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Federal Constitution: Determining the Level of Awareness and Knowledge among Malay Student Leaders of UiTM Cawangan Pahang

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Abstract: In Malaysia, there is a written constitution which states that the Federal Constitution is the supreme law of the land. It is the most vital document in any State as it serves as a social contract between the State and its people. It states the rights and status of the Malay Rulers, the prerogatives of the Malays and Bumiputeras and Bahasa Melayu as the national language amongst others. The history of how Malaysia achieves its independence has shaped the uniqueness of the Constitution. However, with the many controversial issues being debated today among youths in the social media, it is very pertinent for the youth especially the young Malay leaders to really appreciate its importance so as not to be manipulated by irresponsible parties. Therefore, the researchers found it is important to gauge the level of awareness and knowledge of these youth on Federal Constitution as the findings of the study would be useful in suggesting appropriate programs that can be conducted by UiTM Cawangan Pahang in enhancing their student leaders' awareness and knowledge on this fundamental law. This paper analysed the awareness and the level of knowledge of student leaders in UiTM Cawangan Pahang on the basic rights found in the Federal Constitution. A total of 81 Malay student leaders were conveniently selected to participate in this study. The data were analysed using SPSS Version 21.0 software programme. Descriptive statistics was used to analyse the data which included frequencies, mean and standard deviation. The study concluded that even though the level of awareness and the level of knowledge of the respondents were quite high, they still need to be exposed to a more comprehensive program that could help them understand better their rights as a citizen of Malaysia, thus preparing them to be knowledgeable future leaders of Malaysia.

Keywords: Awareness, Federal Constitution, Knowledge, Malay student leaders

1. Introduction

Constitution is a basic foundation which frames the identity of a state. The establishment of a constitution signifies the emergence of a new sovereign state and thus has been synonymous with the rise of democracy (Bari A. A, 2003). The Federation was initially called the Federation of Malaya and later on changed to the present name namely Malaysia when the States of Sabah, Sarawak and Singapore (now independent) joined the Federation (Article 1(1) of Federal Constitution). Historically, the progressive step towards Independent Malaya started with the Malayan Constitutional Conference in London which was held between January 18 and February 6, 1956 (Fong, 2008). The momentous outcome of this conference was the suggestion to establish a commission to prepare a Constitution for an Independent Malaya which was headed by Lord Reid (Fong, 2008). The Federation of Malaya Independence Act 1957 was duly signed by Her Majesty the Queen on July 31, 1957 with the purpose of establishing Federation of Malaya as an independent and sovereign nation under the Federal constitution.

The Constitution was enacted as a result of negotiations and discussion between the British Government, the Malay Rulers and the Alliance Party (per Raja Azlan Shah in *Dato*

Menteri Othman bin Baginda & Anor v. Dato Ombi Syed Alwi bin Syed Idrus). The Constitution distributes power through three main branches namely the legislative, executive and judiciary. It is the most vital document in any State as it serves as a social contract. It characterises the respective countries and thus it comes as no surprise where the Malaysian Constitution has bestowed many fundamental liberties upon the citizens to be observed by the ruling government. However it should be noted that the Constitution has placed a few restrictions upon these liberties.

Issues pertaining to infringement of the constitution which involved youth emerged tremendously in recent years. The cases related to racial brawls, politics and religious conflicts are among the prominent issues that need to be legally addressed by the respective agencies. The controversial cases of Adam Adli, Alvin Tan, and Namewee become a polemic on whether youths are really observant of their rights as citizens or just a puppet to be manipulated by interested parties. The low level of awareness and understanding on the fundamental elements of the Constitution and the lack of understanding of social contract amongst today's youngsters must be addressed to curb any future social conflict. The controversial case of Alvin Tan which caused uproar amongst Malaysian especially the Muslims when he posted a picture with the cynical comment "Happy breaking fast with bak kut teh....." showed a disregard to other races and religions that exist in Malaysia. His action received different responses from the public where many condemning his act whereas others supported him on the basis of freedom of expression (Rencana, 2014). Besides that, a public uproar emerged on October 2014 when a 23-year-old student leader Fahmi Zainol defying a ban from Universiti Malaya to cancel an event featuring a speech by Datuk Seri Anwar Ibrahim which was held to be illegal by the University Malaya Disciplinary Board. As a result, he was suspended for two consecutive semesters and was fined RM600 (Malayonline, October 2014).

2. Literature Review

Fifty nine years has passed since the establishment of the esteemed Constitution. However, sadly to note that after fifty nine years of its establishment, a study on Federal Constitution is still lacking. Studies conducted pertaining to this prominent statute were focused more on its history, the legislation and the national governance (Nazri et al., 2013) whereas few studies were done on understanding of its principles. Awang (2008) further emphasized that no study has been conducted on the issues pertaining to the understanding and insight of youth on social contract as a basis of our constitution. Therefore, it came as no surprise when issues relating to social contract including the special position of the Malays are constantly attacked. In addition, the Five-Year Unity Action report demonstrated the importance of the Malaysia National Integration Plan (2005-2010) which stated, among others issues on the challenges of the social contract, religious and younger generation and language disputes. The report showed that if the level of knowledge and understanding of these issues were not properly addressed by the respective parties, the matter might lead to provocations. Article 3 of Federal Constitution provides that Islam is the religion of the federation whereas Article 11 of the constitution provide for a freedom of religion.

Based on these provisions, study was conducted on The Students Perceptions on Islamic Provisions in the Federal Constitution in the Context of Ethnic Relations in Malaysia (Nazri & Ahmad, 2014). It revealed that students' perceptions of Islam in the Federal Constitution were well received by students as Islam has a far better position than any other religion that its religious practices occur in harmony, the fact that Malaysia is an Islamic country and that it does not interfere with the unity of religious differences in the society. The findings also revealed that the ethnic, religious, the flow of primary and secondary education significantly influenced students' perceptions of Islam in the Constitution (Nazri & Ahmad, 2014). Therefore, the need to improve the knowledge of the students in order to solve conflicts pertaining to Islam in the constitution was emphasized and recommended. In a different twist, Rosfazila and Ayu (2007) showed that the level of knowledge of the Malays on their special

rights in the constitution was good (97%). Unfortunately the level of their understanding on the privilege as a Malay was still low (62.5%). This quantitative study however was not comprehensive since the respondents were all Malays.

On the other hand, Nazri et al. (2013) in his study on the level of understanding amongst students in four selected public universities found that the level of students' knowledge on the history of constitutional legislation was still low. Based on these previous studies, it was found that studies conducted on the understanding and insight of youth pertaining to their fundamental rights as citizens as enshrined in our constitution are still lacking. It shows that there are still lacunae to be fulfilled on this issue especially on the youth's awareness and their insights on this matter. Thus, the objective of this study was to analyse the awareness and the level of knowledge of Malay student leaders in UiTM Cawangan Pahang on the basic rights found in the Federal Constitution.

3. Methodology

This study involved almost half of the total number of student leaders in UiTM Cawangan Pahang Jengka campus. A total of 81 respondents from student association/committee, Student's Representative Council (SRC) and college student leaders were selected. The researchers used convenience sampling method to collect the data. A set of questionnaire which was adapted from previous research was used and distributed personally to all respondents. The respondents were given ample time to answer the questionnaire and were guided on any legal terms which they were not familiar with. The questionnaire contained three sections namely; Section A for Respondent Demographic, Section B for Awareness on the Federal Constitution and Section C for Knowledge on the Federal Constitution. The researchers used a 5-point Likert scale that ranges from 1 = Strongly Disagree to 5 = Strongly Agree for both questions on Section B and C. The Statistical Package for Social Sciences (SPSS) Version 21.0 software programme was used to analyse the data collected. The researchers used descriptive statistics to analyse the data which included frequencies, mean and standard deviation. In addition, a pilot test was also conducted to test the reliability of the questionnaire. A high Cronbach Alpha reading of 0.880 indicated that the questionnaire was very reliable as it was above 0.70 (Nunnally in Sekaran, 2007).

4. Results and Discussions

Table 1. Respondent's demographic profile

| | | <i>Frequency</i> | <i>Percentage</i> |
|--|------------------------|------------------|-------------------|
| Gender | Male | 31 | 36.5% |
| | Female | 50 | 63.5% |
| Age | 20 – 25 years old | 78 | 96.3% |
| | 26 – 30 years old | 3 | 3.7% |
| Education level | Diploma | 80 | 98.8% |
| | Certificate | 1 | 1.2% |
| Term of service as students leader | 1 semester | 11 | 13.6% |
| | 2 semesters | 42 | 51.9% |
| | 3 semesters | 21 | 25.9% |
| | 4 semesters | 7 | 8.6% |
| Students leader Association/Committee | Student Representative | 10 | 12.3% |
| | Council (SRC) | 16 | 19.8% |

| | | |
|---|----|-------|
| JPK Tun Fatimah College | 16 | 19.8% |
| JPK Datok Bahaman College | 16 | 19.8% |
| JPK Tun Teja College | 6 | 7.4% |
| Majlis Sukan Pelajar (MSP) | 17 | 21% |
| Office Management Student Association (OMSA) | | |
| Need to attend the Federal Constitution course/seminar | | |
| Yes | 73 | 90.1% |
| No | 8 | 9.9% |

Section A of the questionnaire analysed the respondents' profile. The above Table 1 shows the findings of the respondent's demographic profile. 27 male (36.5%) and 47 (63.5%) female students were involved in this study. The age of the respondents shows that 78 of them (96.3%) were between 20 to 25 years old and almost all of them (98.8%) were diploma students. With regard to the term of service as students leader, majority of the respondents had two semesters experience at 51.9 % (42). They were student leaders representing college leaders at 59.4 % (48), OMSA at 21% (17), SRC at 12.3% (10) and MSP at 7.4% (6). The result also reveals that 73 (90.1%) of the respondents agreed that they needed to attend a seminar that is related to the Federal Constitution to help them understand better the supreme law of the land.

Table 2. Mean and Standard Deviation on Awareness of Federal Constitution

| <i>Awareness of Federal Constitution</i> | <i>Mean</i> | <i>Std. Deviation</i> |
|--|-------------|-----------------------|
| I am aware of the existence of the Federal Constitution | 4.01 | .698 |
| I am aware of the existence of the act that protects me as a citizen | 4.15 | .594 |
| I am aware that my freedom as a citizen is not absolute | 4.10 | .561 |
| I am aware of the existence of the act that regulates the administrative system of the government | 4.00 | .725 |
| I am aware of the existence of the supreme law of the land in Malaysia | 4.01 | .602 |
| I am aware of the existence of law that recognizes Malaysia as a Constitutional Monarchy | 3.94 | .533 |
| I am aware of the existence of the law that provides guideline on the responsibilities and rights of the Federal Government, State Government and the relationship that exists between them and the citizens | 3.93 | .667 |
| I am aware of the existence of the law that acknowledge Malaysia as a democratic and sovereign country | 3.99 | .512 |

Section B of the questionnaire analyses the respondents' awareness on the existence of the laws under the Federal Constitution. Based on Table 2 above, the highest mean obtained was at 4.15 with the standard deviation of 0.594 which shows that respondents were aware of

the existence of an act that protects them as a citizen. Meanwhile, the lowest mean is at 3.93 and the standard deviation is at 0.667 on the item that respondents were aware of the existence of the law that provides guideline on the responsibilities and rights of the Federal Government and the State Government on the citizens. An overall finding about the awareness among the respondents on the Federal Constitution was good because all mean scores were above 3.0. The positive findings may be due to the fact that some of the respondents might have attended certain programs which have exposed them to the fundamentals of the Malaysian law. It can be concluded that even though the respondents might not be familiar with legal technical terms used in the questionnaire, they were very much aware that they are protected by certain acts available in the Constitution. Hence, despite of the high degree of awareness towards the Federal Constitution, majority of the respondents somehow agreed that they still needed to attend seminars/courses that are related to the subject matter. The interesting findings show that UiTM Pahang has a pool of very patriotic Malay student leaders who are eager to learn more about their rights as a Malaysian citizen.

Table 3. Mean and Standard Deviation on Knowledge of Federal Constitution

| <i>Knowledge of Federal Constitution</i> | <i>Mean</i> | <i>Std. Deviation</i> |
|---|-------------|-----------------------|
| I know the Federal Constitution is the supreme law of the land | 3.91 | .616 |
| I know that no one can be deprived of one's life except in accordance with the law | 3.83 | .787 |
| I know that once a person is arrested or detained, he must be informed on the ground of the arrest as soon as possible | 3.99 | .581 |
| I know once a person is arrested or detained, he must be brought before the magistrate within 24 hours after the arrest | 3.88 | .748 |
| I know there is a special privilege granted by law to the Malays and Bumiputera | 4.09 | .529 |
| I know the special privilege granted to the Malays and Bumiputeras cannot be challenged by any courts in Malaysia | 4.12 | .659 |
| I know that Islam is the religion of the Federation | 4.32 | .566 |
| I know Federal Constitution confers freedom of religion | 4.10 | .903 |
| I know that I have freedom of speech in the Constitution | 4.06 | .578 |
| I know that I have freedom of speech in the Constitution but according to law | 3.96 | .749 |
| I know I have the right to assemble peacefully | 4.16 | .715 |
| I know that my right for peaceful assembly will be deprived by law if the assembly turned chaotic | 4.12 | .556 |
| I know that Bahasa Malaysia is the official language of Malaysia | 4.41 | .543 |
| I know everyone is equal before the law | 3.94 | .780 |
| I know I have equal rights before the law | 3.96 | .459 |
| I know there is no discrimination against the citizen | 3.98 | .724 |

| | | |
|---|------|------|
| before the law | | |
| I know there is certain discrimination allowed by the law | 3.96 | .872 |

Section C of the questionnaire analyses the respondents' knowledge on the laws that make up the Federal Constitution. Based on Table 3, the findings show that UiTM Cawangan Pahang students' leaders were not only aware of the existence of the various laws under the Federal Constitution but they could be assumed as having adequate knowledge on the law that rules the land. It is clearly stated that most of the items questioned has a mean score above 3.0 with the highest mean score is at 4.41 with standard deviation of 0.543 in which the respondents knew that under the Federal Constitution, Bahasa Malaysia is the official language of Malaysia. However, the findings on a more technical knowledge that says 'no one can be deprived of one's life except in accordance with the law' which obtained the lowest mean of 3.83 with standard deviation of .787 shows that the respondents still need to be exposed more on their rights as a citizen under the Federal Constitution.

5. Conclusion

The surprisingly positive findings obtained from this research conclude that the majority of the Malay student leaders of UiTM Cawangan Pahang, despite of their young age, have been exposed to previous programs that might have led them being aware of the law that protects them as a citizen of Malaysia. Due to the high awareness and knowledge on the Federal Constitution among the respondents, the researchers believe that appropriate course/seminar which focuses on the technical knowledge of the federal law could be recommended to further strengthen the existing knowledge that they have. It is hoped that when the time comes, these future leaders of Malaysia who would be steering the country into a more challenging era, would be able to justify their actions in whatever decisions that they might make based on the supreme law of the land. These young Malay leaders would be among the ones who would help shape the understanding of the entire Malaysians on how to be a true Malaysian based on the uniqueness of the Malaysian Constitution in years to come.

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