CHAPTER VIII
END OF BRITISH RULE AND ACHIEVEMENT OF INDEPENDENCE WITHOUT BLOODSHED ON AUGUST 31, 1957.

General Sir Rob Lockhart was appointed Director of Operations in place of General Sir Harold Briggs who retired in November 1951. Within a few weeks Mr. W.N. Gray, Commissioner of Police resigned and left the country abruptly.

Mr. Gray had left his impact on the country by reorganising and increasing the police force from about 11,000 to over 25,000 and made it an efficient machine to meet the needs of the Emergency. The Home Guards were given proper training and had increased to about 39,000.

The British Cabinet in January in 1952 appointed Sir Gerald Walter Robert Templer as High Commissioner for the Federation of Malaya, who took charge of the high office at Kuala Lumpur on February 7, 1952. He was made Supreme Commander of all land, sea and air forces in Malaya. His two-fold function was to stamp out terrorism in the country and at the same time to speed up measures for the attainment of self-government for Malaya. A tough officer was appointed to handle a tough job.

The Conservative Government was quick in grasping the difficulties that confronted the two previous High Commissioners in their dual function of military commander in charge of Emergency Operations and civil administrator. To relieve Sir Gerald Templer of part of his administrative responsibility, the
British Cabinet appointed Mr. D.C. MacGillivray his Deputy
High Commissioner, an able administrator.

Col. A.E. Young of the London Police Force was
appointed Commissioner of Police for the Federation to fill up
the vacancy created by the retirement of Commissioner Gray. He
reorganised the police force and made it into an efficient
machine. He relieved the police of its static duties of merely
manning stations, police-posts or re-settlement areas and
converted them into 400 operational sections ready to move out
by themselves or in cooperation with the army to attack terrorist
hide-outs or repel bandit incursions.

The apparent unsatisfactory result of the Emergency
Operations under Sir Henry Guerney's regime was due to conflict
of personalities of the Police Commissioner, W.N. Gray and
Director of Operations, Sir Harold Briggs; the former was
conducting the operations which were the functions of the
latter. The army was relegated to a secondary role. The lack
of coordination disappeared with the retirement of the two high
officers and the field was left clear for Sir Templer to pursue
his anti-terrorist operations without a hitch.

Within a week of taking charge of his office Sir Templer
devoted his full attention to the military aspects of the
Emergency. In March 1952, he merged the War Council with the
Federal Executive Council and requested all officials to
refer matters relating to government to the Deputy High
Commissioner.
HOME GUARDS.

An Inspector General of the Home Guards was appointed in 1952 to organise and train the Home Guards. The strength of the force had increased to 420,000 men and women. They are trained in the use of arms and defence of the Malay Kampongs and the re-settlements of the Chinese squatters. One in every three of the guards was armed with a shot-gun. Home Guard operational Squads were created and seconded for intensive training with the army and the police; these squads were assigned to duties outside the perimeter of their villages; the squads were armed with Bren guns and rifles; those who worked full time were paid for their services and were supplied with jungle green uniforms.

In 1953 the Federation Government spent £1 million arming one in every three Home Guards, and also equipping them for the first time with armoured vehicles. In the same year Sir Templer decided to place the whole responsibility for the defence of a village to its Home Guards as soon as they had reached the stage of military training necessary for the purpose. Almost 25% of the New Villages were protected by their own Home Guards thus enabling the army and the police to hunt for the terrorists in the jungle and liquidate them.

In 1953 Alec Peterson was appointed Director General Information Service, by Sir Templer. The main function of the Department was to carry on psychological warfare against the

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terrorists. For this purpose a unit composed of Malays, Chinese, Indians and Eurasians was sent to the kampongs or re-settlements, in a particular area to convey information to the people through mobile cinemas, speeches, gramophones and tape-recorders. Emergency film commentators were shown to the villagers and information given to them about the surrender of terrorists and requesting them to resist demands for money and food.

A Director of Intelligence was also appointed to collect information of a secret nature concerning all aspects of the terrorists.

Sir Templer's first aim was to defeat the terrorists and then to prepare the people for self-government not independence but circumstances in the country forced him to do both simultaneously; he took complete command of the armed forces and made General Sir Rob Lockhart, Director of Operations, subordinate to him. Millions of leaflets in Chinese, Indian and Malay were dropped in the jungles by aeroplanes announcing big rewards for killing or capture of terrorists; those who surrendered would be restored to normal life. While Templer was preparing for a big offensive against the terrorists, the latter retaliated by ambushing on March 25, 1952, a repair group which had gone to set right the water main cut by the terrorists at Tanjong Malim. Twelve men were killed by the terrorists and eight others were wounded. The bandits took away from the repair party sten-guns, pistols, bron-guns, rifles and ammunition for their use.

On the fourth day Templer visited Tanjong Malim, imposed a 22 hour curfew for a fortnight, rice ration was cut by more
than half and no one of the 20,000 inmates of the town were
allowed to leave it. Security forces handed over to every house
in the town papers requesting the people to give what information
they had about terrorists, their supporters and secret agents.
Out of the information thus received 40 Chinese were arrested.
From now on more reliable information was flowing into government
offices. Curfew was lifted on the fourteenth day and life became
normal again in the town. Although the punishment was considered
severe but its result was remarkable. Tanjong Malim became the
safest area in the country; it had enrolled about 4,000 Home Guards for its own protection.

The punishment of Tanjong Malim was meted out to other
errring areas with the result that terrorist incidents appreciably
decreased in the country. In August 1952, a Chinese resettlement
officer was murdered in a coffee-shop in the small village of
Pematang Tinggi in Province Wellesley. Since the villagers did
not give information about the murderer, they were removed to
a detention camp and the village was erased. Some of the
villagers were banished to China and to remaining few were left
off.

General Templer deliberately used "Collective Punishment"
and the strict control of food to isolate terrorist sympathisers
from the terrorists. The terrorists were hard hit because they
could not get food supplies from Chinese squatters. Information
was freely coming in about the terrorists.
"By the end of June 1953 the operation was virtually completed: some 600,000 men, women and children, 85% of whom were Chinese, had been resettled in over 500 new villages." It had cost the Malayan exchequer £4.8 millions.

General Templer visited every one of these 500 resettlements, talked to the settlers, concerted measures for their welfare and paid special attention to their education. Four hundred and thirty four schools were established in the New Villages; in these schools Malay and English were taught to the children with strong emphasis on Malayan life and culture. The inhabitants of the New Villages did not object to this form of instruction but outside these villages an educational controversy was going on from 1946 onwards.

EDUCATIONAL CONTROVERSY.

After the Second World War the British rulers discovered the flaw in the educational system in Malaya. Education was being conducted on communal lines. The Chinese schools in particular introduced traditional Chinese teaching and preached loyalty to China, which went against the creation of a common nationality. When the communists overran China, the Chinese Schools in Malaya were staffed with communist teachers who taught Marxism and allegiance to China to their pupils. Chinese students were completely under the influence of Chinese nationalism. The fault partly lay with the government also for it could not

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2. The Fight Against Communist Terrorism in Malaya, p.20, London 1953. (Issued for the Colonial Office by the Central Office of Information for limited distribution in the United Kingdom.)
provide school facilities for Chinese children.

After the re-occupation of Malaya British educational policy was to concert measures to intensify a spirit of common nationality among the different races on the basis of a common language, either English or Malay. The policy was subjected to criticism by the Press.

In August 1950 Sir Henry Guernery appointed a committee of 6 Malays and 5 Europeans under the Chairmanship of Mr. Leonard J. Barnes to investigate the facilities of Malay education. After hearing Malay and European witnesses, the Committee issued its Report in June, 1953 making the following recommendations:

1. The establishment of a system national schools in which the children of the different races should study together.
2. The medium of Instruction should be Malay in romanised script and English.
3. The National School System is a primary school of 6 year's duration.
4. Children between the ages of 6 and 12 will be admitted.
5. No fees will be charged in the National Schools for the 6 years' course.
6. Children passing out from the schools will be sufficiently versed in Malay and English.
7. The cream of the students will be directly admitted to English schools where the medium of instruction is English.
8. The closure of communist schools by discontinuing grants-in-aid to them and progressively replacing them with National Schools.

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The Barnes Report was laying the foundation for the creation of a single Malayan Nationality but this was not liked by the Chinese particularly the teachers who feared that they would be thrown out of employment.

By January 1951 there were rumours that the Chinese schools would be suppressed and Chinese converted into Malays. The Chinese press was also harping upon on the same suspicions and expressed the idea that the Report would be pro-Malay and anti-Chinese. To pacify the Chinese Sir Guernoy in January, 1951 appointed Dr. William P-Fenn, an expert on Chinese education and Dr. Wu Zeh-Yao, a Chinese official of the United Nations to investigate Chinese Schools in Malaya and to make recommendations to meet the conditions in Malaya.

In their Report the two experts made the following recommendations:-

1. Malaya should not be the arena for the infliction of different cultures.

2. It admitted the use of Malay and English in the curriculum of all schools.

3. The teaching of Chinese should be retained in Chinese schools.

4. Teaching in Chinese schools should be directed to the realisation of a Malayan Nation.

Briefly the Fenn Wu Report supported the opponents of

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the National School System.

The Government which was aware of the controversy raging on the Barnes and Fenn Wu Reports, appointed a Special Committee of 11 members of the Federation Council to investigate all aspects of the educational policy for the Federation on September 20, 1951; two members of the Committee were Chinese.

5 The Special Committee after carefully studying the Barnes and Fenn Wu Reports submitted its recommendations:
1. Establishment of National Schools.
2. National Schools should provide a 6 year Course with a Malayan outlook.
3. Education should be free.
4. National Schools should admit students of all races.
5. Instruction should be imparted in Malay, the Official Language of the Federation.
6. If there are not less than 15 students in a class, who desire to learn Chinese (Kue Yu) and Tamil, they should be provided with such facilities.

The Special Committee, in the main, upheld the Barnes Report and its recommendations which were embodied in an Ordinance6 establishing National Schools. The controversy over education came to an end.

Hitherto the Malayan Civil Service was a close preserve of the British and the Malays particularly the members of the

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Royal families and the Malay Nobility. Now it is thrown open to non-Malays-Chinese, Indians, Ceylonese and others in the ratio of 4 Malays to one non-Malay. Out of the non-Malay applicants three who had the required qualifications were appointed to the Malayan Civil Service.

The University of Malaya was established in October 1949, based on the amalgamation of the King Edward VII Medical College and the Raffles College of Arts and Science to provide facilities for higher education to the students of the Federation and Singapore. The University could be fed from students passing out of the English Secondary Schools all over Malaya.

In 1953 the Chinese had put forward proposals for the establishment of a Chinese University to be named Nanyang University for imparting higher education to Chinese boys and girls; they hoped to revive and retain in Malaya Chinese classical learning which was being systematically eradicated from Mao-tse Tung's China. The demerits of the proposals are:

1. It presupposes two systems of secondary education which would not foster Malayan consciousness.
2. There is no efficient system of Chinese secondary education to prepare students for the university.
3. The Chinese will be isolated from the Malays, Indians, Eurasians and Europeans.
4. It will tend to strengthen racial nationalism rather than foster Malayan Nationalism.

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The Government rejected the proposals but the Chinese were raising funds from among themselves to establish the Nanyang University in Singapore in the near future.

**STRUGGLE FOR INDEPENDENCE.**

The most significant event in the political history of Malaya was the day, Sunday, August 26, 1951, when Y.T.M. Tunku Abdul Rahman was elected by a thumping majority to be the President of the U.M.N.O. His most exacting task was to make use of all the available sources in the country and to lead it to independence.

During the 17 years of the Tunku's stay under the mask of a play-boy in England, he had been acquiring a profound knowledge of the working of the British political system and its liberal traditions which he profitably utilised in his struggle for independence.

In his Presidential Address Tunku Abdul Rahman made out the following points which were to act as his guiding principles in his political career subsequently:

1. To foster unity of the Malays under one leader and one banner.
2. Malaya is a Malay country and independence should be handed over to the Malays or be won by them.

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The Malays will receive in their fold the immigrant aliens who make Malaya their home and owe undivided loyalty to it.

If power is handed over to the immigrant races, the Sultans will be wiped out.

We are determined to annul the Federation Agreement and establish freedom for our people.

The Tunku's speech to the U.M.N.O. reveals him as a staunch patriot and confirmed Malay nationalist determined to fight for the independence of his country. The key for the success of his leadership is that he has put forward before the Malay nation the dynamic programme of fighting for independence to retain their hold on the country, to preserve their privileges, culture, religion and way of life in their Homeland. Any Malay who dares to oppose this programme will ipso facto be dubbed as a traitor to the nation.

In January 1952, the local branches of the U.M.N.O. and the M.C.A. entered into an electoral pact for contesting the Kuala Lumpur Municipal elections thus imperceptibly laying the foundation for the U.M.N.O. and the M.C.A. ALLIANCE to be extended throughout the country.

Tunku Abdul Rahman as President of the U.M.N.O. was appointed Federal Councillor by Sir Henry Gurney. Sir Gerald Templer made the Tunku Federal Executive Councillor by virtue of his being the leader of the U.M.N.O., the most powerful political party in the country.

By the end of 1952 the local Alliance won Town Council elections in Johor Bharu, Kuar, Batu Pahat and Malacca, badly defeating the I.M.P. candidates.
The series of unprecedented victories in the town council elections forced the U.M.N.O and M.C.A. local Alliance into the Pan-Malayan Alliance for contesting elections to all the elected bodies all over Malaya in the early part of 1953, the electoral pact is popularly known as the ALLIANCE.

At the Federal Legislative Council session held in March, 1953, Abdul Rahman demanded Federal Council elections to be held in 1954 but the President Mr. Donald MacGillivray, replied that the elections will be held within two or three years.

The annual session of the U.M.N.O. held under the Chairmanship of the Tunku in 1953 passed a unanimous resolution demanding Federal Council elections in 1954. It further stated that if the Government rejected the demand, all the representatives of the Alliance would resign en bloc from the Federal Legislative Council.

At the July session of the Federal Legislative Council, the President of the Council, announced the appointment of a Committee of 46 members of the legislature to examine the problem of federal elections and constitutional changes necessary therefor and submit its recommendations as expeditiously as possible. Four members of the Alliance were in the Committee including Tunku Abdul Rahman. The Attorney-General, Mr. M.J. Hogan, was its

chairman. The composition of the Committee was as follows:

Malays 23, 17 other Asians and 6 Europeans.

The Annual Session of the U.M.N.O. was held at Alor Star in September, 1953. Tun Tun Abdul Rahman was re-elected President. He said if the Government refused to hold elections in 1954, all the U.M.N.O. members of the Federal Council would resign from it; this statement was greeted with tumultuous cheers and shouts of MEREKKA.

The Pan-Malayan Labour Union and the Melayan Indian Congress fell in line with the Alliance in demanding the Federal elections in 1954.

In 1953 the Melayan Indian Congress joined the U.M.N.O. M.C.A. Alliance as its third member. Now the Alliance represented all the three major racial groups which the British could not afford to ignore.

The Election Committee submitted its unanimous report with two exceptions; its recommendations were:

1. The Federal Legislature should have 92 members.
2. Forty four members should be elected.
3. Forty-four members should be nominated by the High Commissioner; out of this number he should personally nominate 8 members who would represent some important element.
4. The date of the election was left to be fixed later.

EXCEPTIONS:-

1. The Alliance demanded that the election should be held in November, 1954.

2. And 60 elected members in a council of 60.

The two exceptions were the basis on which the Alliance started its agitations.

The Report was submitted to the Conference of Rulers and the High Commissioner for their views and their proposals had to be submitted to Parliament for approval.

The Conference of Malay Rulers accepted the recommendations of the Election Committee but increased the number of elected seats from 44 to 52, i.e. conceding 50% of the demands of the Alliance. The H.C. promptly despatched these proposals to S. of S. for the Colonies for approval. The Alliance was still dissatisfied with the increase of 8 elected seats.

In passing it is to be noted that during the whole period of the British Rule in Malaya, this is the first occasion when the power and constitutional position of the Malay Rulers was recognised by the protecting power and made public for general information. The Rulers had ceased to be the puppets of Britain.

Dato Onn's Independence of Malaya Party having failed to get substantial support from the Malays, forced the veteran leader to change it into Party Negara to attract Malay support in February, 1954.
On Wednesday, April 21, 1964, Tunku Abdul Rahman accompanied by T.H. Tan left Malaya via Singapore by air to London to inform the political parties, Members of Parliament and the British public the reasons for the Alliance opposition to the election proposals.

Within a few days after reaching London, Tunku Abdul Rahman was shocked to find that the Colonial Office had released for public information the agreement arrived at between the H.C. and the Malay Rulers on Tuesday, April 27, 1964; the Agreement revealed that the Federal Council of 98 members would have 52 elected members and 46 nominated members out of whom 7 could be nominated by the H.C. as he pleased. It envisaged Federal Elections after a year.

Undeterred Tunku Abdul Rahman went on delivering speeches to the British public that the Alliance mandate to him was to demand a fully elected Federal Council but he would persuade the Alliance to accept 60% elected members if the British Government would grant it.

The Labour Party members of Parliament showed more sympathy to the cause than the Conservatives; the former pointed out that it would be difficult for Mr. Oliver Lytton to reverse the decision which would involve breach of faith with the Malay Rulers; if the S of S for the Colonies was inclined to concede to the demands of the Alliance, he could
convert the 7 members to be nominated by the U.C. to be elected members of the U.C. could nominate the 7 members in consultation with the leaders of the majority party; these changes could be effected within the structure of the election proposals. The Tunku declined to accept these suggestions but promised to convey them to the Alliance for consideration.

On May 14, 1954, the Malayan delegation of three members went to the Colonial Office and presented their views before Mr. Oliver Lytton who listened attentively but persuaded the delegation to accept the election proposals. The Tunku pointed out that refusal to accede to the demands of the moderate Alliance delegation would force the Alliance members to leave the Federal Council and the extremists would step in; Mr. Lytton showed signs of anxiety over this possibility and informed the delegation that he would give a written reply before it leaves for Malaya.

On May 19, 1954, the Tunku received a letter from Mr. Lytton urging him to give a trial to the election proposals and not to start a political crisis on the question of 3/5 elected majority in the Federal Council. The following day the delegation embarked for Malaya and reached it on the 22nd. The next morning the Tunku presided over the Executive Committee Meeting of the U.M.N.O. and in the evening an Emergency Alliance meeting was held which passed a unanimous resolution requesting an independent committee consisting of members from abroad to be sent to Malaya with the consent of Britain and the Malay Rulers to report on the
constitutional changes to be effected in the Federation. If the Government refused to accede to this request, the Alliance will be compelled to request its members to cease to cooperate with the Government. The Tunku personally delivered the resolution to Sir Templer on the 23rd of May, 1954.

Sir Templer left Kuala Lumpur on June 1, 1954 and Mr. Donald MacGillivray took over as H.C.

To the Alliance resolution, Mr. Lytton sent a negative reply to the Tunku on June 10. The next morning the Alliance met and decided to withdraw its members from all the Councils in the Federation. On the same day the new H.C. requested the Alliance delegation led by the Tunku not to withdraw the Alliance Ministers and Councillors from the Federal Legislature so as to enable them to take part in the debate on the election bill. The delegation declined to accede to the request. Orders were issued to Alliance members to quit legislature, Councils and Government Committees. Nearly 1,000 members of the Alliance kept themselves away from all the Government institutions; the Federal Ministers, Dr. Ismail and H.S. Lee, sent their resignations to the H.C.

The Alliance leaders carried out a whirlwind campaign throughout the country explaining to the people the reasons for their non-cooperation with the Government. A political crisis had developed placing the administration in the unenviable position of fighting the terrorists in the Jungle and the
political agitation in the plains and towns, Malay Rulers were impressed by the huge processions staged by the Alliance before their palaces.

At midnight on Sunday, July 2, 1954, an Alliance delegation headed by the Tunku was taken to Mr. Hogan, the Attorney-General, in a car to the Singapore Naval Base on board the Alert where Mr. MacGillvray was waiting for them. In a two hour discussion a compromise was effected satisfactorily to both sides.

On July 6, 1954, Mr. MacGillvray sent a letter to the Tunku specifying the details he intended to take. The same day the Tunku sent his reply to the H.C. who, on the 7th instant, sent a letter to the Tunku giving a final assurance to him and the other political parties; the assurance was that Sir MacGillvray would fill the nominated reserve members by appointing them in consultation with the leader of the elected majority party in the Federal Council. The boycott move by the Alliance that was threatening to disrupt the civil administration came to a happy end. The same day the Tunku withdrew the 21 day old non-cooperation. The cordial relations between the Government and the Alliance was restored till the British Rule came to an end in Malaya.

On August 12, 1954, the Federal Legislative Council 12 unanimously passed the Bill amending the Federation Agreement.

to permit the introduction of Federal elections. The Tunku was present at the session. It was announced by Mr. Hogan that Federal elections would likely be held in the middle of 1955.

Immediately the Alliance leaders enrolled a large number of volunteers to help people register as voters. The Alliance created a National Council of 30 members to be the absolute executive authority to deal with policy.

In 1954 the Alliance captured all the 16 seats to the Legislative Council in Johore and all the 12 seats in Trengganu. By the end of the year the Tunku was appointed a member of the Federal War Executive Committee whose sole function was to carry on the war against the terrorists.

In March 1955 the Federation Government declared that it had fixed July 27 as the Election Day for the Federal Legislature. The Federal Legislative Council would be dissolved on June 2 and Nomination Day was fixed on June 16.

The political parties geared up their electioneering machinery for the coming electoral contest for the Federal Legislature.

Senior Malay government servants resigned their posts to stand for the elections.

The Alliance opened its election campaign on April 10, 1955 when the Alliance National Council session was held at Kuala Lumpur under the Presidentship of Tunku Abdul Rahman who appealed
to all the members to work in a team for the benefit of the whole country and to eschew racial considerations.

Dato Onn resigned from the Home Ministership and devoted himself to the work of converting Party Negara into a formidable political party. The party issued its manifesto in April guaranteeing independence by 1960, Malay Rulers would remain Constitutional Monarchs and one nationality for the country.

The Alliance issued its manifesto by the middle of May pledging INDEPENDENCE in 4 years; it envisages the declaration of a General Amnesty to end the Emergency; it dealt with the problems confronting the Federation and that those problems could be satisfactorily solved after independence.

On Nomination Day the Alliance was the only party to put up candidates for all the 52 seats of the Federal Council; 35 Malays, 15 Chinese and 2 Indians. The Alliance had set up 17 non-Malay candidates in constituencies where the Majority of voters were Malays.

Party Negara had set up 30 candidates, 29 Malays and one Chinese. Eighteen independent candidates also contested the election.

By July 28, 1965, the results of the election were announced. The Alliance had won 51 of the 52 elected seats to the Federal Council; one seat went to the candidate of the Pan-Malayan Islamic Party, a Malay in the State of Kedah. Dato Onn bin Ja'far, founder and leader of Party Negara, was defeated
by Sulaiman bin Dato Abdul Rahman, an Alliance candidate in
the Johore Bharu constituency.

The sweeping electoral victory of the Alliance was
due mainly to two facts in their election manifesto:
1. Declaring a General Amnesty to the terrorists to end
   the Emergency;
2. To get INDEPENDENCE for Malaya within 4 years.

Ninety per cent of the electorate had cast their votes.
The total number of the registered voters was just over
1,280,000; of these 84.2% were Malays, 11.2% were Chinese and
balance of 4.6% were mainly Indians.

The unexpected had happened in Malaya. The Federal
Council election had established the fact that the transition
from a fully nominated legislative council to a majority elected
one could be accomplished at one stroke. This is the first
instance in the history of British Colonial Territories.

Tunku Abdul Rahman, the undisputed leader of the elected
members of 51 out of 52 seats, went to see the High Commissioner,
Sir Donald MacGillivray, in connection with the formation of the
new ministry on Sunday, July 31, 1955. Sir MacGillivray
appointed the 5 "reserved seats" in compliance with the
recommendations of the Tunku on August 1, 1955; the same day
the Tunku presented to Sir MacGillivray of the names of his

Ministers composed of 6 Malays, 3 Chinese and one Indian. The Ministers took the oath of office on August 9. Tunku Abdul Rahman was Chief Minister, Home Minister and Minister-in-Charge of Internal Security and Defence. The same evening in his broadcast to the nation as Chief Minister he reiterated his determination to work for INDEPENDENCE in a peaceful and constitutional manner. The Ministers would work as a team on the basis of collective responsibility. He assured government officials belonging to rival political parties that they would not be victimised.

When the Colonial Secretary, Mr. Lennox Boyd, visited Kuala Lumpur by the end of August, the Tunku discussed with him the question of INDEPENDENCE. Mr. Boyd told the Tunku that he would hold a conference in January, 1956 in London, to discuss further Constitutional Advance. He also pointed out that the Malay Rulers would take part in the Conference as any change in the Constitution would affect them.

The Tunku met the Malay Rulers at a Special Conference at the end of September and persuaded them to support the move for independence and that their position as constitutional monarchs would be guaranteed in independent Malaya. He further requested them to appoint their representatives to hold a discussion with the Alliance so as to present agreed proposals to the British Government at the London Conference.

In keeping with the promise in the Alliance Manifesto to end the Emergency, the Tunku on September 9 announced an
amnesty to the terrorists, who, if they surrendered, would not be prosecuted for offences connected with the Emergency. This was the most lenient term so far offered to the terrorists.

On December 23, 1955, at about 2.30 p.m. Tunku Abdul Rahman accompanied by the Chief Minister of Singapore, Mr. David Marshall and Sir Tan Cheng Lock, President of the M.C.A. met Ching Peng, the Secretary-General of the M.C.P. at a conference in a school-room in the small country town of Baling on the northern border of the State of Perak. A second conference was held the next day at about 10.30 a.m. The two meetings broke down on the terrorist intransigence and insistence that the terrorist party be accorded recognition as a communist party and allowed to function as such in the Federation. The Tunku rejected these terms and offered them, instead, to allow them to work in any political party if they give up communism or they may be repatriated if they so desire. The communists insisted that their terms should be accepted. The conference ended without achieving anything. Two or three days later, the Tunku announced in Kuala Lumpur that the amnesty would be withdrawn on February 8, 1956.14

On January 2, 1956, the "ERDUKA MISSION" consisting of the top ranking leaders of the Alliance-Dato Abdul Razack, Dr. Ismail, Col. H.S. Lee and its Secretary, T.H. Tan- and the 4 representatives of the Malay Rulers-Dato Panglima Bukit Cantang, the Chief Minister of Perak, the Chief Minister of Selangor,

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Inche Abdul Azziz bin Haji Abdul Majid, the Deputy Chief Minister of Johore, Dato Mohd. Seth bin Mohd. Sa'aid and Dato Nik Ahmad Kamil, Ex-Chief Minister of Kelantan- bearded the Italian ship "Asia" at Singapore to go as far as Karachi and thence to emplane for London. Tunku Abdul Rahman was the leader of the Mission representing the people and Rulers of Malaya.

The Tunku's resourcefulness, shrewd and political insight came into play when he decided to present a united demand by the Mission to the British Government. He tactfully managed in a series of meetings on board the ship to get the representatives of the Malay Rulers to agree to a joint demand for independence for Malaya, leaving of points of disagreement to be ironed out after the country was free. With the agreed joint demand in his hand, the Tunku attended the Constitutional Conference at London from January 13 to February 8, 1956.15

The parties to the Conference reached the following conclusions subject to the approval of the Government of Great Britain and the Conference of Malay Rulers:

1. During the transition period the Government of the Federation of Malaya was given the fullest measure of Self-Government.

2. Internal defence and security will be the responsibility of a Malayan Minister.

3. Article 23 of the Federation Agreement is to be amended "to make provision for the office of Chief Minister" and the Executive Council members are to be filled in by the H.C. in consultation with the Chief Minister.


16. Ibid, paras. 6-75.
4. A Malayan Minister of Finance will be in charge of the Finance Portfolio.

5. A Malayan Minister of Commerce and Industry is to be set up to look after the two subjects.

6. An Emergency Operations Council under the chairmanship of the Minister for Internal Defence and Security shall take over the functions of the Director of Operation's Committee.

7. British Advisers in the Malay States would be withdrawn subject to the concurrence of the Malay Rulers.

8. The High Commissioner will act on the advice of the Executive Council in all matters except External Defence and External Affairs.

9. External Defence and External Affairs shall be the responsibility of the British Government.

10. The date for full Self-Government and the INDEPENDENCE OF MALAYA was provisionally fixed for August 31, 1957.

11. An Independent Constitution Commission is to be appointed for drawing up a Constitution for the whole of Malaya.

The M"RDU"KA MISSION having obtained what they wanted left for Malaya on February 16, 1956.

On February 20, 1956, Tunku Abdul Rahman announced to a large crowd of about 100,000 people that "M"RDU"KA DAY" will be August 31, 1957, at Malacca, the Capital of the Malay Empire of Malacca of the 18th century.

On March 7, 1956, H.M. the Queen and the Conference of Malay Rulers had accepted the recommendations of the London Conference for the appointment of a Commonwealth Constitutional Commission for drawing up a Constitution for a fully Self-Government and independent Federation of Malaya within the Commonwealth.

The London Conference had agreed that the Commonwealth Constitutional Commission should have a chairman and another member from the United Kingdom and that Canada, Australia, Pakistan and India should be invited to send one member each with the following terms of reference:

"To make recommendations for a Federal Form of Constitution for the whole country as a single, independent, self-governing unit within the Commonwealth based on Parliamentary democracy with a bicameral Legislature, which would include provision for":

1. "The establishment of a strong central government with the States and Settlements enjoying a measure of autonomy"

2. "the safeguarding of the position and prestige of Their Highnesses as constitutional rulers of their respective States"

3. "a constitutional Yang-di-Portuan Besar (Head of State) for the Federation to chosen from among Their Highnesses the Rulers"

4. "a common nationality for the whole of Malaya"

5. "The safeguarding of the special position of the Malays and the legitimate interests of other communities."

The Constitution Commission started working in Malaya from June 30, 1956. It received 131 memoranda, held 118 meetings heard evidence from Federal, State and Settlement Officers, associations, groups and individuals. By October 1956, the Commission felt that it had received enough information to

start drafting its recommendations. The Commission met in Rome in December 1956 and started drafting its recommendations for the Constitution of self-governing independent Malaya.

Briefly the main provisions of the recommendations are:

1. An elected Constitutional Monarchy.

2. A Federal form of Constitution with a bicameral legislature:
   (a) A House of Representatives of 100 elected members by a Single Member Constituencies on a territorial basis for a period of 5 years.
   (b) A Senate of 33 members, 2 Members to be elected by each of the 11 State Legislative Assemblies and 11 to be nominated by the Head of State for a period of 6 years.

3. A strong Central Federal Government with a certain measure of autonomy to the 9 States and 2 Settlements.

4. Administration of Land is a State Subject.

5. Matters of Religion or Malay Customs are State subjects in the 9 Malay States and the 2 Settlements of Penang & Malacca.

6. Local Government is a State Subject.


"Her Majesty's Government, the Conference of Rulers and the Government of the Federation appointed a Working Party in the Federation to make a detailed examination of the Report and to submit recommendations thereon." The 3 parties having accepted

22. Ibid., 145.
the recommendations of the Working Party, the Constitution for the Federation of Malaya 1957 and the Constitutions for the Settlements of Penang and Malacca were drawn up and made constitutionally valid by each of the said parties:-


II. The Federation of Malaya Agreement was signed by Sir Donald Charles MacGillivray on behalf of Her Majesty on the one part and Their Highnesses, the Rulers of the 9 Malay States on the other part for Themselves and Their Successors, on August 5, 1957.25

On August 21, 1957, the 9 Malay States and the 2 Settlements of Penang and Malacca were "formed into a new Federation of States by the name of "Persekutuan Tanah Malaya" or in English the Federation of Malaya, under the Federal Constitution set out in the First Schedule to the Agreement and thereupon the said Settlements ceased to form part of Her Majesty's dominions...."26

The provisions of this Agreement were conditional upon the approval of the said Federal Constitution by Federal Ordinance and by an Enactment by each of the Malay States. 27

The Federal Constitution Ordinance 1957 was "enacted by the High Commissioner of the Federation of Malaya and their
Highnesses the Rulers of the Malay States, with the advice
and consent of the Legislative Council, "On August 27, 1957, as
follows:-

The Federal Constitution set out in the First Schedule
to the Federation of Malaya Agreement, 1957, is hereby approved
and shall on and the thirty first day of August, 1957, have the
force of law throughout the Federation. 28

And it was in the presence of a crowd of over 100,000
people assembled at the Merdeka Stadium at Kuala Lumpur, on
August 31, 1957, Y.T.M. Tunku Abdul Rahman Putra, the Prime
Minister of Persekutuan Tanah Malaya, proclaimed the INDEPENDENCE
of the Federation of Malaya. 29

For the first time in the history of Malaya, "a
Constitution for the Government of the Persekutuan Tanah
Malaya has been established as the supreme law thereof." 30

On this memorable day of independence, the Malays
have got possession of their motherland and have to tackle the
problems inducted into their country by the outgoing colonialism.

28. Malayan Constitutional Documents, 1959, Kuala Lumpur, pp. 16-16
   Art. 2.

29. Ibid., Proclamation of Independence, pp. 17-18. Leasing's
   Contemporary Archives, 1957-58, Aug. 31-Sept. 7, 1957;
   MALAYA, Achievement of Independence, p. 16778 and Asian
   MALAYA, pp. 1622-1623.

30. Malayan Constitutional Documents, 1959, Kuala Lumpur, p. 18,
   para 7.