

A project paper on

The difficulty in determining the Malays
in accordance to the definition
given in the Federal Constitution.

by.

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PREFACE.

When I first started studying in I.T.M., I noticed that amongst the students there exist a certain kind of differences and variations between those who came from different parts of Malaysia. I noticed that the Malays from Kelantan for example are generally taller and they speak a language which is quite different (at first thought to be a dialectical variation) from the standard Malay Language.

This is my first attempt in producing a project paper of this sort and i thought my curiosity on this subject will be as good an area to study on as any other.

I hope my work will not be miscontrued as an attempt to dispute the Malays right to special privileges. My intention is only to try to make a modest attempt to point out the difficulty in determining whether one is a Malay or not before granting the special rights and privileges.

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INTRODUCTION.

Purpose.

The purpose of this paper is to make a modest attempt to present the difficulty in determining whether one is a Malay or not if the definition of Article 160 (2) is to be the test. The difficulty may arise in the granting of the special privileges of the Malays.

It is firstly submitted that it is never intended to be argued whether the Malays have the right to the special privileges or not as these rights are unambiguously laid down in Federal Constitution.

Scope.

The ' Malays ' discussed in this paper is confined to the Malays in Peninsula Malaysia only so as to keep the project paper from covering too wide an area.

Methodology.

This paper discusses the literal interpretation of article 160 (2) which states inter alia, that a " Malay " means a person who professes the religion of Islam, habitually speaks the Malay language and conforms to Malay custom.

Researches on the Malay language and custom was made mostly in the Perpustakaan Tun Abdul Razak, I.T.M. and Perpustakaan Negara Malaysia, Kuala Lumpur.

Interviews were held with officials from the Amanah Saham Nasional and Mara Institute of Technology, 2 bodies that are part of the special privileges of the Malays.