

A CRITICAL ANALYSIS ON MALAY RESERVE LAND IN SELANGOR

By

Aimi Nadiyah binti Ali (2011628772)

Asyraf Wajdi bin Saadudin (2011420904)

Izat Nazrin bin Abdul Rashid (2011433798)

Mohd Amirul bin Mohd Rezuwan (2011459524)

Submitted in Partial Fulfilment of the Requirements
for the Bachelor in Legal Studies (Hons)

Universiti Teknologi MARA

Faculty of Law

December 2013

The student/authors confirm that the work submitted is their own and that appropriate credit has been given where references have been made to the work of others.

Abstract

The thesis is a study on the concept Malay reservation land. This research aims to examine the Malay reservation law in the various states Enactment. The British was the one responsible for introducing the Malay reservation land to protect the Malays. The Malays are bestowed with many privileges. This includes the rights to land ownership. The privileges were given to Malays to safeguard their position as the owners of the land of Malaysia. Critical analysis in the form of literature reviews of the institution of Malay Reserve Enactment and land administrative system of Malaysia is conducted to understand and justified why the institution was introduced. The Malay Reserve Land are facing many inside and outside factors such as the Malays' attitude towards land ownership, past errors from the authorities, and problems related to legal matters. The issues may have been related to the ignorance of rights by the Malays. The information that was gathered through library research was aim to analyze the development of the Malay reservation law in Malaysia. The information was collected to tackle the lack of development of Malay reservation land. The study will also discuss some suggestion to preserve the Malay reservation law.

Acknowledgement

We owe our deepest gratitude to Prof. Madya Datin Paduka Saudah binti Sulaiman on her kind – hearted guidance, encouragement and unconditional support from the beginning of the research to the ultimate stage in facilitate us in the research.

We also would like to show our thanks to Cik Syakiraah binti Abdul Khaled who showed us the way in conducting library based research.

We are indebted with our own team members for giving enough cooperation, understanding and punctual at all times.

Lastly, we offer our gratitude to our parents who ever stop giving financial aids and never stop praying for our success with this project paper.

Table of Contents

Acknowledgements	ii
Abstract	iii
Table of Content	iv-vi
List of Cases	vii

CHAPTER ONE: INTRODUCTION

1.0	Introduction	1
1.1	Research Questions	2
1.2	Research Objectives	3
1.3	Significance of Research	4
1.4	Scope of the Research	5
1.5	Research Methodology	6
1.6	Literature Review	7-11
1.7	Research Plan	12
1.8	Conclusion	13

CHAPTER TWO: HISTORICAL BACKGROUND

2.0	Introduction	14
2.1	Concept and Purpose of Malay Reservation Land (MRL)	15-16
2.2	Malay Reserve Enactment	17-23
2.3	Conclusion	24

CHAPTER THREE: THE OWNER?

3.0	Introduction	25
3.1	The Malay Origin	26
3.2	Who is Malay?	27
3.3	Malay under Federal Constitution	28
3.4	Definition of 'Malay' in Malay Reservation Enactments	29-32
3.5	Malay and Islam	33
3.6	The Malay Characters	34-35
	3.6.1 Portuguese and Dutch Era	
	3.6.2 British Occupation	
	3.6.3 Modern Malay	
3.7	Conclusion	36

CHAPTER FOUR: RESTRICTIONS AND PROBLEMS FACED BY MALAY RESERVE LAND

4.0	Introduction	37
4.1	Restrictions and Prohibitions on Dealing	38-39
4.2	Problems Faced by the Malay Reserved Land Owners	40-46
4.3	Conclusion	47