demand to recognition of a right to equality by the non-Malays. Hence, these questions could be posed: while the government recognises the challenges of its nation-building initiative in creating a mature, liberal and tolerant society, what has been done to overcome these challenges and what has been done since independence in order to ensure that demand for equal recognition between the communities is being addressed? What policy framework or institutional design has been formulated to sustain the multicultural recognition of cultural diversity within the polity of multicultural Malaysia? If such a policy framework exists, why there is still a demand for recognition and could that be an indicator that effort and policy design towards recognising integration and national unity has failed?

Bunnell (2002) claimed that the journey towards creating *Bangsa Malaysia* had opened up various historical fault lines, uncovered constitutional problems, and created a conflict between the Malays and non-Malays. This problem was also anticipated by the drafting commission of the Federal Constitution, which noted the awkwardness of the constitutional arrangements. Even though multicultural identity and the individual right to equality are recognised and protected under the Federal Constitution, the claim by the non-Malays is that such recognition and protection of their multicultural identity distorts the notion of rights to equality and democratic citizenship. While the argument for a multicultural orientation is based on rights to equality and the notion of

citizenship, Malaysia's multicultural orientation is argued to have been formed at the expense of the rights to equality of the non-Malay minorities. Hence, the argument that Malaysia's multicultural outlook does not necessarily promote multiculturalism (Verma, 2003) could affect the nation-building initiative. This is evident with the recognition of a special position for the indigenous Malays, and the formulation of an affirmative action programme to address the issue of indigenous economic deprivation undermined the notion of rights to equality and citizenship. Consequently, as a result of recognising the special position of Malays and the formulation of an affirmative action programme, it further strengthened the spirit of ethnocentrism between the ethnic groups instead (Kee Beng, 2009).

Therefore, Chapter 1 of the dissertation will focus on the literature review and the development of multiculturalism within Western liberal societies and non-Western multinational societies.[1] The argument that liberalism failed to recognise differences and took for granted cultural, religious and social diversity, caused the call for the politics of multiculturalism. Even though the development of multiculturalism takes place within a liberal democratic polity, the argument for such development must be cognisant of the reality that the recognition of a multicultural polity is reflected from the historical background of these societies. Both societies are facing the challenges of recognition of the various identities which exist within the polity, and hence the challenge has to be understood from the perspective of both non-Western multinational and Western liberal societies.

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[1] The term non-Western multinational states and postcolonial multicultural societies will be used interchangeably in this dissertation. Colonialism also contributed to the formation of a pluralist society and, after the departure of the colonial power, these countries were left with the challenge of accommodating and tolerating the plurality. Some states would recognise such diversity while some would coerce these pluralities into the dominant culture.

Nevertheless, both societies have different historical influences which help to shape the recognition of the multicultural environment. This historical development has an impact on the approach or policies formulated in these societies. Hence, this historical development would therefore cause these societies to modify and justify the approach taken to managing their multi-ethnic set-up within the liberal framework. As for some non-Western multinational societies, the colonial legacy is argued to have caused the state to approach the recognition of the cultural, social and religious diversity rather differently, while some would recognise such diversity but with an arrangement for recognising the indigenousness identity that gives rise to the indigenous and non-indigenousness dichotomy. This, in a way, causes these cultural communities to claim that the notion of citizenship and right to equality has been undermined, even though diversity was being celebrated.

Meanwhile, for Western liberal democracies, the development of multiculturalism is vital in order to ensure that rights to equality and the notion of citizenship are being recognised by ensuring that the political, social and economic environment is conducive for its citizens, especially the minorities, to flourish and develop. Such recognition of cultural diversity in Western liberal societies is thus triggered by the need to extend the right to equality to the recognition of social, religious and cultural identities. This clearly indicates that, even though the right to equality is the foundation of these Western societies, it is insufficient until and unless various cultural, religious and ethnic experiences are brought into the polity to be recognised. For postcolonial societies, the

recognition of their multicultural polity as an extension of the colonial legacy requires these societies to adopt strategies that would undermine the right to equality, to a certain extent.

As a result, some multiculturalism scholars argue that the politics of recognition is vital in multicultural societies, as it would stand for the recognition of freedom and equality of all its citizens. Hence, in order for multiculturalism to flourish, a democratic setting should be functionally superior (Kreuzer, 2006, p.2) to provide a platform for the recognition of rights to equality and the promotion and protection of the rights of all, irrespective of colour, racial and religious identity. Likewise, Friedman (2007) argued that the root of democracy is the maintenance of diversity, and that democracy is not solely about majority rule but, to an extent, also about minority rights.

Since historical development has a great influence on understanding the development of multiculturalism, Chapter 2 will provide an in-depth illustration and description of the factors that contribute to the development and formation of multicultural Malaysia. The historical legacy of the colonial period, especially under the British administration, will be described in detail in order to provide an understanding of the development that had been taking place prior to independence right up until the present day. This historical legacy witnessed imbalances among the ethnic groups, which caused the composition of the indigenous Malay group to be threatened by the British-sponsored immigration of Chinese and Indians (Kreuzer, 2006, p.5). This migration also placed the control of the economy in the hands of the migrants, especially the Chinese. Therefore,

the economic deprivation of the indigenous Malays led to the formation of policies intended to address the concerns of the indigenous Malays. This concentration given to ethnicity has led it to becoming central in national politics. Moreover, the position of organising society and politics along ascriptive ethnic lines has given precedence to group rights before individual rights. For example, an affirmative action programme was launched in 1971 under the New Economic Policy (NEP) which, in general, focused on promoting unity and integration, with its two objectives of poverty eradication, irrespective of race, and elimination of racial identity in the economy. At the same time the NEP specifically promotes an affirmative action programme for the indigenous Malays who are economically lagging behind, in order to ensure a level playing field with the non-Malays. Subsequently, policies formulated after the end of the NEP in 1990, continued with the affirmative action approach in order to ensure the promotion and protection of the interest of indigenous Malays who had yet to achieve economic parity. The affirmative action approach, or the spirit of NEP as some call it, needed to be maintained to ensure indigenous Malays' participation in the economy, and to finally reach the 30% equity ownership targeted since the inception of NEP.

While ethnicity is taking centre stage in Malaysia's national politics and we can see the recognition and protection of the various cultural communities, the recognition of Malaysia's multicultural set-up and its nation-building process is argued to have been skewed. This is because the attention or recognition given to the indigenous Malays created the perception among the non-Malays that there is a double standard of recognition, thus creating the perception of a first

class and second class citizenship. A result of the preferential treatment is that the notion of democratic citizenship and rights to equality is undermined. Such a perception was further reinforced by the categorisation of indigenousness and non-indigenousness of its citizens. This categorisation is being continuously used to justify the need to maintain such special preferential treatment, and the recognition of the indigenous as the first nation, and the state as initially an indigenous nation state. All this will be elaborated in Chapter 3. Hence, with ethnicity taking centre stage, together with the categorisation of indigenousness and non-indigenousness, Malaysia's inter-ethnic management towards unity and integration is a challenging task. In order to better understand Malaysia's multicultural set-up and its nation-building process, a semi-structured interview with open-ended questions will be conducted to gather the views of the respondents, particularly their understanding of the notion of nation-building. Without a doubt, Malaysia's recognition of various cultural identities by accepting the equality of all ethnic groups with respect to the needs of their identity, security and well-being is enshrined in the Federal Constitution. This has led to the development and flourishing of Malaysia's multicultural identity, but further compartmentalisation and preferential treatment of the indigenous Malays has undermined the rights to equality and citizenship, and resulted in the stronger promotion of ethnocentrism.

The focus on ethnicity, along with affirmative action, continues to be central to Malaysia's political agenda. Even though creating a united and integrated identity of *Bangsa Malaysia* was a new orientation since the end of NEP, the core issue of privileging the majority indigenous Malays is the main

concern raised by the non-Malays. Such preferential treatment of the indigenous Malays had led the non-Malays to feel they lack a sense of belonging. Chapter 4 will highlight the challenges to Malaysia's nation-building agenda. The views of the interviewees will be analysed and provide the way forward for Malaysia's nation-building agenda. The need to dismantle preferential treatment based on ethnicity was highlighted by the interviewees as an important way forward for unity, integration and the success of *Bangsa Malaysia*. Furthermore, the lack of specific policies or measures to address the concern of non-Malays had caused non-Malays to feel as though they are being discriminated against even though the Federal Constitution clearly stipulates the need to protect and recognise the legitimate interest of other communities on top of recognising the indigenous Malays' interest. Affirmative action, argued the interviewees, should be applied across the racial spectrum; only then would *Bangsa Malaysia* fulfil its true meaning instead of being only political rhetoric.

Therefore, as a way forward, Malaysia's multicultural set-up would have to ensure a call for a framework of integration that is just, equal, honest, transparent and forward-looking, in order to overcome the challenges to unity and integration under the banner of *Bangsa Malaysia*. The most significant step is to ensure that the notion of citizenship is being upheld in order to ensure the success of this nation-building programme. Hence, Chapter 5 will address the social, political and economic challenges of creating such an integrative framework, and whether such a policy framework would be able to convince the indigenous Malays about the importance of the recognition of equality of all citizens. This is because without the understanding and acknowledgement of the importance of such a

framework from the indigenous Malays, the idea of *Bangsa Malaysia* would only ever be paying lip-service to the non-Malays, and that unity and integration in Malaysia would be developed out of necessity for the sake of survival, which is artificial and calculative, rather than unity of the heart (Embong in Hefner, 2001, p.77).

In conclusion, recognising diversity and nation-building in multicultural Malaysia seems to have missed two significant points. Firstly, the recognition of diversity in multicultural Malaysia was based on a negotiated or bargained text agreed by the ethnic leaders which has, to a certain extent, ignored or undermined the notion of citizenship and the right to equality. Secondly, the nation-building agenda of multicultural Malaysia envisaged by the government has missed the point that nation-building would require the adherence to the universal recognition of a right to equality as its foundation. Nation-building could not be successful if the issue of a right to equality is not rectified. This is because nation-building would only be a success if there is a sense of belonging and commitment which the government must nurture through the recognition of a right to equality.

Chapter 1

1.1 The Multicultural Process and Development

It is hard to imagine that any society today, Western or non-Western, could be ethno-culturally homogenous; most modern societies are characterised by deep diversity and cultural pluralism, contributed to by the process of migration and the effects of globalisation. This has meant that modern societies face challenges in recognising within their polities the demands from the various religious, racial and cultural communities. This multiplicity of racial, cultural, religious and ethnic identities could be contributed to by various factors: colonisation, immigration and globalisation. This seems to have created a special challenge to any system of governance, as it can add deep cleavages to societies (Kreuzer, 2006, p.2). Nevertheless, such demand for respect and recognition of these identities marked the importance of promoting and recognising cultural liberty as a vital part of human development (HDR, 2004).

The demand for recognition in these societies around the globe, especially in Western liberal societies and non-Western multinational states, began firstly as a result of the attempt made to incorporate respect and recognition for cultural diversity and, at the same time, allow differences (which is argued to have been long overdue) within a framework of universal rights (Craig, Gordon & Burchardt, 2008, p.234). The argument is that failure to recognise the differences that exist within the polity would undermine the rights of the individual and the group to which the identities are attached. Hence, the manner in which government or

states respond to that plurality signifies multiculturalism as a normative doctrine (Parekh, in Thompson, 1997, p.165).

Secondly, the demand for recognition of diversity emerged from the liberal-communitarian debate on the need for recognising the importance of cultural and religious identities or elements in the life of individuals. These two challenges, as we can put it, would then require recognition beyond the common rights to equality of individual citizenship recognised by liberal democracies, and such recognition would be accommodated or tolerated so as to fulfil the needs of these identities or minorities. Therefore, this resulted in the recognition of rights to equality as no longer limited to individuals, but as extended to the various social, cultural and religious groups and identities that exist within the polity of these states. This would lead to the question of what forms of cultural diversity should be accepted, and how should this be accommodated or tolerated to ensure that all individuals and communities are not being discriminated against, suppressed or oppressed. To accommodate and recognise such cultural diversity would be a challenging task, since different people have different preferences and adhere to different kinds of cultural and religious customs and mores. But the most vital challenge is to re-evaluate the notion of rights to equality which has been the basis of the debate over the years.

However, what comes to the centre of the debate when there is a demand to extend rights of equality to various groups and identities are the following: has the liberal democratic principle failed to accommodate and recognise the cultural diversity that exists within a democratic society? What makes such groups or

cultural recognition vital? And are individual rights to equality, as propagated by liberal democracy, sufficient to recognise an individual's rights to free and equal selection of cultural, religious and social identities and would such recognition of a group not be a denial of individual rights? Would it be that, to entertain such demand for recognition, would further segregate and compartmentalise society and thus disintegrate the nation state?

Nevertheless, multiculturalism scholars have argued that liberal democracy has, to a certain extent, failed to respond to the call for recognition of difference and diversity that exists within the polity of these liberal democratic societies. Such an argument has meant that liberal democracy is examined by multiculturalism scholars who are interested in ensuring that diversity is recognised. This has led multiculturalism scholars to justify the recognition of diversity within the liberal framework being extended to groups and other identities, through which the individual as a citizen is recognised as having significant human needs.

One important thing that led to the recognition of diversity within liberal societies is that it contributes to the development of liberal democracy itself as a dynamic, just, open and autonomous framework, to be further redefined to ensure its inclusiveness. This process of redefining has led liberal democracy to go beyond the focus on individual rights as the only acceptable form of human rights. It has triggered the consciousness of people as a cultural group or religious group to participate in political decision-making and thus demand more political and civil rights without their identity being discriminated against. Hence,

such demands resulted in the three assertions of citizen rights - namely political, social and economic as the three vital elements of modern citizenship (Marshall, 1950 cited by Verma, 2002, p.55).

Consequently, the demand for recognition of these identities highlights the importance of revisiting the classical liberal democratic framework adopted by liberal states in addressing these concerns and demands; that the framework be extended to all communities, especially where various cultural, religious and racial identities exist. This is because the notion of citizenship rights within the liberal democratic framework has been taken for granted as a platform that promotes the right to equality of all citizens, based on universal rights and so should be extended to groups. Therefore, what more could a liberal notion of citizenship rights offer other than a basket of identical rights for all its citizens. Unfortunately, such notions of citizenship undermined the diversity and differences of fellow members of society by assuming that rights of equality as the foundation of liberal democratic state are sufficient since all citizens are equal.

Therefore a way forward in addressing this concern of liberal democracy for cultural pluralism was mooted in order to determine the principles needed to govern a multicultural society. Multiculturalism scholars provided a justification for the recognition of the various communities that exist within the polities of these liberal democratic societies, based on the importance of culture in the life of individuals, as argued by the communitarians. The importance of the recognition of group rights in these liberal democratic societies paved the way to respecting,

accommodating, tolerating and recognising the diversity of the various identities that exist within the polity of these societies. As a result of this, a more inclusive form of citizenship is demanded by multiculturalism scholars, which recognises the diversity and differences that exist within a liberal society. Multiculturalism scholars are concerned that the deprivation/non-recognition/misrecognition of certain identities within the liberal polity could inflict harm on the members of those communities and, as such, could be a form of oppression which could lead to a lack of self-esteem, or devaluation and seclusion of the self. This form of oppression is expressed by Taylor and Gutman (1994) as possibly leading to real damage of the self and that due recognition is required, not just as a courtesy, but as something that is a vital human need. Hence, this framework of recognising this diversity or difference has come to be defined as the politics of multiculturalism, politics of difference (Young, 1990), politics of recognition (Taylor and Gutman, 1994), multicultural citizenship (Kymlicka, 1995) or transnational citizenship (Baubock, 1992).

The politics of multiculturalism, which value recognition and respect for diversity and equality, must not, according to some scholars, be mistaken for the existence of plurality. Cultural plurality does not indicate that the values of multiculturalism prevail in society; instead we must probe further into the values of recognition and equality (Mahajan, 2002, p.11). Nevertheless, what equality implies from a multicultural context is that respect and recognition should be extended to one's origins, background or family, and that people have the capability to live and be what they choose, since due recognition is a vital human need (Taylor and Gutman, 1994, p.26). Such respect and recognition for

difference is to be recognised and supported in the public and private sphere of liberal democracies (Modood, 2009, p.169). This is because to acknowledge the need for respect for difference and diversity is to recognise that citizens within liberal democracies subscribe to different systems of meaning and structure their lives differently (Parekh in Sardar, 2008, p.350). Such structures and meanings of life must not be discriminated against; in a democratic society, all cultural communities are entitled to equal status (Mahajan, 1999, p.15) and, hence, multiculturalism argues that differences are not to be eliminated and washed away but to some extent recognised (Madood, 2007, p.39). Therefore, multiculturalism could also imply the proper type of relationship between different cultural communities in which these cultural communities possess their own distinct systems of meaning and significance (Parekh, 2006, p.13).

Multiculturalism and commitments to cultural diversity emerged out of this turbulent history of resistance, accommodation, integration and transformation (Goldberg, 1994, p.7). This conflict over the recognition of cultural diversity emerged as a result of colonialism and globalisation and the conscious move towards redefining democratic rule. Both colonialism and globalisation could be argued as processes that dilute identities and the victim would be, most likely, the identity of the minorities. Therefore, the demand for recognition and respect by the various communities is in line with the aspirations of liberal democracy that guarantees the rights of equality of its citizens, irrespective of colour, race or creed. The idea of liberal democracy, that no person is intrinsically superior to another and that all persons are of equal worth, guided the need for recognition of the various identities and communities (Song, 2007, p.43), thus ensuring the

rights to equality as espoused by liberal democratic societies around the globe. However, in determining the rights to recognition, scholars differ in their views between the recognition of the rights of individuals and the rights of communities. As for Kymlicka (1995), the most significant argument in a multicultural state is the need to recognise a comprehensive theory of justice, which includes assigning universal rights to individuals, regardless of group membership, and also certain group-differentiated rights for the minority cultures. Hence Kymlicka has come up with a defence of multiculturalism as recognising minority rights within the liberal framework, as a response to nation-building and multiculturalism as communitarianism.

However, these group-differentiated rights should not in any way infringe individual rights. Nevertheless, such infringement of individual rights in some countries is being justified in the name of promoting inter-communal peace and harmony. Meanwhile, the argument for the importance of communal rights is due to the fact that it is important for cultural identities to be recognised, since it provides individuals with an anchor for self-identification (Margalit and Raz, 1990, p.447 cited by Mahajan, 2002, p.38; Kymlicka in Owen & Laden, 2007, p.27). The notion of citizenship in liberal democratic states should be able to recognise such diverse identities.

The notion of citizenship is the foundation of nation states, since it provides a framework for individuals to participate in a political community as equals, and equal citizenship is essential in developing a common sense of belonging (Parekh, 2000, p.54) since everyone feels that they are equally treated.

Moreover, citizenship provides the legal basis for the participation of its citizens by ensuring that all rights are equally distributed and no-one should be discriminated against on the basis of cultural, religious or ethnic identity. Therefore, the liberal notion of citizenship rests upon the appeal to universalism and ignores historic forms, especially ethnicity and race. This entails universal principles of citizenship in the public sphere, based on civil and political rights that allow a diversity of cultural practices, in turn based upon group loyalties and ethnic affinities in private matters (Verma, 2002, p.54). Thus, the need to incorporate respect and recognition for cultural diversity and difference within the framework of universal rights (Craig, Gordon and Burchardt, 2008, p.234) is significant in order to ensure that the communities concerned are protected from suffering, discrimination and marginalisation in these liberal societies.

In the political scene of today's nation states, the demand for recognition is being voiced by the various cultural, religious and ethnic communities seeking some autonomy for their distinct traits as citizens. These overlapping concerns result in the social and political construct at play, including ethnicity, culture, and the majority versus minority binary, as each member refines his or her sense of self in relation to the multicultural environment (Barry, 2001, Kincheloe & Steinberg, 1997, Willet, 1998 cited by Raihanah, 2010, p.65). David Goldberg (1994) described the development taking place in multicultural societies as the struggle for representation, in which each member of the nation begins articulating his identity as possibilities for self-direction. Such struggles could be destabilising to unity and, consequently, could lead to the rise of ethno-nationalist separatist struggles which is evident in some states. This form of ethno-

nationalist struggle would pose a challenge to the common homogenous orientation of these liberal democracies which require uniformity of political orientation and cultural homogeneity.

Furthermore, such demand for recognition would naturally indicate that the present liberal democratic arrangement is no longer able to confine rights to equality only to individuals but has to extend such rights to groups. Therefore, the recognition of group rights as an extension of individual rights would indicate the recognition of a multicultural citizenship within the polity of these states. The notion of a multicultural citizenship today indicates that citizenship requires not only loyalty or allegiance to the nation state alone, but that it also requires loyalties to cultural, religious and ethnic contingents, which is recognised through the concept of group rights. This is because a cultural community or identity has been used as a marker, differentiating one group from another and therefore used to define the attributes of ethnic group or race (Mukherji in Hassan, 2005, p.186).

As a result of recognising this demand, the homogenous national cultural identity that defined legal citizenship in many countries where there was an attempt to assimilate and accommodate ethnic and minority groups, is disintegrating (Verma, 2002, p.53). Therefore, citizenship in its new orientation will no longer be founded upon the basis of national sovereignty but will depend on a new international obligation (Andrews, 1991, p.11 cited by Verma, 2002, p.53). This new obligation has stressed the need to view the politics of multiculturalism as a vital element of nation-building, since multiculturalism which

encourages cultural awareness and tolerance alone without intercultural or interculturalism cannot effectively foster national unity (Teck Gee and Gomez, 2009, p.247). This is because the politics of multiculturalism argues that the importance of recognition of the various communities that exist within the polities provides the basis of recognising, not only similar treatment, but also differences. Therefore, the concept of nation-building no longer signifies only the importance of individual rights to equality but also group rights and thus rights to difference. This is vital, since recognition would not only see uniformity as complying with equality, but would also recognise that difference is vital too. Hence the development of the politics of multiculturalism complements the idea of nation-building, through which the various cultural communities are acknowledged and recognised. This is done as part of the state role in promoting a greater sense of belonging and also as a commitment towards its citizens.

As has been mentioned, the recognition of various cultural, religious and ethnic identities is relevant and vital in defining the nature of citizenship. The idea of multicultural citizenship, or differentiated citizenship, shows the importance of recognising the various cultural, religious and language identities as a significant marker of the diversity that exists in society. Hence the idea of citizenship, which traditionally denotes the equal recognition of all citizens, based on the classical liberal democratic principles of universal rights, could be prone to the subjugation and intolerance of the dominant ethno-nations towards the minority ethnic groups (Mukherji in Hassan, 2005, p.184). Therefore, the argument that guaranteeing individual, civil and political rights within liberal democracies is sufficient to ensure freedom of worship, speech and association (HDR, 2004, p.7) could be

misleading, since equality alone does not necessarily equate to similarity in addressing the demand for recognition. Furthermore, the argument that universal rights is a one-size-fits-all idea, sufficient to address group-specific minority rights (Kymlicka, 1995), and that cultural communities would be protected indirectly by guaranteeing basic civil and political rights to all individuals regardless of group membership, could be overestimated.

Therefore, the willingness of liberal democratic societies to extend what initially were individual rights to equality to groups is a good sign that culturally distinct groups are able to co-exist in a single society. This is because the reality of the present polity is that no society can any longer sustain its homogenous outlook and, like it or not, multiculturalism will be knocking on the door of societies around the globe.

1.2 Literature Review

1.2.1 The Multicultural Society and Challenges to Promoting Cultural Diversity

The literature on the development of a multicultural society, either in Western liberal democratic societies or non-Western multinational societies, centres on the need for the politics of recognition as a form of recognising the difference and diversity that exists within these societies. Nevertheless, this process of recognition would be a challenging task for multiculturalism scholars who are concerned about the promotion of diversity. This challenge would come from the attempt made by multiculturalism scholars to justify the politics of recognition as a form of recognising difference and diversity and hence

undermines the liberal notion of citizenship which has been guided by the right to equality of all citizens under the law. The reality of recognising difference is unavoidable, even if these states are some way away from recognising multiculturalism as a policy or official agenda. This is because, within these liberal polities, exists not only individual citizens with equal rights to equality, but also individuals who belong to certain group or communities which carry certain identities, or what is called the communitarian recognition of the importance of cultural identities in the life of individuals. The recognition of diversity of its members that exists within these liberal societies recognises that rights to equality would require the liberal framework to value and maintain such diversity. This principle of diversity is what multiculturalism scholars argue should be maintained while, at the same time, ensuring the equal recognition of culture without being subjected to any form of suppression or oppression.

Nevertheless, nation states have responded to the recognition of diversity with various forms of policy orientation. It is a fact that the nation state gives the utmost importance to the unity of its polity and its response towards cultural diversity, to a certain extent, views it as causing disintegration within the polity of the nation state. For this reason, historical events have proved that some governments have pursued various policy measures such as an assimilationist approach towards cultural diversity, while others might adopt an integrationist or accommodationist approach within the polity. Furthermore, in the worst case scenarios, ethnic cleansing became the policy orientation towards these cultural communities.

However, coming back to the literature on multiculturalism, it has been identified that the formation of a present-day modern state or multicultural society could be attributed to two distinct patterns. Firstly, the formation of a multicultural society in Western liberal societies is attributed to the influx of immigrants, who brought along various cultural, religious and linguistic identities with them. These immigrants are often 'here to stay', and it is at this point the state would determine its policy orientation towards the immigrants. Nevertheless, the usual response of nation states towards these immigrants or newcomers would be the granting of citizenship with recognition of rights to equality of all its citizens. However, the recognition of these individuals as citizens within the polity of Western liberal societies initially ignored the identities which were being carried by or attached to these individuals, since these new members were guaranteed, as citizens, of rights to equality and citizenship. However, this guarantee of citizenship and rights to equality failed to recognise or acknowledge the importance of cultural, religious and racial markers that exist within the polity of these Western liberal societies. Therefore, acknowledging and recognising the failure of the rights to equality and citizenship to recognise the need for group recognition, multiculturalism scholars in these Western liberal democracies made a call for the recognition of a multicultural citizenship as a response to nation-building. The argument for a multicultural citizenship based on group-differentiated rights is vital for nurturing the commitment and sense of belonging of the individual and group citizens to the nation state.

As a result, these Western states had to realise the central place of cultural diversity in their polities (Goh and Holden, 2009, p.1). Therefore,

multiculturalism scholars argued that Western liberal democracies should re-examine the notion of citizenship and recognise the various cultural and religious beliefs that exist within the polities of these Western liberal societies. Hence, the term group-differentiated rights is justified and recognised under the notion of a multicultural citizenship which recognises the need to accommodate the various communities especially the minorities.

The second contribution to the formation of a multicultural society could be traced to the colonial period. However, the creation of postcolonial multicultural societies would only involve those states which witnessed heavy inflow of immigrants brought by the colonial powers, which caused a permanent transformation to the landscape of the particular state. Nevertheless, this colonial period witnessed the demographic transformation of previously mono-ethnic societies into pluralist societies with various cultural communities existing side by side and thus diluting the ethnic indigenous identities of the polity. Furthermore, the colonial legacy created racial division as a result of the influx of labour brought in by the colonial powers. As a result, this division of labour resulted in the transformation of the social, economic and political landscape and the racialisation of the social, economic and political sphere of postcolonial societies (Fraser, 1996, p.80), creating a socio-economic identification based on race or ethnicity. Therefore, the challenges faced by postcolonial multicultural societies could be argued to be greater since they face determining the form of policy orientation towards recognising the various cultural, racial and religious heterogeneity, and the principles needed to govern this newly-formed multicultural society, as the polity is not yet stable or mature.

Moreover, the socio-economic disparity between the communities, especially between the indigenous population and the immigrants of postcolonial multicultural societies, would later pose a challenge to the nation-building process as a result of the identification based on economic function. Therefore, the argument in these postcolonial societies is that the absence of a mature and stable polity caused greater challenges for the accommodation and recognition of a multicultural polity. This is because the first issue of concern to postcolonial multicultural societies is the harmonisation of inter-ethnic cooperation, unlike those Western liberal societies where the polity is more stable and mature. As such, the development of multiculturalism, to a certain extent, is viewed by postcolonial multicultural societies as a Western creation to be imposed upon postcolonial states, whereby multiculturalism scholars treat their examination of the Western liberal societies as the privileged point of entry to the discussion (Hefner, 2001, p.3). From here, scholars began making a comparison with multicultural polities of postcolonial societies, without first recognising the underlying challenges left by the colonial legacy. Hence, such orientation would undermine the cultural plurality of many postcolonial societies, which possess their own history of pluralist challenges and their own way of tackling or devising formulae for their resolution (Hefner, 2001, p.3). Therefore the significant historical difference between postcolonial states and Western liberal societies should not be underestimated in determining the political formulae which address the problem of multiculturalism and citizenship in these two worlds. However, the most crucial interest of multiculturalism scholars is the extent to which society

meets the norms of justice, individual freedom and deliberative democracy in these two worlds (Hefner, 2001, p.3).

For Western liberal societies, the argument among liberal scholars is to recognise difference and maintain diversity by extending rights to equality to the group which is to go against the classical liberal tradition which has always recognised and upheld the rights to equality of individuals. Such a difference is only being recognised within the private sphere of the individual. Hence, scholars have argued for a more expanded definition of the liberal tradition to recognise the equality of groups, since individual members are attached to a particular cultural, religious or linguistic group that requires such an extension of rights to equality.

Therefore, the first step taken by the multiculturalism scholar is to justify the need for the liberal principle to be extended to group recognition within the polity of liberal states. This needs to be done, since for the homogenous orientation of the liberal nation state, recognising the rights to equality of individuals was the way to ensure the success of the nation-building process through the uniform notion of citizenship. In addition, to see the idea of a uniform citizenship promoted by the state is to view nation-building as an integrative solution to incorporate its subjects as citizens of a modern national community (Canovan, 1996, p.109). The outcome of this idea of uniform citizenship was to produce a national identity which normally originates from a single cultural or ethnic group (Yong, 2004, p.4). Nevertheless, this nation-building process can be argued to mobilise individual citizens behind the banner of nationhood by

assimilating the minorities and thus denying the minorities of their rights to the cultural, religious and other form of identity recognition. Furthermore, such an assimilation approach could trigger an extreme response of separatism and the mobilisation of ethnocentrism, if suppression continues.

The arguments for multiculturalism came as a response to the central position of cultural diversity recognised in the polity of Western liberal societies. Such a response poses a challenge to classical liberal principles: firstly, by not being able to recognise diversity or difference that exist within its polity. Secondly, liberal democracies, some multiculturalism scholars argue, have a tendency to assimilate minorities into the majority or dominant culture in the public sphere. The concerns of these scholars would indicate the failure of liberal democratic principles to comprehend certain demands for recognition of diversity and difference. Such a failure of liberal democracies would cause injustice, as clearly stated by Taylor (1992), in which non-recognition or misrecognition is viewed as having a detrimental effect and as a form of oppression by imprisoning someone in a false, distorted, reduced mode of being. Such lack of respect towards minorities could inflict a grievous wound, saddling people with crippling self-hatred. Due recognition is not just a courtesy but a vital human need. Furthermore, the failure of liberalism to be a meeting point for all cultures would give the impression that, in fact, liberalism is the expression of a particular culture and thus would undermine difference and diversity (Taylor, 1992).

As such, liberal democracy has indeed failed to recognise the identification of cultural attachments of individuals and minorities that are significant to their

well-being and development. At the same time, such expression of a particular culture is an indicator that liberal democracies are not neutral and unbiased towards any cultural, racial or religious preference. Indirectly, liberal democracies are inevitably inclined to promote the cultural identity of the majority, consciously or unconsciously. This is prevalent through, for instance, the promotion of the language of the majority, in which all citizens must have a level of command of the language in order to be recognised. As such, the effectiveness of state neutrality as propagated by liberalism is questioned by multiculturalism scholars. Scholars are equally sceptical of its receptiveness to the recognition of difference and diversity, even though its orientation is intended to ensure equal recognition of cultural, racial or religious groups.

In view of this, multiculturalism scholars in Western democracies have come to the defence of a liberal theory of minority rights that would recognise the minorities. Such a defence for minority rights indicates the sceptical view that multiculturalism scholars have of the liberal idea of identity as colour, gender or religion blind (Modood, 2009, p.176). Their argument is that liberal notions of citizenship have to recognise that rights to equality must not require uniform treatment of citizens, since citizens belong or are attached to a certain social group of identities. The idea of liberalism having to recognise a minority right would, in fact, be doing justice to the minorities in order to ensure and promote equality within the polities of the state. This is done within the multiculturalism context that promotes the politics of recognition and the politics of equality through group-differentiated rights (Kymlicka, 1995). The justification for such group-differentiated rights would justify the existence of a multicultural citizenship

that is sensitive to the diversity and difference that exists within the polity of liberal democracies.

Therefore the justification for rights to equality to be extended to groups is part of the recognition of diversity that exists within the polity of the liberal states. However, the concern that arises from such recognition is that it would be in contradiction to the liberal principle which recognises individuals with equal rights under the law. Nevertheless, liberal scholars admit that denying the group rights to equality is also another form of misrecognition of the individual's rights to their group attachment, identities and sentiments. Hence, the nature of citizenship has first to be understood as no longer homogeneous in its orientation. Based on this premise Kymlicka (1995) argued for the recognition of a multicultural citizenship within the liberal societal context, based on group-differentiated rights as minority rights. Through group-differentiated rights, Kymlicka demanded that, for the minorities to flourish, the state has to ensure that legal and political arrangements are designed to ensure that minorities are not being disadvantaged or discriminated against.

A group-specific right or a collective right, according to Kymlicka (1995), does not contradict the aspiration of liberalism if it aims at providing external protection to the minorities. Such external protection for vulnerable minorities would ensure that their interests are protected. In fact, collective rights demand that liberalism shows sensitivity towards minorities, especially the national minorities. However, one important concern that needs to be highlighted is that, even when group-specific rights are recognised, this should not in any way

obstruct the individual freedom of members of the minorities, something that Kymlicka considers vital. This is because the idea of group-differentiated rights could be interpreted or perceived as being collectivist or communitarian in its outlook, and thus would contradict the aspirations of liberal orientation in terms of individual freedom and equality (Kymlicka, 1995, p.34). There is no doubt that group rights or collective rights are, by definition, not individual rights (Kymlicka, 1995, p.45). However, the actual concern of multiculturalism scholars is not about examining the autonomous individual or communitarian debate but about the idea that justice between groups requires that members of different groups be accorded different rights (Kymlicka, 1995, p.47), since liberalism is blind to such differences. Nonetheless, the idea of differentiated rights, in the long run, is to ensure that minorities are able to integrate into mainstream society by giving these minorities effective control of their private autonomous cultural determinations and expressions at the socio-cultural margins, while maintaining a separate and neutral set of common values that would mediate the majority-minority relations at the centre (Goldberg, 1994, p.6).

The idea of a multicultural citizenship or differentiated citizenship within a liberal multicultural society or state (Kymlicka, 1995; Young, 1994) is to promote a minority rights approach, together with universal rights. Furthermore, the idea of multicultural citizenship is a vital part of addressing the issue of social justice which is at the centre of democratic citizenship (Modood, 2007). However, for scholars such as Kymlicka (1995), the recognition of cultural membership is a vital element in determining and contributing to the sense of identity. This is because cultural membership provides meaningful representation that identifies

the uniqueness of the community. However, it is important to note that while cultural membership is recognised as giving a meaningful sense of identity, it must not limit individual freedom. Cultural membership and minority rights are valuable only if they do not restrict individual freedom, and the individual is considered to be the highest agent of the community that can contribute to the meaningful existence of the community. Therefore, the multicultural citizenship promoted by Kymlicka (1995) indicates that recognition of the individual alone would be insufficient, since these individuals are attached to the respective cultural membership, and that individuality is the product of social practices.

Meanwhile, the neutrality of liberal democracies is disputed by multiculturalism scholars, and assimilation to the dominant culture is inevitable. For example, multiculturalism scholars argue that the adoption of a common language, which is the language of the majority, is inevitable in order to ensure integration in all aspects, including the administration of state affairs. The important role played by language in integrating the citizens of states would ensure unity and solidarity. As such, state neutrality is unattainable and therefore it is vital for liberal democracies to form or adopt a common set of cultural values that would be recognised as essential for unity and solidarity and which, at the same time, would not undermine minority rights. The formation of a societal culture as suggested by Kymlicka (1995) is nevertheless crucial in ensuring the existence of a common understanding that would form the basis for integrating members of society, while at the same time respecting difference and diversity.

Since multiculturalism scholars recognise that there is no absolute neutrality within the liberal framework, they would also have to admit that there is no single way of addressing minority rights. As such, Parekh (2000) suggested that operative public values should be adopted by multicultural states. Such public values are articulated within the constitution, laws and civic values of these societies. Furthermore, operative public values would provide a good avenue for dialogue in which various values are brought into a creative interplay and balanced with a trade-off that would yield responses to help in overcoming issues or disputes. The same orientation in a cultural dialogue that would result in productive cultural exchange through interaction, would resolve intercultural conflict, as supported by Seyla Benhabib (Young, cited in Laden and Owen, 2008, p.78).

Furthermore, the basis for a set of differentiated rights is argued by multiculturalism scholars as recognising individual uniqueness and humanity (Taylor and Gutman, 1994, p.9) within the context of cultural distinctiveness. This is due to the interest that individuals have in culture, which gives meaning to the existence of the individual and thus enables them to possess a sense of belonging. As Taylor and Gutman (1994) argue, recognition of cultural particularity is vital to the individual and community, since identity is shaped by such recognition. The misrecognition of individuals or groups could be demeaning and potentially seen as a form of oppression of the individual. Within this argument of cultural individuality, the essence of dignity gained from the recognition received from the state is vital. Such recognition of cultural identity would signify the importance of cultural characteristics attached to the individual

and the group. Furthermore, according to Taylor, recognising the demand for equal rights and entitlements avoids any inference that the society is divided into first and second classes. All citizens would be considered as having moral worth and equal dignity. Within this context of demand for recognition is what Taylor calls the politics of multiculturalism. The significance of cultural recognition has also been illustrated by Axel Honneth (Fraser, cited in Willet, 1998, p.22), in which the integrity of a person or community is reflected through the approval or recognition of other people. Misrecognition would be injurious since it would impair these persons in their positive understanding of self.

Recognition of the cultural rights of minorities in liberal democratic states would also ensure that other forms of inequality or unjust approaches are appropriately addressed. The concerns raised by multiculturalism scholars raise the question: is multiculturalism too focused on or restricted to the need to address cultural injustices that result in other areas? Therefore, multiculturalism scholars further extended multiculturalism to other areas, aside from recognising cultural diversity within the liberal context. Such an extension would provide an opportunity to confront issues concerning race, socio-economic class, gender, language, culture, sexual preference or disability (Kincheloe and Steinberg, 1997, p.1), that pose a challenge to liberal democracies. The idea that discrimination is rooted in the failure to recognise cultural diversity is insufficient. Hence multiculturalism scholars such as Young (1990) and Fraser (2003) have further anticipated the need for liberal democratic states to address the issue of structural injustice and the politics of difference, and also the question of recognition and redistribution that is vital in recognising the needs of minorities.

This is because liberalism has failed to recognise structural injustice and there is also the false claim of neutrality propagated by the liberal concept. Therefore, the idea put forward by Young is that the politics of difference would require liberal democratic states to accept the fact that identifying equality with equal treatment has caused deep material differences in social positions to be neglected (Young, cited in Laden and Owen, 2007, p.60). Furthermore, conflict over cultural toleration and accommodation in contemporary liberal democracies occurs within the context of structural inequality between the dominant majority and minorities (Young, 2007, cited in Laden and Owen, p.82). Such conflict does not restrict freedom of expression and association, but substantively expands equal opportunity for individuals from marginalised groups to develop and exercise their capacities, and to have a meaningful voice in the governance of the institutions whose roles and policies condition their lives.

As for Fraser (2003), the issue of recognition of cultural diversity is being challenged by the need for redistribution and concentration of cultural misrecognition, which has resulted in the failure to recognise other forms of injustices, such as socioeconomic redistribution. According to Fraser (1993), the root of the injustice would be socioeconomic misdistribution, while any attendant cultural injustices will derive ultimately from that economic root. It was argued that the importance of recognition of minorities should be extended to the redistribution of the socioeconomic injustices rooted in the political and economic structure of society (Fraser, 2003, p.70). Fraser adds that the problem of justice could be rectified through recognition, and that the strategy in addressing the claim for recognition is through redistribution. While some scholars such as Barry

would maintain the idea of liberal universalism, some suggest that cultural diversity and the call for recognition ought to be ignored, since cultural attachment is a personal preference that should be left to individuals (Laden and Owen, 2007, p.15). As for Wieviorka (1998), the multiculturalism context must not be limited to the recognition of cultural groups alone. This is to avoid the constant danger that, if multiculturalism is limited to culture alone, it will disappear as a policy in the service of groups which are already well situated socially. Therefore, it must be part of a wider policy that combines both social and cultural issues, since cultural recognition could be undermined if the cultural group is socially neglected (Wieviorka, 1998, pp.904-5).

While some scholars are sceptical of the modern liberal orientation, Kukathas (1998) argues that the classical liberal tradition would not be problematic for multiculturalism. This is because the liberal tradition, contends Kukathas, is a theory of multiculturalism that promotes cultural diversity or pluralism. Kukathas argues that liberalism does not engage in any activity of recognising or accommodating any particular culture, religion or language except securing peace within the political society (1998, p.696). Therefore, it is not in the interests of the state to promote, protect or provide any form of recognition to other cultural communities - especially the minorities - as long as individuals and groups are able to function peacefully; this is what concerns liberalism. The promotion of justice is vital to ensure that freedom is secured and that no-one is prevented from practising their cultural, religious or language identity. As such, liberalism to Kukathas (1998, p.691) would reflect the politics of indifference rather than the politics of difference in a multicultural society. Nevertheless,

Kukathas does not deny the inclination of liberal states to promote certain practices or the cultural aspirations of the majority but this is done to provide unity within the public sphere of these societies, as long as the freedom of individuals to choose what constitutes the good life is not harmed.

Some scholars are sceptical of the multicultural orientation, in which it is argued that, since multiculturalism is concerned with the recognition of cultural difference and diversity, one must not strain the commitment of liberal practices to recognising or tolerating illiberal practices (Barry, 2001). This is because, argues Barry, the liberal principle should recognise and uphold individual rights rather than cultural diversity and it is this notion that multiculturalists actually highly regard. Nevertheless, the view that the liberal tradition is confined to the recognition of the individual's right to equality alone, could be argued as restricting the right of the individual to choose or to be identified with certain identities which give meaning to the self.

Just as the literature on multiculturalism within Western liberal democracies witnessed the justification and probing of the classical liberal tradition and its notion of citizenship, so the literature in postcolonial states is heavily influenced by the historical developments which took place during the colonial period which affected the liberal notion of its multicultural polity. The argument is that the polity of postcolonialism is facing the challenge of grasping the need to either maintain the existing cultural plurality which has existed since colonial days, or to coerce all the cultural identities within the polity in pursuit of nation-building. This is evident from the experiences of countries such as

Singapore, Indonesia and Malaysia, grappling with the recognition of its multicultural polity. For this reason, the decision as to whether to accommodate or coerce the cultural plurality has yet to be taken, since the polity of postcolonial states is yet to be fully developed socially, politically and economically, unlike in Western liberal societies where liberal traditions have been in the background waiting to recognise and provide justification for the recognition of a multicultural polity. Postcolonial societies, however, are occupied with attending to more vital needs such as economic development, stability, peace and order and in such a pursuit, the liberal concept of recognition, to a certain extent, is being limited or controlled.

Hence, an historical understanding of the colonial legacy is therefore essential, as multiculturalism represents a spectrum of multiple ambiguities that are highly dependent on the historical and socio-political peculiarities of specific state formations (Gunew, 2004, p.40). As mentioned earlier, the formation of the heterogeneous polity or pluralist society in postcolonial states contributed to the colonial legacy, which resulted in the formation of a racialised, segregated and compartmentalised societal structure that is still visible today. This historical insight is vital in providing the understanding of both the formation of a multicultural society and the notion of citizenship adopted in these postcolonial states, and the approaches or framework adopted in accommodating the minorities.

However, the biggest challenge for these postcolonial states was in accommodating or recognising the various divisions existing within their polity

before independence could be granted. In fact for some postcolonial states, it was a prerequisite set before independence could be granted that the various ethnic groups were recognised through political representation. Since postcolonial states had been structured racially, ethno-nationalist movements became the prime mover for liberation from colonial rule, and there was a notion that an ethnic group had a divine or natural right to a definite geographical area; this provides primordialism with a defining factor to be used for unification purposes (Kee Beng, 2009, p.451). Such a strong presence of ethnocentrism would breed ethnocentrism in others (Kee Beng, 2009, p.449), and this has prevailed in postcolonial states up until today. Ethnocentrism, along with primordialism, would also influence the liberal response to be adopted in these postcolonial states, which would witness an undermining of individual rights. The undermining of individual rights indicated a clear recognition of the cultural marker represented by ethnic groups and, to an extent, justifies the multicultural set-up in postcolonial states. Nevertheless, the use of such cultural markers to highlight the celebration of a multicultural set-up could be misleading, since the arrangement of such recognition skewed the multicultural orientation of recognising the right to equality of both individual citizens and groups.

The colonial legacy that contributed to the formation of a pluralist society, as described by Furnivall (1956), poses a challenge to managing inter-ethnic relations in these postcolonial states. This is because these societies, which were once homogenous, underwent a forced heterogeneity face-lift under colonial rule with the influx of migrant workers (Raihanah, 2009, p.64), who brought with them their respective social and cultural heritages. At the same time, the colonisers

made no attempt to help to integrate the diverse populace (Hefner, 2001; Shamsul Amri, 2000, cited in Raihanah, 2009, p.64). The absence of integration efforts led to the formation of enclave communities or a compartmentalised society (Hefner, 2001, p.19; Yunas Samad, 1997, cited in Raihanah, 2009, p.64) that had little or no common will (Furnivall, 1956, cited in Raihanah, 2009, p.64). Questions of whose culture should be recognised, and what approach or framework should be adopted for recognising minorities, are pertinent to the debate on the formation of newly independent states. This challenge could be added to that of the need for acknowledgement and recognition arising from the presence of various nations[2] under colonial rule. This is because, during the colonial period, the existence of various cultural communities was not restricted by the colonial masters but was, in fact, welcomed, and thus they permitted all cultural communities to maintain their identity. This would create a contest between the indigenous and immigrants whereby the indigenous would argue that the overflow of immigrants resulted in the dilution of the indigenous nation state, along with its indigenous identity.

However, the biggest dilemma or challenge faced by postcolonial states is how to recognise, accommodate and tolerate plurality within a notion of citizenship that has existed since the colonial period. The formation of the nation state would be contested by these various cultural communities who were demanding recognition or, in other words, the contest between the indigenous population and immigrants. As for the indigenous population, the argument for

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[2] Colonial rule saw the existence of cultural diversity in the pluralist society as witnessed by Furnivall. As such, for postcolonial states, the challenge was to accommodate the various nations that were previously formed during the colonial period. The term 'nation' is used since each ethnic group was autonomous to their own cultural, religious and linguistic identity.

recognition of indigenousness is of importance in order to retain the polity of indigenous nation state and that the polity after independence should recognise this indigenousness. For the immigrants, the recognition of their cultural identities was vital to their continuity from the colonial period and these immigrant communities would want such assurance after independence was gained.

Nevertheless, this overlapping struggle would lead to the politics of recognition which multiculturalism scholars consider vital for cultural communities, especially the minorities (Taylor, 1994 cited by Raihanah, 2009, p.65). Furthermore, the contest is further escalated since there is an absence of a unifying or integrating factor left by the colonisers. As such, when independence was gained, it created a space for the contest of politics between members of competing ethnic communities who did not feel that they enjoyed the feeling of being part of a joint nation (Raihanah, 2009, p.65).

Hence, non-Western multinational societies which had experienced communal separatism or isolationism, now had to embark on a journey of national unity and integration while, at the same time, having to face the challenge to accommodate and recognise other identities and communities. Furthermore, the communal separatism, along with the development of ethno-nationalist movements in these postcolonial states, would also pose another challenging task to integration. These ethno-nationalists would demand that the culture of the majority was recognised, since it was absent during colonial rule. Moreover, the failure of the colonisers to integrate these communities has caused

further difficulties in the aim of creating a common understanding for unity and integration.

Unlike in Western liberal democracies where the dominant culture has existed within its polity and where the issue of recognition was more from a need to respond to the upholding of liberal democratic principles, postcolonial states have to contend with recognising various identities on one side, and ensuring integration on the other, since a totally a new polity is formed after gaining independence. Therefore, the orientation of non-Western multinational states in integrating and recognising the various identities and communities would differ from one state to another in their pursuit of nation-building; some would adopt an assimilationist policy and some an accommodationist/integrationist policy.

Nevertheless, the multicultural polity in the non-Western multinational states faces a greater task of dismantling racial identification within its polity. This is due to the fact that cultural diversity in postcolonial societies has been recognised through the context of race-based identities. Although cultural identities have been paramount, the issue of recognition of equality of these cultural identities has resulted in the strengthening of racial or ethnic consciousness. Hence, the effort of recognising the equality of cultural identities had a contradictory effect in some postcolonial societies. This is evident in postcolonial societies when the state implemented affirmative action programmes for a particular ethnic group at the expense of equal or fair treatment for other cultural identities.

1.2.2 Multiculturalism within the Liberal Framework

Liberalism has been celebrated as the theoretical framework which gave primacy to freedom, equality, rights and the autonomous individual self. Hence this made liberalism accepting of diversity, plurality of culture and religion. It is therefore contested whether there is a need to recognise diversity of culture, religion, race, indigenous and minority identities, since to what extent does this promotion and celebration of diversity under a liberal framework ensure that all cultural, religious, and racial identities exist and are recognised equally

Nevertheless, such recognition of diversity would witness the liberal theory to be defined as accommodating and tolerating the politics of difference, politics of recognition, liberal-egalitarian multiculturalism, multicultural constitutionalism, dialogical multiculturalism and libertarian multiculturalism, which signifies the justification for group rights, differentiated citizenship or multicultural citizenship by multiculturalists. However, such a view by multiculturalists is argued to be associated with a retreat from the enlightenment principles of reason and universality, with a commitment to preserving cultural diversity at the expense of liberalism's most fundamental commitment to individual rights and the moral equality of all human beings (Murphy, 2012, p.3). This is mooted by the fact that liberalism, in its celebration of rights to equality, and the state, as providing a neutral arena, had actually resulted in the exclusion, marginalisation and assimilation of the minorities within the liberal polity. As a result of this, a more inclusive form of citizenship is demanded by multiculturalism scholars which recognises the diversity and differences that exist within the liberal society. A need for an inclusive citizenship would then require the liberal notion of

citizenship to be re-evaluated. Multiculturalism scholars are concerned that the deprivation/non-recognition/misrecognition of certain identities within the liberal polity could inflict harm on the members of the communities and is a form of oppression and suppression, which could lead to a lack of self-esteem, devaluation and seclusion of the self. This form of oppression is expressed by Taylor (1994) as potentially leading to real damage of the self and that due recognition is not just as a courtesy but as something that should not be denied as a vital human need. This politics of recognition (Taylor, 1994) is essential; it provides meaningful existence, since the existence of the individuals within the social, cultural, religious and communal group is shaped by recognition.

The question of multiculturalism arises out of the liberal-communitarian debate which argues that liberalism fails to recognise the diversity that exists within the liberal state. This is because for the communitarian, cultural identities have a significant role in the life of individuals and the liberal state has undermined this factor by assuming that the political community is a culturally homogenous nation state. Such an assumption would question the idea of modern societies as being culturally, religiously and socially diverse, and that cultural pluralism is a fact that cannot be denied. Hence, multiculturalism within the liberal framework could be argued to be defined as the politics of recognition, the politics of redistribution or the politics of minority rights, in which all processes of recognition are aimed to provide a justification for a differentiated type of recognition within the liberal framework or, in other words, equal rights does not mean equal or similar treatment.

Therefore, when recognition for group identities was raised within the liberal concept, it was argued by the communitarians that the primacy of the community or group should be recognised. This is because the meaning and self-worth of the individual is constructed through the identities or traits recognised by the community. As such, this primacy of the community became the social thesis of the communitarian argument. This is due to the fact that cultural identities are important to recognise, since they provide individuals with an anchor for self-identification (Margalit and Raz, 1990, p.447 cited by Mahajan, 2002, p.38) and confer identity on the individuals (Parekh, 1999; Young, 1999). Moreover, these social, cultural and religious identities form part of the identities which are constructed within the individual self (Young, 1990) and, therefore, due recognition should be given to such social groups or identities, since such groups are represented by equal, free and autonomous individuals. Modood (2010) and Parekh (1999) argue that these cultural identities have a anchoring factor that should not be misrecognised since it provides moral strength to the individuals; the recognition of culture within the liberal concept is vital since these cultural identities are considered as a way of life that has normative authority and is binding upon the individual to an extent which simply cannot be denied or undermined. At the same time, a culture structures its members' perpetual and moral world, gives meaning to their activities and relationships, and helps make sense of their existence. Furthermore, it promotes the well-being of individuals by giving a sense of rootedness from which identities are derived, making each identity unique (Raz, 1994).

As for Kymlicka (1995), the significance of cultural identities is in providing autonomy to the individual. This is because culture provides a moral value to the individual's significance and autonomous life since it is an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history (Kymlicka, 1995, p.18). From Kymlicka's recognition of cultural identities as providing an autonomous life, the liberal concept of the individual, according to Kymlicka, is having the autonomy to decide a 'good life' within the community and, at the same time, an external protection is recognised in order to avoid coercion of the community. Therefore, for the external protection of the community and for rights to equal recognition within the liberal concept, Kymlicka (1995) responded with the idea of group-differentiated rights. Hence, such an argument for multiculturalism within the liberal concept must witness the autonomy of the individual self within the community which has provided a moral basis.

Nevertheless, in discussing the recognition of cultural diversity as propagated by multiculturalism within the liberal framework, multiculturalism scholars have argued over which path liberalism should take in recognising the significance of diversity and autonomy within the polity to avoid multiculturalism from being labelled as promoting division, compartmentalisation and social disintegration. Some scholars would argue that the liberal framework has provided a space for the recognition of autonomy which presides in the individual self to make choices as to the selection of cultural, social and religious identity while, for some scholars, it is the recognition of the diversity over autonomy which is important, since liberalism should reflect that there is diversity that exists within

the liberal polity and that people are not coerced into being part of the dominant culture.

The debate among multiculturalism scholars is to what extent the liberal democratic principle can recognise the various identities that exist within the polity of liberal democratic states. This is because all modern liberal democratic societies, which have equal recognition of citizenship rights under the liberal notion, have come to terms with the fact that, within the polity, various identities exist that are marked by diversity and difference, be they social, religious, cultural or communal. Nevertheless, these various diversities and differences pose a challenge for the liberal framework in recognising these identities within a single polity. Such recognition, as some would argue, would disintegrate the liberal polity, stripping its ideal of recognition of rights to equality of all citizens, and give rise to a conflicting and problematic polity.

Multiculturalism scholars have to justify the need to recognise cultural, religious or communal diversity, and why it matters. For this purpose, a multiculturalism scholar would probe the sensitivity of the liberal framework regarding the recognition of cultural diversity through a policy framework and an institutional arrangement as an empirical justification for recognising and tolerating cultural diversity. The classic liberal framework imagines individuals as separate, atomised selves, de-linked from their cultural context; it sees individuals as autonomous persons whose moral agency lies in their ability to make choices (Mahajan, 2002, p.37). The classic liberal democratic principles adopted by liberal states provide both the highest level of freedom to the

individual and the autonomy of the self to choose and make decisions that suit the individual self. Such emphasis on individual freedom to choose the concept of a good life within liberal societies provides autonomy for a person to express a social, cultural, religious or ethnic identity that is not the concern of the state.

However, the argument for liberalism to recognise the importance of such cultural or religious identities associated to individuals is because liberalism regards highly the basic values of liberty, equality, rights, neutrality and autonomy attached to individuals, as stipulated within the notion of citizenship. As a result of this it would provide the individual, as a citizen within the liberal state, moral worth and dignity within these societies. This is to recognise that cultural, religious and communal groups provide meaning and significance to the existence of the individual and thus creates diversity within the polity. At the same time, the individual who is considered to be free, equal and autonomous within the liberal framework could be detached from cultural, religious and social groups, indicating that the equal, free and autonomous self is still highly regarded as the end to all the means of recognition.

Since the liberal notion of citizenship has been viewed sceptically in its failure to attend to identities which are not considered to be part of the liberal tradition, it is therefore vital for multiculturalism scholars to justify the need for a more inclusive form of citizenship. This is to ensure that cultural, social and religious differences are recognised and tolerated. This form of inclusive citizenship is still being guided by the universal principle, but there is a need for a differentiated approach, compared to the original notion of citizenship. This

because such differentiated citizenship (Lister, 1998 cited by Squires in Kelly, 2002, p.116) would also include those cultural identities which have been ignored by liberal traditions. However, in order to ensure that these cultural, religious and communal identities are recognised within the liberal polity, there is a need for a group-differentiated set of rights within this notion of multicultural citizenship (Kymlicka, 1995). This is to ensure that due recognition for these identities or communities is acknowledged within the liberal polity by an institutional structure or constitutional design. In return, this arrangement would provide the individual with the internal freedom within the social, religious and cultural identities while, at the same time, these religious, social and cultural identities are being protected externally.

For Rawls (1993), the liberal framework has to first ensure that justice is the most crucial principle which needs to be promoted within the polity. This is vital to the liberal framework since justice ensures the rights, liberty and autonomy of all its citizens. By providing a just polity it could also ensure that the problems of inequality of wealth and distributive justice were overcome. Rawls also argued that the state as a neutral entity must be free from providing or determining the concept of good; this argument by Rawls had actually excluded or undermined the importance of cultural diversity, even though justice could be the basis of promoting diversity. Nevertheless, a liberal framework, by promoting justice, could be justified as focusing more on the individual free, equal and autonomous principles, uniformly applied within the society, and thus would not be able to accommodate or tolerate differential treatment (Parekh, 2006, p.90).

The liberal concept, multiculturalism scholars argue, also fails to ensure the unequal power relationship that exists within the liberal polity. Since this would lead to imbalances and disparity between cultural communities, and would affect the moral worth of the community, multiculturalism scholars have highlighted the need of the liberal concept to recognise the rights to equal opportunity. This is vital since opportunity is socially constructed; social groups provide the context in which our identities are shaped and hence, the way the social group is treated within the liberal polity has a bearing on the treatment of the individuals that identifies with a given group. This would definitely be interpreted as creating a juxtaposition between the advantaged and the disadvantaged. Hence, the need for a redistributive action plan to overcome this and ensure equality of opportunity within the liberal concept is justified (Young, 1990; Fraser 2003) so as to ensure group proportionality.

The sceptical view that scholars of multiculturalism have towards liberalism is contributed to by the fact that cultural discrimination and misrecognition has remained unattended to, and thus undermines difference and cultural diversity. For Western liberal democracies, the importance of defending the fundamental rights of an individual's freedom and equality, propagated by liberalism, would be the ultimate principle to be recognised, and that state neutrality would provide the means for such freedom and equality. The universal principle that each individual is to be treated equally without discrimination, irrespective of colour, sex, religion, or social status is paramount. However, while communal rights are also being recognised in Western democracies, such rights must not in any way restrict the fundamental individual rights. Therefore the

multiculturalism context in Western democracies, based on liberal principles, acknowledges the rights of individuals to revise or re-evaluate their cultural orientation. At the same time, multiculturalism, based on the liberal principle, should provide external protection for group cultural rights, especially of the minorities, by recognising group-differentiated rights. Nevertheless, such group rights must not be used to suppress individual members of the cultural group. In other words, there should not be any internal restriction by cultural groups on their members, since such restriction is viewed as illiberal and, at the same time, providing external protection for such group difference and cultural diversity.

However, recognition of communal rights also triggered debate within the multicultural liberal concept, especially communal recognition over individual rights in postcolonial states. For most postcolonial states, cultural attachment or identification such as with religious, linguistic and cultural identity are considered as a vital primordial identity that must be recognised as the collective concept of a good life and this has justified the multicultural expression of these postcolonial societies. Such recognition of fundamental primordial rights marks the primacy over individual rights in most postcolonial states. The justification for communal recognition was that cultural, religious, linguistic and racial identification are significant to individual existence. It is these identities that give a hallmark to an individual and what makes an individual meaningful. Furthermore, some of the primordial identities attached to the group help the survival of the individual and, in return, these individuals would be protected and recognised.

The recognition of the primordial identities within the liberal concept in postcolonial multicultural societies has led to an essentialist perception of cultural identities. If the liberal concept in Western liberal societies considers cultural identities and values as self-chosen practices of the good life by individuals, in postcolonial societies cultural identity has primacy over the individual rights, since such an attachment gives a strong moral, social, political and economic anchor. The liberal concept during colonial days was not based on a recognition of rights to equality but was based on the recognition of communal identities and rights, and this orientation has been retained up until today. Nevertheless, the pluralist society, as described by Furnivall (1956), could be argued to have been transformed into a multicultural polity with the recognition of these cultural communities. The constitutional contract is a manifestation of the construction of a multicultural polity. This attempt to liberalise the notion of citizenship from the primacy of communal rights to individual rights to equality was faced with resistance from ethno-nationalist groups.

Nevertheless, the primacy of communal rights over individual rights to equality was argued to have undermined individual rights to equality in postcolonial states. This resulted from the perception that recognising the liberal concept of individual rights to equality would undermine and dilute the cultural identity of indigenousness of the community. Furthermore, the view that the liberal concept of individual rights to equality would result in the undermining of the communal rights to certain privileges and special positions and, hence, communal rights should be defended at all costs. This is because the recognition

of communal rights in some postcolonial societies has a bearing on the justification of a policy framework to preserve the indigenousness identity.

Theoretically speaking, the liberal framework in the multicultural polity of Western liberal democracies and postcolonial societies is significantly different in its recognition of cultural identities. This is because, within the polity of Western liberal societies, recognition of the individual became paramount rather than the recognition of cultural and group identities, even though social, cultural and religious identities could be the basis for recognition. For postcolonial societies, the pluralist set-up formed during the colonial period became the premise for the liberal concept to recognise the formation of a multicultural polity by maintaining the recognition of various cultural communities after independence. Even though individual liberty is recognised within the polity of postcolonial societies, communal identity is paramount and this is evident from the policies formulated in postcolonial societies.

Therefore, the liberal concept within the multicultural polity of both Western liberal societies and postcolonial societies could provide an empirical justification through the examination of the recognition of cultural identities as the social thesis of group recognition, manifested through the policy framework, and institutional and constitutional design.

As Glaston (1995) has outlined, the liberal concept could be divided into two parts; reformation liberalism and enlightenment liberalism. The former recognises that individual freedom and autonomy is significant within the liberal

concept, while the latter recognises that the liberal concept could be further extended to understanding the importance of differences of individuals and groups over matters related to the good life, moral authority, reason versus faith, and others. Therefore, for liberalism to give primacy to the autonomous self alone, without recognising cultural identities which resulted from the freedom to choose one's inclination or association would make the liberal concept illiberal. Furthermore, the argument for the recognition of diversity propagated by multiculturalism must therefore accept and recognise such diversity through mutual toleration within the framework of civic unity. This is the reason why Kukathas (2005) argues that the liberal concept had actually been generous in the recognition of multiculturalism, since this concept allows the freedom to individuals to choose the good life based on what one desires. And the way of life chosen by the individual is to be accommodated and tolerated as long as such a path does not cause harm to other chosen ways of life.

Hence, what is required is that multiculturalism as a field of inquiry is guided by the liberal concept to provide the justification for the need to recognise cultural groups or identities, as it is the duty of liberal states to recognise the rights and obligations of people as citizens constitutionally and legally, in order to avoid the creation of *de facto* majorities and minorities of first class and second class citizens (Nagata in Henders, 2004, p.227).

1.3 Multicultural Malaysia: Challenges to Recognising Diversity

As a result of the colonial legacy, the literature on multicultural Malaysia is illustrated by a strong presence of ethnocentrism, compartmentalisation, a majority-minority connotation in ethnic terms and the institutionalisation of race-based politics (Lijphart cited by Choudhry, 2008, p.28; Shamsul, 2001; Yunas Samad, 1997, p.241 cited by Raihanah, 2009, p.64; Ganeson, 2009, p.138 in Baogang and Kymlicka; Rahman, 2009, p.204). This brought ethnic identity to the fore of politics, reflecting the fact that the British, as colonial rulers, as many have argued, created colonial Malaysia as an ethnicised state (Fenton, 2003, p.137, cited in Raihanah, 2009, p.65). This is supported by the literature on multicultural Malaysia, which reinforces the image of postcolonial Malaysia as maintaining the structure of a pluralist society which continues to separate racial groups under a single political roof (Raymond, 2004, p.123), thus sowing the seed of separatism (Fook Seng, 1975).

This colonial legacy of ethnic segregation or compartmentalisation was further strengthened by the economic identification attached to each ethnic group, which resulted in the Malaysian polity not only being divided socially but also economically. Such a division posed a challenge to Malaysia's nation-building and created a state of steady tension (Shamsul, 1996). Therefore the colonial legacy created divisions, which caused the indigenous Malays to argue for recognition of their special position which would uphold Malay primacy by ensuring that non-Malays, particularly the Chinese, would not have equal political rights or access to citizenship (Puthucheary, 2008, p.3).

As a result of the conflict between ethnic groups, the notion of citizenship rights became a bargaining tool between the majority indigenous Malays and the Chinese and Indian immigrants; this led to a compromise between the leaders of the various ethnic groups in the Alliance. The negotiations over the allocation of citizenship rights witnessed citizens being accorded different civil rights, based on their ethnic background (Puthucheary, 2008, p.19). This historic bargain[3] (Osman, 1990) among the elites of the ethnic parties took centre stage and became the foundation of Malaysia's multicultural/pluralist orientation, which witnessed recognition of the citizenship granted to the Chinese and Indian minorities based on the principle of *jus soli*, or birthright citizenship. At the same time, the granting of citizenship to the Chinese and Indian minorities was made with an understanding that the special position of the majority indigenous Malays would be recognised and thus signified the recognition of the indigenous nation state of Malaysia. Nevertheless, such bargaining could be argued to have resulted in the preservation of diversity in religious and cultural practices in the public domain (Verma, 2004, p.55), with ethnocentrism continuing to prevail and being justified for the promotion of diversity.

This strong ethnic paradigm, promoted by the British, led to the demand for an exclusive recognition of the majority Malays' cultural and religious identity in return for the formation of Malaya. Such recognition of the Malays' special position during the colonial period was justified by the safeguarding of Malay ethnic primordial ties or parochial interests in their dealings with others, especially

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[3] The negotiation between the leaders of the ethnic parties that formed the Alliance is referred to as the historic bargaining, since agreement was reached for the exchange of citizenship for the recognition of the Malay special position. It was considered as historic since the bargaining became the foundation of Malaysia's multicultural set-up today. However, this historic bargaining was conducted behind closed doors and no official documents were recorded.

non-Malays (Hussin Mutalib, 1990, p.1, cited in Verma, 2004, p.23). This fundamental importance saw the attachment or identification of the Malay primordial identity to the ruler or monarch, culture and religion and it is this principle of recognising the Malays' special position which continues today. Hence, this resulted in Malaysia's notion of nation-building being contested, as there was no clear direction or interpretation of what unity and integration underpins. While unity and integration are constructed out of commitment and sense of belonging, the scenario is somehow different in Malaysia, and this, argued Vasil (1980), is contributed to by the view that the Malays had of Malaysia as belonging to the Malays; these special rights and positions could only be maintained through continuous control of the government by the Malays.

As mentioned, apart from the social compartmentalisation of the ethnic group, another significant colonial legacy in which certain economic functions were identified with each ethnic group; this caused suspicion between the ethnic groups because of the inferior economic position of the Malays compared to the immigrants, especially the Chinese,. This is evident through the economic function of the Malays as peasant farmers, Chinese as traders and miners, and Indians as estate workers. This economic identification created by the colonial legacy had further made the indigenous Malays feel threatened, since the land was now considered to have been occupied by the immigrants and this resulted in a call to ensure the protection of the indigenous Malays and the promotion of a special position and rights. The argument among the indigenous Malays was that these two factors could have subjected the indigenous Malays to the tyranny of the minority. As such, the state introduced an affirmative action policy to address

the issue of Malay economic deprivation. The underlying argument for such affirmative action by the state was that racial identification with economic function had to be eliminated. This socioeconomic redistribution by the state through affirmative action was intended to enable Malays to integrate with the economically dominant immigrants, especially the Chinese. While such recognition would be viewed as awkward in terms of a liberal principle or orientation, protection of the Malays' special position did not in any way lead to the disappearance of other ethnic communities' religious and cultural identities (Verma, 2003, p.55).

As a result of the imbalances created by the colonial legacy, the year 1969 witnessed a race riot which led to the transformation of policies to address this issue of imbalance and move forwards towards unity and integration. The formulation of the New Economic Policy (NEP), along with the provision of an affirmative action programme specifically targeting the majority indigenous Malays, resulted in the ascendancy of a Malay nationalist orientation, which justified the demand for preferential treatment of the Malays as necessary to close the economic gap between the Malays and non-Malays (Puthucheary, 2008, p.12). This Malay-centred nationalist orientation, rather than any ideas of individual freedom, was the major organising principle during the formative period of modern Malayan and Malaysian history, and thus explains the reason why race conscious group rights took precedence over individual liberties (Puthucheary, 2008, p.20).

The affirmative action in Malaysia was introduced to ensure that the indigenous Malays would not be misrecognised or side-lined in the economic stakes; it was to provide the indigenous Malays with a handicap in order to compete in a level playing field. The implementation of affirmative action, which should be recognised as a temporary measure, needed to form an egalitarian or colour-blind society (Kymlicka, 1995, p.4), has now been perceived as a right by the indigenous Malays.[4] Therefore the Malays, through their special position, demanded that their economic deprivation be recognised in order to guarantee that economic inequalities would not hinder them from integrating in the new society, and to further avoid minority tyranny. This demand was made with the view that economic deprivation would lead to the unequal treatment of the Malay community, and thus would be a stumbling block towards integration. The justification for preferential policies to address the Malay inferior economic position, and the liberal provision of citizenship extended to the non-Malays, became the inter-domain equation in the original formation of ethnic policies in Malaysia (Abraham, 1999; Crouch, 2001 cited by Haque, 2003, p.246). However, scholars (Jomo, 2004; Osman Rani, 1990) argue that such policy orientation has generated greater ethnic resentment and suspicion between the groups, and is insufficient to promote ethnic integration, since the affirmative action was targeted at a specific ethnic group (which unfortunately was the majority). Economic deprivation and national integration were used to justify a series of preconditions for admission and special privileges for the Malays, who were, in fact, the numerical majority (Verma, 2004, p.80). Therefore, what has happened in the

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[4] The decision to remove affirmative action by the state is perceived by the indigenous Malays as infringing their special rights and position. For instance, the suggestion to remove discounts for purchasing high-end properties was heavily criticised as infringing the indigenous rights. As such, affirmative action has been considered the right of the indigenous Malays.

application of affirmative action in Malaysia is that the state, instead of affirming the equality of all citizens as equal members of the nation, has implemented a compensatory measure to restore or create a balance between the ethnic groups, thus removing certain historical socioeconomic disadvantages and inequalities experienced by its citizens who are in the majority (Puthucheary, 2008, p.19).

Even though citizenship was granted to the Chinese and Indian ethnic minorities, the multicultural/pluralist set-up in Malaysia continues to witness a demand for recognition and rights to equality from the minorities. This is contributed to by the fact that the basis of providing a common nationality for all the people of the Federation did not rest on the norms of egalitarian membership of all communities (Verma, 2004, p.80). Therefore, these continuous demands pose a challenge to Malaysia's nation-building. The recognition of communal membership in defining citizenship in Malaysia could be seen as encouraging diversity but, at the same time, the principles of citizenship in Malaysia reveal that a pluralist society composed of several separate and segregated thriving cultures might not foster multiculturalism (Verma, 2004, p.81). As such, the notion of citizenship in Malaysia can be viewed as enabling diversity through the granting of citizenship to minorities, alongside the recognition of the need to protect the Malays' special position. This idea of facilitating diversity through recognition of communal membership, while at the same time disabling or restricting certain equal political and civil rights in order to recognise the protection of the Malays' special position, resulted in the multicultural space created to be questioned of its overall objective; whether such division or compartmentalisation would be continued to justify diversity, while at the same time undermining unity.

Furthermore, such an orientation towards promoting diversity would actually undermine unity, since members of the society (especially the minorities) would feel detached and lack a sense of belonging towards the state as a result of the different or preferential treatment targeted at the indigenous majority. Meanwhile, the justification for accommodating cultural rights, including language, beliefs and culture, resulted in the side-lining of individual civil and political rights (Verma, 2004, p.81) which are vital in Western liberal democratic states. The liberal notion of individual rights propagated in the Western multicultural model indicates the supremacy of the individual as a cultured entity, in which recognition of individual civil and political rights is vital. On the other hand, the communal approach adopted by postcolonial societies in managing the multicultural set-up required that recognition of communal interests supersedes individual rights. Such orientation, which led to the importance of preserving certain communal rights at the expense of individual rights, is justified on the pretext of preserving harmony to avoid unrest. Nonetheless, the other central observation is whether such a demand by the minorities in Malaysia would be justified, since recognition of the minorities' cultural and religious rights is clearly protected under the constitution. Is multicultural space sufficiently served by preserving only cultural diversity?

There is no doubt that the ethnocentrism promoted in the struggle of liberation from colonial rule undermined the multiculturalism that was taken as a given fact of Malaysian life (Kee Beng, 2009, p.448). The ethnocentrism that exists in Malaysia was further strengthened by the notion of significant

attachment that an ethnic group has to a certain area, making this a basis for the unification against 'outsiders', who are not from the area (Kee Beng, 2009, p.451). Nevertheless, the strong sense of ethnocentrism which had undermined multiculturalism in Malaysia, was turned around with the promotion of the notion of *Bangsa Malaysia*, or 1Malaysia, a strategy of nation-building launched by the state under the National Vision Policy (NVP) in 1991. While such a strategy for nation-building could be viewed sceptically by Western liberal societies as moving towards the promotion of assimilation or coercion of the minorities, this idea of nation-building was, however, welcomed and viewed positively by the non-Malays in Malaysia, since multiculturalism underscores the idea of *Bangsa Malaysia* (Kok Wah, 2002, p.34). Therefore, the idea of nation-building in the context of multicultural Malaysia would complement the recognition of diversity which has been the foundation of Malaysia since independence. This would be taking multiculturalism as a strategy (Kincheloe & Steinberg, 1997, p.1) for promoting and recognising equality in Malaysia's nation-building. The question or challenge that arises from this development of nation-building is: what would be the multicultural context necessary to ensure the establishment of an egalitarian society in Malaysia? Would there be a need for a policy re-orientation in accommodating the demand for recognition and equality?

Therefore, with the idea of *Bangsa Malaysia* nation-building, Malaysia's multicultural set-up would witness a contest between the demands for an egalitarian set-up from the minorities, against the ethnocentric set-up adopted since independence. After the launching of a new initiative called 1Malaysia, which was introduced recently as a platform to provide a free and open forum to

discuss issues that matter to the nation, a call was made for the unification of the indigenous Malays.[5] Therefore, my contribution to this area of inquiry is to look at the challenges of multiculturalism and how it would respond to the *Bangsa Malaysia* notion of nation-building. This is because recognising multiculturalism within the context of Malaysia's nation-building could be interpreted differently by the indigenous Malays and non-Malays. The argument that the notion of *Bangsa Malaysia* as a move towards establishing an egalitarian society by upholding rights to equality based on the principle of a liberal democratic society was something that the non-Malays accepted eagerly. This is because, after more than 50 years of independence, cultural diversity has been maintained through an arrangement by which rights to equality were not fully implemented, hence this notion of *Bangsa Malaysia* as the best platform to establish the true meaning of unity in diversity. However, for the indigenous Malays, such a move is viewed as an attempt to dilute the special position of their indigenousness and the privileges which they have enjoyed over the years. Any attempt to dismantle the special position was argued by the indigenous Malays as jeopardising and diluting their primordial identity which is embedded in the King, Islam and indigenous nation state identity.

1.4 Research Methodology

To determine the best research method to be adopted for this study was quite a challenging task since it would involve questions involving ethnicity and rights to equality which are considered sensitive to a certain extent. This is

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[5] This idea of 1Malaysia was launched by the sixth Prime Minister of Malaysia, Najib Razak, to complement and expedite the formation of *Bangsa Malaysia*. The idea of 1Malaysia is to preserve unity in diversity which is considered as the pillar and strength of Malaysia.

because after the 1969 race riot, issues pertaining to the citizenship rights of non-Malays and the special position of Malays could no longer be openly debated in order to avoid future racial tension. However, in addressing the issue of nation-building and the recognition of a multicultural polity, these issues are inevitable and require an in-depth examination. This is because, as mentioned earlier, Malaysia's nation-building initiative is being challenged by issues which have apparently been 'settled', such as its constitutional design; this has affected the view that one community has of the other as a result of race-based affirmative action programmes. Therefore, the first question that arose was: which method should be applied in order to conduct the observation of the challenges posed in Malaysia's multicultural context, and how have they impacted upon the notion of nation-building? Malaysia's historical factors, contributed to by the colonial legacy, posed a challenge which has required the state to formulate or devise meaningful formulae for its resolution. At the same time, certain restrictions imposed on the discussion of the issues or topics related to this research resulted in the reluctance of interviewees to be recorded or dictated.

Therefore, in order to provide a critical analysis of this issue of nation-building and the recognition of multiculturalism within the Malaysian polity, this research conducts personal interviews with political leaders, community leaders, scholars and ordinary Malaysian citizens in order to obtain their views on the way forward for Malaysia: to undertake the challenges of preserving its cultural diversity, and the contest for equality, which is taking its toll on nation-building. The interviews conducted with the present party members of the coalition were essential in order to know how the members of the coalition interpret

multiculturalism and the notion of *Bangsa Malaysia* in realising the idea of nation-building.

A set of semi-structured questions was posed to the interviewees; however, as the interview continued, open-ended questions could be posed to interviewees as a response to the views given by the interviewees. This was being done in order to ensure that interviewees were not put into a stressful situation, taking into consideration the sensitivities of the issues that interviewees might raise during the interview. Therefore, the idea of adopting this kind of responsive interviewing (Rubin and Rubin, 2005) is to gather personal experience and understanding of the interviewees' views of the nature of Malaysia's multicultural set-up, the nation-building process and the challenges posed in maintaining unity in diversity. The responses gathered from the interviewees would provide a deeper understanding of the issues of nation-building. The interview method adopted in this research of posing open-ended questions would be central in order to make sense of this idea of nation-building in Malaysia specifically, and how it affected or impacted the lives of Malaysians in general. The term interview society (Atkinson and Silverman, 1997) indicated that understanding the conduct of the individual and the society would be more meaningful only through in-depth views provided by the interviewees.

Meanwhile, the views gathered from interviewees would provide an outline of the concept of nation that each interviewee imagined. This is because each interviewee might have a different experience and their own understanding and interpretation of the process of nation-building in Malaysia's multicultural context.

As Anderson (1983) argued, the idea of a nation is being imagined by members of the nation because the members of the nation would never know one another but in each and every one of them the image of their communion exists. Therefore, the imagination of the Malaysian nation is embedded and influenced by the recognition of ethnic identity which has taken centre stage in Malaysia's polity and is protected by the constitution. At the same time, the policies formulated to ensure the promotion of the multicultural orientation and nation-building have impacted the imagination of the nation. The justification for adopting this research methodology is to acquire in-depth views, which could be considered personal views, of Malaysia's multicultural orientation and how they affect nation-building. The hypothetical argument put forward in the questions is whether or not Malaysia has failed to create a multicultural space for all communities concerned, especially the minorities. Moreover, what would be the ideal multicultural framework that Malaysia should adopt in addressing or supporting its nation-building efforts? The views gathered from the interviews would provide recommendations and suggestions regarding Malaysia's nation-building process, and the challenges brought about by multiculturalism in realising this process. This is because the idea of nation-building has been viewed positively by the non-Malays as the beginning of recognition to equality. On the other hand, the idea of nation-building is viewed sceptically by the indigenous Malays as in having to surrender special rights in the interest of nation-building and rights to equality as the basis of unity and integration.

Together with the information gathered from the interviews, an analysis of the policies formulated by the state in recognising its multicultural set-up and the

process of nation-building will also be critically analysed, in order to determine whether there is a universal formula to be used in addressing issues of multiculturalism and nation-building between the postcolonial societies and Western liberal societies. Among the most significant challenges facing Malaysia's multicultural set-up is that, even though ethnic segregation and compartmentalisation had resulted in the promotion and recognition of a multicultural space, ethnocentrism has been the dominating force within the polity, and this repudiates the idea that the state is in the possession of a single national group (Craig, Gordon, Burchardt, 2008, p.56). Therefore, with such an orientation, how could nation-building which envisages unity and integration be achieved?

However, one constraint that needs to be highlighted is the reluctance of interviewees to be interviewed or consent to their interviews being recorded. This is because of the sensitivity of the subject, which would involve questions on citizenship rights, the special position and constitutional issues which are recognised as 'non-negotiable'. This is because the discussion of the Malay indigenous rights, along with the citizenship rights of the Chinese and Indian ethnic minorities, is considered to be an issue that should not be discussed, as it could stimulate unnecessary unrest. Since the 1969 race riot, the recovery programme for the nation involved the removal of sensitive issues from the realm of public discussion. These issues pertaining to the status and powers of Malay rulers, the special position of the Malays and the citizenship rights of the non-Malays, the status of Islam as the official religion and the status of Malay as the national language are considered unquestionable. As such, the reluctance of

interviewees to address these issues should be expected; as a result of these sensitivities, discussion could be liable to prosecution since it is argued that it triggers ethnic unrest.

However, for the purpose of this research, the issues related to the rights of the indigenous majority, the citizenship rights of the minorities, the legal structure, policies and institutions of multicultural Malaysia must be addressed, since it is inevitable that these issues are discussed in order to provide the way forward in Malaysia's nation-building agenda. The interviews, whether recorded or unrecorded, would be an effective avenue to gather the reactions of people with regard to this issue. Hence the outcomes of the interviews would not be as useful as desired, because open discussion and deliberation on these issues could not be much expected. Even though intercultural dialogue without guarantees (Ien Ang, 2009) and open-ended discussions would be the way forward in a multicultural and democratic society, due to the sensitivity of the issues, such effort could be undermining rather than assisting. Nevertheless, continuous dialogue and open-ended discussion would be an avenue to support the nation-building process.

Apart from this, it is claimed that people are quite reluctant or not really interested in discussing issues pertaining to nation-building and the recognition of multiculturalism in Malaysia because the reality of achieving nation-building and recognising the multicultural polity still takes the racial/communal perspective. For instance, what does *Bangsa Malaysia* imply, and how do we talk about or discuss such notions if certain issues are considered 'sensitive'? Furthermore, how could

such an agenda materialise if the concern is still focused on racial or communal survival instead of recognition of citizenship? Hence, the challenge for me is to ensure that the interviewees are comfortable in expressing their views in an atmosphere of intellectual discussion in which the racial identification of interviewees would not be reflected.

Chapter 2

2.1 The Development of Politics of Ethnicity: From Mono-ethnic to Pluralist Society

'Let me say a few words about the most delicate problem in the politics of Malaya. Any realist can see where the main difficulty lies. It lies in the mutual suspicion between different communities especially between different racial communities especially between the Malays who are the indigenous people of this country and the Chinese who have played an immense part in its development.' (Malcolm MacDonald, Governor General of Malaya)

As mentioned earlier, the demographic transformation of societies around the world could be attributed to a number of factors. The process of migration is one of the factors contributing to the demographic change which has resulted in the formation of a multicultural, multi-religious and multi-ethnic society. For postcolonial states, however, the demographic transformation can be argued to have resulted from the colonial ethnic immigration and stratified labour policy. (Hilley, 2001, p.23) Thus, this demographic transformation was regarded as having been 'forced' upon the country by colonisers in this formerly racially and ethnically homogenous society, and this has meant that present day postcolonial states have to accept this colonial legacy.

As for Malaysia, it has had its share of colonial legacy under the Portuguese, Dutch and the British. Historically, Malaysia's colonial experience can be traced from the fall of the Malacca sultanate to the Portuguese, and it was colonised by the Portuguese from 1511 until 1642. The interest of the Portuguese

at that time was to control the trade route of the East Indies, as Malacca was strategically located and was labelled by traders as the 'Venice of the East'. Unlike the Dutch and British colonisers who had a political interest, the Portuguese presence was solely confined to controlling the trading activities taking place at the port.

After 130 years under Portuguese rule, Malacca was then colonised by the Dutch from 1642 until 1786. Again, the Dutch interest in Malacca was oriented to the control of trading activities. However, the Dutch interest in formalising its pursuit of trade was made more effective with the formation of the United East India Company in 1602. This corporation pursued an economic policy of monopoly by signing treaties with local rulers, especially with regard to the purchase of tin. However, the colonisation experience under the Portuguese and Dutch did not have any significant impact on the demographic profile of Malaysia, since they were not involved in any labour-intensive activities, apart from trading.

The most significant colonial impact on Malaysia was during the British colonial rule. British colonial rule resulted in a demographic impact with the inflow of Chinese and Indian immigrants to serve the economic interest of the British. This inflow of immigrants left a colonial legacy, which maintained the basic concepts of ethnic division and communal politics as 'primordially' given rather than being products of the colonial state (Hilley, 2001, p.23). The presence of these immigrants to serve the economic interest of the British was viewed as an asset because of the economic wealth they generated for the British by working in the tin mines (the Chinese) and on estates (the Indians). While some would

argue that early migration of the Chinese and Indian traders would have caused the demographic transformation, it was actually during colonial rule from 1911 to 1931 that a massive influx of workers from China and India resulted in the Malay indigenous population being outnumbered, and this triggered worry among the indigenous Malays about the dilution of their identity and also the land as an indigenous nation state.

2.2 British Colonial Rule: Formation of a Pluralist Society

Unlike the Portuguese rule and the Dutch rule, the British colonial rule was not limited to controlling trading activities, but expanded to the labour-intensive economic activities of tin-mining and plantations in Malaya. The British intention was to transform the economy from subsistence agriculture to a key producer of primary goods and raw materials for the British and European market (Hilley, 2001, p.23). The rich natural resources of Malaysia and its fertile land had caused the British to expand colonial activities, which were purely economically oriented, in Malaya. In supporting the labour-intensive economic activities, the British encouraged an open door policy of ethnic immigration and stratified labour relations as part of an export-led strategy (Hilley, 2001, p.23). Such a policy witnessed the subsidising of the immigration of Chinese and Indian labourers into the country (Yong, 2004, p.39) and resulted in the emergence of the so-called pluralist society with separate economic spheres, divided by language, customs, religion, dietary laws, marriage and funeral ceremonies (Verma, 2002, p.26). Hence, this transformation into a pluralist society, communities living side by side without mingling, had a tremendous effect on countries in Southeast Asia, since these countries had earlier been identified as indigenous state nations

(Suryadinata, 1997, p.5); racial identity would be the factor that would haunt contemporary Malaysia (Hirschman, 1987, p.570 cited by Milner, 2011, p.120). Malaysia would see its nation-building process taking place in the post-independence period based around the strengthening of the identification of a polity of an indigenous state nation and recognising the primordial identities of the indigenous Malays.

The significant participation of the Chinese and Indians in economic activities resulted in the indigenous Malays being side-lined from active commercial involvement, and set in motion the identification of race with economic activity (Verma, 2002, p.26). This caused the indigenous Malays to be economically dispossessed in their own country (Yong, 2004, p.37) and to be portrayed as a dysfunctional part of the colonial mode of production. With the indigenous Malays detached from commercial activities, the British acknowledged the necessity to extend appropriate respect and recognition to the Malay Sultans in order to avoid any unnecessary conflict, since the British knew the influence that the Malay rulers had over the indigenous Malays. The signing of treaties between the Malay rulers and the British resulted in the acceptance of a British officer whose advice must be asked and acted upon on all questions other than those touching on Malay religion and custom (Vasil, 1980, p.12). Furthermore, a pro-Malay privilege was retained for a select class of Malay civil servants as a means of co-opting the feudal aristocracy (Hilley, 2001, p.24). The protection and promotion of the Malays was firmly recognised by the British who insisted that the Malay states formed the country of the Malays and who maintained this position, consciously, subconsciously and unconsciously, by

preferential treatment. British policy had been dictated by a conscientious regard for the binding quality of treaties, a recognition that its economic policies had flooded the country (Malaya) with aliens, and a realisation that, without protection, Malaya would soon cease to be a country of the Malays and would, in fact, become what a casual observer had mockingly called another province of China (Jones, 1953, pp.136-7, cited by Vasil, 1980, p.14). The recognition of the Malay rulers had resulted in the British according the Malays the status of the only *Bumiputra* and thus witnessed the Malays enjoying political pre-eminence, compared to the non-Malay immigrants (Vasil, 1980, p.12).

With the recognition of the indigenous Malays' position, it was sensible for the British to enhance their administrative control by recruiting members of the ruling class of the Malays into their administration. The Malay Administrative Service was set-up and employees recruited from well-established families (Yong, 2004, p.33). The involvement of the ruling Malays in the British administration resulted in the segregation and compartmentalisation of the races, based on specific economic and administrative functions. This was best described by Furnivall (1956) in which a colonial economy had given rise to a social order segmented by race and the customs of a pluralist society (Hilley, 2001, p.23), in which different sections of the community live side by side but separately within the same political unit and in the economic sphere; this caused a division of labour along racial lines. Furthermore, the economic functions attached to the respective ethnic groups prevented unity among these groups (Syed Hussin, 2009, p.130; Sarji, 1989, Stockwell, 1982 cited by Haque, 2003, p.244). Moreover, such divisive situations caused 'the suspicion between the

Malays who are the indigenous people of this country and the Chinese who have played an immense part in its development.' (Malcolm MacDonald, Governor General of Malaya, 1947-1954)

There was an absence of any mechanism or policy to control the influx of immigrants which caused the indigenous Malays to be outnumbered, and no attempt was made by the British to integrate the various ethnic groups into a united political establishment. The failure of the British to create a sense of unitary allegiance caused the immigrants to think of themselves as a member of a transient community and they were treated as aliens, since local birth was not an infallible index of intention to settle in Malaya (Gullick, 1969, p.79 cited by Yong, 2004, p.52). The British stand towards the non-Malays was that, as long as the non-Malays did not cause any threat to British interests and authority and did not interfere in the affairs of the *Bumiputra* they were left to earn their livelihood and thus the British saw no special responsibility to protect or recognise them (Vasil, 1980, p.12).

Table 1 indicates the population percentage, which witnessed the numbers of Chinese and Indian immigrants gradually outnumbering the indigenous Malays, while Table 2 indicates the population number based on ethnic groups. This indicates that the indigenous Malays, who were once the dominant population, had been outnumbered due to the demographic transformation of British economic policy. As a result, a pluralist society was formed which saw the Malays as a dominant group, but not constituting a majority, while the Chinese

and Indians were the minority groups, but substantial minorities (Yong, 2004, p.52).

Table 1: Changing Population Distribution of Ethnic Communities, 1911-57 (%)

Year	Malays	Chinese	Indians	Others
1911	58.6	29.6	10.2	1.6
1921	54.0	29.4	15.1	1.5
1931	49.2	33.9	15.1	1.8
1947	49.5	38.4	10.8	1.3
1957	49.8	37.2	11.7	1.3

Source: Fong Chan Onn, 1989, The Malaysia Economic Challenge in the 1990s; Transformation for Growth, Singapore: Longman, p.12, cited by Terence Gomez, 2004, p.171.

Table 2: Population of the Federation of Malaya

Year	Malay	Chinese	Indian	Other
1948	2,457,014	1,928,965	536,646	64,802
1951	2,631,154	2,043,971	566,371	75,726

Source: Annual Report on the Federation of Malaya 1951, cited in C.C. Chin and Karl Hack, Dialogues with Chin Peng, pp.380-81.

The pluralist society continued until 1946 when the British came back to rule Malaya after the Japanese occupation in 1945. When the British returned to rule Malaya, they realised that a uniform structure was missing from the administration of Malaya. The divide and rule policy of the British - which had ensured that Malay rulers were kept happy - discouraged engagement between Malays and non-Malays, and ensured no concerted attempt at self-rule (Yong,

2004, p.56). This actually made it difficult for the British to introduce any form of reformation to its rule. Therefore, upon returning to Malaya, the British immediately met the Malay Sultans and sought approval for the formation of the Malayan Union. The Malayan Union was an attempt to unite all the Malay states into one central governing body for the very first time. Under the Malayan Union, the British planned an administrative arrangement to be organised across racial or ethnic boundaries, which was to constitute a democratic reform of a political system and to be the precursor to self-government (Hilley, 2001, p.27).

Another significant event which happened during the Japanese occupation was that the Japanese had fostered nationalistic bias among the Malays against the Chinese, and stirred up nationalist and anti-colonial sentiments that could be directed against the British once they returned to Malaya (Verma, 2002, p.28). The nationalist spirit instilled by the Japanese among the Malays would be the main stumbling block to the British-supported claims for equal political rights by the other communities, as proposed by the Malayan Union. At the same time, the Malays viewed such support by the British as undermining the approach of recognising the sovereignty of the Malay Sultans (Verma, 2002, p.28).

2.3 Malayan Union: Building an Integrated Malayan Society

The British had realised the need for a unitary system, based on a democratic political system, and mooted the idea of the Malayan Union in 1946. The main objective of the Malayan Union was to create a more efficient government organisation and to promote a sense of unity and 'Malayanness' among the different people of Malaya, based on an egalitarian principle (Vasil,

1980, p.17). Moreover, the objective of the Malayan Union was to give non-Malays a fair deal by abolishing the special position enjoyed by the Malays with regard to the issue of citizenship (Vasil, 1980, p.19). However, what the British would not have realised was that there was a lack of understanding of such a democratic political system, as a result of the failure of the British to introduce such an administration prior to 1946; each ethnic group was considered autonomous and there was no need for integration, since it never occurred to the indigenous Malays that the ethnic Chinese and Indians immigrants were going be granted citizenship and recognised as part of the polity after independence.

Throughout the period prior to 1946, the British had employed the Malays to fulfil administrative duties and functions while not involving the Chinese or Indian immigrants in the political administration of Malaya. Such an orientation was a clear indication that the Chinese and Indians immigrants were basically a transient group without having any significant attachment to Malaya. Furthermore, the Malay nationalism triggered during the Japanese occupation was overlooked and underestimated by the British; this resulted in the rejection by the Malays of the Malayan Union. The Japanese occupation had contributed significantly to the alteration of the political and communal scene. As mentioned, Japanese occupation had influenced the rise of Malay nationalism, in which the Japanese arrival was viewed by the Malays as an avenue to put an end to the economic and political encroachments of the Chinese on the Malays' preserve. (Purcell, 1956, p.37 cited by Vasil, 1980, p.16) As a result of this, the Chinese were brutally treated and developed anti-Malay feeling. This development had an influence over the British perception of the Chinese and the Malays, in which the

British had an admiration of the Chinese resistance to the Japanese, while the Malays' collaboration with the Japanese, caused British policy-makers to have more of an anti-Malay sentiment (Vasil, 1980, p.18).

Therefore, when the British came up with the idea of a Malayan Union in 1946, the Malays were not prepared for such an egalitarian form of integration, and perceived such ideas as an act of betrayal by the British of their special position which had been agreed during the earlier period of British rule; for non-Malays, such ideas were well-received, even though there was no outright support for the Malayan Union from the Chinese. The most significant point in the idea of the Malayan Union was that common citizenship rights were to be given to the Chinese and Indian immigrants. The common citizenship rights proposed by the British were based on the principle of *jus soli* and would have resulted in 83% of the Chinese and 75% of the Indians being eligible to become citizens (Ratnam, 1965, p.75 cited by Yong, 2004, p.60). They would have outnumbered the indigenous Malays. Such citizenship rights were viewed as an important factor for integration since there was an absence of such a system throughout British colonial rule, and common citizenship would mean that Malays and non-Malays were to be treated equally; this would eliminate the Malays' special position and the indigenous nation state identity.

However, what actually happened as a result of the Malayan Union idea, was the mobilisation of Malay nationalist groups to oppose such egalitarian measures, which would undermine the indigenous Malays' special position and would dilute the indigenous nation state identity. The opposition towards the

Malayan Union was led by the United Malay National Organization (UMNO), mobilising the Malays under the slogan 'long live the Malays' or *Hidup Melayu*; they staged demonstrations to oppose the idea. The formation of UMNO represented the crystallisation of Malay nationalism, which managed to galvanise support across the board and was later translated into a political programme (Yong, 2004, p.65). UMNO made it clear to the British that their struggle was for the Malay cause in not only demanding independence from the British, but also to uphold the supremacy of the Malays by ensuring that non-Malays - and most importantly the Chinese - would not have equal rights or access to citizenship (Puthucheary, 2008, p.3).

UMNO's opposition to the Malayan Union proved highly successful and it was replaced by the Federation of Malaya Agreement on 1 February 1948 (Ooi, 2006, p.46). UMNO continued its effort of highlighting the sentiment that, under the Malayan Union, the position of the Malay Sultans would be undermined, and the Malay 'sovereignty' would be lost (Horowitz, p.405) as a result of the nature of citizenship to be granted to the Chinese and Indians; this triggered the Malays' awareness of the issue of their survival. The Federation of Malaya Agreement included a common form of citizenship to be extended to those who regarded the said Federation or any part of it as their real home and the object of their loyalty (Federation of Malaya Agreement, 1948 cited by Vasil. 1980, p.209). However, the Chinese and Indians did not get the full citizenship rights as originally proposed under the Malayan Union (Hilley, 2001, p.27) and, in fact, had to fulfil certain criteria of residence in their application for citizenship. Meanwhile, the rule

of the Malay Sultans and the special position of the Malays were secured, and the country was maintained as *Tanah Melayu* or Malay Land (Vasil, 1980, p.209).

The Chinese were not that receptive towards the idea of the Federation and had viewed it as an obvious threat to their aspiration for equal treatment (Horowitz, 2000, p.399). However, the frustration of the Chinese was due to Chinese apathy and lack of support for the idea of the Malayan Union, which would have enhanced and protected their political rights in post-independence Malaya (Gomez, 2004, p.175). Nevertheless, the reluctance of the British to grant independence with only UMNO on board, triggered the Chinese desire to mobilise themselves and this led to the formation of the Malaysian Chinese Association (MCA) by Tan Cheng Lock in February 1949. The MCA was led mainly by wealthy Chinese businessmen and anti-communist leaders whose main concern was to protect their economic establishments (Heng, 1988, p.57 cited by Gomez, 2004, p.175). The formation of the MCA was welcomed since it would provide an alternative avenue for the Chinese in their struggle for recognition and, as such, would undermine the influence of the Malayan Communist Party (MCP). The MCA as a political establishment was also recognised and supported by the British, since it could provide an alternative to the Chinese and thus undermine the MCP. The formation of UMNO and the MCA marked the beginning of ethnic politics in the Malayan political scene.

Meanwhile, for the Indian immigrants, the mobilisation was represented by the formation of the Malaysian Indian Congress (MIC) in 1946 by John Thivy. The mobilisation of the Indians was initially to provide support and solidarity to fight for

Indian independence from British colonial rule in India. At the same time, MIC was also oriented towards preserving and protecting Indian interests in political, social and economic areas in the Malay states, in order to cooperate with other races in the struggle to better the Malay states and to represent a united Indian view.

What could be interpreted from the formation of the Federation of Malaya to replace the Malayan Union was that it actually triggered the formation of political parties which were communally located and thus would indicate the recognition of the political representation of these ethnic groups, especially the minorities. With the Malay special position secured under the Federation, the stricter citizenship for the Chinese and Indians caused the Federation negotiation to be organised around a communal agenda instead of a Malayan-centred agenda (Terence Gomez, 2004, p.173). Nevertheless, the communal agenda represented by UMNO, the MCA and the MIC had enabled the respective cultural groups to maintain their communal identity and cross-sectional base while still retaining an elitist form of multiracial cooperation (Terence Gomez, 2004, pp.175-6). The communal agenda brought by UMNO, the MCA and the MIC at the same time formed a single anti-colonial front that witnessed the retention of the original ethnic divisions, manifested through the formation of political parties (Verma, 2002, p.24).

Nevertheless, UMNO, the MCA and the MIC as a communal party were challenged by non-communal parties such as the Independent Malaya Party (IMP) and the All Malay Council of Joint Action (AMCJA) in the state elections,

and later parties such as the People's Progressive Party (PPP), the People's Movement Party (*Gerakan*) and the Democratic Action Party (DAP). The AMCJA - represented by Malay, Chinese and Indians - was opposed to the idea of the Federation and instead called for independence on a structure based on universal citizenship and power-sharing arrangements with inbuilt Malay rights and retention of the Malay monarchy (Hilley, 2001, p.28). The IMP's formation came after the failure of the founder of UMNO, Onn Jaafar, to de-communalize UMNO from communal politics and to open up UMNO's membership to all Malayans. IMP, with its slogan 'Unity, Freedom, Independence and Equality for All', had suggested that UMNO should be open to non-Malays, and this would allow UMNO to represent all races under the name United Malayan National Organisation instead of the Organisation confining itself to the Malays. Such an orientation, Onn argued, was necessary, and the slogan 'Malaya for the Malays' had to be changed to 'Malaya for all Malayans' in order to instil a sense of belonging and allegiance to the state. However, Onn's 'advanced' outlook could not be accepted and was blocked by members of UMNO, fearing that it might dilute the Malay character of UMNO (Yong, 2004, p.73).

2.4 The Alliance and the Road to Independence

With the ethnic groups now organised and represented by their respective political parties, the British agreed for elections to be held at the state and municipal level in preparation for self-rule. The Kuala Lumpur council election in 1952 provided the first opportunity to test the acceptance of the people of the type of political orientation they desired. The IMP's non-communal approach was put to a test against the UMNO and MCA communal approach, and the result

clearly showed that communal politics was still the preferred choice, with victory secured by UMNO and the MCA. UMNO and the MCA secured further victory in the other municipal and state elections. The UMNO-MCA alliance was governed by the principle of parity, in which the Malays - a minority at the municipal level - had cooperated with the MCA in securing the votes and vice versa (Horowitz, 2000, p.406). Such voting patterns, which took place in the municipal and state elections, indicated that communal politics was unavoidable and that the Alliance provided a realistic and practical approach to mobilising political support in a pluralist society (Yong, 2004, p.78).

The outstanding performance of the Alliance in the federal election was an endorsement of the communal orientation, in that such an orientation would be retained in years to come. The Alliance adopted a consensus-based approach, which witnessed a level of cooperation and interdependence in which the MCA provided easy access to funds in the running of the Alliance. For UMNO, the support received from the Malays would ensure that the MCA would also be able to survive in Malay voter areas under the Alliance with influence from UMNO. Such an inter-ethnic cooperation model adopted by the Alliance would be difficult to challenge by the poorly financed but more ideologically oriented multiracial organisations (Terence Gomez, 2004, p.176).

The victory of the Alliance in the 1955 General Election had also proved to the British that these three ethnic groups had formed a very strong understanding for cooperation to attain independence. With this victory, the Alliance formed the independence mission to the United Kingdom, comprising eight delegates, four

representing the Malay rulers and four representing the Alliance. After deliberative discussions with the British between 18 January and 8 February 1956, the British agreed to grant independence from 31 August 1957 (Jawan, 2007, p.43). With the date for independence in sight, it was also agreed that the new constitution of the independent Federation of Malaya be formulated. The period of formulating the new constitution was the most difficult period in the history of the Alliance (Yong, 2004, p.83), in which negotiations and bargaining took place between leaders of the Alliance, and this period is sometimes referred as the 'historic bargaining'. Among the key issues negotiated by the Alliance were citizenship, the special position of the Malays, religion, language and education.

The negotiation on these issues was strategic, which led to the 'historic bargaining' that gave birth to the Merdeka Constitution, led by the Reid Commission. The Alliance had come to an agreement on the issue of citizenship, whereby UMNO had agreed that the principle of *jus soli* was to be applied, not retrospectively, but for those who were born on or after 31 August 1957. For the non-residents, citizenship could be applied for based on certain requirements, especially if they could demonstrate their understanding of the Malay language and were willing to take an oath of allegiance. In short, the outcome of the constitution favoured the indigenous Malays. This was because the thrust of nationalism had come from the Malays and the recognition of the Malays by the British who witnessed the signing of the treaties with the Malay Sultans in 1874 made it an obligation for the British to protect the interests of the indigenous population, thus:

'the British government had been firm in its insistence that the Malay states formed the country of the Malays and had maintained the position, consciously, subconsciously and unconsciously by preferential treatment. Its policy had been dictated by conscientious regard for the binding quality of treaties, a recognition that its economic policies had flooded the country with aliens and a realisation that without protection Malaya would soon cease to be the country of the Malays and would in fact become, what casual observation had mockingly called it another province of China'. (Jones, Public Administration in Malaya, pp.136-7, cited by Vasil, 1980, p.14)

At the same time there was also a need for the British to recognise and accommodate the Chinese and Indians as they had now forged a centralised political structure in the road to independence (Bunnell, 2002, p.109). The outcome of the constitution and the inter-ethnic cooperation became possible through the 'historic bargaining', in which an unwritten understanding was achieved between the ethnic leaders, especially between UMNO and the MCA (Kam Hing in Suryadinata, 1997, p.86) and, as observed by Vasil (1980), the relationship was characterised by a genuine give and take towards each other's interest. The unwritten understanding was that the Malays would have political power while the Chinese would retain economic influence. Such an unwritten understanding misled the Chinese who conceived Malaya to be a new nation whose cultural identity was to be created within the evolving entity of other cultural communities, on the principle that equality of status is the right of all citizens (Kam Hing in Suryadinata, 1997, p.86). Unfortunately, as illustrated by Harper, the citizenship did not amount to nationality and citizenship rights for the

non-Malays and in no way impinged upon the special rights of the Malays (Harper, 1996, cited by Bunnell, 2002, p.109).

Nevertheless, the outcome of the agreement was made with an understanding that non-Malays were to accept the provisions relating to the special position of the Malays, mainly:

i)   Malay reservation land for Malay use;

ii)   Reservation of positions for Malays in the public service;

iii)   Granting of licences and permits for certain businesses; and

iv)   Granting scholarships for education and training purposes (Yong, 2004, pp.83-4).

and thus endorsing the Malay hegemony in the constitution (Verma, 2002, p.29). The understanding was that this special position of the indigenous Malays, as stipulated under Article 153 of the Constitution, was to be reviewed 15 years after independence. However, this decision was dropped after the late Tun Razak convinced the other members of the Alliance that the Malays might be able to catch up with the non-Malays over a couple of years, thus making this revision unnecessary (Vasil, 1980, p.46). While the constitution favourably recognised the position of the indigenous Malays, important concessions for the non-Malays were also made, in which citizenship conditions for the non-Malays were liberalised, and this agreement resulted in the proportion of non-Malay citizens increasing significantly. Furthermore, another significant principle agreed was that non-Malays were allowed to continue to use their language and to practice their

cultural customs, including freedom of religion (Kam Hing, in Suryadinata, 1997, p.86).

Nevertheless, a controversy arose about the issue of the special position of the Malays: whether the special position should be permanent or if a time frame was needed. The late Tun Dr Ismail, former Deputy Prime Minister, had argued that 'the question be left to the Malays themselves, because I felt that as more and more Malays became educated and gained self-confidence, they themselves would do away with this "special position" because in itself this "special position" is a slur on the ability of the Malays, and only to be tolerated because it is necessary as a temporary measure to ensure their survival in the modern competitive world; a world to which only those in the urban areas had been exposed.' (Ooi, 2006, pp.82-3)

Furthermore, this issue of the special position of the Malays was argued to have been misinterpreted by the Malays. Such misinterpretation of the special position resulted in the Malays thinking that they were *primus inter pares* among the citizens. Tun Dr Ismail again urged caution about such misinterpretation: 'I regard the special position of the Malays as a handicap given to the Malays with the consent of all the other races who have become citizens of this country so as to enable the Malays to compete on equal footing for equal opportunities in this country. That and that alone is the only aim of the special position of the Malays. But unfortunately the Malays themselves have tended to give the impression consciously or unconsciously that the special position of the Malays is a sign that the Malays are placed in a superior position to the other races in the country.

Perhaps, the biggest mistake that the Malays made, of course, was to coin the term *Bumiputra* because this term tended to convey an entirely different meaning to what was intended for the special position of the Malays. By coining the term *Bumiputra* the non-Malays suspected the Malays of wanting to classify themselves as first class citizens while they were relegated to second class' (Ooi, 2006, p. 225). Moreover, the classification or categorisation of the indigenous and non-indigenous population had further strengthened or reinforced compartmentalisation within the Malaysian polity.

However, with regard to the issue of the sustainability of the Malay special position, the constitutional commission was in an awkward position (Vasil, 1980, p.41) whereby it was a challenge to reconcile the protection of the special position of the Malays by granting special privileges permanently to one community over the other while, at the same time, recognising a common nationality in which all citizens, irrespective of race, creed or culture should enjoy certain fundamental rights, including equality before the law (Report of the Federation of Malaya Constitutional Commission 1957, p.71 cited by Vasil, 1980, p.42). Even the Commission was of the view that the Malay special position at that point of time was necessary, but it clearly stated that:

'But, with the integration of the various communities into a common nationality which we trust will gradually come about, the need for these preferences will gradually disappear. Our recommendations made on the footing that Malays should be assured that the present position will continue for a substantial period, but that in due course the present preferences should be reduced and should

ultimately cease so that there should then be no discrimination between races or communities' (Report of the Federation of Malaya Constitutional Commission 1957, p.71 cited by Vasil, 1980, pp.42-3).

With regard to the issue of religion, the Alliance agreed that Islam was to be recognised as the official religion and that each Malay Sultan would be the head of the religion in his own state, while the rights and practices of other religions were to be guaranteed. As for the issue of language and education, the Alliance had to deal with concerns raised by the Malays and non-Malays. The argument for a national education system was supported by the Malays, in order to ensure the Malay language was the sole medium of instruction. This was contested by the non-Malays, who argued for a vernacular education to be recognised, consistent with the right of the non-Malays to preserve and sustain their cultural identity (Yong, 2004, p.85). In spite of this, an agreement was reached between the Alliance that the Malay language to be made the national language and used as the medium of instruction, in order to develop a common identity and nationality. Vernacular education would be continued, provided that the Malay language was offered as a compulsory subject.

The ability of the Alliance leaders to solve pressing issues brought the leadership closer together, and leaders drew from this the lesson that many of their differences could be resolved in a spirit of reciprocity and goodwill (Horowitz, 2000, p.408) and also behind closed doors via negotiation or discussion among the elites. Such levels of maturity portrayed by the leaders of the Alliance had further convinced the British that Malaya was ready for independence on 31

August 1957. Nevertheless, the 'historic bargaining' which was agreed by the Alliance was exploited by other opposition parties, casting doubt on its fairness, and exploiting the fears and suspicions of the electorate (Yong, 2004, p.89).

2.5 Formation of Malaysia and Strengthening of Race-Based Politics

When independence was gained in 1957 it was without the Borneo crown colonies and Singapore, even though the idea of merging the Malay States, the Straits Settlement, and the Borneo crown colonies was mooted by the British as early as 1882. However, the merger materialised when Tunku Abdul Rahman, the first Prime Minister of Malaya, made the following remark on 27 May 1961:

'Sooner or later Malaya would have an understanding with Britain and the peoples of Singapore, North Borneo, Brunei and Sarawak. It is premature for me to say now how this closer understanding can be brought about, but it is inevitable that we should look ahead to this objective and think of a plan whereby these territories can be brought closer together in political and economic cooperation.' (Willard A. Hanna, 1961, p.7 cited by Jawan, 2007 p.47)

The reason for the merger could be interpreted firstly, as a strategy to contain communism and secondly, to balance the population (Jawan, 2003, p.46). The second reason was argued to be of significance, since the merger to form Malaysia would have implications for its ethnic composition, especially with Singapore joining Malaysia. Table 3 below illustrates the population distribution in Malaya, Singapore, Sabah, Sarawak and Brunei. The merger with Singapore would further increase the Malays' fear of the increasing population of Chinese,

who were already a significant minority in Malaysia. However, with the merger of the Borneo states of Brunei, Sabah and Sarawak,[6] the indigenous Malays would still remain the significant majority.

Table 3: Population Distribution in Percentage

Ethnic	Malaya	Singapore	Sabah	Brunei	Sarawak	Total
Population	6.9	1.5	0.5	0.08	0.7	9.7
Malays	50	14	18	49	18	42
Indigenous	1	-	50	28	50	11
Chinese	37	76	24	19	31	38
Others	13	11	9	5	1	10

Source: Willard A. Hanna, 1964, p.10, cited by Jawan, 2006, p.49.

A study on the formation of Malaysia was undertaken by the Malaysia Solidarity and Consultative Committee (MSCC), formed in July 1961 with representatives from the Malay states, Singapore, Sabah, Sarawak and Brunei. The aim of the MSCC was to gather opinions and views from potential member states, to disseminate information, to initiate and encourage discussion, and to promote activities that could help realise the formation of the Federation of Malaysia.

Singapore agreed with the merger by August 1961 and put forth the terms for the merger, referred to as the Singapore White Paper, in which firstly, Singapore would become a new state within the Federation. Secondly, it would have 15 seats in the Federal House of Representatives and two seats in the

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[6] The population of Sabah and Sarawak comprises various tribes which are considered as the indigenous inhabitants. These tribes could either be Muslims or non-Muslims and their indigenousness is acknowledged and stipulated in the Federal Constitution. Brunei, however, did not join Malaysia when it was formed in 1963.

Senate. Thirdly, it would have wide-ranging state power over education and labour, more wide-ranging than any other states in the Federation and fourthly, Singaporeans would have dual citizenship: Singapore and the Federation. Finally, Singapore's Head of State would continue to be called *Yang di-Pertuan Negara* or President and he would be appointed by the *Yang di-Pertuan Agong* (the King), in consultation with the Singapore Prime Minister (Jawan, 2006, p.57).

As for the North Borneo States, the Cobbold Commission, which was formed in January 1962 to ascertain the views of the people of Borneo, published the following statement:

'About one third of the population in each territory strongly favoured…Malaysia without too much concern about terms and conditions. Another third, many of them favourable to the Malaysia project, ask with varying degrees of emphasis, for conditions and safeguards varying in nature and extent…The remaining third is divided between those who insist on independence before Malaysia is considered and those who would strongly prefer to see British rule continue for some years to come.' (Report of the Commission of Inquiry to North Borneo and Sarawak, 1962 in B. Sumandjuntak, 1969: 143 from Jawan, 2006, p.58).

There were also some recommendations made by the Cobbold Commission and the MSCC with regard to Borneo: firstly, the existing Federation of Malaya Constitution would be the basis of the new constitution, taking into consideration amendments to include safeguards as agreed; secondly, the use of Malay and English as the official language; thirdly, the control of immigration by

the central government, subject to approval of the state government concerned; fourthly, no right to secede; fifthly, Borneonisation to proceed as quickly as possible (but British officers to remain in the state civil services until their replacement can be found from peoples of the Borneo territories) and, finally, complete religious freedom and no official religion for the Borneo states (Jawan, 2006, p.58).

After taking into consideration the views of the member states, the Federation of Malaysia was formed 15 September 1963 with Sabah, Sarawak and Singapore as members. Brunei, however, did not join the Federation.

The membership of Singapore in the Federation proved destabilising, since Singapore had failed to understand the essence of the historic bargain, as some would argue, which had been agreed by the Alliance. The political style brought by the People's Action Party (PAP), the Chinese-dominated multiracial party ruling Singapore, was considered by the Malays to be jarring and incompatible with the consensus style of Malaysian politics (Yong, 2004, p.99). Furthermore, PAP played an aggressive role as the representative of the Chinese, since the MCA had failed to represent the Chinese, which resulted in the unequal treatment of the Chinese in Malaysia. This had undermined the role of the MCA in the Alliance as representative of the Chinese, making PAP the alternative party for the Chinese in Malaysian politics. For instance, in the 1964 General Election, the PAP represented itself as the Chinese party representing the Chinese and belittled the MCA's role by accusing the latter of being subservient to UMNO and Malay interests (Jawan, p.61). PAP leaders called for

the Chinese electorate to vote PAP in order for the party to be able to effectively deal with the uneven social and economic treatment by the federal government. The aggressive racial sentiment promoted by PAP caused two riots between July and September 1964 (Jawan, 2006, p.61). The PAP's aggressive manoeuvring was further intensified when Lee Kuan Yew, Prime Minister of Singapore, launched the campaign 'Malaysian Malaysia' in April, 1965. 'Malaysian Malaysia' instilled the idea of opposing the continuation of Malay special rights, supported the recognition of English, Chinese and Tamil as official languages and demanded equal treatment for all citizens. However, the best description of the idea of 'Malaysian Malaysia' is provided by Bellow (1970):

'A Malaysian Malaysia means that the nation and the state is not identified with the supremacy, wellbeing and the interests of any one particular community or race. A Malaysian Malaysia means in theory as well as in practice, educating and encouraging the various races in Malaysia to seek political affiliation not on the basis of race and religion but on the basis of common political ideologies'.

Later, in May 1965, a Convention on Malaysian Unity was launched and this campaign attracted the Chinese; in response the Malays launched the call for Malay Unity. This development soured the relationship between Malaysia and Singapore in the Federation. Various steps were taken to address and resolve the differences, but these proved futile. This ultimately led to the secession of Singapore on 9 August 1965.

The departure of Singapore from Malaysia left a political legacy that paved the way to enable a challenge to the basic understandings of the historic bargain or Merdeka Compact (Yong, 2004, p.100). The campaign of Malaysian Malaysia was further promoted by the DAP, a political party formed by supporters of PAP. This idea of Malaysian Malaysia was also supported by other parties such as the PPP and the People's Movement Party (*Gerakan*). The idea of Malaysian Malaysia also became a platform for these parties in the 1969 General Election. As for the Malays, such a political platform was viewed as an attempt to undermine that which had been agreed in the historic bargain. The Pan Malaysia Islamic Party (PMIP), which took a pro-Malay and pro-Islam line, represented itself as an alternative for the Malays and criticised UMNO as giving in to the non-Malays on issues affecting Malay rights and privileges (Yong, 2004, p.100).

Therefore, the 1969 General Election took on an increasingly high communalistic tone, and racial tension reached a new high; the whole exercise assumed the form of a communal showdown. Communalism was rampant, the Malays and non-Malays were pitted against each other, and it was natural that the outcome was seen in terms of victory for one and defeat for the other (Vasil, 1980, p.175 cited by Yong, 2004, p.101).

2.6 The 1969 Race Riot and Formulation of the New Economic Policy

As mentioned earlier, the 1969 General Election rapidly acquired a communalistic tone, as Singapore had left a legacy of questioning the historic bargain of the Alliance and called for the equality of all citizens. The urging of a more equitable inter-ethnic settlement was viewed as a threat to the indigenous

Malays' special position. This aggressive demand had made the Malays especially uneasy. Parties such as PPP, DAP and *Gerakan,* which echoed the tone for social justice and rights to equality, had managed to attract the support of the non-Malays.

Therefore, the 1969 General Election witnessed a poor performance by the Alliance for the first time, when they only managed to secure 66 out of the 104 contested parliamentary seats. The defeat of the Alliance saw the switching of a number of states to the opposition and the big winners were parties that had appealed to the non-Malay vote (Yong, 2004, p.102). The result of the 1969 General Election was argued by non-Malays to be an endorsement of their demand for a review of the historic bargain, while the Malays viewed such victory by the opposition as threatening their political dominance of the country (Yong, 2004, p.102).

The victory of the opposition was celebrated on the streets of Kuala Lumpur on 13 May 1969 and this created a very tense situation when supporters of the respective parties started to chant racially-based remarks at one another. As the situation spiralled out of control, the government had to declare a state of emergency; the government was suspended, and the National Operations Council (NOC) was formed as the administrative body to govern the country from 1969 to 1971. The period under the NOC witnessed significant changes such as the creation of new institutions and constitutional amendments. The weakening of the MCA and the dominance of UMNO was also apparent (Kam Hing, in Suryadinata, 1997, p.90). During this period, the NEP was introduced, which

would empower the indigenous Malays through an affirmative action programme, which would give a more Malay character to the state, and new symbols of loyalty were insisted upon, especially on the part of non-Malays (Kam Hing, in Suryadinata, 1997, p.90). This was because, prior to the 1969 race riot, there was a failure on the side of the government, especially the Malay leaders, to translate the special position of the Malays into an improvement of the Malays' economic position (Bunnell, 2002, p.109).

The 1969 General Election result paved the way for the restructuring of Malaysian society, as it provided the nation's new emergency leadership with the opportunity to change the nature and terms of the formative inter-ethnic bargain by 're-engineering' the institutional arrangements which had evolved since independence (Puthucheary, 2008, p.11). Nevertheless, it was argued that the economic disparity between the Malays and non-Malays had contributed to the race riot, and the government had failed to realise that this economic disparity between the races would be a stumbling block to national unity. Tun Razak, the second Prime Minister of Malaysia, argued that, for race relations to improve, it would require at least some equivalence in the economic conditions of its citizens (Yong, 2004, p.107). Up until 1969, the number of poor Malays was still higher than the number of poor Chinese and poor Indians, and such a condition had been dominant since the British colonial period; over time, the identification of poverty with a specific ethnic community had become a structural feature of the economy. Race became identified with economic status (Yong, 2004, p.107). Table 4 illustrates the household income of the ethnic groups, which indicates the

lagging of the Malays with RM179 per household compared to RM387 and RM310 for the Chinese and Indians, respectively.

Table 4: Monthly Household Income by Race in 1970 in RM

Income Range	Malay	Chinese	Indian	Other	Total
1-99	84.5	9.6	4.9	1.0	100
100-199	60.8	24.9	14.0	0.3	100
200-399	40.3	46.0	13.5	0.2	100
400-699	31.6	55.7	12.1	0.6	100
700-1,499	23.2	61.4	12.5	2.9	100
1,500-2,999	14.0	62.1	13.6	10.3	100
3,000 and above	12.1	52.0	17.3	18.6	100
% of total households	56.7%	31.3%	11.2%	0.8%	100%
Mean household income	178.7	387.4	310.4	950.5	268.7

Source: Hung Hung Yong, 2004, 5 Men & 5 Ideas, Building National Identity, Kuala Lumpur: Pelanduk Publications, p.108.

As mentioned earlier, while the Malays' special position was recognised, no specific policy measure was formulated by the government to address the economic disparity between Malays and non-Malays, despite the steady economic growth and low inflation recorded after independence. The lack of government initiatives for the Malays was also recognised by the MCA which stated, 'the twelve years following Merdeka (Independence) did not in fact bring forth the wealth and power which the Malays had expected. They found themselves still to be the rural people with the control of the towns very much in

the hands of the non-Malays.' (Verma, 2002, p.63). The economic imbalances were not challenged or addressed by the government with any specific policy measures, as the Alliance government, which was led by the late Tunku Abdul Rahman, the first Prime Minister, was more concerned about multiracialism rather than with structural changes to remove interracial poverty (Verma, 2002, p.62). As a result, the non-Malays were seen to further control the economy, and the lack of government initiatives for the Malays contributed to the escalation of the racial tension that finally led to the 1969 race riot.

It was only because of the 1969 race riot that the government decided that there was a need to look at economic disparity as a stumbling block to achieving unity and, at the same time, eliminating the uneasiness of the Malays towards the economic success of the non-Malays, especially the Chinese. Therefore, under the premiership of Tun Razak, the second Prime Minister, a new way forward of managing Malaysia's diversity was needed, in which the economic perspective was addressed. Based on the advice of James Puthucheary, a member of the National Consultative Council, a body formed in 1970 that involved representatives of various social groups – political parties, the professions, religious groups, the press, the public services, trade union and minority groups – in discussing the riots and finding permanent solutions to the racial problem (Ooi, 2006, p.219), it was commented that state intervention through public corporations was required if the imbalances resulting from the colonial economic structure and their lasting effects on inter-ethnic relations were to be rectified. (Puthucheary, 1998, pp.30-31 in Ooi, 2006, p.216)

As a result, in 1971, the New Economic Policy (NEP) was launched and affirmative action became a public policy instrument to restructure society to create greater equity between the races (Yong, 2004, p.97). However, even though the formulation of the NEP was for the betterment of the position of the Malays, it was not in any way accomplished at the cost of the Chinese or Indians (Kreuzer, 2006, p.16). The NEP, which was to be implemented for the period of 20 years from 1971 until 1990, had two central aims, namely to eradicate poverty irrespective of race, and to restructure Malaysian society to reduce and eventually eliminate the identification of ethnicity with economic function (Syed, 2009, p.20). At the same time, the restructuring was to be made only in the context of a rapidly expanding economy without restricting the potential of non-Malays to gain economically (Yong, 2004, p.111). However, the ultimate goal of the NEP was clearly stated in paragraph 155 (i) of the Second Malaysia Plan, 1971-1975 for the emergence of a fully-fledged Malay entrepreneurial community within one generation (Siddique and Suryadinata, 1982, p.675).

The objectives of the NEP were to be accomplished through the distribution of opportunities and equity ownership; the Malays were targeted to own and operate at least 30% of commercial and industrial activities. The target for non-Malays would be increased from 37% to 40%, while the share of foreigners would be reduced from 61% to 30%, as illustrated in Table 5. Nevertheless, this idea of creating Malay capitalists was criticised since it would only benefit a small number of Malay entrepreneurs, while the funds could be invested and could go to projects to relieve unemployment among rural Malays (Alatas in Siddique and Suryadinata, 1982, p.682).

Table 5: NEP Restructuring Targets Share Capital of Limited Companies 1970 and 1990 Peninsular Malaysia (RM million)

	Total 1970	Malays	Non-Malays	Foreigners	Total 1990	Malays	Non-Malays	Foreigners
Total	5,289	102.6	1,978.5	3,207.9	46,821	14,075.5	18,796.5	13,949.0
%		1.9%	37.4%	60.7%		30.1%	40.1%	29.8%

Source: Hung Hung Yong, 2004, 5 Men & 5 Ideas, Building National Identity, Kuala Lumpur: Pelanduk Publications, p.111.

At the start, the special position of the Malays, together with the affirmative action policy, had caused resentment between the communities and thus exacerbated tensions between Malays and the Chinese (Muzaffar, 1987, 24 cited by Hefner, 2001, p.30), since they perceived the formulation of the NEP as only assisting the Malays, while neglecting the bulk of Malaysians, who were as poor as or even poorer than the Malays. Nonetheless, the Chinese, with strategic ties to UMNO and the Malay elite, did well as NEP business partners, and the attitude of much of the Chinese elite changed (Gomez 1999, 153; Searle 1999 in Hefner, 2001, p.31). It was the aim of UMNO from the start with the introduction of the NEP to bring a new class of Malay capitalists into existence, apart from alleviating poverty, and this was made known to other leaders of the Alliance. Given the impressive breadth and duration of Malaysia's economic boom, the Chinese middle class has prospered too, although this has not prevented many ordinary Chinese and Indians from feeling that they are a lesser category of citizen (Hefner, 2001, p.31). Similarly, the Malays and the Chinese slowly began to regard the NEP as a major source of inter-ethnic peace (Embong in Hefner, 2001, p.74). Therefore, in order to convince the Chinese and Indians that the NEP was formulated to address the specific issue of economic disparity, a

timeline was set. This would convince the Chinese and Indians that this form of affirmative action programme for the Malays was designed with an objective for the Malays to be integrated economically, and thus would ensure national unity.

Meanwhile, the structure of the Alliance also faced a significant transformation after the 1969 race riot. Since independence, UMNO, the MCA and the MIC were the most prominent members of the Alliance and each party was recognised as representing the ethnic interest of their respective community. However, after the 1969 race riot, UMNO leaders decided to further expand the membership of the Alliance, replacing it with *Barisan Nasional* or the National Front. The National Front would no longer represent the coalition of UMNO, the MCA and the MIC but a new form of arrangement that would provide a multiracial façade around the Malay core to be led by UMNO (Vasil, 1980, p.205). Such a move witnessed the PMIP, the PPP and the People's Movement Party *(Gerakan)* joining the coalition of the National Front. Hence, the dominant role of the MCA and the MIC as sole and permanent representative of their respective communities was no longer vital, especially for the MCA after the defeat of its candidates in the 1969 General Election.

Along with the NEP, the government also formulated the *Rukunegara* or Articles of Faith of the State. The *Rukunegara,* formulated by the Department of National Unity provided the moral direction (Ooi, 2007, p.242) for the state by outlining the principles that all Malaysians adhered to. The *Rukunegara* represented a national consensus and a commitment to the task of creating a united, socially just, economically equitable and progressive Malaysian nation

(Hitam, in Tambunlertchai & Gupta, 1993, p.175). Moreover, the *Rukunegara* could be argued as providing the platform for unity, while the NEP provided the strategy to achieve such unity, by recognising and addressing the need of the Malays.

However, another significant event that took place as a result of the 1969 race riot was that the government decided that the freedom to indulge in excess needed to be restrained. This was because the 1969 General Election campaign had raised communal tensions to an unprecedented level, with parties questioning the foundation of the historic bargain agreed by the Alliance. Therefore, a number of 'sensitive issues' related to i) the status and powers of Malay rulers, ii) the special position of the Malays and the citizenship rights of the non-Malays, iii) the status of Islam as the official religion, and iv) the status of Malay as the sole official national language were removed from the realm of public discussion (Yong, 2004, p.104). These issues were considered as 'non-negotiable', and the sedition law was amended to make it an offence to question or discuss any of these issues if these discussions produced, or had the tendency to produce, racially-based hatred (Yong, 2004, p.105).

2.7 National Development Policy and *Bangsa Malaysia*

When the NEP ended in 1990, a new policy orientation was needed. The ethnic consciousness that was reinforced during the implementation of the NEP now had to be tackled with a more all-embracing policy that would eliminate identification along racial lines. However, it was argued that the Malays had not

manage to fulfil the 30% equity ownership and that a further affirmative action policy was required. Obviously, a decision to continue the affirmative action policy was viewed sceptically by the non-Malays. In fact, such a continuation was seen by the earlier leaders of UMNO as an insult to the Malays, since such special privileges were not meant to be permanent (Ooi, 2006, p.217).

Nevertheless, the government decided that an extension to the NEP was needed in order to assist the Malays, so the National Development Policy (NDP) was introduced in 1991, with a cornerstone of privatisation as an agent for growth. Privatisation would enable Malaysia to achieve the status of a fully modern nation by 2020, with a united Malaysian nation or *Bangsa Malaysia*. Nevertheless, the essence of the NDP was still committed to the eradication of poverty and to continuing with the restructuring of the Malaysian economy. However, the only difference was that, under the NDP, no specific time frame was allocated for the target of equity ownership for the Malays to be achieved.

The orientation of the NDP (1991-2000) focused more on the qualitative aspects of *Bumiputra* participation (Kok Wah, 2002, p.43). The achievement of the NEP was to produce a new middle class *Bumiputra*, while the NDP stressed the importance of cooperation between this new middle class *Bumiputra* with the *non-Bumiputra*. The introduction of a privatisation strategy under the NDP further enhanced the *Bumiputra* and *non-Bumiputra* cooperation. Even though there was no specific time frame for equity ownership, the shift of the NDP orientation, along with the privatisation strategy, provided opportunities for both the *Bumiputra* and *non-Bumiputra* to be involved in the rapid development of the

country. This opportunity was considered as a win-win situation for both, even though there still existed the requirement to address the economic needs of the *Bumiputra* under the NDP.

Since the NDP would be continuing with the affirmative action policy for the Malays, the government needed to ensure that this continuation would not deprive the Chinese and Indians, and therefore a statement goal, titled Vision 2020, was also launched with the NDP. The target of Vision 2020 is for Malaysia to achieve a developed status by 2020, and Vision 2020 outlined the challenges, including establishing a united Malaysian nation with a sense of common and shared destiny, a nation at peace with itself, territorially and ethnically integrated, living in harmony with full and fair partnership made up of *Bangsa Malaysia* with political loyalty and dedication to the nation. This idea of the *Bangsa* envisaged by Mahathir would help the nation to be confident, democratic, liberal, tolerant, caring, and instilled with strong moral and ethical values (Kam Hing, 1997 in Suryadinata, 1997, p.80). While some other challenges were also outlined in Vision 2020, this challenge of establishing a united Malaysian Nation gave hope to the non-Malays that they would be treated as full citizens and their cultural autonomy would be fully recognised (Ong, 2004, pp.189-98 cited by Segawa, 2007, p.32).

The aim of *Bangsa Malaysia* to create an integrated and united Malaysian society was viewed, especially by non-Malays, as possibly being the source of integration and unity, and received undivided support. The integration and unity which was the aim of the NEP could be said to be contradictory to an affirmative

action policy for the Malays. Therefore, when the idea of *Bangsa Malaysia* was launched in 1990, the non-Malays viewed it as a turning point in Malaysia's nation-building process, thus creating a sense of nationhood.

With the end of the NDP in 2000, the National Vision Policy or NVP (2001-2010) was launched by combining the strategies from the NEP and the NDP. The basis of the NVP is guided by the policy of Vision 2020. The aspiration of *Bangsa Malaysia* to be the uniting factor could be directed to achieving political loyalty to the state and thus fostering unity in diversity (Segawa, 2007, p.34). In fact, the concept of creating one cohesive *Bangsa Malaysia* living in harmony and fair partnership is an integral part and the ultimate objective of Vision 2020 (Segawa, 2007, p.35). Furthermore, the idea of *Bangsa Malaysia* and the NDP received undivided support from the non-Malays, since it did not enforce or promote any assimilationist agenda and recognised that, to achieve Vision 2020, not only was inter-ethnic unity vital, but the role played by the economically dominant Chinese was also vital for Malaysia to progress towards a fully developed and industrialised nation (Kam Hing, in Suryadinata, 1997, p.113). Therefore, the idea of *Bangsa Malaysia,* coined by former Prime Minister Mahathir, embraces the fact that Malaysia's unity in diversity is a vital character to be recognised, and that multiculturalism is a way forward (Kam Hing, in Suryadinata, 1997, p.81).

The idea of *Bangsa Malaysia* provided a way forward for unity and integration, and such an idea was welcomed by the non-Malays. On the other hand, the Malays viewed the idea of *Bangsa Malaysia* as undermining the special

position and the affirmative action policy which had been beneficial to the Malays. Such a view could be a stumbling block towards building a united Malaysia and thus undermining *Bangsa Malaysia*. The biggest challenge to forming *Bangsa Malaysia* would be how to convince the Malays that nation-building within democratic principles requires the upholding of the principles of equality, justice and non-discrimination by the state towards its citizens, thus creating a sense of belonging.

2.8 Islam Hadhari and the Rights of the Minority

The argument that is of concern in a multicultural society, especially in a Western liberal democracy, is to what extent should the public space be free and neutral so as to ensure that no specific culture, belief or identity is being promoted and recognised by the state. The belief in Western liberal democracies is that a secular state provides the best public space for equality and tolerance. But to what extent can this neutral position of public space be guaranteed, as the even the most secular of Western liberal democracies cannot be denied its identification with certain cultural or religious identity.

As far as Malaysia is concerned, the Malaysian Federal Constitution Article 3 clearly stipulates that Islam is the official religion of the Federation and, at the same time, Article 11 clearly outlines the liberty of freedom of religion. These two articles clearly indicate that, while Malaysia recognises Islam as the official religion of the Federation, since the majority of its population are Muslims, other cultural and religious practices or professions are equally recognised. Furthermore, the recognition of Islam is significant for the recognition of the state as a Malay-Muslim state, since the identification of Malays in Article 160 of the Federation Constitution clearly defined them as being Muslim, as speaking the Malay language and practising Malay culture. The multicultural identity is visible in Malaysia with various religious institutions established and celebrated in line with Article 11. The celebration of various cultural festivals and declaring those days as public holidays by the state signifies the recognition of the diverse cultural and ethnic communities that exist in Malaysia.

While Article 11 of the Federal Constitution is viewed as promoting multiculturalism in Malaysia, it has, to a certain extent, contradicted Article 3, which recognises Islam as the official religion; this clearly indicates that the state is not as liberal and neutral when it comes to the recognition of certain religious or communal values as most multiculturalism scholars would have expected. It is here that Malaysia recognises Islam as the dominant religion of the state but, at the same time, freedom of profession and celebration of other religious or communal identity is being recognised. This, to a certain extent, diverges from the expectation of a Western multicultural society where the liberal and secular state is expected to recognise the minority religious and communal identity.

The conflict that exists is in the interpretation and recognition of Malaysia as either an Islamic state that fully complies and implements the Shari'ah law, or a secular state that only recognises Islam as its official religion and adopts certain Islamic principles to govern the majority Muslims in Malaysia. Although the recognition of Islam in multicultural Malaysia continues to be contested, the fact is that, to date, Shari'ah law has never been implemented as the law governing Malaysia as a whole by the present National Front Coalition, even though certain Shari'ah law is implemented for Muslims which covers issues related to family matters, marriage and conversion. This is due to the fact that the multicultural set-up of Malaysia requires this issue to be presented, especially to non-Muslims, in an acceptable manner through discussions and dialogue. While Shari'ah law is only binding to Muslims, it has created some conflict, especially for those Malay-Muslims wanting to leave Islam. This is due to the fact that such cases can only be heard in the Shari'ah court in which the decision to allow such conversion as a

result of mixed marriage could be turned down and that this decision cannot be challenged. The argument for the supremacy of the Shari'ah court is that all issues pertaining to Muslims are referred to the Shari'ah court. This dilemma faced by the Malay Muslims continues to be a challenge within multicultural Malaysia, where the notion of individual liberty in a multicultural society does not necessarily ensure the right of the individual to flourish, as group rights would restrict such preferences of the individual. Such scenarios could best be ascribed to Kymlicka's idea that multiculturalism in its essence must not allow internal restrictions on members of cultural or religious groups and must allow external interaction.

The conflict between the Malay dominant party, UMNO, and the Islamic party, PAS, has demonstrated the need to balance the promotion of Islam, which will be appealing to the Malay Muslims, with the promotion of the agenda of non-Muslims. Hence, the multicultural set-up of Malaysia would require these two dominant Malay Muslim parties to promote their agenda in a moderate way, since non-Muslims would be the determining factor in the political survival of these two parties in their respective coalitions.

The idea of an Islamic state propagated by UMNO advances the Malay agenda. This is visible with the Islamisation agenda or other projects introduced by UMNO which have an apparent inclination towards advancing the Malay agenda, such as the former Prime Minister Mahathir's promotion of Islam as associated with economic progress (Lee, 2010, p.16). This is because the

promotion of economic progress has been the agenda of the NEP which is targeted at improving the economic condition of the Malays.

As mentioned earlier, Malaysia recognises Islam as the official religion of the Federation but Shari'ah law has never been implemented. Therefore, the issue of Shari'ah as a stumbling block in promoting a multicultural identity in Malaysia is really a non-issue since the implementation of Shari'ah is restricted to the Muslims. Furthermore, the liberal and moderate approach adopted by the Malay founding leaders since independence has, to a certain extent, convinced non-Muslims that freedom of belief, profession and religious identity is to be part of Malaysia's multicultural identity. However, there is a concern raised by non-Muslims that any move to implement the Shari'ah law in its totality will have a detrimental effect on non-Muslims.

The propagation of Islam either by UMNO or PAS within the context of multicultural Malaysia ought to be viewed sceptically by non-Muslims, as this could be perceived as a process to Islamise society as a whole. Both parties carry with them the agenda of Islam which is essential to Malay Muslims. As for UMNO, the agenda of Islam must be championed, since the sustainability of Islam means the sustainability of the Malays as the *Bumiputra* in Malaysia. Under the Federal Constitution, Article 160, Malay is defined as Muslim, speaking the Malay language and practicing the Malay custom and tradition. Hence, the agenda of Islam brought by UMNO is more concerned with the championing of Malays specifically. On the other hand, PAS's agenda for Islam is to establish an

Islamic state during the Prophet Muhammad *pbuh* period which signifies the harmonious, multicultural, multi-religious set-up (Lee, 2010, p.52).

When the former Prime Minister Badawi took office in 2003, the challenge he faced was to balance the idea of building *Bangsa Malaysia* as a notion that would build a multicultural Malaysia, based on the belief of rights to equality, and the promotion of Islam as the official religion of the Federation which still allows the recognition of minority rights. The promotion of Islam, while recognising equality and the rights of the minority, by former Prime Minister Badawi received severe criticism from the Malay leaders who argued that such a move towards an egalitarian society would cause the indigenous Malays to lose their dominant role by surrendering the privileges and rights the latter have enjoyed. For instance, the present Chief Minister of Johor, Ghani Othman, clearly commented that *Bangsa Malaysia* is a term applicable to all Malaysians in his words 'even if *Bangsa Malaysia* is to be used, it must only be applied in the context of all the peoples of Malaysia with the Malays as the pivotal race' (New Straits Times, November 6, 2006). As Islam promotes the notion of equality irrespective of racial, religious, minority and majority identity, the need to reflect this notion back to the majority Malay Muslims is vital as it emphasises that, in multicultural Malaysia, recognition of equality is paramount. At the same time, this will reflect the moderate side of Islam to the non-Muslims.

As a result of the criticism from the leaders of the indigenous Malays, the idea of *Bangsa Malaysia* was not further promoted as it could be viewed as disloyal to the Malay cause and agenda by other members of UMNO. As much

as the non-Malays hoped that the idea of *Bangsa Malaysia* would recognise and integrate the nation, it has only created frustration that the formation of an egalitarian Malaysian society is far from being achieved.

Bangsa Malaysia failed to be accepted by the indigenous Malays as an important attempt towards integration and unity. Hence, the then Prime Minister Badawi came up with the idea of Islam Hadhari, or civilised Islam, in 2004. Islam Hadhari is an approach introduced to create awareness of the true concept of Islam, with the hope that it will propel the development of the *ummah,* or community and the nation (Islam Hadhari: An Explanation, 2005, p.4); it is also considered to be the main political and ideological element in supporting the success of Vision 2020 (Zulhamri in Syed and Ozbilgin, 2010, p.16). Furthermore, it is an approach to building a modern, multi-ethnic, multi-faith society based on the ten principles outlined:

1. Faith in and piety towards Allah;
2. A just and trustworthy government;
3. Free and liberated people;
4. A rigorous pursuit and mastery of knowledge;
5. Balanced and comprehensive economic development;
6. A good quality of life for the people;
7. Protection of the rights of minority groups and women;
8. Cultural and moral integrity;
9. Safeguarding of the environment; and
10. Strong defence capabilities.

The aim of this approach is to make Malaysia a model Islamic country, an advanced nation based on its own indigenous matrix, and which emphasises universal development values which do not run counter to the society's multiracial context.

Under Islam Hadhari, it is clearly stipulated that the protection of the rights of minority groups and women must be recognised. By stipulating such a principle under the Islam Hadhari approach, it could be argued that the government was trying to tone down racial sentiment, especially from the indigenous Malay leaders, by diverting the attention to the principles of justice and equality propagated by Islam. Such a move could also be viewed as an attempt to guarantee to the non-Muslims or non-Malays that Islam, apart from being the official religion of the state, has an integrative role that could promote national unity and integration. The preservation of human dignity without differentiating between the majority and minority groups became the salient point under Islam Hadhari. With the promotion of Islam Hadhari, the value of justice, rights and equality, as promoted by Islam, is now being thrown back to the indigenous Malay leaders; since Islam does not recognise racial or ethnic supremacy and is guided by principles of fairness and justice, how would the indigenous Malay leaders justify their demand for the promotion of indigenous Malay interest? Even though Islam Hadhari had clearly outlined the need for promoting the rights of minority groups based on the value of justice and fairness, the idea of defending the interests of the indigenous Malays continued to be promoted and those of the non-Malays or non-Muslims were glossed over; it was unclear the benefit that they would gain as a result of implementing Islam Hadhari (Zulhamri, in Syed and Ozbilgin, 2010, p.17). The idea of justifying the need to promote the rights of minority groups, as stipulated by Islam, had actually benefited the PAS when its slogan of Islam for All during the 2008 General Election brought a drastic change of support of the non-Malays.

2.9 The New Economic Model and 1Malaysia

The sixth Prime Minister, Prime Minister Najib, launched the New Economic Model (NEM) in 2009, upon taking over the office from former Prime Minister Badawi. This NEM was launched upon four pillars, namely 1Malaysia, the Economic Transformation Programme, the Government Transformation Programme and the 10th Malaysia Plan with an objective of achieving high income status, inclusiveness and sustainability. The first pillar identified by Prime Minister Najib, 1Malaysia, or united Malaysia, which transcends ethnic boundaries, signifies the move towards attaining inclusiveness (NEM Blueprint, 2009, p.89) and was launched on 16 September 2008. Under the NEM, the goal of attaining inclusiveness by liberalising government policies and focusing less on particular ethnic groups is essential, since it would be a prerequisite in fostering a sense of belonging, as inclusiveness would enable all communities to contribute to and share in the wealth of the country.

In the NEM, it was acknowledged that the excessive focus on ethnicity-based distribution of resources had resulted in a growing separation and compartmentalisation of society, due to racial consciousness. Hence, the government would re-orient its affirmative action programme from being race-based to one based on needs, irrespective of racial identity and, as such, would be in the interest of distributive justice. Meanwhile, the re-orientation of the affirmative action programme under the NEM is still considered relevant and desirable, since inequalities still persist. NEM is considered to be targeting the

lower income group, irrespective of ethnic group, and would enable them to gain access to the resources needed for their growth and development.

While the continuation of an affirmative action programme under the NEM had been re-oriented to be less race conscious, it nevertheless raised doubts about the sensitivity of such an orientation towards the non-Malays. This is because the re-orientation of the affirmative action programme under the NEM is targeted to assist the 40% of households which earn below RM1500; 77.2% of these are from *Bumiputra* located in Sabah and Sarawak. Since the biggest target group are still *Bumiputra,* such a re-orientation of the affirmative action programme could still be argued to be diverted from its original purpose of being too race conscious. At the same time, the doubts raised by the non-Malays could be further supported with the formation of *Pertubuhan Pribumi Perkasa Malaysia*, or Perkasa, immediately after the launch of 1Malaysia. Perkasa, with its agenda of promoting and protecting the indigenous Malays' special position, was sceptical of the 1Malaysia idea as it claimed that it would undermine the supremacy of the indigenous Malays.

Since the launch of 1Malaysia, various interpretations have been attached to the policy, with the result that a clear cut direction for 1Malaysia is absent. The question here is whether 1Malaysia's final objective is the creation of an egalitarian society, as was expected from the notion of *Bangsa Malaysia*. Under the NEM, in order to ensure that the goal of inclusiveness of all races is guaranteed, the government suggested the creation of an Equal Opportunity Commission which would be tasked to deal with cases of unfair treatment and

discrimination. The creation of such a commission could be said to be timely, as there has been an absence of such a commission since the launch of the NEP, which could evaluate the progress and development of integration and national unity. This is because the fall back position for the continuation of an affirmative action programme for the indigenous Malays has been the failure of the former to reach the 30% equity ownership, as stipulated under the NEP. Therefore, the Equal Opportunity Commission would be one step forward to achieving national unity in Malaysia. The establishment of this kind of formal organisation is essential if unfairness and discrimination are to be effectively addressed, as this authoritative organisation would be accountable for issuing detailed regulations to cleanse institutions of their discriminatory elements (Cohen and Sterba, 2003, p.13). Nevertheless, the success of such an arrangement cannot be ascertained, as it is yet to be executed.

However, one interesting observation that could be derived from the policies formulated to date is the essential role of economic distribution since the inception of the NEP. This economic distribution policy formulated by the state is an indicator that national unity, integration and nation-building are centred on a sound economic distribution. Perhaps the idea of the economy playing a role in the process of integration, to quote the statement by the late Tun Razak, the former Prime Minister, could be proven when the newly-found confidence of the Malay corporate elite accepted the reality that a multi-ethnic and multicultural Malaysia is the only basis for nation-building (Kam Hing, in Suryadinata, 1997, p.114). Nevertheless, the question here is how the idea of robust economic distribution could be justified if it only addresses the concern of a particular

racial/ethnic group and thus undermines the aspiration of rights to equality. Therefore, the objective of inclusiveness under the NEM must ensure that the aspiration of rights to equality is implemented since it is a vital foundation of Malaysia's national unity and integration.

Chapter 3

3.1 The Politics of Multiculturalism and Nation-Building

As mentioned earlier, one of the challenges of managing a multicultural society is to recognise the demands from the various cultural, religious, indigenous, immigrant and minority groups that exist within the state polity. Initially, these demands will affect the nation-building objective of creating a common national identity and, at the same time, challenging the traditional liberal notion of citizenship. The traditional liberal notion of citizenship is to ensure that all forms of segregation, exclusion and discrimination based on gender, social class, race and religion are avoided within the polity of liberal states by recognising the equal status of the citizens. Furthermore, such recognition of equality by liberal states ensures that political stability is maintained, since every individual citizen is equally recognised. Moreover, the idea of nation-building itself implies the process of unification of ethnic groups, democratisation and economic reconstruction, all of which are vital, by recognising and maintaining the notion of equality of all individuals and communities (Etzioni, 2004, p.2). Such recognition has led to the adoption of an assimilation approach by liberal states such as the United States, Australia and Canada in their initial period of nation-building, while some states, such as France, continue to maintain the position that the public sphere is defined to be secular and that any form of religious identification is prohibited.

This would seem to make liberal societies blind to colour, gender, race and religion. However, in the pursuit of ensuring equality, it is impossible for the state

to be totally neutral since inequality is a fact for almost all societies. In fact, rights to equality as a one-size-fits-all concept propagated by liberal democratic states has the flaw of failing to recognise significant differences that are valued by individuals, and diverse communities that exist within the polity. For instance, the idea of recognising the official language of the dominant community indicates that a state can never be neutral, argues multiculturalism scholars. Since state neutrality is almost impossible, multiculturalism scholars have argued that some form of recognition should be extended to cultural, religious, indigenous, racial groups and minority groups. Such recognition gives rise to terms such as multiculturalism, group rights, multicultural citizenship and differentiated citizenship, to mention just a few. Nevertheless, this need for a recognition of diversity can be criticised in that it further disintegrates society, since individuals and groups are made to recognise their differences instead of adhering to a single national identity. This could lead to the argument that the liberal concept of citizenship, in its recognition of equality of all citizens, would be hijacked.

However, the argument that the need for recognising diversity within the liberal framework could be represented by a form of recognition of minority rights, or as a form of recognition of nation-building, to ensure that individual citizens who are recognised through their respective cultural identities are not deprived, discriminated, suppressed or oppressed because of their identities. Multiculturalism scholars are sceptical of the state's neutrality in which the deprivation/non-recognition/misrecognition of certain identities within the liberal polity could inflict harm on the members of the communities and, as such, could be a form of oppression and suppression which could lead to a lack of self-

esteem, or devaluation and seclusion of the self. This form of oppression is expressed by Taylor (1994) as potentially leading to real damage of the self and that due recognition is not just a courtesy but something that should not be denied as a vital human need. As a result of this, a more inclusive form of citizenship is demanded by multiculturalism scholars which recognises the diversity and differences that exist within the liberal society.

Therefore, in responding to the demand for recognition of the cultural, social and religious diversity within the liberal framework, a nation-building initiative could be viewed by the sceptical as a move towards disintegrating the nation by focusing too much on difference rather than similarities and the aspiration that is needed for the creation of a national identity. The question posed is why such differences should be celebrated and recognised within the polity of liberal nation state if all individuals have rights to equality? The argument for the recognition of the various identities and minorities is based on the philosophical orientation of the liberal concept of glorifying and recognising the individual self, equal and free to choose the social, cultural and religious identities he/she desires.

Multicultural recognition as part of the nation-building initiative in Western liberal societies witnessed the repositioning of the classical notion of citizenship to be more accommodating, inclusive and tolerant of diversity and difference, without neglecting the universal rights recognised by the liberal framework. This realigning towards recognising social, cultural and religious diversity gave rise to the notion of multicultural citizenship that recognises group-differentiated rights

for cultural, social and religious identities. In other words, the liberal framework recognises the individual's freedom and autonomous position to choose whatever form of identities that exist within the polity; recognising the chosen identities would then witness the flourishing of diversity.

In non-Western multinational societies, especially those postcolonial multicultural societies, the colonial legacy that created cultural pluralism posed a challenge in determining the way forward in the nation-building initiative. This is because states which were subject to colonisation at the time independence was granted, are left solely with the infrastructure of the state, rarely accompanied by a common identity which could be utilised in the process of nation-building (Hill and Kwen Fee, 1995, p.17). Therefore, the process of recognising the cultural, social and religious diversity that exists within the polity is approached rather differently. This could be justified by the immigrant status of these communities, which are expected to integrate and assimilate to the dominant cultural orientation. Nevertheless, these ethnic communities, which do not have a claim to the nation as Kymlicka (1995) argues, still want to retain their ethnic and cultural identity. Non-Western multinational societies could take the approach of recognising these ethnic communities by either assimilating or integrating these ethnic communities. The justification for assimilation is very straightforward, to ensure unity and national integration of the new nation state; the nation state cannot afford to tolerate diversity and difference as it would disintegrate the new nation state. An example that could be quoted is the Indonesian experience of nation-building. The first step taken in its pursuit of nation-building was to unite all Indonesians through its assimilation policy and thus creating *Bangsa Indonesia* or

Indonesian Nation. This pursuit of nation-building, is guided by the state principle called *Pancasila* which provided the five principles that would guide the *Bangsa Indonesia*. During this process of nation-building the government eliminated the pillars which sustained the Chinese minority namely, the Chinese name, Chinese associations and Chinese media, and the minority group was expected to indigenise their names, speak the national language and eventually to accept the national symbol (Suryadinata, 1997, p.12).

For integration, the cultural, social and religious identity is recognised by upholding the notion of citizenship. For instance, as for Singapore, the basis for its nation-building is recognising multiracialism or multiculturalism as the political philosophy in which the rights to equality became the foundation upon which to integrate its citizens. However, at the same time, special recognition of the minorities and the special position of the Malays is stipulated in Article 152 of the Singapore Constitution, which stated the responsibility of the government to protect, promote and safeguard the interest of the minorities, and the Malays as indigenous. Singapore's identification as a multicultural society recognises Malay, Mandarin, Tamil and English as the official languages, while the Malay language is also recognised as the national language.

3.2 Defining Nation and Nation-building: The Malaysian Context

In Chapter 2, the development taking place in multicultural Malaysia was clearly illustrated, in which the transformation of the social, political and economic landscape brought by the colonial powers, especially the British, had changed

Malaysia into a multicultural society. Unlike some states which adopted the assimilation approach, the direction took by the Malaysian government after gaining independence to recognise the various cultural, social and religious identities in the nation-building process became the manifestation of today's cultural and religious diversity in multicultural Malaysia.

This is evident with the recognition and promotion of its cultural, religious and social diversity, guaranteed by the state. Therefore, the immigrants in multicultural Malaysia were recognised by their cultural and religious identities, even though Kymlicka (1995) argues that immigrant communities do not have any significant claim over the land and nation, since these immigrant communities have uprooted themselves. But nevertheless, the recognition of the cultural and religious identities of the immigrants in multicultural Malaysia would nurture the sense of belonging and commitment towards the state.

However, the recognition of these diverse identities is within the context of communal or race representation. Such recognition would see race take centre stage in the recognition of diversity in multicultural Malaysia. This form of recognition is made, since race is claimed to have certain primordial attachments for the indigenous Malays; recognising the special position of indigenousness creates the indigenous and non-indigenous dichotomy. Such recognition of the cultural, social and religious diversity indicates that Malaysia's multicultural polity recognises liberal diversity as a point of departure that offers hope for maximising opportunities for individuals and groups to lead lives as they see fit (Glaston,

1995). However, the focus on racialism or communalism in recognising such diverse identities would later pose a challenge to the nation-building agenda.

On the other hand, such recognition of cultural, social and religious diversity was reciprocated with the recognition of the indigenousness identity of the indigenous Malays through the recognition of the special position. Nevertheless, such recognition of the special position, argued by some scholars, was made and retained as an extension of the colonial period; a form of recognition by the British of the Malays as the indigenous inhabitants of the polity whose position is recognised and protected, while the ethnic immigrant communities, which did not have any attachment to the state, have to accept this arrangement. Apart from that, the extension and retention of such recognition of indigenousness was also to ensure that the weaker economic position of the indigenous Malays was being addressed by ensuring occupation opportunity in the public services, education opportunities, scholarships and businesses, clearly stipulated in Article 153 of the Federal Constitution. Hence, Malaysia's multicultural set-up would see the celebration of cultural, religious and social diversity through the recognition of communal or race representation, but along with the recognition of the special position of the indigenous Malays, which could have skewed the multicultural orientation and hence the notion of citizenship.

Until the inception of the NEP, ethnic inequalities were mostly addressed indirectly, without any specific policy framework, but focusing on rapid economic growth which the state hoped would eliminate inequalities. Hence, when the NEP was launched, Malaysia's nation-building took another jump in terms of firstly

addressing racial inequalities through a formulated policy framework, and secondly, improving inter-ethnic relations towards achieving integration and national unity. However, this policy recognises the need for an affirmative action policy for the indigenous Malays who were economically lagging behind. This continuous effort is evident from the policies which the state has formulated since independence, beginning with the NEP up until today with the NEM. The formulation of these policies has taken on board the colonial legacy of the segregation and compartmentalisation of ethnic groups that resulted in socio-economic imbalances and disparity, and thus formulated an affirmative action stand to rectify the imbalances and disparity. This affirmative action is formulated and targeted at addressing the imbalances and disparity faced by the indigenous Malays and to ensure that, sooner or later, such imbalances could be overcome, creating a level playing field economically and socially within the polity.

However, the question that comes to mind is, for how long would this nation-building initiative continue to focus on the need of the indigenous Malays, based on an affirmative action approach, before integration and national unity, could be achieved? This is because the argument put forward by the state is that the imbalances and disparity experienced by the indigenous Malays would be a stumbling block towards integration and national unity and hence there would be a need for continuous effort to address the imbalances faced by indigenous Malays through the affirmative action policy. Until that is achieved, integration and national unity would be difficult as there would be dissatisfaction among one ethnic group. However, the implementation of the affirmative action policy to

justify the need of correcting imbalances has been argued by Young (1990) to violate the principle of non-discrimination within the liberal polity.

Historical evidence has indicated that Malaysia's nation-building strategy recognised the social, cultural and religious diversity that exists within its polity from the beginning. Such recognition brought race to the centre stage of the polity. The focus on race was reflected in this process of nation-building when the elites from the race-based political parties, namely UMNO, the MCA and the MIC, which formed the Alliance and later the National Front, to portray a concerted representation of all the ethnic groups but, in reality, each party is focusing on championing the interest of their respective communal or racial group.

Constructing a Malaysian identity which would lead to nation-building is a daunting task as a result of the various cultural communities that exist within postcolonial states, a legacy left by the colonial powers. Meanwhile, this colonial legacy is further reinforced when ethnic identity takes centre stage, thus making ethnic or racial identification a vital component within the Malaysian polity which then sees a division between indigenous and non-indigenous. This division of indigenous and non-indigenous is recognised as a continuation of the recognition of Malaysia as an indigenous nation state and so a special position is recognised for the indigenous population. Consequently, this process witnessed preferential treatment for the majority indigenous Malay, to be adopted and justified as an essential means to create equality and unity between the ethnic groups. Such an approach could be seen as a stumbling block in the process of nation-building,

since adopting preferential treatment through the special position of a specific race could cause uneasiness among the other ethnic groups.

The argument about the need to address the issue of equality arises because Malaysia's multiracial, multi-religious and multicultural set-up, contributed to by the colonial ethnic division of labour policy, is argued to have resulted in economic disparity among the communities. Moreover, the ethnic division of labour during the colonial rule had further strengthened the difference in culture, religion and language between the ethnic groups (Syed Husin, 2008, p.32). As a result, this policy of ethnic division of labour saw the demographic transformation that caused the Malays to be outnumbered in the 1920s and 1930s, a period of British colonial rule. Such a demographic transformation had caused the status of the Malays, as the first nation, to be affected. Consequently, the demographic transformation had not only caused the Malays to be outnumbered but also economically excluded from commercial activities, which were in the hands of the Chinese and Indian immigrants and the British. Hence, with the economy and societal composition under siege, the Malays had to fall back on their indigenous position as natives, who were recognised by the special position.

As a response to such threats from the immigrant groups, the Malay elites mobilised the Malays to defend further eradication and dilution of the Malay identity. This involved safeguarding of the Malay ethnic primary ties, or parochial interest, against the non-Malays (Hussin Mutalib, 1990, p.1 cited by Verma, 2002, p.23). As a result of this, Malay nationalist groups were formed, raising the Malay

political consciousness. Such political consciousness caused the immigrants to be viewed suspiciously by the Malays. Meanwhile, for the immigrants, the rise of the Malay nationalist group triggered the immigrants to mobilise themselves also. Such mobilisation was vital to enable the representation of the immigrants, in order to ensure that they would not be side-lined by the British. However, the initial objective of this immigrant nationalist movement was directed to the fight for the causes which took place in their respective homelands, before shifting to Malayan politics. For instance, the Indian immigrants in Malaya mobilised themselves in the cause of fighting against British colonial rule. For this reason these ethno-nationalist groups became a common feature in the Malaysian political scene, all competing to maintain their presence and separate identities in the nation, thus undermining multi-ethnic representation.

As mentioned earlier, after independence in 1957, the political leaders acknowledged and recognised the need to develop a Malaysian identity. Such an identity was necessary to shed colonial identities and replace them with a Malaysian identity (Verma, 2002, p.33). Therefore, the political elites formulated a model which expanded the idea of cultural pluralism, through the politics of accommodation among the communities represented by their respective ethnic group. At the same time the politics of accommodation adopted by the political elites had to recognise the special protection of the economically deprived indigenous Malay population. The basis of citizenship for the immigrants, in exchange for the Malays' special position, was agreed between the Malays and non-Malays and is significant; it should to be taken into cognisance in the formation of the contested Malaysian identity and the nation-building process.

Unlike the Western model of nation-building, which recognised a set of equal political rights and privileges for all citizens to be assimilated and integrated within a national framework, the Malaysian model is facilitated by extending the principle of citizenship to the non-Malays with equal rights: preserving ethnic lifestyles, organising political parties and forming ethnic schools, but with the condition of recognising the special position of the Malays. This indicates that, while the constitution prescribed a universal set of rights for all citizens, the protection and recognition of Malay interests and traditions were paramount to the state interest. This gradually resulted in the undermining of individual liberty and the cultural identities of other communities (Verma, 2002, p.34).

Nevertheless, the main purpose of the citizenship provision in the Malaysian constitution was immediately to create a specific Malayan political community, to stimulate a common Malayan consciousness and the concept of a Malayan nation (Ratnam, 1965, p.66 cited by Verma, 2002, p.58). Such vision to create a Malayan community was necessary, first and foremost because none of the ethnic groups shared any common historical background that could be the source of unity. Shifting their loyalties and allegiance to the Federation of Malaysia, therefore, became the main objective. Furthermore, it was argued that the objective of shifting the loyalties of the immigrants was because these immigrants, historically, were seen as having no connection with Malaya. For this reason, their loyalty towards Malaya was viewed sceptically by the Malays. Hence the Malays, who had enjoyed recognition of the special position historically, viewed themselves as being the true natives of the land, needing to

protect it from the immigrants. Therefore, it was essential that such recognition of the Malay indigenousness was incorporated into the Malaysian constitution.

Certainly such preferential recognition of the Malays as indigenous would be controversial, since it would be in contradiction to the juridical notion of citizenship rights. Even though civil and political rights were granted to the immigrants, it was done at the expense of recognising the special position of the Malay indigenous population, which was perceived especially by the non-Malays as a double standard of treatment. This could therefore indicate the awkwardness of the notion of citizenship adopted in Malaysia, resulting in the recognition of group-differentiated rights for the indigenous Malays who are in the majority. Such a different approach towards the recognition of citizenship rights, which led to the controversial claim for special recognition, was argued by the Malays as significant to ensure continuous parity among the ethnic groups, and consequently leading to national unity or integration (Verma, 2002, p.58). Furthermore, such constitutional agreements were made with an understanding that the preferential treatment for the Malays should be reduced and eventually cease, in order to ensure no discrimination between the races (Vasil, 1979, pp.42-3 cited by Verma, 2002, p.59).

Acknowledging the need to recognise the Malay special position and granting liberal citizenship rights to the non-Malays produced a form of nation-building that respected and affirmed the citizen's commitment to their ethnic, religious and cultural groups. Nevertheless, such an affirmation of the citizen's commitment to their ethnic, religious and cultural identities resulted in

ethnocentrism. Such ethnocentrism was encouraged by the very process of gaining independence, and thus undermined the multiculturalism that was taken as a given fact of Malaysian life (Kee Beng, 2009, p.448 cited from Teck Gee, Gomez and Rahman). However, the Malays viewed the need to defend such a special position as vital, despite the controversy and suspicion it could stimulate between the ethnic groups. This was because the Malays realised that, once citizenship provisions were liberalised, their claim as the predominant community would have to be relinquished (Verma, 2002, p.60). In addition, the primordial identity of the Malays would be further diluted as a consequence of losing the first nation status. Moreover, the assertion of the Malays' special position in the constitution was to attest that there was a first nation which possessed a special recognition in this ancient land, and a new nation which did not (Kee Beng, 2009, p.451 cited from Teck Gee, Gomez and Rahman). On the other hand, the non-Malays realised that no single ethnic group would comprise a significant majority if citizenship was being recognised, and naturally the non-Malays' numerical and economic strength should assure them a place as citizens of the new nation (Verma, 2002, p.60). Nevertheless, the controversial recognition of the Malay special position was as a compromise between the ethnic leaders, which led to citizenship for the non-Malays granted based on the code of *jus soli*.

Even though the economic deprivation of the Malays was recognised by the need to maintain the special position, no specific policy measure was formulated for the Malays upon independence until the formulation of the NEP in 1971. The failure to recognise the need of the Malays caused the Malays to view their special position as 'weak' and to a certain extent meaningless, as the

economy was still in the hand of the non-Malays. The scene after independence saw that the Malays were still lagging behind economically, and they were still rural people, with the economy still controlled by the non-Malays. The wealth and power which was expected from the special position did not materialise, and this caused dissatisfaction among the Malays (Alex Lee, 1971-1972, pp.562-63 cited by Verma, 2002, p.63). The special position of the Malays was further challenged with the formation of the Federation of Malaysia in 1963. The formation of the Federation, which involved the merger of Sabah, Sarawak and Singapore, as former colonies of the British, with Malaya, could be considered as the first challenge to nation-building. This nation-building, however, marked the beginning of the controversy about the Malay special position and the notion of citizenship rights for the non-Malays, when the arrangement which was agreed by the Alliance was criticised by Lee Kuan Yew, former Prime Minister of Singapore.

Lee Kuan Yew, the founder of the People's Action Party (PAP), had questioned the basis for the recognition of the Malay special position, which was viewed as discriminating against the non-Malays, who were fellow citizens. Unity, it was argued, could only be achieved if the citizens were equally and fairly treated, and this would therefore lead to the sharing of the aspiration of nation-building. As a result, Lee Kuan Yew proposed the idea of 'Malaysian Malaysia' which promoted the idea that Malaysia should be a democratic society where legitimate differences of views (provided they accept undivided loyalty to the Malaysian nation) should be permitted. He saw Malaysia as a place where individuals and political parties should have full freedom to persuade citizens, by constitutional means, of their particular point of view, and a nation which belongs

to all ethnic groups and not any particular ethnic group. Furthermore, Lee Kuan Yew argued that it was unfortunate that Malaysia had degenerated into a Malay Malaysia, where the spirit and essence of Malaysia was identified with the interests and norms of one particular community or with the authority of one particular political party (Vasil, 1980, p.156).

This controversial idea, triggered the non-Malays in Malaya to further question the citizenship arrangement which was viewed as discriminating. As a result of the 'Malaysian Malaysia' propaganda, the historic bargain, which was earlier agreed by the leaders of the Alliance, was now being challenged by an egalitarian notion of nation-building. Nevertheless, the idea of 'Malaysian Malaysia' had a significant impact on the communal politics adopted by the Alliance. The PAP had undermined the ethnic parties in the Alliance, especially the MCA, as being ineffective at representing the ethnic Chinese; as a result the Chinese were discriminated against in Malaya. After a while, Singapore was expelled from the Federation; this was in 1965, after the Alliance felt that the demands made by Singapore could not be accepted. It was argued that the spirit of the Alliance, which led to the historic bargain, could not be jeopardised by the demands made by Singapore for rights to equality under the 'Malaysian Malaysia' concept.

The departure of Singapore from the Federation did not actually solve the problem of the demands made by the non-Malays. As a result of the idea of 'Malaysian Malaysia', the 1969 General Election saw deteriorating support for the Alliance, which failed to secure the two-thirds majority for the first time.

Furthermore, the 1969 General Election also witnessed the defeat of the MCA when all its candidates under the Alliance lost their seats. The poor performance of the MCA was contributed to by the PAP's propaganda campaign undermining the MCA's role in representing the Chinese. As a result, the exchange of racially-based provocation between supporters of different parties and the inflammatory speeches made by candidates heightened the already tense situation between the Malays and non-Malays and thus led to the race riot. This resulted in the government having to declare a state of emergency and the Parliament was hung. However, the 1969 race riot became a turning point for the government in the reassessment of its policies on nation-building and citizenship. It was argued that it relied on policy which focused more on maintaining multiracialism rather than structural changes to remove the interracial poverty (Verma, 2002, p.62).

The reassessment of policies resulted in the formulation of the NEP, along with an affirmative action policy for the Malays and other indigenous people, including natives from Sabah and Sarawak. This policy reassessment was viewed as significant and timely to overcome the disparity, especially in economic matters, between the ethnic groups; it also served to further improve and promote unity and integration. The deprivation of the Malays was identified as a stumbling block in the furtherance of promoting integration and hence required special attention from the government, to be carried out through the affirmative action policy. However, what had happened with the implementation of the NEP was the construction of a state ideology – *Bumiputraism* – whereby identity came to be institutionalised to strengthen the ethnic-based state policies (Gomez & Jomo, 1999, p.23, Zawawi, 2004 cited by Puay Liu, 2009, p.477 in Teck Gee, Gomez &

Rahman). The term *Bumiputra,* which includes the Malays, aborigines and natives of Sabah and Sarawak, could be said to contradict the objectives of the NEP, which was to eradicate poverty and to restructure society in order not to attribute economic success to any race.

The implementation of the NEP was justified because it sought not to create further divisions in society but to address the issue of the poverty of the Malay indigenous population, which was the major cause of social discontent and which could have disrupted national unity (Second Malaysia Plan, 1971, p.4 cited by Verma, 2002, p.68). Hence the implementation of the NEP was to ensure that the Malays could catch up with the non-Malays in economic terms. The strategy of the NEP was to ensure that Malays were assisted by providing quotas in business licensing, control of corporate ownership, secure employment, improvement of educational opportunities and other necessary skills and, finally, to facilitate the migration from rural to urban areas, where commercial activities thrive. These were all encouraged by the NEP. Accordingly, such a strategy would empower the Malays and the other indigenous population to be full and equal partners in all aspects of the economic life of the nation (Second Malaysia Plan, 1971, p.1 cited by Verma, 2002, p.69). However, such a policy orientation was argued to have further created suspicion among the communities, since it addressed the issue and concern of the Malays and hence created exclusivity and cultural domination of the Malays over other communities. The absence of policies to address the economic needs of the non-Malays has left inequalities in well-being as well as leaving social injustice unattended to (Verma, 2002, p.81).

However, along with the implementation of the NEP, the *Rukunegara* or Articles of Faith were also formulated. The objective of the *Rukunegara* is to provide a sense of moral direction guided by five pillars:

i)   Islam is the official religion of the Federation, but other religions and beliefs may be practiced in peace and harmony without discrimination against any citizens on the ground of religion;

ii)   loyalty to the King or *Agong* (the supreme ruler);

iii) the upholding of the Constitution, including such provisions regarding the Sultans, the position of Islam, the position of the Malays and other natives, and the legitimate interests of other communities;

iv)   equality before the law and the guarantee of fundamental liberties for all citizens; and

v)   conduct by individuals and groups must not be arrogant or offend the sensitivities of any group and no citizens should question the loyalty of another citizen on the ground that he or she belongs to a particular community (*Rukunegara*, 1971 cited by Kee Beng, 2007, pp.227-8).

Hence the foundation of the Articles of Faith is to form a bond that is shared among the citizens, by recognising the diversity of the communities while, at the same time, outlining the form of unity desired, based on the principle of loyalty, allegiance and respect.

Nevertheless, another important development which took place because of the race riot was the restriction imposed on the debate of the sensitive issues - namely the status and powers of the Malay rulers, the special position of the Malays and the citizenship rights of non-Malays, the status of Islam as the official religion, and the status of Malay as the sole official national language (Yong, 2004, p.104). Such a restriction resulted in amendments to the relevant laws, such as the Internal Security Act and Sedition Act, which was used to ensure that racial harmony is always checked by restricting debates on these sensitive issues. Therefore, with sensitive issues protected from debate, the question of special rights and citizenship could no longer be the agenda used for political campaign or mobilisation. Such a move could lead to a detention on the grounds of causing inter-communal disharmony under the laws mentioned.

3.3 Recognising the Bumiputra and Non-Bumiputra Dichotomy

Prior to the advent of European colonialism, one can speak culturally of a Malay world or kingdom covering Malaysia, Singapore, Brunei, the Philippines, Indonesia and Thailand (Jomo, 1989, p.2 cited by Verma, 2002, p.21). The Malay world was divided into kingdoms, led by the Sultans, to whom the ordinary citizens gave allegiance, being subjects of the ruler. It is essential to acknowledge the strong relationship with, and attachment of, the Sultans to the Malays and so, when the British colonised Malaya, the first approach taken was the recognition of the special position of the Malays, which acknowledged the Malay Sultans to be the primordial symbol of the Malays as indigenous and protectors of Islam. The approach taken by the British in delineating a division

between the natives and the immigrants was guided by the place of origin of the ethnic communities in Malaya. The understanding of the British – Malays as the indigenous group – resulted in the Malays having certain prior claims on the colonial government (Enloe, 1970, p.14). Hence, such recognition was extended, even today this is clearly stipulated under Article 153 of the Federal Constitution. Nevertheless, the recognition of the special position of the Malays and citizenship recognition for the non-Malays became the foundation of the formation of Malaysia. However, the scenario that could arise from such an arrangement is that the recognition of citizenship for the non-Malays at the expense of recognising the special position and privileges of the Malays would cause the state to face continuous demands for recognition, since citizens viewed themselves as not equal to one another. The trade-off between recognition of a special position for the Malays, and citizenship for the non-Malays, caused a disadvantaged position for some sections of the latter which were heavily independent of formal citizenship given by the universal concept (Verma, 2002, p.82).

In addition, the recognition of the special position of the Malays had caused the creation of the term *Bumiputra,* or indigenous, and *non-Bumiputra.* The term *Bumiputra* was adopted by the British to imply a term that denoted indigenous immigrants from the Malay Archipelago, such as *Javanese, Sundanese, Bugis* and *Minangkabau,* to be assimilated into the Malay ethnic group. Such an assimilation process was not difficult, since these groups share similar language, and a religious and cultural orientation. Hence this cumulative effect of colonial policy was to promote a category of indigenous persons who

were encouraged to distinguish themselves from the non-indigenous population (Siddique & Suryadinana, 1982, p.667).

The terms *Bumiputra* and *non-Bumiputra* were popularised in the 1920s and 1930s (Siddique & Suryadinata, 1981-1982, pp.663-4), when the inflow of immigrants was at its peak. This resulted in the Malays being outnumbered. As a result of this the British had to adopt such a term in order to distinguish indigenous from non-indigenous members of colonial society. Such recognition of indigenous and non-indigenous could be seen from the policies formulated by the British for the Malays, such as recognition of the Malay rulers or Sultans as the protectors of Islam and Malay culture, the allocation of land rights through the Malay Reservation Land, education, and public employment. Therefore, with such recognition, the British viewed the Malays as the rightful owners of the country and thus requiring special status and protection (Lim, 1985, p.252).

However, such recognition of indigenous and non-indigenous became a major challenge for the British. This was because such a categorisation had resulted in the formation of an ethno-nationalist organisation by the Malay indigenous population, who were aware of the alarming situation of being outnumbered by the immigrants, if the idea of equal political rights demanded by the immigrants was recognised by the British. Therefore the idea of Malayan Union – an egalitarian-based society - was totally rejected by UMNO, a Malay nationalist group which campaigned for the Malay indigenous rights with the slogan *Hidup Melayu* or 'Long Live the Malays', in mobilising the support of the Malays. The mobilisation of the Malay support by UMNO witnessed the rising and

strengthening of an ethno-nationalist move to trigger the consciousness of the Malays to create *Bangsa Melayu* or Malay nation. This Malay nation was to be defined in primordial terms, in which cultural traits were inalienably bound to a particular people sharing a single and common origin (Nagata 1981, cited by Hill and Kwen Fee, 1995, p.46). Furthermore, this idea of *Bangsa Melayu* became the focal point for mobilising support of the Malays in the political struggle of UMNO which is visible today and, since the term *Bangsa Melayu* signifies primordial attachment, it categorically excluded the Chinese and Indians in its struggle for the recognition of indigenousness.

As a result, what had actually happened from the creation of the indigenous and non-indigenous categorisation was a sense of suspicion among the ethnic communities. It was argued that by dividing the population into *Bumiputra* and *non-Bumiputra,* and setting the former as the protector of the Malays, the British had sown the seeds of suspicion and separatism between the two communities (Lim, 1985, p.254). For the *Bumiputra,* or indigenous population, the acceptance or recognition of the demand for equal political rights of the *non-Bumiputra* would cause the Malay identity and attachment to the land to be diluted. This is because the claim of the *Bumiputra* as the original inhabitants of the land was seen as essential, thus constructing a national identity that is strongly based on the dominant ethnic community while, at the same time, maintaining the identity of other ethnic groups.

The presence of the non-Malays as transient labour was initially to serve the economic interest of the British, and there was no need to integrate with the

local population. As such, the sense of attachment, allegiance or belonging to the country did not exist initially. This was because the concerns of these immigrants were primarily about the developments which took place in their respective homeland (Verma, 2002, p.44). For instance, the majority of Chinese who came to Malaya in the 1930s still regarded China as home, and were politically involved with the developments taking place in China while, for the Indians, the anti-British colonial movement, which was led by nationalist movements back home was likewise supported by the Indian immigrants in Malaya. Such resentment of British colonial rule by the Indian immigrants was also visible in Malaya. Therefore, the Malays had viewed themselves as being the indigenous population enjoying recognition from the British, while the non-Malays were merely immigrants who did not have any sense of belonging and connectedness to the country, since to be truly indigenous, one must be truly identified with a single country (Verma, 2002, p.65). It was only when independence was to be granted in 1957 that these immigrants shifted their interest to the politics of Malaya. These immigrants were mobilised through their respective ethnic parties, namely the MCA and the MIC, and would later cooperate with UMNO in order to ensure that the interests of their ethnic groups were promoted and represented.

After independence, the term *Bumiputra* was further extended to the natives of Sabah and Sarawak with the formation of the Federation of Malaysia in 1963. This *Bumiputra* and *non-Bumiputra* dichotomy began to be used frequently and, as mentioned earlier, it was a state ideology to further justify race-based policies, dividing indigenous and immigrants with the extension of what had formerly been Malay privileges to the natives of Sabah and Sarawak

(Puthucheary, 2008, p.15). Such a move could be viewed as a strengthening of the indigenous claim and position with the departure of the British, whom the Malays viewed as their protector against the non-Malays. This was supported by a statement made by the late Tunku Abdul Rahman, the first Prime Minister, reminding the Malays to safeguard their rights over the land, 'which is ours for the benefit of the future generations' (Vasil, 1980, p.98). The positioning and strengthening of the *Bumiputra* was further stressed by the late Tunku Abdul Rahman:

'It is understood by all that this country by its very name, its traditions and character is Malay. The indigenous people are Malays and while they on the whole have been left behind in the economic and professional fields, others have been helped along by the understanding and tolerance of the Malays to be successes in whatever fields they are in. In any other country where aliens try to dominate economic and other fields, eventually there is bitter opposition from the indigenous people, but not with the Malays. Therefore, in return, they must appreciate the position of the Malays who have been given land in Malay reservations and jobs in the Government' (The Asia Magazine, 1964, cited by Vasil, 1980, pp. 98-9).

With the inclusion of the natives of Sabah and Sarawak who are majority non-Muslims and defined as *Bumiputra*, the basis for their indigenousness claim was strengthened and extended, not only to Malays. These natives or other indigenous population, as defined by the Constitution, consists of tribal people who are the original inhabitants, such as *Dusuns*, *Kadazans* and *Bajau* in Sabah

and the *Iban* and *Bidayuh* in Sarawak. Such an extension to the natives of Sabah and Sarawak was vital, since the formation of the Federation of Malaysia would involve Singapore with its majority Chinese population. Therefore, the recognition of the natives of Sabah and Sarawak, together with the Malays and other indigenous, as *Bumiputra,* would act as a strategy to balance the ethnic groups, in order that the Malays and other indigenous populations were not to be outnumbered by the non-Malays. Furthermore, the creation of the *Bumiputra* category which involved the natives of Sabah and Sarawak would further strengthen the indigenousness identity and claim.

Even though the term *Bumiputra* was not mentioned or defined in the Federal Constitution, it was nevertheless coined with the purpose of creating a myth of unification in the post-independence period, when the UMNO leaders were trying to frame legislation to institutionalise the special position of the Malays, enshrined in Article 153 of the Constitution (Brown, 1994, p.254). Consequently, the institutionalisation of the Malay special position further strengthened the recognition for *Bumiputra,* which now encompassed the natives and other indigenous population. Such recognition of the term *Bumiputra* could be seen when the term was officially used in the Fourth Malaysia Plan, to refer to the Malays and other indigenous peoples (Siddique and Suryadinata, 1981-82, p.674).

With the *Bumiputra* category having been expanded to include the natives from Sabah and Sarawak, the claim for the recognition of the special position was justified, since these natives and other indigenous were also economically

deprived. The *Bumiputra* phenomenon was approached on the premise that poverty was predominantly a rural phenomenon, and the *Bumiputra* mainly live in the rural area, since the Malays were deprived of the economic activities taking place in the urban areas (Verma, 2002, p.69). Hence the NEP was formulated: to establish economic parity among the communities and, ultimately, to create national unity as its final goal. It is only through redressing the economic imbalances amongst ethnic groups that long term unity can be assured (Siddique & Suryadinanta, 1981-1982, p.681). However, one effect of recognising the special position of a particular ethnic group, and the creation of such a categorisation, could be to raise the suspicion of the non-Malays about the Malays: that the former are treated or classified as second class citizens while the latter enjoy a special position as first class citizens.

Even though such categorisation of *Bumiputra* and *non-Bumiputra* could be viewed cynically as dividing Malaysians into two unequal classes of citizens (Vasil, 1980, p.169), it has encouraged cultural and religious diversity in the public domain (Verma, 2002, p.55), and the protection of the interests of the minorities is vital, as the minorities have become an integral part of Malaysian society and contributed significantly to the country's development (Embong in Hefner, 2001, p.59). However, the ethnic divisions that exist reflect the contemporary concern of the multiculturalists towards liberal democracies, which reject the idea of cultural integration and assimilation of the communities as well as the idea of one nation, one state (Verma, 2002, p.54). Even though the special position of the *Bumiputra* could be viewed as undermining the concept of multiculturalism, it has by no means led to the disappearance of other ethnic

communities' cultural and religious identity. Such cultural diversity that exists in Malaysia made multiculturalism not just an idealistic ambition; it is, simply, a way of life. Therefore, the idea of multiculturalism within the Malaysian context has witnessed the maintaining of cultural diversity while, at the same time, certain civil and political rights had to be undermined. Such a balancing act of promoting diversity on one hand and limiting civil rights on the other is justified as promoting the form of Asian value or democracy that adheres to the characteristics of communitarianism, authority, dominant political parties and strong states (Neher and Marlay, 1995, p.110 cited by Verma, 2002, p.129).

However, recent developments have seen the strengthening of the Malay hegemony in which the non-Malays were continuously reminded of the Malay special position which led to Malay supremacy or *Ketuanan Melayu* (Kok Wah, 2002, p.34). This idea of the Malay supremacy was mooted in order to remind the non-Malays of the attachment and the ownership claim of the Malays and the indigenous population over Malaysia. Furthermore, the strong sense of ethnic solidarity held by the Malays could be contributed to by the sense of victimisation over generations of Malay exclusion by the Chinese (Sloane, 1996 cited by Weiss, 2006, p.168). Hence, the non-Malays have to be continuously reminded of the Malay as the indigenous group, possessing certain inalienable rights over the forms and obligations of citizenship which can be imposed on non-indigenous citizens (Mahathir, 1970, p.133 cited by Verma, 2004, p.65). This imagined political community of *Ketuanan Melayu* is aimed at promoting the supremacy of Malay cultural identity for all, restricted citizenship rights for non-Malays and for some the creation of an Islamic state. On the other hand, the non-Malays

demanded a 'Malaysian Malaysia' based on the rights to equality (Kok Wah, 2002, p.34). The creation of this supremacy of the Malays as an imagined political community was further extended to marking Malay identification, with the introduction of the National Cultural Policy in 1971, which emphasised Islam and Malay culture as the essential bases of 'national culture', and implemented the National Language Act and the National Educational Policy, which made Malay the sole medium of instruction in secondary schools and universities. All these were considered as the beginning of constructing a genealogical Malay political community (Kok Wah, 2002, pp.25-6), or a Malay nationhood identity of Malaysia.

With the strong promotion of the Malay identity, any effort or attempt made by the government towards a more egalitarian representation would face heavy criticism from the ultra-Malays. The idea of forming a *Bangsa Malaysia* was not well-received by some factions of the Malays. Similarly, the recent initiative of the government to introduce the idea of 1Malaysia was heavily criticised. These attempts are cynically viewed as establishing an egalitarian society that would dilute the special position and privileges of the Malays and other indigenous populations. Responses to such an egalitarian move have been made: for instance, the recent formation of *Pertubuhan Pribumi Perkasa Malaysia* (Perkasa) in 2010 is a clear example of the challenges and difficulties that the government would face in promoting equality and unity, based on an egalitarian model. The idea of Perkasa to uphold and protect Article 153 of the Federal Constitution would further strengthen the Malay supremacy and maintain the *Bumiputra* and *non-Bumiputra* division.

Such a claim, along with the *Bumiputra* and *non-Bumiputra* division, actually undermined national unity as inspired by the NEP, the NDP, the NVP and the NEM. What is actually taking place on the Malaysian political scene is that while diversity has been promoted and maintained, unity in the form of nationalism across the racial board faces a significant challenge if ethnocentrism is still to be embraced. As for the Malays, the suspicion towards the non-Malays and vice versa has been further promoted with the division of *Bumiputra* and *non-Bumiputra*. At the same time, the slogan of Malay supremacy would give the impression that a sense of belonging and ownership of the *non-Bumiputra* is continuously being questioned. However, the most significant point at the base of this *Bumiputra* and *non-Bumiputra* debate is the idea of historic fact of prior residence, which carries with it certain rights and privileges for the former that are not extended to the latter (Enloe, 1970, p.14). Naturally, such a debate would cause further strengthening of ethnocentrism on both sides, since the idea of one Malaysian nation does not exist. In the words of the late Tan Siew Sin:

'A Malaysian nation does not exist at the moment and may never will and the non-Malays therefore have to be communal merely to ensure their survival. As such the MCA must hold Chinese interests, first, last and all the time' (Vasil, 1980, p.104).

Certainly, the issue of citizenship and special rights would be taking its toll on Malaysia's nation-building process, since to balance the two demands would be a daunting task. This is because, if national unity or nation-building were to be achieved, the idea of equal citizenship is central and essential to nationhood

(Canovan, 1996, p.76). Apart from that, this dichotomy would also be used to mobilise ethnic groups, since political leaders are able to rely on profound affective factors related to origin (Roosens in Canovan, 1996, p.58).

3.4 The Nation-Building Agenda

When independence was gained in 1957, the special position of the Malays had been recognised by the Chinese and the Indian immigrants. The bargain of granting citizenship in exchange for the recognition of the special position of the Malay was agreed. However, there was no immediate policy or framework formulated to bridge the majority-minority divide. Similarly, there was also no immediate policy formulated to address the Malayan economic imbalance. The Malays were pressing for more programmes that would be able to address the economic concern of the Malays, while the non-Malays resented the fact that they were being discriminated against (Lim, 1985, p.256). However, what had existed during the earlier period of independence was the celebration of independence from the British as a joy to be shared and celebrated by all Malayans, irrespective of race or ethnicity. This shared mission of gaining independence was achieved as a result of the cooperation of the three ethnic groups which, at that point in time, transcended racial or ethnic identity. Nevertheless, such joy in celebrating independence was not sustained when the reality of the issues at hand had yet to be resolved.

Such unity among the Alliance was maintained through the promotion of issues which transcended ethnicity, and started with the fight for independence.

This was followed by the second election campaign in 1959 which once again kept the Alliance occupied and united. The 1959 election campaign saw the focus shifted to the fight against communist influence, and the Alliance consolidating its position as representative of the three major races (Ooi, 2006, p.186). The national security issue of fighting against communist insurgency brought the Alliance to a very strong position with support received from the international community. Such recognition was an endorsement of the Alliance and consequently it gained the support of all the races, since it was agreed that communism must be rejected at all costs and this mission transcended racial or ethnic orientation.

However, the third General Election in 1964 could be considered as a testing point for the Alliance. This was because the 1964 election campaign saw tension between the Singapore's People's Action Party (PAP) and the Alliance (Andaya & Andaya in Ooi, 2006, p.186). The formation of the Federation of Malaysia in 1963 witnessed the merger with Singapore, Sabah and Sarawak. The PAP brought with it the idea of 'Malaysian Malaysia' which could be seen as an attempt towards unity and integration. The idea of 'Malaysian Malaysia' proposed that minorities should be recognised and accepted equally without being discriminated against. The MCA, a member of the Alliance, was accused of being inferior to UMNO and of failing to represent the Chinese who were demanding greater equality, an essential form of recognition of citizenship. The tension between PAP and the Alliance finally came to an end with the expulsion of Singapore from the Federation in 1965. However, the impact of PAP's 'Malaysian Malaysia' was visible when the MCA candidates lost in the 1969 General

Election. This indicated the impact that the issue of citizenship and right to equality had on immigrants and, with the expulsion of Singapore from the Federation, the idea of creating a 'Malaysian Malaysia' has been continued by the Democratic Action Party (DAP), a multi-ethnic Chinese dominated party.

In the early period of independence, the Alliance was occupied with addressing multiracial issues, apart from external issues such as the communist insurgency. The attention paid towards such issues led to the Malays feeling neglected, since nothing much had been done to address the economic imbalance. The demand to rectify the economic imbalance was led by a group of ultra-Malays calling for an immediate response from the government in addressing the Malay cause. The Malays were sceptical of the late Tunku Abdul Rahman, the first Prime Minister, and this resulted in the ultra-Malays labelling the late Tunku Abdul Rahman as pro-Chinese. Hence, during the First and Second Bumiputra Economic Congresses held in June 1965 and September 1968 respectively, the government was challenged to implement the Malay Special Rights programme with greater speed and zeal (Lim, 1985, p.256).

It was argued that the 1969 election campaign focused more on domestic issues such as race relations, language and the special position. This was because vital issues related to external threats and national security were absent, and hence the ethnic issues dominated the election debate (Milne & Mauzy in Ooi, 2006, p.186), unlike previous elections, where issues transcending racial or ethnic boundaries had diverted the population from the topic of racial issues. However, the 1969 race riot had an enormous impact on the Malays; with this

incident the ultra-Malays in UMNO had managed to undermine and later remove the moderate Malays, who were viewed as weak, having failed to protect Malay interests (Ooi, 2006, p.206). The ultra-Malays challenged the Prime Minister further and tried to claim that the failure to protect Malay interests would result in the absolute domination of one race over the other (Ooi, 2006, p.207). Such conflict between the ultra and moderate Malays illustrated the different view that each group had of the preferential treatment for the Malays.

The political changes that followed the May riots of 1969 were thus profound, and the official understanding of the causes for the violence became the backbone for Malaysia's domestic policy (Ooi, 2006, p.238). Hence the NEP was formulated, with a 20 year timeline for the strategy of affirmative action programme in place for the Malays. However, the affirmative action programme was viewed in full cognisance of its pitfalls and the long-term effect it had on race relations and the process of nation-building. The NEP, which has two prongs, namely eradication of poverty and restructuring of society, clearly outlined the need for the majority to be assisted if national unity was to be achieved. The focus of the NEP, even though its objectives were noble in the sense that it addressed the concern all citizens, irrespective of race, was viewed as an agenda of enhancing Malay supremacy and leading towards greater Malay pre-eminence in the political system (Kok Wah, 2002, p.25). Nevertheless, the timeline for the NEP was stipulated in order to ensure that, if NEP failed after 20 years of its implementation, then a different strategy would be required.

Even though NEP ranks as one of the more successful programmes of ethnically-based affirmative action of the late 20th century (Hefner, 2001, p.30), and was justified in order to promote national integration and national unity, the crux of its implementation was still viewed by the non-Malays as being pro-Malays. The perception that Malays are the ones who benefited the most will thus create suspicion, whatever policy direction is taken; there is a need for this perception to be corrected if the government is serious about promoting unity and integration.

Throughout the 20 years of NEP's implementation, the policy managed to improve the economic status of the Malays, with the creation of a middle class Malays. The creation of this middle class of Malays has, to a certain extent, managed to bridge the economic gap between the Malays and non-Malays through the implementation of the affirmative action programmes such as quotas in business licensing, ownership structure, employment and educational opportunities, and the 30% equity ownership allocated to the Malays. However, this action was criticised as benefiting a small number of indigenous entrepreneurs. For instance, the emphasis of creating a group of Malay capitalists under the NEP was viewed as benefiting a handful of the indigenous, when funds can better go to projects to relieve unemployment among rural Malays (Alatas in Siddique & Suryadinata, 1981-1982, p.682).

With the end of the NEP in 1990, the NDP, which was formulated for a ten year period, continued with the twin objectives of the NEP as a form of promoting national unity. The affirmative action programme was also extended to include

the 30% *Bumiputra* equity ownership target. The justification for such a continuation was made because the Malays did not manage to reach the 30% equity ownership by the time the NEP ended. However, there was no specific timeline for achieving this objective. With the absence of a specific timeline, this further aroused the suspicion of the *non-Bumiputra* towards the *Bumiputra*. In order to assist with the attainment of the *Bumiputra* equity target, the Bumiputra Commercial and Industrial Community (BCIC) was created. The BCIC assisted *Bumiputra* entrepreneurs and businessmen to establish themselves in commercial and industrial areas (Jawan, 2007, p.193).

Nevertheless, the orientation of the NDP focused more on producing the qualitative aspects of *Bumiputra* participation (Kok Wah, 2002, p.43). The achievement of the NEP in producing a new middle class of *Bumiputra* would now lead to the importance of cooperation between this new middle class *Bumiputra* with the *non-Bumiputra* entrepreneurs, as stressed under the NDP. The introduction of a privatisation strategy under the NDP further enhanced the *Bumiputra* and *non-Bumiputra* cooperation. Even though there was no specific time frame for the equity ownership target, the shift of the NDP orientation, along with the privatisation strategy, provided opportunities for both the *Bumiputra* and *non-Bumiputra* to be involved in the rapid development of the country. NDP paved the way for greater cooperation between the *Bumiputra* and *non-Bumiputra,* and this opportunity was considered as a win-win situation for both, even though there still existed the need to address the economic requirements of the *Bumiputra* under the NDP.

3.4.1 The *Bangsa Malaysia* Agenda

When the NDP was launched in 1991, a key policy guideline called Vision 2020 was also launched. Vision 2020 outlined the challenges that would be facing the country in its cause of achieving a developed country status by 2020. The most important challenge outlined in Vision 2020 is that of establishing a united Malaysian nation, with a sense of common and shared destiny, a nation at peace with itself, territorially and ethnically integrated, living in harmony, with full and fair partnership, made up of one *Bangsa Malaysia* with political loyalty and dedication to the nation. In the words of former Prime Minister Mahathir, 'this *bangsa* would help the nation to be confident, democratic, liberal, tolerant, caring, and instilled with strong moral and ethical values'. As such, the principles mentioned in Vision 2020 gave hope to the non-Malays that they would be treated as full citizens and their cultural autonomy would be fully recognised (Ong, 2004, pp.189-98 cited by Segawa, 2007, p.32).

Even though the NDP was considered as an extension to the objective of the NEP, a continuation of affirmative action policy for the Malays, the aspiration of forming *Bangsa Malaysia* by 2020 provided the non-Malays with the hope of being recognised as full citizens, whereby equal opportunities and outcomes would be achieved. The objective of *Bangsa Malaysia* is to create an integrated and united Malaysian society, thus creating a sense of nationhood. With the end of the NDP in 2000, the NVP (2001-2010) was launched, with an objective extended from the two earlier policies, the NEP and the NDP. The basis of the NVP is guided by the policy of Vision 2020. The aspiration of *Bangsa Malaysia* as the uniting factor could be directed to achieving political loyalty to the state and

thus fostering unity in diversity (Segawa, 2007, p.34). In fact, the concept of creating one cohesive *Bangsa Malaysia* living in harmony and fair partnership is an integral part and ultimate objective of Vision 2020 (Segawa, 2007, p.35).

Although *Bangsa Malaysia* provided hope for an egalitarian basis of society, the fact is that, as long as the orientation continues to provide special recognition of the Malays and other indigenous peoples, national unity could prove a daunting task. This is because most Malaysians seem to have the impression that inter-ethnic peace and harmony is prevailing in Malaysia today, but the transformation into *Bangsa Malaysia* still has a long way to go, as harmony prevails on the basis of toleration and not much on civility and mutual reciprocity. The unity that Malaysia is currently enjoying is born out of necessity; it is unity for survival, unity that is instrumental, calculative and artificial and not unity of the heart (Embong in Hefner, 2001, p.77). This illustration by Embong, that is sometimes referred to as unity of convenience, reflects the kind of unity relations experienced by the various races in multicultural Malaysia. As for the non-Malays, the reality in multicultural Malaysia is that the majority Malays are categorised as the indigenous group which has certain privileges, clearly stipulated in the Federal Constitution which translates into policies in which Malay interests are protected. This condition would require the non-Malays as citizens to accept the fact that the fundamental notion of citizenship that focuses on rights to equality is absent. This could create suspicion in the relationship between the races whereby one sees the other as being privileged and one does not. Hence such a situation in multicultural Malaysia would not create the unity of the heart,

as unity of the heart requires the presence of the feeling that all are equally treated and equally privileged.

3.4.2 The 1Malaysia Agenda

Unfortunately, the idea of *Bangsa Malaysia* was not well-received by the indigenous Malays. The idea of creating a *Bangsa Malaysia* became an area of conflict among the Malay leaders which indicated that the aspiration of such an idea is not shared by the Malay leaders, and this is evident from the statement by the Chief Minister of Johor stated earlier. The aspiration of the *Bangsa Malaysia* idea was misconstrued as surrendering the special privileges enjoyed by the indigenous Malays to the non-Malays and this had to be defended since such an act would strip the Malays of their identity and ownership of the land. With such a cold reception towards the idea of *Bangsa Malaysia*, the NEM was launched by Prime Minister Najib, in which 1Malaysia became one of the pillars of the NEM.

This idea of 1Malaysia is based on the fact that Malaysia's strength lies in its unity in diversity and it should act as a mobilising force in order to bring people together and to make them feel as one (Muzaffar, 2010). Through 1Malaysia, the orientation of inclusiveness and social cohesion is being given a focus which cuts across racial boundaries and such orientation is in line with the Constitution. In order to achieve inclusiveness and social cohesion, a re-orientation of the affirmative action programme was needed which no longer targeted a specific race or ethnic group but all ethnic groups who are eligible for affirmative action. However, the targets of such affirmative action programme are more the

indigenous Malays, especially those indigenous to Sabah and Sarawak, who are earning less than RM1500. Furthermore, in order to ensure the realisation and success of inclusiveness and social cohesion, an Equal Opportunity Commission would be formed. This would be the first time, after more than 50 years of independence, that a commission was set up to oversee the implementation of policies of inter-ethnic relations.

The question now, after 50 years of independence, is: has the objective of national unity or nation-building being achieved? Could the idea of nation-building and unity be achieved if the people's demands, especially from the non-Malays, on rights to equality and citizenship are being undermined by policies that continue to target specific races? The climax of all these policies would of course be the aspiration of *Bangsa Malaysia,* which would be the unifying factor of Malaysians across ethnic and racial boundaries. The idea of creating one cohesive *Bangsa Malaysia* was viewed positively by the non-Malays, as it is the concept through which, finally, all Malaysians will be recognised through a common and shared destiny, with no Malay and non-Malay divide.

Apart from forming *Bangsa Malaysia*, Vision 2020 also outlined another important challenge, which is establishing a mature, liberal and tolerant society in which Malaysians of all colours and creeds are free to practice and profess their customs, cultures and religious beliefs, yet feel they belong to one nation. This challenge recognised the importance of unity in diversity, in which all Malaysians are united by the aspiration of *Bangsa Malaysia* while, at the same time, have freedom of cultural practices and beliefs.

Looking at the four core policies, namely the NEP, the NDP, the NVP and the NEM, the target is still focused on achieving national unity and integration by recognising the need to elevate the condition of the *Bumiputra.* At the same time these policies would not undermine the interest of the *non-Bumiputra* to further improve themselves economically. However, the main concern that arises here is: how could such orientation be reconciled, since the *Bumiputra* have in place a recognition of their special position, while the *non-Bumiputra,* who are still citizens, have a 'restricted' recognition? The question put forward by the minorities is: why is such specific protection and promotion of the *Bumiputra* continuously focused upon in all these policies? Even though in general the policies stress achieving national unity and integration, the perception of the minorities towards such policy orientation is that it is actually detrimental to national unity and integration, as this undermines the sense of belonging of the non-Malays because there is a lack of commitment from the state to address the concern of the non-Malays. Furthermore, the *Bumiputra* and *non-Bumiputra* division that is being used to show the level of attachment based on indigenousness would cause the labelling of the non-Malays as immigrants to continue.

There is no doubt that there was a need to address the economic imbalances between the Malays and non-Malays during the early period of independence. The failure to address such demands from the Malays would have caused the already tense relations to escalate further. However, the focus of preferential treatment being specifically designed to address the needs of the

majority would have, to a certain extent, made the minorities feel deprived of the rights to equality. The justification was made, based on the view that Malays were economically lagging behind and thus being dominated by the economically stronger minorities, which has put the Malays at disadvantage. Furthermore, such justification would also reflect economic deprivation as a Malay phenomenon, and that the non-Malays were all economically better off.

While this preferential treatment may have been justified in its implementation for the Malay majority, the deprivation of the non-Malays, especially those who were also in need of such preferential treatment, would have resulted in the feeling of deprivation as citizens. Hence, there is a need to implement preferential treatment across the racial boundaries, to be based on needs rather than racial identity, which would have been more accommodating of the minorities. This is because, by focusing specifically on the *Bumiputra's* economic well-being, it treats national unity as an agenda of the majority, thus depriving the needs of the minorities. Furthermore, even though the government did not take any assimilationist approach in implementing these policies, unlike in Indonesia and most Western liberal democracies, and adopted a more accommodating position (Siddique and Suryadinata, 1981-1982, p.682), still the perception of Malays being the advantaged group continues.

Chapter 4

4.1 Challenges to Malaysia's Nation-Building

'Malaysia recognized the challenge of establishing a mature liberal and tolerant society in which Malaysians of all colours and creeds are free to practice and profess their customs, cultures and religious beliefs and yet feeling that they belong to one nation' (Vision 2020).

Liberal nation states initially acknowledged the importance of recognising the rights to equality of its members in order to avoid any form of suppression or oppression of its citizens. The notion of citizenship is vital in order to ensure conformity and unity as the foundation of nation-building within the nation state, by constructing an identical national identity, shared by all citizens. However, in ensuring the equality of its citizens, inequality is something that is inevitable and nation states are required to recognise such inequalities. It is argued that a right to equality is blinded by the equality of treatment and thus neglects inequalities that exist within the polity of liberal states. Nevertheless, the recognition of inequalities that exist within the polity of a nation state is to ensure that no citizens are left out or neglected in the process of nation-building. In other words, it is essential to address the inequalities within the nation state in order to ensure the success of the nation-building initiative. This would see cultural, religious, ethnic, racial, indigenous and other groups of identities being recognised. Nevertheless, there are arguments that such recognition of inequalities and diversity would cause the nation state to be distracted from its original intention of

creating a national identity and the neutral stand of the nation state within the liberal context.

Hence, from this notion of citizenship as recognising rights to equality, the idea of nation could be defined to exist when a significant number of people in a community consider themselves to form a nation or behave as if they have formed one (Hugh Seton Watson cited by Canovan, 1996, p.54). This idea of nation indicates that the basis for solidarity and unity evolves from a shared aspiration. The uniformity of nation-building would be perceived as a process in which people feel bound to the state by ties derived from a common dwelling place with its associations, from common memories, traditions and customs, and from common ways of feeling and thinking which a common language embodies (T.H Green, 1941, pp.130-1 cited by Kymlicka, 1995, p.52).

This process of nation-building is undertaken in order to ensure conformity and uniformity is developed through the notion of citizenship by ensuring citizens' rights to equality, respect for human dignity and the rule of law. Furthermore, this process of nation-building would result in the creation of a national identity that identifies the citizen to the nation. However, such a view of nation-building is argued by multiculturalism scholars as promoting assimilation and coercion of the minorities into the dominant culture. The argument of multiculturalism scholars is that, in the pursuit of nation-building, the state has taken the stand that equality could only be assured through similar forms of treatment. However, such an orientation towards nation-building would be undermining the differences and diversity that exist among members of the nation since the idea of nation-building

has defined equality as the granting of universal rights to all its citizens. Hence, nation-building's quest for uniformity could no longer be argued as feasible since it would undermine diversity and difference. Therefore, citizenship has now been 'restructured' or 'redefined' to be more inclusive of other social, religious and cultural diversity, recognising a multicultural citizenship (Kymlicka, 1995) in the process of nation-building.

The dilemma of nation-building in Western liberal democratic states, it is argued, is that it involves recognition of cultural, religious and other forms of identities within its polity as a response to rights to equality, and this gives rise to terms such as differentiated citizenship and multicultural citizenship. This, in turn, has been seen to dilute the traditional notion of citizenship and stripped the state of its neutrality. Then again, it could be countered that the state was never neutral in the first place since a dominant culture or identity has always been recognised, consciously or unconsciously.

Meanwhile, in multicultural Malaysia, as a result of the diverse cultural and religious communities left by the colonial legacy, it faces a challenging task of nation-building to ensure commitment and loyalty towards the state among the citizens. Nevertheless, the notion of citizenship granted to the Chinese and the Indian immigrants recognises the cultural and religious identity of these communities, and does not lead to the justification for recognition of diversity such as differentiated citizenship or multicultural citizenship in Western liberal societies. The recognition of Malaysia as a multicultural society began with the recognition of the Chinese and the Indian immigrants as citizens and these

immigrants are guaranteed their freedom to cultural and religious identities. However, it could be argued that it fundamentally departed from the Western experience of recognising the basis of citizenship. As for Malaysia, the recognition of the cultural and religious diversity was a significant foundation that secured independence from the British Empire and saw racial or ethnic assertions become a form of struggle against colonial rule and economic exploitation. The recognition of the cultural and religious diversity resulted in the transformation of multicultural Malaysia from an ethno-cultural to a political-cultural concept of nation (Verma, 2002, p.34).

While the Chinese and Indian minorities are guaranteed their freedom to their respective cultural and religious identities, the indigenous Malays are guaranteed their special position and preferential treatment by the state. This recognition was agreed based on the economic condition of the indigenous Malays, who were socially and economically lagging behind and required an affirmative action programme to improve conditions. Hence, multicultural Malaysia witnessed the maintenance of the idea of cultural plurality or diversity through the politics of accommodation between the communities, in which individual liberties guaranteed in the Constitution are subordinated to this arrangement.

Nevertheless, the nation-building initiative by the state had opened up the debate of the notion of citizenship to give greater 'equality' to the non-Malays in order to ensure the success of nation-building. This is because the idea of nation-building on the basis of transforming into *Bangsa Malaysia* has a long way to go,

as harmony prevails on the basis of toleration and not much on civility and mutual reciprocity (Embong in Hefner, 2001, p.77). Therefore, the nation-building initiative in multicultural Malaysia sees a conflict of rights to equality between the indigenous Malays and non-indigenous in which racial identification was made the crucial point of recognition. In other words, cultural diversity is recognised by polarising racial and ethnic identity and this is evident through the political representation of the ethnically-based political parties. Instead of culture becoming an important marker of identification of diversity, racial or ethnic markers were made essential and this would further reinforce any differences.

Secondly, the recognition of cultural diversity, which was reciprocated with the recognition of the indigenous Malay special position, gave an indication that the nation belongs to the indigenous Malays; non-Malays have to accept this fact and that the recognition of its cultural diversity was made as an act of good faith by the indigenous Malays. This is evident from the speeches made by the non-Malay ethnic leaders after independence, recognising the indigenous Malay position. Hence, the notion of citizenship in multicultural Malaysia could be said to be skewed in its recognition to rights to equality, but this did not in any way infringe the recognition and flourishing of cultural diversity in multicultural Malaysia. In fact, what has happened within multicultural Malaysia is that nation-building became a point of conflict between the indigenous Malays and non-Malays regarding the recognition of rights to equality and recognition of a special position for the indigenous Malays.

Thirdly, in carrying out its nation-building initiative, the government had neglected the need for a policy framework or institutional design that would support the success of such initiatives such as the Equal Opportunity Commission, and the Commission on Racial Equality, to mention a few. The formulation of economic growth policies were expected to provide the opportunity for national integration and unity to take place within multicultural Malaysia, assuming that, once economic imbalances had been rectified, the indigenous Malays would be ready for integration. Such assumptions could be proven to be misleading; instead of integration and unity forming naturally, policies further strengthened racial and ethnic consciousness.

The nation-building initiative in multicultural Malaysia could be argued to be faced with a conflict over rights to equality and thus the state may be required to unravel its institutional and policy design to ensure the success of the initiative. In fact, some claim that inter-ethnic relations in multicultural Malaysia have deteriorated (Muzaffar, 2010, p.181) and hence delayed or hindered the process of nation-building. Some respondents commented that inter-ethnic relations are now taking on a stronger ethnic consciousness. Policies such as the NEP had actually run into the contradiction of trying to eliminate racial consciousness but actually encouraging greater ethnic specificity and consciousness. Hence, the need to build a common ground is significant for post-independence Malaysia's nation-building, which requires the cultivation of shared values, attitudes and institutions that bind people from the various cultural and ethnic backgrounds together (Yong, 2004, p.10).

Therefore, it can be said of the multicultural orientation in Malaysia that recognition of cultural diversity is recognised at the expense of limited rights to equality and citizenship for the non-Malays. This is because the recognition of the cultural diversity of the minorities was made as a trade-off between the ethnic groups; a trade-off in which the indigenous Malays were considered as the 'rightful' owner of the nation, based on the recognition of indigenousness. Since then, the recognition of Malaysia as a multicultural state continues to witness the demand for the recognition of rights to equality and the upholding of the notion of citizenship. Consequently, the challenges of nation-building in multicultural Malaysia is influenced by firstly, the need to overcome the misguided vision of nation-building which had caused the strengthening of ethnic consciousness within multicultural Malaysia, and, secondly, recognising the multicultural polity by upholding the notion of citizenship rights to equality.

4.2 Malaysia's Faulty Vision and Contested Nation-Building

Historically, Malaysia's phase of nation-building started with the struggle for independence from the British, which unified the Malays and non-Malays as represented by their respective political parties and thus created a brief illusion of nationhood (Canovan, 1996, p.108). However, after this brief illusion, the polity reverted to a state of conflict over recognition between the indigenous Malays and non-indigenous Malays. This could account for the different views held by the ethnic communities regarding the idea of the nation; the non-Malays view citizenship as the platform for equal recognition, while the indigenous Malays argue for the recognition of their special position and preferential treatment. Even

though the struggle for independence brought the non-Malays and indigenous Malays together, the underlying issue of recognition continues. The indigenous Malays differentiated themselves from the other ethnic group on the ethnic and religious grounds that defined the Malays as having a close attachment to the safeguarding of the Malay ethnic primordial identities and parochial interest, and this would require certain special rights to be recognised. This transformed the Malays into a self-conscious political entity which viewed their position as vital to the identification of the indigenous position.

However, the struggle for independence brought the formation of the Alliance which paved the way for Malaysia's nation-building in which cultural diversity was recognised and maintained as a result of the historic bargain between the ethnic groups. The historic bargain saw cultural diversity being legally and constitutionally enshrined in the Federal Constitution and, in return, the recognition of the Malay indigenous special position was recognised. This historic bargain also agreed to the legal notion of citizenship conferred on the non-Malays, but without the non-Malays having to affirm any state-sponsored concept or ideology. This reciprocal arrangement became the basis for Malaysia's nation-building process, through which people's commitment to their ethnic groups and religious beliefs is respected and recognised (Verma, 2004, p.59).

This arrangement was initially agreed to by the non-Malays since it was acknowledged that the Malays' economic deprivation would be a hindrance to unity and integration. However, the resentment from the non-Malays continues

today. The non-Malays argue that the act or policy of privileging one ethnic group over another would indicate that the others are second class citizens, consequently undermining the principle of equality in its notion of citizenship (Nagata in Henders, 2004, p.235). For the indigenous Malays, such an arrangement was made because the Malays were the rightful owners of the country and, if citizenship was conferred on other races, this is because the Malay consented to it (Verma, 2004, p.65). However, it could be said to be viewed differently by the non-Malays, who saw such a move as recognising their rights to equality as full citizens (Ong, 2004, p.192), while for the Malays, such a nation-building move was viewed as destabilising their special position or privileges by promoting an egalitarian society. Therefore, the basis for the recognition of cultural diversity in multicultural Malaysia requires the recognition of indigenousness of the polity with the indigenous Malays as the foundation. Such an arrangement would pose a challenge to unity and national integration. This is because, since the ownership of multicultural Malaysia is viewed as belonging to the indigenous Malays, the non-Malays would argue that their pledge of loyalty, obedience, commitment and ownership to multicultural Malaysia could never be recognised. Hence, this would result in a faulty vision of nation-building.

However, Malaysia, like most postcolonial states or even Western liberal societies, is left with the challenge of defining a version of nationhood that ensures unity and solidarity. This task of defining a nationhood, however, was faced with the demographic transformation left by the British which had resulted in the unequal distribution of the economic activities and left the indigenous

Malays side-lined from commercial activities. Another challenge was that the number of immigrants almost outnumbered the Malays and was perceived as having become a threat to the survival of the indigenous Malay. These two significant challenges would become the basis for the justification of the need for the protection of the indigenous special position.

As a consequence of the above challenges, the indigenous Malay had argued for the recognition of the Malay special position to be maintained and, in return, citizenship to be granted to the Chinese and Indian immigrants based on the principle of *jus soli*. Such a trade-off saw firstly the promotion and recognition of diverse cultural communities, which guaranteed the rights to equality of all communities and, secondly, the recognition of the special position of the indigenous Malay through which an affirmative action programme is then justified to deal with the economic deprivation of the Malays. What can be derived here is the significant difference between Malaysia's nation-building process and the orientation of Western liberal democracies. The notion of citizenship in Malaysia includes the recognition of cultural diversity, along with the indigenous Malays' special position which undermines the notion of equality while, in Western liberal democracies, the notion of citizenship implies the adherence to the universal principle to rights to equality which, it is argued, leads to assimilation into the cultural orientation of the majority.

Malaysia's nation-building after independence can be traced to the formation of the Federation of Malaysia in 1963, with the inclusion of Sabah, Sarawak and Singapore. This first phase was vital because, firstly, it would

indicate the end of the British rule in Southeast Asia, with Sabah, Sarawak and Singapore, as former British colonies, joining the Federation of Malaysia. Secondly, it was an important phase because the formation of the Federation triggered the consciousness of recognition of the notion of citizenship granted to the non-Malays which was agreed in the historic bargain when Singapore introduced the idea of Malaysian Malaysia. The idea of Malaysian Malaysia could be seen as an attempt to promote nation-building based upon the universal rights endowed upon citizens, irrespective of racial identification. Even though Singapore was later expelled from the Federation in 1965, the idea of Malaysian Malaysia had left a deep imprint among the non-Malays, in that they viewed the notion of citizenship (as it ensures the rights to equality of all citizens) as the basis of the Federation as vital for the process of nation-building. However, such an idea was rejected by the Malays and this resulted in the racial tension which reached its peak in the 1969 race riot.

The 1969 race riot was a turning point in Malaysia's nation-building as it then witnessed the formulation of an official policy, called the NEP, which for the first time provided guidance on the way forward for Malaysia's nation-building agenda, and identified that national unity had an economic component; a failure to address this could cause disharmony in race relations. This was because, prior to the 1969 race riot, the indigenous Malays claimed the government lacked the interest to address the issue of Malay economic disparity with other ethnic groups, especially the Chinese. The continuous demands of the non-Malays for rights to equality resulted in racial tension reaching its peak. Furthermore, since independence there had been no official specific policy for nation-building.

Therefore, the NEP was formulated with the objective of restructuring society and eradicating poverty which was considered as vital to creating economic parity between the ethnic groups. This objective was to ensure equality and unity. However, in order to achieve this general objective, a specific measure was formulated, targeting the economic deprivation of the indigenous Malays. Therefore, an affirmative action programme was introduced under the NEP which was targeted at the indigenous Malays. Even though the general objective of the NEP had raised expectations and hopes within the various communities, it nevertheless provided the state with an ideological instrument to promote Malay hegemony and consequently caused ethnic discrimination to be institutionalised, leading to further polarisation of Malaysian society (Nagarajan, in Teck Gee, Gomez and Rahman, 2009, p.372).

The affirmative action programme was considered a necessary way forward in correcting the imbalances that existed. Hence, the formulation of the NEP was considered as a policy response to the special position of the indigenous Malays. The needs of the indigenous Malays were attended to through the formulation of affirmative action programmes which would finally improve the condition of the indigenous Malays and eliminate economic disparity among the ethnic groups. This affirmative action programme was justified as a temporary measure to address the needs of the indigenous Malays through which the Malays would be able to compete with the economically dominant Chinese on a level playing field. Even though the NEP's final objective was to restructure society in which the racial identification with economic success would finally be eliminated, the steps taken to address the needs of a particular ethnic

group, the indigenous Malays, resulted in the further strengthening of the racial identification or consciousness which would lead to ethnocentrism. Such an orientation would prove to be in contradiction to the objective of the NEP and this was evident when the non-Malays viewed such policy implementation as being lopsided in that it benefits only the Malays. This would further undermine the ideal of an equal society, as envisaged by the NEP, in which the needs and concerns of all communities must be addressed based on class rather than the status of a particular ethnic group (Embong in Hefner, 2001, p.71).

Even though the need to address the economic concerns of the indigenous Malays was recognised by all communities, the policy orientation ended up further strengthening racial identification or ethnocentrism (Jomo, 2004; Osman Rani, 1990; Puay Liu, 2007). The NEP, which was to be implemented over a period of 20 years, could be said to have instilled a stronger racial identification and, at the same time, diluted the sense of belonging, especially of the non-Malays. The institutionalisation of ethnically-based politics and the skewed implementation of the NEP further reinforced ethnic identity and increased polarisation. This is evidenced when the only unity in Malaysia is that which was tolerated and formed out of necessity and not unity based on fellow beings (Embong in Hefner, 2001, p.77).

Therefore, the perception of nation-building in Malaysia is oriented towards recognising rights to equality which is a vital source of unity. However, there exists some conflict over the idea of nation-building in Malaysia. On one hand the nation-building argument in Western liberal democracies is viewed as

undermining diversity and difference. Therefore, multiculturalism was justified in Western liberal societies by the need to ensure that cultural communities, especially minorities, are recognised for their cultural, religious and linguistic backgrounds in a stable and morally defensible way, thus ensuring non-discrimination (Amy Gutmann, 1993 cited in Kymlicka, p.26). In order for such an accommodation, the recognition of the basic principle of juridical citizenship is necessary, which ensures the protection of the civil and political rights of individuals (Kymlicka, p.26). Therefore, the foundation for cultural communities being recognised is the constitution of a state or in a bill of rights; certain states have sought to accommodate this by allocating special legal or constitutional measures, above and beyond the common rights of citizenship (Kymlicka, p.26). Such an orientation is key, since nation-building is an integrative revolution formulated by the state to incorporate its subjects as citizens of a modern national community (Canovan, 1996, p.109).

Malaysia's nation-building process started with the reinforcing of ethnic identities which, to a certain extent, undermined the notion of citizenship. Such recognition was further strengthened with the formulation and implementation of policies which recognised the importance of ethnic identification rather than a class orientation which would cut across ethnic boundaries. This is evident as the NEP targeted the issue of poverty eradication and the restructuring of society based on ethnic groups, and had failed to acknowledge such issues across race/ethnic boundaries. Moreover, this recognition of ethnic group over the notion of citizenship was made on the basis of the indigenousness claim of the indigenous Malays over the non-Malays. Such politicisation of ethnic groups,

together with the claims on indigenousness would make it difficult to build a nation, causing a twisted orientation. As mentioned in Chapter 3, the claim of indigenousness became the basis for the recognition of the term *Bumiputra* and thus legitimising the claim for special recognition. *Bumiputra* promotes the ideology that members of the group have a primordial attachment to the land, hence a legitimate claim for special position and preferential policies (Puay Liu, 2007).

Although Malaysia's nation-building process could be traced to the beginning of independence, an official policy orientation towards the nation-building process was only made in 1971 when a specific policy was formulated to achieve such a goal. Together with this policy, a set of National Principles was also launched which outlined the principles that would be the source of unity for nation-building. However, the irony is that the policy implementation had a contradictory effect. Instead of withering away, the race issue has been highlighted, further strengthening a race-based claim for special recognition, especially of the indigenous Malays. The formulation of an affirmative action policy for the indigenous Malays *means that recognition of the non-Malays as citizens is being undermined. The argument of the non-Malays is that, as citizens, they possess certain inalienable rights to be treated equally and have equal opportunity to enjoy all the benefits equally* (Puay Lin in Teck Gee, Gomes and Rahman, 2009, p.471). The continuous nation-building agenda in Malaysia is evident through the promotion of policies such as the National Vision Policy to create *Bangsa Malaysia* by the year 2020, and the recent 1Malaysia initiative under the New Economic Model which focuses on inclusiveness and social

cohesion. Nevertheless, the biggest challenge for these policies is to overcome the status quo of the race-based affirmative action policy which is evidently putting constraints on the nation-building agenda.

With the ethnic consciousness being continuously reinforced through policies which focus on the indigenous Malays, the nation-building agenda in Malaysia is posed with the challenge of mobilising a sense of belonging among its citizens; this leads us to the question of what form of nation-building is the state trying to propagate if the question of the primacy of the indigenous race is continuously being echoed. Furthermore, what form of nation-building is the state looking at if the question of indigenousness and the rights of a specific ethnic group is still being emphasised, instead of the issues and rights of all citizens?

4.3 Recognising and Strengthening the Notion of Nation-Building

As mentioned in the earlier part of this chapter, Malaysia's nation-building agenda has further reinforced the ethnic identity of communities through the policies implemented. Such reinforcement of the ethnic identities contributed to the recognition given to ethnic identity over the notion of citizenship. Nevertheless, this recognition of the ethnic identities also contributed to the recognition of diversity and difference that exist within the Malaysian polity. However, the promotion of such ethnocentrism claims that diversity is recognised, resulted in the reinforcing of the ethnic claim of indigenousness which further divides the nation, not only along ethnic lines but also along indigenous and non-indigenous lines. This creation of an indigenous and non-

indigenous categorisation was to affirm who possessed a special position in this ancient land and new nation and who did not. Therefore, the claim of indigenousness led to the additional Article 160 of the Federal Constitution which defines the characteristics of a Malay (Kee Beng in Teck Gee, Gomes and Rahman, 2009, p.451). Nevertheless, the recognition of the special position of the indigenous Malays was done cautiously by the constitutional commission drafting Malaysia's constitution:

'citizenship must be open as of right but on somewhat different terms…those to whom this recommendation applies are very numerous, and in order that a sense of common nationality should develop, we think that it is important that those who have shown their loyalty to the Federation and have made it their permanent home, should participate in the rights and duties of citizenship.' (Constitutional Commission Report, 1957, p.2 cited by Vasil, 1980, p.36)

Such divisions were further strengthened with the promotion and formulation of affirmative action policies which were targeted at certain race or ethnic groups. The argument for the adoption of the affirmative action approach was that it was part of the nation-building agenda, but it only proved to segregate and compartmentalise citizens. This is because this segregation and compartmentalisation created by the adoption of an affirmative action policy would further entrench people in being more conscious of their group differences and thus more resentful of other groups (Kymlicka, 1995). Affirmative action in the Malaysian context of nation-building is to ensure that the majority indigenous

Malays, who are economically deprived, are given an advantage in order to operate on equal footing with the economically dominant non-Malays.

Affirmative action, which identifies the need to address the situation of the indigenous Malays, entrenched ethnic identities into a juxtaposition of the privileged indigenous Malays and the underprivileged non-Malays and, as a result, dividing citizens of the country. Furthermore, the adoption of the affirmative action approach further entrenched societal divides by creating an insider and outsider stigma. Even though the adoption of affirmative action was generally intended as a temporary measure in creating a colour-blind society (Kymlicka, 1995), it veered from this original objective in the Malaysian context, as such an approach was perceived to be the right of the indigenous Malays. Initially, the adoption of an affirmative action approach was necessary in addressing the issues of discrimination which had taken place for years and resulted in the displacement of certain communities. The adoption of an affirmative action programme is evident from the experience of the United States, where the historical injustice suffered by African Americans over the years resulted in the adoption of affirmative action to rectify these injustices. Similarly, India also adopted an affirmative action approach towards historically marginalised tribes. However, the target of such an affirmative action approach is a particular ethnic group, which would undermine the notion of citizenship that ensures rights to equality.

Malaysia's adoption of the affirmative action approach in the long-term resulted in the view that the affirmative action was part and parcel of the special

position of the indigenous Malays. Again, the argument of indigenousness had superseded the notion of citizenship which ensured rights to equality of all citizens. This argument of indigenousness, together with the special position meant that the non-Malays were continuously questioned about their loyalty and sense of belonging to the state. The adoption of an affirmative action approach would act as a protection shield for the indigenous Malays. The belief that descendants of migrants have little or no sense of loyalty to the country of their birth and that their loyalty and allegiance is only to the homeland of their forefathers seem to be erroneous (Ien, 2001; Louie, 2004, cited by Gomez, 2009, p.173) This misleading belief could be contributed to by the form of political mobilisation of the non-Malays, not as citizens but merely as an ethnic group. Such an orientation of recognition of ethnicity as superseding the notion of citizenship continued to create suspicion of the indigenous Malays by the non-Malays. Recognising ethnicity over the notion of citizenship resulted in some difficulty in creating a united Malaysian nation. The aspiration of creating a Malaysian nation would remain an illusion as long as ethnic identity continues to be given priority over the notion of citizenship (Puay Lin, 2007). This was the main concern highlighted by the interviewees; if citizens received different treatment, this would result in undermining unity and integration as it would eliminate the sense of belonging among citizens. Among other concerns highlighted by the interviewees was that the affirmative action programme for the indigenous Malays had caused the Malays to lack skills; progression would be undermined with a mind-set that there is always preferential treatment to fall back on. This kind of mind-set, argued the interviewees, is no longer suitable in today's globalised world of competitiveness.

The first interviewee highlighted that the law or constitutional arrangement made the non-Malays feel that there was an unequal form of recognition among the citizens. As a party member of one of the coalition parties, the interviewee claimed that the feeling of attachment or sense of belonging is being undermined by this unequal recognition of the non-Malays and, as such, the laws need to recognise the rights to equality of all citizens. Nevertheless, Malaysia, as a multicultural society, does recognise the diversity and difference that exist within its polity, according to the interviewee. This is evident through the recognition of each community's cultural festivals which are designated as public holidays to allow such celebrations. Furthermore, the respect and tolerance towards the religious, cultural and beliefs of the communities in Malaysia, according to the interviewee, is the main principle of unity in Malaysia's multicultural set-up. Again, the policies which address only the needs of a particular ethnic group has undermined the nation-building process as the perception of the need of the indigenous Malays is being religiously promoted and thus ignoring the non-Malays.

However, the interviewee highlighted a worry of the non-Malays over the dominant role of the Malays, which could be a destabilising factor in the country's unity and which could potentially lead to another race riot type incident. This is because, according to the interviewee, the political scene post-1969 is showing a stronger racial consciousness among the communities, unlike the pre-1969 period where unity was true in meaning and spirit. For instance, the promotion of strong racial sentiment by the respective ethnic groups could cause these ethnic

communities to view one another with suspicion and thus could easily trigger a racial clash as the ethnocentric sentiment mounted. According to the interviewee, this stronger racial consciousness is attributed to the affirmative action programme which is only formulated for the indigenous Malays who, ironically, are in the majority. Furthermore, the idea of affirmative action for the indigenous Malays had caused the non-Malays to feel neglected and treated as a second class citizen. However, even though the non-Malays did not benefit from the affirmative action programme, unity still exists, according to the interviewee, since people can still earn a living as a result of economic growth and therefore people want to maintain peace.

Nevertheless, the interviewee was also sceptical about the future of Malaysia's unity as the non-Malays were feeling that too much focus is being given to address the concerns of the indigenous Malays, thus neglecting the needs and concerns of the non-Malays. For instance, the interviewee commented that the poverty level among the Indians is not being addressed by the government and this causes the Indians to feel side-lined and neglected. The most important point highlighted by this interviewee is that the non-Malays admit the government needs to address the issue of Malay poverty and economic deprivation but, at the same time, not at the expense of the concerns, interests and rights of the non-Malays. In the words of the interviewee, 'we are not questioning the Malay rights but what about our rights as citizens'. As a consequence of this dissatisfaction with the lack of activity to address the issues of the non-Malays, especially the Indians, the Indians mobilised themselves in the *Hindraf* (Hindu Rights Action Force) demonstration in 2007.

Finally, the main stumbling block to unity in Malaysia, according to this interviewee is the failure of the government to recognise the needs of the minority by being too concentrated on the indigenous Malays. The interviewee quoted the example of the equity distribution under the NEP which allocated a 30% ownership target but, to date, had only managed to achieve 19%. This indicates the failure of the NEP itself and therefore a new policy initiative is needed, claimed the interviewee. Secondly, according to this interviewee, the non-Malays feel that their rights have not been fully addressed and this would erode the sense of belonging of the non-Malays.

The second interviewee, who is also the President of one of the coalition parties, highlighted the significance of understanding the history of Malaysia. According to this interviewee, Malaysia's multicultural set-up is unique since it was formed with the arrival of the Chinese and the Indians 100 years prior to independence. As a result of this, a blend of culture existed while each cultural community could maintain their distinctive identity, and this gave birth to a multicultural Malaysia, according to the interviewee. In addition, the multicultural polity of Malaysia today was formed by these three ethnic groups after independence and this is somehow different from the polities in Western liberal societies, where the polities have already existed and these polities now have to accommodate the new challenges of migration, claimed the interviewee. The interviewee further illustrated Malaysia's multicultural set-up as three railway tracks, separate but moving in the same direction while not diluting the various cultural identities that exist. This is evident through the recognition of the various

cultural celebrations by the state which is a significant feature of Malaysia's multicultural set-up.

With regard to the policies or steps taken by the state to ensure the integration of the minorities, these have been lacking and this could undermine national unity or integration. This interviewee made a comparison with the post-1957 period where unity was at its highest level and this was evident even when there was no formal document formulated to manage ethnic relations. This unwritten agreement or understanding between the ethnic leaders, claimed the interviewee, became the basis of a unity and integration based on respect and tolerance. The period post-1969, in the words of the interviewee, 'witnessed Malaysia becoming a more racist country to the extent it practiced subtle apartheid'. This resulted in the deviation from the true spirit of the constitution as it was not respected, and undermined as a result of the move to establish Malay political pre-eminence (Vasil, 1980, p.50). Instead of removing communal barriers, integrating and uniting the people, and creating patriotic Malaysians, post-1969 witnessed further segregation as claimed by the interviewee. This orientation sadly infiltrated into the civil service and resulted in the civil service to entertain the interest of one particular race or ethnic group, argued the interviewee.

Dr Chandra Muzaffar (NST, 2010) had a similar view on the absence of equality in the civil service. Such unequal representation in the civil service is an example of a contradiction to the objective of the NEP, which is to reduce ethnic identification. Therefore, in order to overcome the domination of one particular

race in the civil service, the interviewee suggested that allocation of civil servants to reflect the composition of the population. A similar concern was also highlighted by the first interviewee, in which the civil service was perceived as being dominated by one ethnic group which caused it to be viewed with suspicion. This domination of the civil service resulted from the special position guaranteed for the indigenous Malays in the civil service, as stipulated under Article 153 of the Federal Constitution.

The interviewee further provided examples of the frustration that the non-Malays felt, even though they are considered as citizens but were subject to different policy treatment. This difference of treatment would definitely cause the non-Malays to view themselves as second class citizens as a result of these policies. For instance, the interviewee quoted a classic example of the *Bumiputra* policy that provided discounts for *Bumiputra* to purchase properties, which was designed for lower income *Bumiputra* but not for lower income *non-Bumiputra* or non-Malays. Such policy benefited the *Bumiputra* as a group, irrespective of the economic background of that particular *Bumiputra* and this would cause the *non-Bumiputra* from the lower income group to feel discriminated against. Therefore, such policy preference, argued the interviewee, would not further promote integration or unity as the ethnic groups would view each other with distrust and that the indigenous Malays would always think that they are privileged compared to the non-Malays.

Consequently, this kind of orientation would cause the idea of *Bangsa Malaysia* or 1Malaysia to be viewed differently by the Malays and non-Malays; for

the Malays, such an idea would mean the surrender the privileges which are considered as their rights. With regard to the aspiration of *Bangsa Malaysia*, the interviewee claimed that there exists a contradiction between aspiration and actual political conduct. Again the example of unity or integration is being portrayed through slogans by political leaders but, in actual reality, politics focuses on the promotion of respective ethnic groups. This promotion of the interest of groups is further compartmentalised by the leaders of the political parties which rely on the support of their respective ethnic group, thus undermining unity and integration and, in the words of the interviewee, 'many streams of integration have started to flow into the sea where integration completes, but politicians and political will should not be an impediment and block these streams'. This compartmentalisation, claimed the interviewee, had created animosity and hatred among the citizens. As described by Cohen and Sheba (2003, p.117), when preferential treatment is allocated to a particular ethnic group or race, every member of that group is readily identifiable as one who is likely to have received this treatment, whether or not that person actually did, and whatever the person's true level of talent or achievement.

Therefore, in order to break away from the compartmentalisation of the ethnic groups, the interviewee suggested a revamp of the education system, where one education system for all should be the way forward. However, this one education system, suggested the interviewee, should recognise the vernacular languages which should be made compulsory. The present education system arrangements had further compartmentalised the ethnic groups, claimed the interviewee, because, by having a vernacular education system, the student is

being compartmentalised from an early age. One education system is a vital component that would shape unity and integration and this is something that should be nurtured from a young age. This is where education comes in and, in the words of the interviewee, 'coming together is a beginning, keeping them together is progress, growing together will be a success and working together is *Bangsa Malaysia* or 1Malaysia on the principle of equality, justice and trustworthiness'.

The interviewee quoted the example of the United States Civil Rights Act which forbade ethnic preference in American public life. Such an affirmative action in the United States was put in place for the minorities but it was later criticised as a result of its failure to address the issue of discrimination and the contradiction it produces in addressing the issue of discrimination. In fact, what happened was the aim of eliminating discrimination had resulted in the discrimination against another group which was not privileged by the affirmative action programme. It is argued that, in the United States, race-based preferential treatment had resulted in the extension of a right or benefit to a minority which had the effect of depriving persons who were not members of that particular group. Affirmative action, as described by Cohen and Sterba (2003, p.203), has immediate goals of outreach, remedying discrimination and promoting diversity, targeting minority groups with its ultimate goal of creating a colour-blind society. For some countries, the adoption of an affirmative action programme is targeted at social classes rather than race and India is an example of this, where affirmative action is designed for the scheduled castes and scheduled tribes.

However, as in the case of Malaysia, the design of its affirmative action programme targets the majority indigenous population which is argued to have been economically neglected and deprived, and this is viewed by the minority non-indigenous population with suspicion. Furthermore, the adoption of the affirmative action programme to remedy discrimination against, and the economic deprivation of, a particular ethnic group, could further cause societal discrimination to exist within the society. Hence, the adoption of an affirmative action programme in Malaysia, which was supposed to be a temporary measure to eliminate disparity, had now been accepted to be part and parcel of the rights of the indigenous Malays. Such a misconception of the term 'special position' to be interpreted as special rights among the Malays in the words of the late Ghazali Shafie, former Minister of Home Affairs is 'frightening' (National Unity Convention, 2001).

This mind-set of not wanting to surrender the affirmative action programme, commented the interviewee, would be a stumbling block to unity and integration. Furthermore, the argument of both interviewees was that, if affirmative action has deviated from its original intention, such affirmative action programmes should be eliminated. Unfortunately the essence of the NEP – to eradicate poverty and to restructure society in order to eliminate the identification of economic success to ethnic groups and the implementation of affirmative action programme targeting specifically the indigenous Malays – continued to be retained in other new policy initiatives of the government. This would lead to the question of why such a specific target for the indigenous Malays is maintained if the main objective is to eliminate racial identification. This is where Cohen and

Sterba (2003) argue that the term affirmative action initially designed to eradicate or eliminate racial preference is now used to refer to policies that focuses on race itself and would therefore create confusion and contradiction. Even though the justification for an affirmative action in Malaysia was to achieve unity and integration, unfortunately such orientation has undermined citizenship rights to equality. At same time ethnocentrism has been heightened among the ethnic groups as result of the mutual suspicion.

The interviewee was concerned that, if Malaysia continues to maintain its present compartmentalised set-up with one ethnic group being preferred over the others, this would result in a lack in a sense of belonging and would therefore see the migration of the best talent from Malaysia. This interviewee's view could be supported by the observation made by Hefner (2001) that such policy orientation so antagonised the non-Malays that it prompted the emigration of the best brains, especially among the non-Malay youth. Hence, Malaysia needs to move from recognition of race or ethnic group to that of citizenship. This is because the notion of citizenship develops commitment and a sense of belonging which both complement one another, and both have to be nurtured simultaneously. As Bhikhu (2008) argued, the commitment of the political community to the citizen is vital; unless that happens, the citizen does not belong to the political community and the political community could not expect its members to develop a sense of belonging unless it, in turn, belongs to them. It is essential that the political community values all its members equally in its structures, polities, and conduct of public affairs through granting equal rights of citizenship.

The third interviewee expressed a sceptical view of the idea of nation-building that the government is formulating. The interviewee claimed that such ideas are mere political rhetoric to create the 'feel-good' factor, especially among the non-Malays, to create the impression of equal recognition. However, the reality is that the breakaway from the indigenous Malay supremacy identity would face difficulties as such an act would be considered as a betrayal of the protection and promotion of the Malay primordial identity. The present arrangement, commented the interviewee, does not discriminate nor does it assimilate the non-Malays since freedom of religious and racial identification is recognised and respected by the state as stipulated in Article 11 of the Federal Constitution.

Furthermore, the interviewee said that the maintenance of the indigenous Malay identity is to ensure the identification of the state as a Malay-dominated state which, at the same time, recognises the existence of other culture, beliefs and religion and vernacular education within its polity. This maintenance of the Malay identity is at the insistence of Malay leaders that the state belongs to the Malays and, as the sole owners, the Malays are seen to be tolerating the non-Malays and hence undermining equal rights and citizenship (Parekh, 2006, p.232). Since the state itself was colonised for more than 400 years, the process of nation-building thus needed to be defined in indigenous term, and a model of a national language, national symbols, national education and national institutions was vital (Suryadinata, 1997, p.6). The interviewee cautioned that the non-Malays' continuous demand for recognition of rights of equality could further lead

to the dissatisfaction of the Malays with the non-Malays and racial tension could be inevitable.

Therefore, the idea of ethnic supremacy based on the recognition for the need to promote indigenous Malays' interest could undermine the rights to equality and citizenship. The application of the affirmative action programme in Malaysia is unique because it was formulated to assist the dominant indigenous Malay majority. Here is where the conflict lies, since indigenous Malays interpreted the demand for rights to equality would deliberately lead to the surrendering of their special privileges. Hence, this has undermined the rights to equality and the notion of citizenship in Malaysia.

The fourth interviewee was quite cautious about the issue being addressed but nevertheless admitted that it was more comfortable to discuss the issue outside Malaysia. Such lack of discussion and dialogue on these issues highlighted that the multicultural set-up in Malaysia is facing the challenge of stereotyping among the ethnic or racial groups whereby each ethnic group views the other with suspicion, claimed the interviewee. For instance, the interviewee gave the example of how the non-Malays view the indigenous Malays as laid back, since the indigenous Malays are protected and recognised by the state, specifically quoting the issue of scholarships. According to the interviewee, the non-Malays have the perception that scholarships are always guaranteed for Malays while, for the non-Malays, they require a lot of sacrifice and hard work. The same goes for the non-Malays' supremacy in terms of economic dominance and lack of ownership towards the state which is viewed suspiciously by the

Malays; such a sentiment will continue to be the biggest challenge to unity and integration.

Apart from compartmentalisation, the stereotyping of ethnic groups, especially by the non-Malays towards the Malays, is contributed to by the special position, together with the affirmative action programme for the indigenous Malays, argued the interviewee. There is no doubt that the multicultural set-up in Malaysia is based on the pillars of tolerance, respect and consideration, claimed the interviewee, but principles alone would not be able to counter the stereotyping between the ethnic groups. However, the younger generation, according to the interviewee, has a different perspective in that they are more open and that race is no longer a limitation or a stumbling block. This generation, claimed the interviewee, would like to see transformation taking place by upholding the democratic virtues and citizenship rights. The interviewee concluded that, while Malaysia's multicultural set-up recognises diversity, it lacks the element of integration which is a sufficient condition of democratic reciprocity (Crowley in Benda-Beckmann and Verkuyten, 1995, p.163). As a result of this, the interviewee brought to mind the brain drain, especially among the non-Malays, due to a lack of sense of belonging.

The idea of a nation and, in this case, the *Bangsa Malaysia,* has provided hope, especially for the non-Malays, for the first time. Even though cultural diversity is recognised in multicultural Malaysia, such recognition is only possible by recognising the special position of the indigenous Malays. This could be argued to have resulted in the skewed multicultural orientation of recognising

rights to equality and the nation-building initiative. There is no doubt that the government wanted to ensure that the economic deprivation of the indigenous Malays was being addressed by implementing an affirmative action programme in order to ensure unity and integration. However, in carrying out such a programme, it only has strengthened or reinforced ethnic or race consciousness. Such a reinforcement of ethnic or racial consciousness has forced each ethnic community to be more conscious of their status and position. This development could be argued to be in total contradiction to the aim or objective of the idea of nation-building as envisaged by the policy formulators. Instead of eliminating race or ethnic consciousness, such policies have only strengthened the stigmatisation of all ethnic or racial communities; Malays, as the indigenous people, have the right to a special position and special privileges, but the non-Malays are still being doubted in terms of their loyalty to the state and thus will never have rights to equality recognised.

Hence, when the idea of building a united Malaysian nation or *Bangsa Malaysia* was mooted, the underlying challenge of eliminating racial or ethnic consciousness (which was supposed to be overcome by the policies formulated) was still present and, in fact, was even more of a challenge since the policies had actually strengthened the racial and ethnic consciousness. Therefore, the nation-building initiative is seen by many, based on the interviews, rather differently by the non-Malays and indigenous Malays; ethnic or race consciousness continue to dominate the nation-building initiative and, at the same time, the stigmatisation of the communities also continues, whereby one community sees the other being preferentially treated. In fact, the underlying argument that could be put forward is

that the nation-building initiative, as formulated by the government, is faulty as, firstly, there still exists racial identification which could lead to the strengthening of ethnocentrism and, secondly, the underlying issue of rights to equality as citizens are not being recognised.

Chapter 5

5.1 Policy Recommendations: Recognising Multiculturalism in Nation-Building - the Way Forward for Malaysia

'The first of these is the challenge of establishing a united Malaysian nation with a sense of common and shared destiny. This must be a nation at peace with itself, territorially and ethnically integrated, living in harmony with full and fair partnership, made up of one 'Bangsa Malaysia', with political loyalty and dedication to the nation'.

'The fifth challenge that we have always faced is the challenge of establishing a mature, liberal and tolerant society in which Malaysians of all colours and creeds are free to practice and profess their customs, cultures and religious beliefs, and yet feeling that they belong to one nation' (Vision 2020 Policy, 1997).

'If people are to have a sense of belonging to society as a whole, to have a sense of sharing a common fate with fellow citizens and nationals they must be able to feel that their own flourishing as individuals and as communities is intimately linked with the flourishing of public institutions and public services' (Commission on Multiethnic Britain, 2000).

The above statements from Malaysia's Vision 2020 policy framework and the report of the Commission on Multiethnic Britain clearly outline the most significant challenge faced by multicultural states; the creation and formation of national unity and social cohesion. The increasing prevalence of multiculturalism

has created the need to recognise the divisions, diversity and differences that exist within the polity of multicultural states. In order to face this multicultural challenge, it requires multicultural states to formulate a framework which would ensure that a united and integrated multicultural state is formed. The formulation of such a framework, which would include a legal framework and policy measures which would enable integration and cohesion to succeed, is vital for national unity to develop and avoid internal segregation and compartmentalisation.

As described in the earlier Chapters 3 and 4, the challenge facing multicultural states is to balance the demand between rights to equality and the recognition of difference, or what Taylor (1992) argues as equal dignity and equal respect that should exist within the polities of multicultural states. The essence of recognition is vital to creating the interconnectedness and sense of belonging of members of the polity, irrespective of their background and identity. In order to encourage this sense of belonging, the notion of democratic citizenship was made the foundation for multicultural states, in which members of the multicultural polity are equally recognised. However, this notion of democratic citizenship was said to have undermined difference and diversity and hence a framework of multicultural citizenship (Kymlicka, 1995) or integrative citizenship (Modood, 2007) is required.

In general, multicultural states are faced with the challenge of interpreting or modifying the liberal and democratic citizenship model which has been the foundation of these states. This is followed by the formulation of a policy framework that recognises the differences and diversity that exist within the polity

of multicultural states. This is essential since this would create a sense of unity and belonging of members of various backgrounds within the polity of multicultural states.

Nevertheless, the opinion that the polities of multicultural states have to recognise and accommodate diversity and difference is usually faced with a backlash. The argument is that recognising difference and diversity as a significant part of creating national unity and social cohesion is, to an extent, unacceptable, since such recognition would actually make these communities more conscious of their differences. Hence, the idea of universal rights is to ensure that all citizens are equally recognised as citizens, minus the various identities attached to them.

The multicultural project was initially faced with a backlash in some countries, mostly in Western liberal democratic societies such as Germany, France and Great Britain to mention just a few. The backlash against the multicultural project was prompted by the view that it diluted the liberal tradition which has been the foundation of these societies. The idea of a liberal and free society must not be allowed to be influenced by certain minority, religious or cultural demands. Nevertheless, the multicultural project was undertaken in these countries; even though faced with opposition, the idea of constructing a multicultural identity is still an ongoing debate. The idea of what it means to be British, French or German, for instance, has raised issues that the recognition rendered to the various demands from minority, religious and cultural identities would undermine the liberal, free and value-oriented society.

This is because such a recognition of diversity and difference, as the right wing of the political spectrum would argue, has the consequence of disintegrating the nation state. This is because, instead of focusing on uniformity and conformity, the recognition of diversity and differences would further compartmentalise and segregate the nation state. Furthermore, such recognition would undermine the neutrality of liberal states, which should hold a position which recognises the equality of all without promoting any specific culture, religion, ethnicity or minority. However, the response to such diversity and differences could no longer be ignored, and hence has to be recognised as an essential element for the development of individuals and communities, since each individual is embedded with certain cultural or religious values which make their existence meaningful to them.

Hence, the response to the recognition of these diversities would require the formulation of policies that would support and recognise such multicultural polity existence while, at the same time, ensuring the unity of the nation state. This is evident from the approach taken by countries such as Great Britain, Canada, Australia and Sweden, which have policies or institutional designs in place to support the aspiration of multiculturalism. This would further support, promote and protect the flourishing of diversity in cultural, religious, ethnic or minority groups. The importance of multicultural policies in these Western societies is to ensure and facilitate the integration process of the various communities, ethnic, race, cultural and religious groups into the nation state. The formulation of multicultural policies would also indicate the state's seriousness in recognising the cultural, religious and ethnic diversity as vital for the flourishing of

the individual and the communities, and also to recognise the rights to equality, which imply that equal does not simply mean similar treatment, and hence liberal democratic societies have to recognise diversity and difference.

Therefore, in order to overcome the challenge, continuous dialogue and engagement is required; the Commission of Multiethnic Britain is a good example of a platform formed by the state in order to engage citizens of various backgrounds and deliver a multicultural framework for the country. Such an establishment would also be an avenue for continuous dialogue and engagement between members of the multicultural societies to discuss and provide recommendations as to a way forward for the flourishing of multiculturalism. For some multicultural states, the multicultural project should not in any way influence the public polity and recognition of its multicultural identities should only be recognised in private. For instance, the French government decision to ban the headscarf for Muslim female students in any education institution is an indicator that the public polity should be free from the influence of any cultural or religious identities.

Hence, the multicultural project in these Western liberal democratic societies has had to overcome the hurdle of modifying or re-interpreting the notion of liberal and democratic citizenship by recognising the various cultural, religious and minority demands.

For non-Western multinational countries, especially postcolonial states, multiculturalism or multiracialism has been recognised as a doctrine or a political

philosophy that promotes equal rights of all ethnic groups, and is propagated by the state. This could be attributed to the cultural pluralism experience during colonial rule, which resulted in these societies recognising the diversity and difference that exist within their polity. However, the significant difference of the basis of multiculturalism to be recognised and defined between the Western and non-Western societies is the focus on culture in the former, and race or ethnicity in the latter. Therefore, the identification or classification of individuals belonging to one ethnic or racial group is obvious. This also indicates that the recognition of racial or ethnic identity is a vital basis of multiculturalism in non-Western multinational states, especially the postcolonial states such as Singapore and Malaysia, for example.

Malaysia, being a multicultural state, has outlined nine strategic challenges under the Vision 2020 banner to achieve a developed multicultural nation status in which national unity is a key factor. Out of the nine, the above two challenges clearly indicate that accommodating and recognising a multicultural polity has been a challenging task for almost all multicultural states, including Malaysia. While Malaysia's Vision 2020 framework has clearly indicated the strategic challenges facing Malaysia's pursuit of a developed nation status and that *Bangsa Malaysia* is to be the desired national identity, multicultural states including Malaysia have to come to terms with the general challenges for multiculturalism to flourish. Firstly, the framework has to uphold and recognise the notion of democratic citizenship and rights to equality, followed by the formulation of policies across the racial identity and, finally, formation of an

institutional framework or commission on inter-ethnic relations to further explore and improve inter-ethnic relations.

5.2 The Notion of Democratic Citizenship and Rights to Equality

Without a doubt, democratic citizenship is the foundation for the flourishing of various religious, cultural and other forms of identities in multicultural states. Democratic citizenship ensures that citizens in the political community are given equal rights and equal recognition. As Modood (2007) stated, the practice of citizenship could be used to highlight how any challenge to the idea of equality is being addressed. Furthermore, the practice of citizenship in multicultural states would reflect the relationships between fellow citizens with regard to the idea of equality, respect, integration and accommodation. Nevertheless, it is this form of equality that multiculturalism scholars are concerned about, as it could eliminate the characteristics of various identities in the name of equality. What equality implies here is sameness. Hence, equality in multicultural states would require the polity to be equally accessible to all cultural, religious and racial identities.

The foundation of any multicultural society lies in the notion of democratic citizenship which upholds the rights to equality, equal recognition and equal treatment. However, the difference in a multicultural society is that equal does not necessarily mean the same or similar treatment applied to all citizens. Nevertheless, this notion of democratic citizenship in multicultural states would require the state to be accommodating of and sensitive to the divisions and

diversity that exist within the polity and hence ensuring the flourishing of these differences and diversity.

Multicultural Malaysia has recognised multiculturalism or multiracialism as the foundation of its nation-building initiative since independence. This is evident from the recognition of the status of the different cultural communities that existed within the polity upon independence, which is stipulated in the Federal Constitution. Article 8 and Article 11 of the Federal Constitution clearly guarantee the recognition of rights to equality of all citizens irrespective of race, ethnicity, culture or religion and, at the same time, freedom of religion is guaranteed, even though Islam is the religion of the Federation. However, while recognition to multiculturalism or multiracialism is acknowledged, the protection and preservation of the indigenous Malays, along with the legitimate interest of the non-Malays or other communities, is clearly stipulated under Article 153 of the Federal Constitution. The recognition of the indigenous Malays through reserving careers in the public service, scholarships, and permits and business licences, was made with the understanding that it was to operate as a means of achieving equality, since the indigenous community was economically lagging compared to the other non-indigenous communities. With the focus on the indigenous Malays, it was anticipated that unity and national integration would be achieved. What could be concluded is that the nation-building initiative in multicultural Malaysia is supported by a policy that recognises the need to promote national unity and integration, but at the expense of rights to equality. However, the undermining of the rights to equality did not in any way suppress or oppress the other minority cultural communities, and cultural diversity flourishes.

Nevertheless, since independence, the road to building the nation has been paved by recognising the cultural and religious diversity that exists within the polity. Even though there were no specific policies formulated for integration and unity, the goal of achieving independence from the British held the ethnic groups together. This is evident from the cordial relations between the ethnic groups, including cooperation, compromise and peaceful bargaining. However, in 1963, Singapore joined the Federation and this triggered a new perspective on the historic bargain which had been agreed earlier by the ethnic group leaders. Even though there was some dissatisfaction with regard to the outcome of the bargaining, which saw the recognition of the indigenous Malays, this was overcome with the spirit of compromise among the ethnic leaders. The idea of multiracialism or multiculturalism as a political philosophy, brought by Singapore, expressed the desire for the ideal of according equal status to the communities. This resulted in tense relations between the indigenous Malays and Chinese in Singapore, and certain parts of Malaya, which finally led to the 1969 race riot.

It was not until 1969 that a specific policy measure was formulated to address the issue of disparity among the communities, especially that of the indigenous Malays. The focus on overcoming the disparity included an affirmative action policy for the indigenous Malays but, at the same time, this policy orientation did not lose sight of the vital agenda of national unity and integration. However, this policy framework of recognising the indigenous Malays, which continues today, caused the non-Malays to argue that citizenship rights had been undermined.

Therefore, the biggest challenge facing multicultural Malaysia today is how the nation-building initiative can reconcile the recognition of the status of the ethnic communities with a universal doctrine of equal opportunities, equal recognition and equal rights. As is clearly stipulated in one of the challenges in Vision 2020, the need to establish a mature, liberal and tolerant society in which Malaysians, irrespective of colour and race, are free to practice and profess their customs, cultures and religious beliefs and, at the same time, feel a sense of belonging to one nation, could be said to be the ideal multicultural model. However, the question that arises is: what are the vital elements and values that would nurture this sense of belonging and commitment?

With the introduction of the nation-building initiative of *Bangsa Malaysia,* conflict has opened up between the indigenous Malays and the non-indigenous minorities regarding the foundation of *Bangsa Malaysia* itself as a multicultural identity envisaged by the state. While the government is introducing this nation-building initiative as an identity to mark the sharing of the nation by all Malaysians, the underlying challenge is that the concept of nation is viewed differently by the communities, especially the non-Malay minority, as a result of the state's unequal recognition of different groups. In fact, this developed into a challenge; while cultural and religious diversity is recognised in multicultural Malaysia, the nation-building initiative has been viewed by the ethnic minorities as an opportunity to demand greater equality. Meanwhile, the Malays viewed the nation-building initiative as an attempt to challenge the indigenous identity, and remove the special position of the Malays, by recognising the rights to equality.

Even though the policies have the objective of creating unity and integration, the focus on the indigenous Malays is said to have skewed the objective of nation-building. This has resulted in the view that national unity is being seen through the lens of racial lines. It has resulted in the perception that national unity can only be achieved once the issue of Malay jobs, Malay graduates, and Malay economic deprivation (Muzaffar, 2010, p.32) is settled, these being seen as conditions for national unity and integration. At the same time there are issues of concern relating to the poor, underprivileged and underachieving non-Malays which, it is argued, have been overlooked. This would further cause discontent among the non-Malays, who are also in need of such recognition to overcome their social and economic deprivation and, at the same time, need to be treated equally as citizens in order to face the challenges of national unity and integration. On the other hand, the continuing focus on the ethnic indigenous Malays will only further strengthen ethnic consciousness and compartmentalise the polity, thus skewing the multicultural orientation in Malaysia.

The focus on ethnicity has actually led to further compartmentalisation or segregation of the ethnic groups in Malaysia. Along with policies which focused on the indigenous Malays, multicultural Malaysia is facing the greatest challenge to national unity and integration. The focus on ethnicity, according to Sardar (2008), fuels an insatiable desire for difference, and it leads to dissatisfaction, frustration and animosity, and thus would ignore the focus on common values. The consciousness of difference, represented through these ethnic identities

would be further reinforced if selective preferential treatment is accorded to certain ethnic groups.

The key question, therefore, is how the indigenous Malays could be influenced or convinced to accept the idea of multiculturalism in realising the nation-building initiative. While disagreement might appear between the Malays and non-Malays with regard to the minority rights, *Bangsa Malaysia* - as a nation-building initiative - must prioritise the need for recognition of the rights to equality. In order for *Bangsa Malaysia* to achieve its vision there has to be space made for the cultural, political and social demands to be fulfilled; these are an essential element in constituting and strengthening the notion of citizenship and the formation of an institutional design or framework that would support the nation-building initiative.

5.3 Policies across the Racial Identity

The notion of citizenship is a vital component of the nation state; it ensures the participation of individuals and groups in the political community, since it provides citizens with civil, political and social elements. It is necessary for these three elements to be recognised in order for individuals to participate effectively and efficiently in the political community. The vital role of the notion of citizenship provides firstly, the status and rights of the individuals and groups and, secondly, the basis for inclusion or exclusion by the government. Furthermore, the notion of citizenship also points towards the existence of the nation state, in which individuals and groups are perceived as identifying with the

state when it comes to the relation between states. However, the recognition of citizenship also has an overall impact on the individuals and groups within the state. This could be determined by how the government applies or recognises the notion of citizenship among individuals and groups in the state. This contributes to the fact that the notion of citizenship should nurture a sense of belonging and commitment, if the state could prove to be providing the space for such commitment and sense of belonging. This signifies the importance of the notion of citizenship in the nation-building initiative. While the notion of citizenship could be viewed as a platform that would integrate and unite all citizens, this notion of citizenship could also be an area of conflict (Barbalet, 1988).

Nevertheless, each nation state has its own way of expressing the model of citizenship. For Western liberal societies, the liberal notion of citizenship was initially viewed as the foundation for creating uniformity in and conformity to the nation state. The idea of the nation state is that all citizens are treated equally and the neutral role of the state is expected. However, such conformity and uniformity was argued to be undemocratic and illiberal to the other racial, cultural, religious minorities that existed within the polity of these liberal states. As a result of immigration into these Western liberal societies, the national identity now used to constitute the nation has had to be realigned, in order to recognise the various identities brought in by the immigrants. For instance, the definition of Britishness now needs to create a space for other individuals to be identified as British. As Modood (2007) argued, being British does not necessarily means subscribing to a prescribed list, but instead recognises the cultural, religious, ethnic and racial identities of the person.

Based on the analysis gathered from the interviewees, the most significant transformation needed for multicultural Malaysia would firstly be political will to change the present multicultural polity to be more focused on rights to equality and citizenship. The argument is that the recognition to rights to equality is still being undermined because of the need to promote and protect the special position and preferential treatment for the indigenous Malays. This resulted in the non-Malays feeling that the political community, which they are part of, does not fulfil their legitimate interests or demands as citizens. It is important to focus on the recognition of the rights to equality and the notion of citizenship in multicultural Malaysia, since it is from this premise that a sense of loyalty, a sense of belonging, and ownership of the nation state is being nurtured, and vice versa. As Parekh (2008) reiterated, a sense of belonging and commitment can only be nurtured if the state shows commitment to its citizens. Therefore, what has happened in multicultural Malaysia is that the notion of citizenship has, to a certain extent, been undermined by the need to recognise the concerns of the indigenous Malays. The argument of indigenousness put forward suggests that the Malays, as the original inhabitants, are entitled to certain political and economic state in perpetuity (Muzaffar, 2010, p.40). The different forms of recognition accorded to the indigenous Malays and the non-indigenous has resulted in the notion of citizenship being racially structured, and hence ignores the vital civic notion of citizenship which is the common foundation of the modern nation state.

In Malaysia, the notion of citizenship became an area of conflict between the indigenous Malays and non-indigenous immigrants. This could be traced to

the colonial immigration policy which affected the social, political and economic landscape of Malaysia. This is triggered by what Parekh (2006) described as a contest between those who think the country is theirs and those who want to share its ownership. Such a contest, together with the recognition of race-based representation, caused the notion of citizenship to be viewed, not as promoting a platform for common identification, but as a site for bargaining and trade-off. This failure of the notion of citizenship to nurture a sense of belonging, unity and integration is evident when, after more than 50 years of independence, it is unfortunate that remarks such as telling the Chinese and Indians to go home to their respective motherlands are still being echoed, without realising that these Chinese and Indians know no other motherland except Malaysia.

Therefore, as a result of these differences in opinion, the notion of citizenship in multicultural Malaysia became a bargaining tool between the ethnic group leaders. This witnessed the recognition of the Chinese and Indian immigrants as citizens, and the indigenous Malays were assured of their special position and preferential treatment. However, this arrangement, of an indigenous group having exclusive ownership, is plainly a transgression of the contemporary concept of citizenship, and to continue with such special privileges *ad infinitum*, would mean that those who do not belong to the community but share the polity would be treated unequally (Muzaffar, 2010, p.41).

Nevertheless, this need to reconcile the demands of the indigenous Malays with a universal demand of citizenship was even acknowledged by the drafters of the Malaysian constitution as being awkward in its representation and

ambiguous in its implementation, and hence caused the notion of citizenship to be skewed in its orientation. This is because the notion of citizenship is said to be the vital foundation of nation states, which allows individuals to be recognised and to participate in the political community as equals. Ironically, the notion of citizenship recognised in multicultural Malaysia had to be negotiated to recognise the concern of the ethnic indigenous Malays, of not wanting the dilution of the indigenous identity of the nation state. Such an orientation created a perception of the state as belonging to the ethnic indigenous Malays, while the Chinese and Indian minorities had to recognise such an arrangement in return for recognition of their citizenship.

Here, it could be argued that, even though the indigenous Malays were willing to share ownership of the nation with the non-indigenous immigrants, some form of privileged ownership should be retained to avoid the dilution of the indigenous identity, and that the multicultural space created needed to reflect the ownership of the Malays. Nevertheless, after more than 50 years of independence, the challenge facing multicultural Malaysia today is how to reconcile the demand for recognition of the indigenous Malays' special position with the manifestation of the multicultural, multi-ethnic demands for rights to equality and the notion of citizenship.

The idea of sharing the Malaysian nation must be founded on the notion of citizenship and rights to equality, which would ensure the non-Malays, as citizens, have equal rights and responsibilities. This is because, after over 50 years of independence, the non-Malays in present day Malaysia want to be

accepted as equal partners in the nation-building process, and the non-Malays'
quest for equality and justice can no longer be denied. Unless this is nurtured, the
conflict over the claim of ownership to the state will continue, and gradually dilute
the sense of belonging and commitment of the non-Malays, since the political
community has failed to recognise the significance of all citizens. A similar
concern is highlighted in the responses provided by the interviewees, who argued
that the sense of belonging and commitment is actively denied, because of the
commitment shown by the state only towards the indigenous Malays. Instead of
nurturing equal rights and responsibilities, such a commitment by the state could
be argued to be stratified along racial lines. Therefore, what needs to be done is
the nurturing of consciousness towards the principles of a democratic society by
the political actors, through an understanding that, with these rights and
responsibilities, one has to appreciate the non-Malays' position. They, too, want
to be treated as citizens, according to the principles of equality and justice which
must be accorded to all citizens (Muzaffar, NST, 2010). Azly (2009, p.438)
stressed the importance of civilising the Malaysian nation, which requires the
detribalising of the citizens into a polity that would be able to learn to share the
wealth of the nation by accepting the land as the earth of mankind, rather than as
a land belonging to this race or that race.

Scholars have argued that the construction of the Malaysian nation is
complicated by the problem of ethnic differences, rooted in and nurtured under
colonial rule (Nair in Teck Gee, Gomes and Rahman, 2009, p. 78; Kreuzer, 2006,
p.5), and policies which have been formulated since the NEP have actually
further reinforced ethnic consciousness, even though the objective of these

policies was to promote unity and integration at the end of the day. As Nagata (in Henders, 2004) clearly described, Malaysia's ethnic divisions - as the focus of state policies - have kept the goal of unity and integration ever on the horizon and yet never quite achieved. This is further supported by the idea of formal equality of citizenship being subjected to a series of affirmative action policies favouring the Malays, which would consequently mean that there must be second class citizens (Nagata, in Henders, 2004, p.245). These policies would have contributed to the skewed balance of equal citizenship, favouring the Malays. As a result of this, policies promoting integration to reduce ethnic differences have not been actively implemented since it is argued that ideas such as multicultural policies are not feasible, due to cultural and religious differences and incompatibilities between the Malay Muslims and Chinese Confucianist communities (Gomez, 2009, p.192).

While Malaysia's definition of citizenship recognises the rights to equality and freedom of religious and cultural beliefs, it is with an understanding of the reciprocity of recognising the indigenous Malays' special position, and hence strengthening the ethnic consciousness. This arrangement caused the non-Malays to seem stripped of their equal rights, compared to the indigenous Malays, because national citizenship was exclusively defined with the Malays given more rights. Hence, the need to balance or compromise this demand continues until today. The question is: for how long would such a compromise or balance be maintained? How could the agenda of *Bangsa Malaysia,* which promotes liberal and democratic principles, and 1Malaysia, which promotes

social cohesion and inclusiveness, justify a need for the recognition of a preferential treatment for the indigenous Malay?

As a result of the bargaining and reconciliation of the notion of citizenship, the racial and religious issues have been politicised and used by the political parties, especially to mobilise the support of the respective racial groups. Instead of focusing on the rights to equality and citizen rights, racial and religious mobilisation has become the prime mover in the politics of multicultural Malaysia. This form of mobilisation highlights that the bargaining which is said to have been agreed at the expense of the indigenous Malays having to share the ownership of the country which should be reciprocated by the non-Malays, even though some form of inequality exists. Therefore, even though UMNO, through *Barisan Nasional* or the National Front, wants to portray its liberal, tolerant, democratic and open approach in recognising the rights to equality of all citizens as the goal of the nation-building initiative, UMNO itself has maintained its communal or ethnic status in its representation and hence seeks to strengthen ethnic consciousness among the indigenous Malays. This is evident when the need to protect Malay interests is often being discussed, every time that the government introduces policies or initiatives that would promote integration and national unity.

Such focus on the indigenous Malays has undermined the needs of the legitimate interest of the other ethnic communities, as stipulated in Article 153 (1) of the Federal Constitution. What has been lacking during the pursuit of recognising the needs of the indigenous Malays is that the rights and legitimate interests of the Chinese and Indian minorities have been undermined. The

argument is that the recognition of the Chinese and Indian minorities as citizens is considered to have been based on a reciprocal arrangement, and thus such an arrangement has to be maintained. The failure of the policies formulated to recognise the legitimate interest of citizens of other communities, especially the Chinese and Indian minorities, has resulted in the indigenous Malays feeling that the current citizenship arrangement confirms the recognition of the Malays as indigenous, having recognised their special position and provided preferential treatment. Hence this has given rise to a term such as *Ketuanan Melayu,* or Malay supremacy, and the infamous 'social contract', which was agreed to by the ethnic or racial groups and thus became the foundation of the present inter-ethnic arrangement.

The most significant effort required to ensure the success of the nation-building initiative in multicultural Malaysia is the gradual shift from race-based, or communal politics, to a more ideologically based politics. For this to be achieved, the need to dismantle race-based politics is vital. While there is no doubt that the existence of communal politics in multicultural Malaysia has, to a certain extent, contributed to the recognition of cultural and religious diversity - as a result of the political rights based upon the cultural and religious communities - such communal orientation has actually strengthened ethnic and racial consciousness in multicultural Malaysia. This is because the notion of citizenship was viewed merely as a bargaining point that accommodated and recognised the Chinese and Indian immigrants as citizens, in return for the special position of the indigenous Malays. Instead of the notion of citizenship being the foundation of the nation state, a clear recognition of indigenous against the non-indigenous

community in certain areas of education, economics and administration appeared. Hence, the politicisation of such forms of recognition between indigenous and non-indigenous would prove to be a stumbling block to the nation-building initiative.

In the recent 2008 General Election, the opposition coalition of the National Justice Party (KeADILan), the Democratic Action Party (DAP) and the Parti Islam Se-Malaysia (PAS or the Islamic Party) managed to block the two-thirds majority required to rule which the National Front had hoped for. The coalition of these three parties, which were ideologically oriented, managed to provide an alternative to the voters, based on the issues that were introduced. The issues brought forward by the opposition coalition, called *Pakatan Rakyat* or People's Alliance, were about social justice and human development, transparent and genuine democracy, and sustainable and equitable economic growth. The focus on issues, especially on promoting social justice, has, to a certain extent, caused the swing of votes to the People's Alliance. Such issues as social justice were also supported by the Islamic Party, which propagated the belief that Islam does not segregate mankind based on race or ethnicity. The universal, inclusive and all-embracing principles of Islam resulted in the support of the Islamic Party by the non-Malays.

The issues of citizenship recognition and recognising the preferential treatment of the indigenous Malays has, over the years, been utilised in order to mobilise the votes of the indigenous Malays, hence creating the racial trap. The mobilisation of the Malay support through the idea of strengthening the *Bangsa*

Melayu had caused the promotion of ethnocentrism, not only among the Malays but also among the other communities. Hence, what has happened has been that ethnic consciousness and suspicion were instilled through political manoeuvres or politicisation of race sentiments, resulting in the stigmatisation between the ethnic groups in which the *Bangsa Melayu* needed to be recognised of its position, so that no community, especially the minorities, could question such an arrangement. Instead of championing the need to uphold liberal and democratic principles in its nation-building agenda, geared towards national unity and integration, racial sentiments were further strengthened with the perception that such a nation-building agenda would dismantle the special position of the indigenous Malays. This was clearly evident when one of the interviewees claimed that suspicion and stigmatisation of the ethnic groups, either the non-Malays towards the indigenous Malays or vice versa, had resulted in a bleak future for integration and national unity. Another significant example is the formation of Malay-centric organisations such as *Pertubuhan Pribumi Perkasa* (Perkasa), which continues to lobby the government to preserve and recognise the special position of the indigenous Malays. As a result of this, the affirmative action or preferential policy for the indigenous Malays further contributed to the strengthening of the stigmatisation between the ethnic minorities, thus sowing the seeds of suspicion and distrust.

Therefore an open-ended dialogue and constant engagement would be the way forward in improving inter-ethnic relations and thus strengthening unity and national integration. What has happened since the 1969 race riot is that issues regarding the citizenship of the non-Malays and special position of the

indigenous Malays have been removed from the political debate, since such issues would incite racial tension. As a result of this, issues regarding citizenship and rights to equality are hardly debated, since it could result in the detention without trial under the Internal Security Act or Sedition Act, as causing racial tension. Hence, these issues and arrangements after the 1969 race riot came to be accepted as they are, whereby citizenship has been recognised for the non-Malays while indigenous Malays have their special position, without having the opportunity for a discussion or debate on the fulfilment, duty and obligation of the notion of citizenship between the government and the citizens.

It cannot be denied that the present arrangement of the recognition to citizenship in Malaysia is skewed towards the multicultural orientation that recognises rights to equality based on the notion of citizenship. This is because citizenship for the non-Malays became a bargaining tool for the recognition of the special position of the indigenous Malays. Over the years this bargaining of recognising citizenship and the demand for recognising the special position further created a perception that such bargaining or recognition was made at the expense of the indigenous Malays, and hence there is a need to maintain and, for the non-Malays, to agree to such an arrangement of preferential treatment for the indigenous Malays. This is evident through the responses towards *Bangsa Malaysia* and the 1Malaysia agenda introduced by the government, in which Malaysians are still unclear as to what either *Bangsa Malaysia* or 1Malaysia implies. The indigenous Malays viewed such an egalitarian policy as an attempt to dilute and confiscate their identity and special position, while for the non-Malays, such a nation-building initiative is a window of opportunity to be equally

recognised. What could be argued is that these 'grand design' initiatives of nation-building should not be developed top-down. Instead, such nation-building initiatives should be developed out of a vigorous democratic debate so that it could represent the widest range of views, articulate the deepest aspirations of its citizens, and be endorsed by all (Parekh, 2008).

Therefore, what has happened in multicultural Malaysia is that, while such a nation-building agenda by the government championed the move to national unity and integration, in actual reality, it lacked the political will to uphold the democratic and liberal principles as envisaged by Vision 2020, which inspired the creation of *Bangsa Malaysia* and 1Malaysia. This resulted in such nation-building being viewed as a political rhetoric, and the reality of achieving an egalitarian society is still far from sight. What has actually transpired over the years since independence has been the reluctance to do away with the preferential treatment for the indigenous Malays, which has resulted in the undermining of the nation-building agenda. In fact, the attempt to achieve the nation-building agenda has opened up what Harper (1996) calls many old lines of enquiry, and potentially gives vent to old kinds of divisions.

5.3.1 Socio-Economic Transformation and Realigning the Affirmative Action Programme

The inequalities that exist within the polity of multicultural Malaysia are said to have been caused by the colonial legacy of depriving the indigenous Malays of economic and commercial participation. This has resulted in the indigenous Malays being economically weak and lagging behind, compared to

the Chinese and Indian ethnic minorities. In fact, this economically weak and lagging state seems to have been a feature associated with the indigenous Malays since the colonial period. Even though the special position of the indigenous Malays was recognised by the British, the majority of the indigenous comprise the bulk of the poor in Malaysia. Hence, when independence was to be granted - provided that inter-ethnic peace was guaranteed - the ethnic leaders came to a compromise that resulted in the special position and preferential treatment for the indigenous Malays being retained, while the Chinese and Indian ethnic minorities were granted a conditional citizenship which meant having to recognise the indigenous Malays as indigenous.

The social inequalities and imbalances between the ethnic groups had caused the state to intervene to assist the indigenous Malays, since poverty is a feature associated with the Malays. The significance of social rights in the notion of citizenship lies precisely in the tendency to remove illegitimate inequalities from society (Barbalet, 1988, p.91), without which integration and unity can never be achieved. However, what has transpired is that the recognition of the indigenous special rights and preferential treatment, which was supposed to be a temporary measure, continued and became politicised. Hence this has resulted in the argument that Malaysia's recognition of its diversity and difference is skewed regarding the rights to equality, which is a vital element for nation-building.

Nevertheless, after the 1969 race riot, a more coherent strategy and policy was formulated to ensure that the issue of the indigenous Malays' economic weakness and deprivation was being addressed. An affirmative action

programme that was ethnically or racially oriented was introduced, with an objective that such a policy would gradually promote national unity and integration. This was to be done by eliminating poverty and restructuring society. The elimination of poverty was to focus across the racial board, while the restructuring of society would involve the elimination of racial identification with the economic success of a particular ethnic or racial group. Initially, such a racially oriented policy was viewed as vital to remove the imbalances and disparity. However, what has transpired is that such policy orientation has further strengthened ethnic and racial consciousness over the years. This is evident, in that any move to dismantle the special position and privileges would be retaliated against and argued as an attempt at undermining the Malays as an indigenous nation.

Therefore, the affirmative action programme has been adopted in order to firstly overcome economic inequality and poverty elimination, and thus reduce the disparity between the indigenous Malays and non-Malays. Secondly, the affirmative action programme has been utilised to address the concern of the indigenous Malays, through an interventionist effort by the government in the socio-economic development, by ensuring that the indigenous Malays share is secured and protected. Hence, this would illustrate the affirmative action tool as being exclusive for the indigenous Malays. This could be supported by the observation made by Parekh (2006) over such policy orientation as perpetuating ethnic consciousness (especially if the policy is open ended) homogenising ethnic communities, establishing a preference over the other communities, setting up rigid quotas and ignoring wider social and economic inequalities, even

though Parekh was optimistic of group sensitive policies being more about positive action rather than positive discrimination.

As has been mentioned, the implementation of the affirmative action programme over the years has gradually been interpreted and reaffirmed to be part of the historic bargain that was agreed between the indigenous Malays and the non-Malays. The question is: how did this happen? How did such a racially oriented policy, which was supposed to be a temporary measure, become perceived to be a permanent right of the indigenous Malays? This formulation of the affirmative action programme, which became a policy document under the NEP, was made through a government directive for the need to ensure that the indigenous Malays' economic deprivation was rectified through the allocation of equity ownership, education, business opportunities and licences. The interventionist role of the government, that determines the formulation and later the execution of the affirmative action policy, could be argued to have resulted in the perception of state-sponsored discrimination. This perception, held by the non-Malays, is supported by the view that the civil service, which is dominated by the majority Malays, together with the political power held by the Malays, was instrumental in institutionalising discrimination, and had ignored social rights and undermined racial justice.

Furthermore, the formulation of these policies was implemented from a top-down approach, which resulted in the implementation and execution of such a policy being made without having a mechanism that would provide the checks and balances. This created suspicion and mistrust. The lack of checks and

balances on the implementation and execution of the affirmative action programme resulted in the policy being misunderstood or misinterpreted, since there was no commitment to confirm to what extent the affirmative action would continue. For example, the affirmative action formulated during the NEP allocated a 20 year timeframe for the policy to eliminate poverty and restructure society, but the NDP, which was introduced after that, continues to adopt the affirmative action policy without stating any timeframe for the objective to be achieved. This resulted in the perception among the indigenous Malays that such a policy is the right of the indigenous Malays which could not be questioned or dismantled, while, for the non-Malays, the perception is that such a policy measure is part and parcel of the features of the indigenous Malays as being the privileged ethnic group.

Hence, what is needed is a re-orientation of the affirmative action programme, focused on needs across the racial boundaries, rather than targeting the indigenous Malays. This is because, over the years, the lack of focus on the non-Malays for the need of an affirmative action has resulted in the objective of the policy being side-tracked. This is because the specific focus on eliminating poverty among the indigenous Malays had resulted in the perception that such features were solely confined to the indigenous Malays, without realising that such orientation had distracted actions away from the objective of national unity and integration. This is because poverty also exists within the non-Malays and by focusing solely on the indigenous Malays it would seem to suggest that poverty only exists among the Malays. Therefore, the indigenous Malays need to be made to understand that the poor Chinese and Indians would require a similar

form of needs-based affirmative action programme, rather than racially oriented policies. Furthermore, such promotion of needs-based affirmative action would not dilute or affect the special position of the indigenous Malays in any way. In fact, the application of a needs-based affirmative action programme would ensure that the state duty towards the Chinese and Indians as citizens is executed in fulfilling the legitimate interest of the other communities, as stipulated under the Federal Constitution. Unfortunately, the politicisation of the affirmative action programme, especially among the indigenous Malays, could prove to be a challenge too far. Furthermore, the extension of the timeframe after the NEP ended in 1990 is an indicator to the non-Malays that the affirmative action policy is here to stay, since the policies after NEP did not specify any timescale for the affirmative action policy to end.

However, this effort could prove to be challenging, since this affirmative action policy has been considered to be part and parcel of the indigenous special position, instead of a policy formulated as a tool to minimise economic disparity. This misleading perception of the affirmative action programme needs to be overcome. Unfortunately, the politicisation of the issue of preferential treatment and affirmative action programme by the political parties, especially by UMNO, has caused the attempt to review the programme as being challenging to the Malay special position.

5.3.2 Formation of an Institutional Framework: The Commission on Inter-Ethnic Relations

The recognition of multiculturalism in Western liberal societies witnessed not only the formulation of policies which supported the multicultural cause, but also institutional designs or frameworks that would oversee and monitor the development and implementation of these policies. For instance, the Race Equality Commission, Race Relation Act and Equal Opportunity Commission are some of the examples of the framework that has been formed to ensure the success of multicultural policies in Great Britain. The formation of such frameworks and designs is to actually assist and facilitate improving inter-ethnic relations, through constructive engagement and recommendations.

As for Malaysia, since independence, the government has formulated policies to focus on the need to improve the economic condition of the indigenous Malays, without at the same time neglecting the other communities. This is to ensure that the objective of achieving parity, especially in the economy, between the ethnic communities is achieved. The NEP, the NVP and the NEM clearly stated the need for economic development as the engine of growth to ensure equitable growth among the ethnic communities. While such objectives are desired by the government, the question that could be posed here is: how does the government determine the success of such policies, and what kind of mechanism has been set in place to evaluate the need for further improving such policy orientation?

Therefore, as a way forward, what is required is to form an independent commission that would monitor the implementation and outcome of these policies, in order to avoid these policies being side-tracked from their actual objective; then, national unity and integration would be achieved. The formation of such a commission would be to firstly, provide recommendations to the government on the way forward in improving inter-ethnic relations and suggest improvements on the policies formulated. The independent role of the commission would provide recommendations on improving inter-ethnic relations. This involves eliminating racial stereotyping, social and economic prejudice, and upholding universal ethical values in the nation-building process. Secondly, the formation of the commission would also provide a forum for the citizens to voice their views and opinions on nation-building, in a manner that is not politicised. This would also provide room for constructive engagement and discussion, and hence create better understanding of the needs and concerns of all communities, instead of a particular ethnic group. However, what has been put in place since the 1969 race riot is a framework that firstly limits the discussion of the principles of rights to equality and citizenship, by applying repressive laws such as the Internal Security Act - a preventive detention law - the Sedition Act, and a law which was inherited from the British, the Printing, Presses and Publication Act, just to mention a few. Such laws shun constructive discussion or dialogue towards improving inter-ethnic relations, and this is contradictory to the spirit of a liberal democratic state, and to the idea of freedom of expression and being engaged in a continuous dialogue. As Ang (2009) said, multicultural societies should be engaged in intercultural dialogue without guarantees, as a means towards national unity.

Secondly, the implementation of such an independent commission would provide a foundation of trust, especially from the non-Malays, in the seriousness of the government in promoting national unity and integration. This is because the independent recommendations and suggestions provided by the commission would be free from any political influence, and hence provide confidence, especially to the non-Malays.

Finally, the implementation of anti-discrimination laws or equal opportunity laws could be a viable measure to be considered. This is because even though the recognition of all citizens is equally recognised, the result of the 'citizenship for special position bargain' agreed by the ethnic leaders of the coalition is that the notion of rights to equality has been undermined. Furthermore, the special position of the indigenous Malays is viewed with suspicion and fear by the non-Malays, and this could be overcome if such an anti-discrimination and equal opportunity act could be put in place. This is because the formulation and implementation of policies would be more effective if supported by a legal framework, since the legal concept has the ability to enable and disable political decision-making.

Chapter 6

Conclusion

As we could observe, multicultural, multi-religious and multi-ethnic are common characteristics in most societies; even those which were once a homogenous and close society, could no longer remain as such. Various factors, past or present, have caused or contributed to such a transformation. Earlier, colonisation was identified as the vital agent that brought change and transformation; more recently, the era of globalisation, in which the migration of people from around the world contributed to the formation of these multicultural, multi-ethnic and multi-religious societies. This resulted in Glazer (1997) concluding that we are now all multiculturalists. Therefore, the multicultural phenomenon is a challenge that each society has to face and can no longer be treated as an isolated issue that will wither away.

It is the reaction and response of nation states toward the multicultural phenomenon that interests multiculturalism scholars. How a society responds to the challenge is being debated and discussed by multiculturalism scholars who conclude that recognising the multicultural phenomenon is essential and in line with a liberal notion of rights to equality. Recognising differences, such as culture, is key for the development and growth of individuals and communities. Failure to respond to cultural, religious and ethnic identities would have a detrimental effect on the development of these individuals and communities, especially the minorities, argue the multiculturalism scholars. At the same time, these nation states are confronted with the question as to how to ensure this recognition of

diversity does not cause disunity or compartmentalisation within the polity of these states; recognising such differences might create separation and compartmentalisation.

Hence, this challenge pose by the multicultural phenomenon could either be viewed positively or negatively. One could argue that the negative effect of the multicultural phenomenon is that it could result in the disintegration of the nation state if the various demands for recognition are being entertained. At the same time, recognising the multicultural phenomenon would result in further compartmentalisation to an extent labelled as systematic segregation. Furthermore, this would also cause the notion of liberalism as upheld by liberal democratic states to be side-tracked from its original aspiration of a free, secular, egalitarian, civic and neutral society.

Those who view the multicultural phenomenon positively would argue that such recognition would ensure all citizens would prosper, since the recognition of cultural, ethnic and religious identities is vital. Such recognition would nurture a greater feeling of loyalty and sense of belonging to the nation state which are essential for integration.

We have seen various strategies and policies formulated and executed by the state in responding to the challenges poses by the multicultural phenomenon. The policies and strategies, however, became a subject of debate since they could further create separation and compartmentalisation, hence undermining the integration and solidarity of the liberal democratic nation state. It is difficult to see

how could equality be maintained if difference is being recognised through specific policies such as affirmative action and positive discrimination.

The response to the challenge posed by the multicultural phenomenon is reflected through the policies formulated and the organs formed. This can be seen from the experiences of liberal democratic societies such as The Netherlands, Australia, Great Britain and Malaysia to mention a few. For instance, the Ethnic Minorities Policy in the Netherlands, the Commission for Racial Equality in Great Britain, and the affirmative action policy in the United States are examples of policy initiatives implemented by the state to address the challenges brought by the multicultural phenomenon. These policy documents or statements provide the milestones in these countries in overcoming the challenge posed by the multicultural phenomenon. However, the biggest question is how far are these policies successful in nurturing multiculturalism and, at the same time, promoting national integration in these nation states?

However, the biggest challenge faced by multicultural societies around the world, I would argue, is to reconcile a national identity which would have been the foundation of these societies, grounded by certain characteristics, principles or attributes, with the need to accommodate, recognise and accept the various cultural, religious and ethnic identities that exist within the polity, especially of minorities. The concern is that these multicultural societies which once upheld the notion of equality and neutrality have to accommodate, recognise and accept that culture, religion and ethnic identities have now become a visible feature in these societies. In other words to become a multicultural society, one must not lose

sight of the majority or dominant identity which has been the foundation of the society.

As for Malaysia, the colonial experience has had a significant influence in the formation and transformation of Malaysia's political, social and economic landscape. This contributed to the existence of its multicultural, multi-religious and multi-ethnic identity. Nevertheless, these multicultural identities are retained and recognised by the state to the extent that such identities are explicitly visible, recognised and celebrated. For instance, recognition of the vernacular education and the celebration of the festivals of each community, to mention a few, are explicit examples of multicultural celebration and recognition in Malaysia. The celebration of these pertinent features of each society or ethnic group in Malaysia marked the recognition towards multiculturalism itself.

However, after 54 years of independence, multicultural Malaysia is still grappling with the challenge of national unity and integration and the question is why such challenges continue to exist? This is evident from the early period of independence when a multi-ethnic party was mooted to replace UMNO as a race-based political party, echoed today with the idea of *Bangsa Malaysia* and 1Malaysia. Does this imply that the multicultural recognition had further compartmentalised the communities? In order to face the challenge of national unity and integration, the state formulated *Bangsa Malaysia* and 1Malaysia as a policy initiative or strategy. This clearly indicates that these collective identities are discussed in order to create a sense of commonality, a sense of belonging and acceptability. It is here where multicultural Malaysia is at a crossroads. The

idea of an inclusive nation state under the banner of *Bangsa Malaysia* or 1Malaysia as its national identity, is confronted with the idea of an exclusive Malay *Bumiputra* identity linked to the identification of the nation state and privileges of affirmative action. The most significant confrontation is on how to complement the idea of *Bangsa Malaysia* and 1Malaysia as a national identity that should be recognising rights to equality with the idea of Malay *Bumiputra* as the privileged identity which has been used for ethnic political mobilisation and ethnic compartmentalisation to date.

While the celebration of a multicultural and multi-ethnic Malaysia is visible as a result of the pragmatic and accommodationist approach adopted, the basic foundation of the nation state, such as the notion of citizenship that presses for rights to equality, many, especially among the minorities, would argue to be lopsided. This is evident from the strategies and policies undertaken by the state which focused or concentrated more on the majority Malay *Bumiputra* who are economically lagging behind compared to the Chinese and Indian minorities.

Hence, what is required in multicultural Malaysia is to move away from the ethnic compartmentalisation and ethnic political mobilisation since these cause adverse effect to the aspiration of *Bangsa Malaysia* or 1Malaysia. Furthermore, the idea of *Bangsa Malaysia* and 1Malaysia as being inclusive of all should not further promote ethnic political mobilisation since this would trigger ethnic exclusivity especially among the Malay *Bumiputra*. This would interpret the idea of 1Malaysia in the broadest sense which mean all the races in the nation

working and interacting as one people, as opposed to continuing to look at everything through the prism of race.

However, looking at multicultural Malaysia's development the road to an ideal multicultural set-up would be long and winding. This is evident when race takes a centre stage in recognising the existence of a multicultural feature. While an ideal multicultural set-up is still far away, Malaysia has managed to retain and recognise its multicultural celebrations with the celebration of various festivals and also the vernacular education system that is retained and recognised while, at the same time, with an exclusive recognition of the native Malay *Bumiputra* identity. Perhaps one of the arguments for multicultural states is to recognise the celebration of various cultural, ethnic and religious identities but at the same time maintaining or retaining the features of the original identity of that particular nation state.

By way of conclusion, while multicultural Malaysia continues to celebrate and recognise the various cultural celebrations and religious identities, the need to nurture a sense of belonging continues and remains challenging. In the Malaysian multicultural scenario the argument that the recognition of various cultural and religious celebrations is sufficient does not necessarily nurture a sense of belonging. Hence the promotion of a national identity will prove to be challenging until the barrier of racial difference is eliminated and the promotion of social justice take centre stage. While ethnic or racial consciousness continues a sense of belonging and nation-building will be an arduous task.

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