



**#TANPAPERKAUMAN:  
THE ROAD TO A  
DISCRIMINATION-  
FREE MALAYSIA**

# LAYING THE GROUNDWORK

## UNDERSTANDING DISCRIMINATION

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)'s definition of racial discrimination can be summarised as:

Behaviour, actions, laws, or policy which **favour, restrict, or exclude** a person based on their **race, colour, descent, national, or ethnic origin**. These actions either seek to or causes some people to have **unequal rights or freedoms**.



# THE ROOTS OF RACISM

**Racism = Individual prejudices + (Social + Institutional power).**



1 **Racism** is often understood as a belief that there is a causal relationship between someone's biological features and intellectual/moral superiority.

2 Such thinking often begins with describing cultures that are different from ours as "**strange**", "**unusual**" and "**difficult to understand**".

3 Historically, racism became concretised when European intellectuals started to use science and philosophy to position some races as "**weaker**" or "**inferior**" to others.

4 The rise of racial categorisation was influenced by the development of science in 16th century Europe which had a fixation on taxonomy - **identifying, describing, categorising** all flora and fauna.

5 Classification which solidified hierarchies of race was used to **justify slavery and colonialism**, especially paternalistic views of White Man's burden.



## RACIALISATION

6

**Racialisation** is the phenomenon where certain differences amongst people are seen as a threat to society's wellbeing (e.g., blaming migrants and refugees for the spread of COVID-19 because they are "dirty" and "uneducated").



Words like 'dirty', 'greedy', and 'law-breaking' have a history of being used to suggest all immigrants need to be controlled.

7

### A summary of Racialisation

#### Group is Labelled

- Muslim
- Asian
- Refugees
- Tutsis/Hutus



#### Set of Behaviours are Assigned



- Dirty
- Illegal
- Dishonest
- Violent
- Criminal

#### Must be Controlled/Contained

- Detainment
- Racial Violence
- Deportation
- Discrimination



Racialisation reduces complex identities to a monolith.

## HATE SPEECH

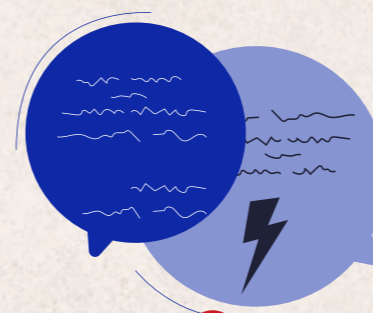
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**A** Microaggression in the workplace (*lazy Malay*)



**B** Racial slurs in public discourse (*Drunk Indian - drunk driving accidents*)



9

These generalisations then get reinforced by **racial slurs** which is a form of hate speech that reduces a group of people to a single stereotype.



10

Many common Malaysian racial slurs, such as, the lazy Malay, the greedy Chinese, and the drunk Indian are **historically rooted** in the writings of British colonial administrators.



11

More subtly, racialisation can take the form of **microaggressions** which are everyday verbal or non-verbal behaviour which can be committed unconsciously but have harmful effects.



12

What may seem like a joke, genuine comment, or even a compliment is dangerous because it signals to wider society that there may be some **truth to harmful stereotypes**.

## THE MALAYSIAN CENSUS

1

Looking at the Malaysian census, the **strategically forged nature of race categories** is seen through the changing definition and terminology used to describe 'race'.



2

The hardening of racial boundaries led to the Malay community distancing itself from the Orang Asal community, drawing **differences between 'indigenous' and 'aboriginal'**.



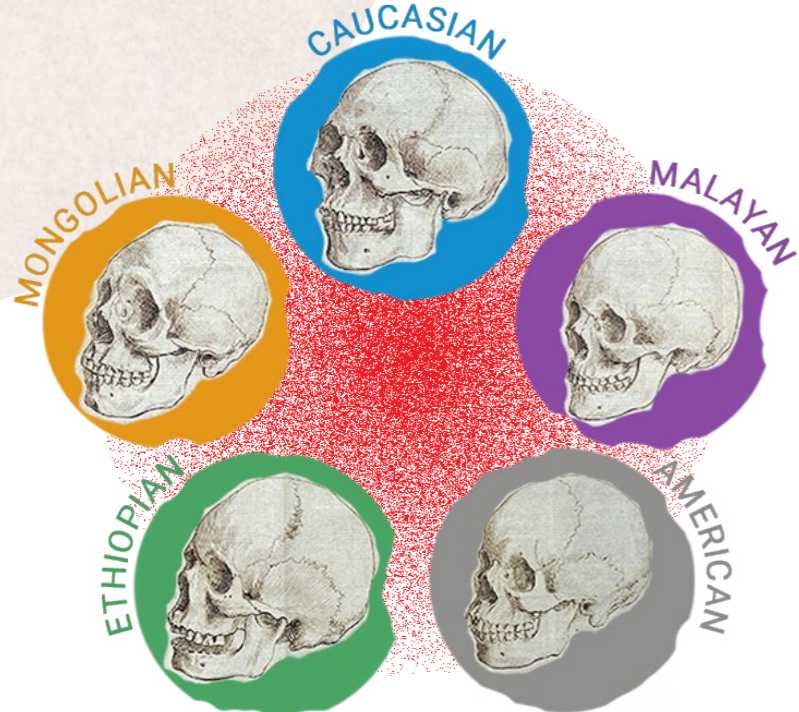
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Previously viewed as one, the inhabitants of Malaya were **arranged on a scale** from wild/aboriginal > tame Sakai (transitory state) > Malay (closest to European standards of civility).



4

Till today, the rigidity of the Malaysian census which attempts to fix racial identities fails to reflect the true diversity of Malaysia and **forces many Malaysians to leave parts of their identity out**.



BLUMENBACH'S FIVE RACES (1779)

“The fiction of the census is that everyone is in it, and that everyone has one - and only one - extremely clear place.”

- BENEDICT ANDERSON

## THE MAKING OF MALAYSIA



1 Racial profiling, discrimination and abuse in Malaysia today are **rooted in colonial policy and institutions** that managed British Malaya's security, surveillance, healthcare, immigration and economy.



IMAGE: LEIDEN UNIVERSITY LIBRARIES, DIGITAL COLLECTIONS, KITLV 3652

2 Race has remained the **centre of political dispute and reconciliation** in the competing visions of various Malay nationalist movements from colonial to postcolonial times:



**A. Islamic reformism in the 19th century:** *Kaum Muda* created publications to discuss **socio-political issues, modernisation and anticolonialism** of Malay society from an Islamic perspective.



**B. Disputes between Malay aristocrats during the formation of the Malayan Union:** Kelantan-Patani prince, Tengku Mahmud Mahyideen urged for **equal citizenship rights regardless of race** VS UMNO's fear of the Malay race being "[wiped] from existence".



SOURCE: WIKIPEDIA [https://upload.wikimedia.org/wikipedia/commons/5/50/Greater\\_Indonesia\\_locator.svg](https://upload.wikimedia.org/wikipedia/commons/5/50/Greater_Indonesia_locator.svg)

**C. Melayu Raya:** The **fluid, inclusive definition of Malayness** subscribed to by left-leaning radicals such as the Malay Nationalist Party and the realisation of a political entity comprised of Indonesia, Singapore, Malaya and Borneo as advocated by Hizbul Muslimin.

**D. The Constitution of Federation of Malaya vs the People's Constitution of Malaya:** The **1st all-race political action group** in Malaya was AMCJA-PUTERA. Their main criticism towards the plan to establish the Federation of Malaya was the **lack of racial and class representation**.



“The unity we talked about never mention the racial aspect... All we wanted was that all the trade unions, all the workers, all the women, all the organisations join in...”

- LIM KEAN CHYE (2007)



## HEALING THE NATION NATIONAL UNITY POLICIES



3 As seen in the 1947 All-Malaya Hartal, the **intersection between class and race was a powerful display of solidarity between communities**. However, it was sidelined due to institutional racial inequality and an absence of critical reflection of race and racialisation.



4 These inequalities have continued to plague Malaysia. Another instance being the undermining of the Malaysia Agreement (MA63) (which forms the basis of Sabah and Sarawak's agreement to form Malaysia) which has led to the **deterioration of federal-state relations**.

5

The 1976 amendments **failed to meet the promises of MA63** and neglected:



A. concerns of finance, oil rights and territorial waters



B. the 'Borneonisation' of civil service



C. the political autonomy of Sabah and Sarawak



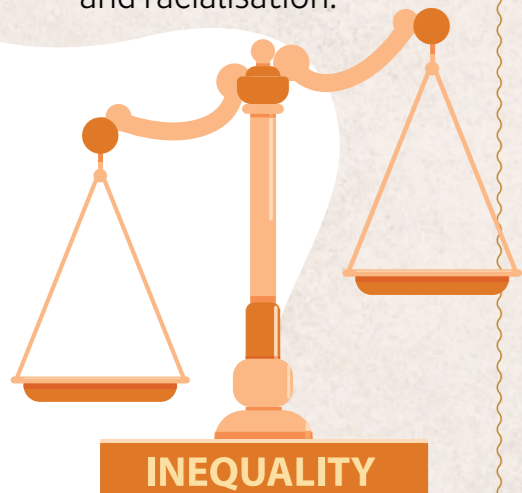
1 Although national unity policies are meant to promote inclusivity, past and present programmes that approach **racial differences as a problem to overcome** have not been successful.



2 The National Language Policy also carries similar themes that believes diversity can be solved through **standardisation**.



3 Policymaking through this lens can breed a culture of racial discrimination as it creates **hierarchies of language, knowledge, and cultures**. At times, it may **delegitimise languages, knowledge, and cultures which fall outside accepted cultural norms**.



## 4 RACE AND THE EDUCATION SYSTEM

National unity is further complicated by a **language-based national education system** that has the following consequences:



Internalises a colonial-style, **paternalistic** attitude towards education that prevents empowerment of marginalised communities.



Generates **insensitivity** in intercultural interactions, in-group exclusivity, and differential treatment among students.



Reinforces historical **stereotypes** towards certain communities.



Widens the **urban-rural divide** and achievement gap.



**Normalises** discrimination in schools.



## NEW ECONOMIC POLICY



**5** The New Economic Policy (NEP) was introduced in 1971 to correct **economic imbalances** and eradicate poverty.



**6** The purpose of the NEP was to create **greater equity that would foster 'national unity'**.



**7** However, many scholars have argued that affirmative action policies which **bind race with poverty** have especially marginalised rural communities across all ethnicities.



**9** As a result, minority communities struggle with **cyclical poverty** because they face barriers to education, healthcare, housing, and other forms of **inequalities that are passed down** from generation to generation.



**8** These policies **reinforce the importance of ethnicity** allowing racist attitudes and practices, including within the workforce, to become more acceptable.



# WORKING TOWARDS A DISCRIMINATION-FREE MALAYSIA

## COUNTERING DISCRIMINATION



1

**Affirmative action** which is when active action or intervention is undertaken to achieve equity as quickly as possible. It is sometimes taken to equalise societal imbalances.

2

Sometimes, **privileges or preferences** are given to certain communities based on characteristics or features which may seem discriminatory.

You must be **This Tall** to Enter College



3

However, such actions are justified on the basis that affirmative action allows **historically oppressed** groups to catch up, enter spaces they have been excluded from, and as a form of compensation. Ultimately, this will enable for more **balanced policymaking**.



4

**Self-determination** or the right of people to choose their political status is also essential in eliminating racial discrimination.

5

The **Durban Declaration and Programme of Action 2009** emphasises the importance of self-determination because it guarantees:



**a. Equal participation** in decision-making



**b. The pursuit of social, economic and cultural developments**



**c. Freedom from exploitation and subjugation**

“Malaysia needs to get rid of this mentality that the indigenous people need to change their way of life if they want development.”

- JENITA ENGI

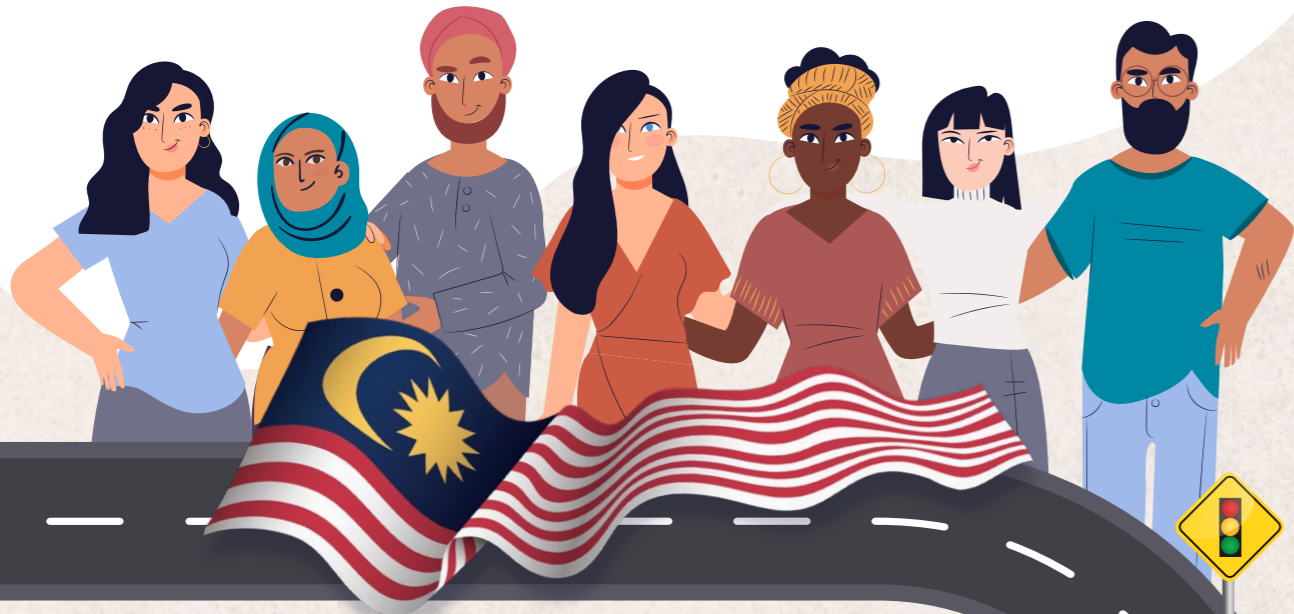


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In Malaysia, having the necessary legal mechanisms in place will be particularly helpful in helping the Orang Asal **restore their cultural integrity** and **control over** their land and resources.



## TOWARDS INCLUSIVITY



1 Malaysian media and policymakers are often complicit in **tokenism** instead of **accurate, genuinely diverse representation**. As a result, simply mentioning marginalised communities is often considered adequate representation in policies and media.



2 **Actual Representation =**



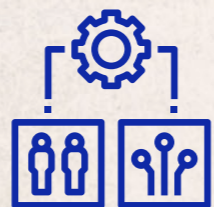
3 **Diversity policies can be formulated by:**



**A** **Outlining** a local definition and scope of 'diversity'.



**B** **Ratifying** international conventions that provide useful guides in expressing and promoting diversity.



**C** Ensuring the existence of **support structures** targeting underrepresented groups.

## UNDERSTANDING ICERD



4 One way for Malaysia to strengthen its commitment towards **greater social equality and equity** is through the ratification of international treaties.

“ ICERD is based on the principle that racial superiority is scientifically false and that all human beings are equal. ”



5 **The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)** is one of the 9 core UN human rights conventions focusing on **decolonisation and the eradication of racism**. However, plans for its ratification faced massive backlash in Malaysia.

6 In Malaysian political discourse, international standards of human rights have often been framed as being at the expense of its citizens' interests. **ICERD** was interpreted as a threat towards **Article 153** of the Federal Constitution which guarantees the special position of *bumiputeras*.



“Malaysia’s approach to international law follows the doctrine of transformation which means that international law needs to be transformed into local law.”



7 However, for **ICERD** to be **effective locally**, it first needs to withstand Parliamentary debates and the legislative process.

8 The repulsion of certain groups against ratifying the Convention lies in **several misconceptions** of its provisions:

**THE CONVENTION**

**DOES NOT/WILL NOT**

**BUT RATHER**

Conflict with Islamic Shariah principles

Lead to an **amendment of Article 153** of the Federal Constitution

Undermine national sovereignty

Allows state parties to **make reservations** including on religious matters. (Article 20)

Is **compatible** with Article 153 of the Federal Constitution

Upholds the **supremacy** of the Federal Constitution.

**ADVANTAGES OF ICERD**

9 Incorporating ICERD into the local legal regime benefits Malaysia in a number of ways:



A. **ICERD**’s reporting structure will prompt Malaysia into **evaluating and amending** existing laws and institutions that perpetuate race-based discrimination and racial inequalities.



B. Improves the **accountability** of Malaysia’s policies, programmes and institutions in initiatives to promote social cohesion and national unity.



C. **ICERD** encourages **promoting true, inclusive and balanced** representations of the history, culture, education and information of ethnic /racial groups and avoiding tokenism.

“Signing onto international treaties would be taking the first step towards acknowledging and addressing the problems and disparities.”



D. **Understands and counters racism** at all levels from the individual, interpersonal, institutional to structural.



E. **Provides equal access** to all Malaysians in social security, physical and mental healthcare, education, housing and employment.



“The opposite of racist isn't 'not racist.' It is anti-racist.”

- IBRAM X KENDI

# CALL TO ACTION

**Antiracism** involves **consistently and consciously confronting** racist behaviours, ideas, policies and institutions. It is crucial in the universal struggle of **dismantling racial inequalities**. Here are a few tips on how you can **be an antiracist**.



1

**Read and learn together.** Start conversations with your family and friends using antiracist resources.

2 **Participate in anti-discrimination programmes, workshops and dialogues.**



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AKAR UMBI KITA



THE SAMA SAMA PROJECT



Architects of Diversity MALAYSIA



Kita Kami



4

**Confront acts of racial discrimination when it happens in front of our eyes.**



3

**Embrace mutual empathy.** Be open to dialogue about racism and understand the context of lived experiences that are not our own.



5

**Communicate in an inclusive manner.** Express ideas and opinions while paying attention to our choice of words, intentions and behaviour when speaking to others.



6

**Examine your own biases.** Realise that no one is free from racialised conditioning. Question your actions. Listen to feedback. Keep learning to be antiracist.



7

**Contribute to efforts that empower marginalised communities.**

Speak to political representatives of your local constituency. Donate to fundraisers. Spread relevant messages to amplify demands and encourage meaningful action.

8

**Sign petitions to generate political pressure.** Support the work of organisations to eradicate racial discrimination in Malaysia.

“You are not responsible for the first thought you have, but you do have a responsibility to ask yourself why you had that thought and the actions you take after.”





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**#TanpaPerkauman: An Anti-racist History of Malaysia is an online advocacy campaign that explores the historical precedents for the manifestation, nature and impact of racism and racial discrimination.**

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